

# CAMBRIDGE LICENSE COMMISSION

831 MASSACHUSETTS AVE, CAMBRIDGE, MA 02139

NICOLE MURATI FERRER  
CHAIRPERSON | BOARD MEMBER

BRANVILLE G. BARD, JR.  
POLICE COMMISSIONER | BOARD MEMBER

GERARD E. MAHONEY  
FIRE CHIEF | BOARD MEMBER

ELIZABETH Y. LINT  
EXECUTIVE DIRECTOR

## BOARD OF LICENSE COMMISSIONERS' OCTOBER 1, 2020 MEETING MINUTES

*This meeting was held by remote participation through Zoom, pursuant to Governor Baker's Executive Order of March 10, 2020, suspending certain provisions of M.G.L. ch. 30A.*

Meeting started at approximately 3:00 p.m.

**Board members in attendance:** *Chair Nicole Murati Ferrer (present); Commissioner Branville G. Bard (present); Chief Gerard E. Mahoney (present).*

**Staff member in attendance:** *Elizabeth Y. Lint.*

All votes, unless otherwise indicated, were 3-0 and done by roll call vote.

1) Application #84642 HH Trinh Corporation d/b/a All Star Pizza Bar, 1238 Cambridge Street, holder of a Common Victualler License #63619, has applied to add Wine and Malt Beverages to its license with Khanh Chi Trinh as Proposed Manager of Record. The hours of operation, capacity and premises description are to remain the same: 10:00 a.m. to 11:00 p.m. all days; seating for 11, occupancy total of 20; and premises described as: Dining room, kitchen and bathroom for patrons on the first floor. Storage in the basement; one main entry/exit on Cambridge street and one emergency/delivery entry/exit on the side from the kitchen. **[Time Stamp: 02:10]**

**Documents Considered:** Application and documents attached thereto.

**Summary:** This matter had been approved on August 24, 2020 but was put back on the agenda as the applicant failed to notify abutters. This has been rectified. Therefore, the Board incorporated by reference the information presented at that hearing and made it a part of the record.

**Decision:** Vote of August 24, 2020, ratified - granted.

2) Application #84639 HY Trinh Corporation d/b/a All Star Sandwich Bar, 1245 Cambridge Street, holder of a Common Victualler License #65630, has applied to transfer the Wine and Malt Beverages License from Diamonds Restaurant Group, Inc., d/b/a All Star Sandwich Bar, 1245 Cambridge Street, with Nhan Chi Trinh as Proposed Manager of Record. The hours of operation, capacity and premises description are to remain the same: 11:00 a.m. to 8:00 p.m. Sunday, 11:00 a.m. to 9:00 p.m. Monday through Thursday, and 11:00 a.m. to 10:00 p.m. Friday and Saturday; total seats and occupancy of 34; and premises described as: Dining room with counter seating and kitchen on first floor. Storage in basement, 2 Egresses; 1 Entrance front door, 1 Exit back door kitchen. **[Time stamp: 04:05]**

**Documents Considered:** Application and documents attached thereto.

**Summary:** This matter had been approved on August 24, 2020 but was put back on the agenda as the applicant failed to notify abutters. This has been rectified. Therefore, the Board incorporated by reference the information presented at that hearing and made it a part of the record.

**Decision:** Vote of August 24, 2020, ratified - granted.

3) Application #72731 ARE MA Region No 59, LLC, One Kendall Square #200/400/500/600/700, has applied for a Flammables License for: 4,800 gallons of Class 1; 4,800 gallons of Class 2; 8,160 gallons of Class 3; 5,000 lbs. of flammable solids; and 40,000 cubic feet of flammable gasses. **[Time Stamp: 05:30]**

**Present:** Zachary Amdur and Christopher Lynch.

**Documents Considered:** Application and documents attached thereto.

**Summary:** These amounts represent the maximum allowable amounts. It is understood that the amounts will change depending on the tenants. A list will be provided annually to reflect the correct amounts and will be handled administratively.

**Decision:** Granted for flammables not for direct consumption.

4) Application #72732 ARE MA Region No 59, LLC, One Kendall Square #1400, has applied for a Flammables License for: 3,720 gallons of Class 1; 3,720 gallons of Class 2; 7,080 gallons of Class 3; 3,875 lbs. of flammable solids; and 31,000 cubic feet of flammable gasses. **[Time Stamp: 08:30]**

**Present:** Zachary Amdur and Christopher Lynch.

**Documents Considered:** Application and documents attached thereto.

**Summary:** These are the maximum amounts allowed, depending on tenants. The conditions on the license will specify what is there on a yearly basis.

**Decision:** Granted with flammables not for direct consumption.

5) Application #89841 Love Art Udon Comm, LLC d/b/a Cloud and Spirits, 795 Main Street, has applied to transfer the Common Victualler All Alcoholic Beverages License from Cuchi Cuchi Limited d/b/a Cuchi Cuchi, 795 Main Street. The proposed hours of operation are 10:00 a.m. to 1:00 a.m. Sunday through Friday and 8:00 a.m. to 1:00 a.m. Saturday with seating for 49, and an occupancy 120. Jessica Chiep as Proposed Manager of Record of a premise described as: Approximately 2200 square feet. 1st Floor with: Kitchen with 1 staff entrance, office space, bar, with 1 emergency exit and 1 main entrance/exit. Basement storage. **[Time Stamp: 10:45]**

**Present:** Jessica Chiep and Michael Gander.

**Documents Considered:** Application and documents attached thereto.

**Summary:** Because there was an alcohol license at this location there is a presumption of public need. This will be an American restaurant with signature cocktails with a speak easy vibe. They are hoping to serve breakfast within a year from opening. They are going to be open 11 a.m. for lunch and the 5 p.m. for dinner, same as Cuchi Cuchi. A more detailed floor plan is needed to see the layout of the tables and set capacity. They are considering a temporary extension of premises for outdoor dining and are in discussions with their landlord. Jessica has been in the food business for many years. She has owned other restaurants but has never been manager of record on a liquor license before. Michael has experience in the food and beverage industry. They are both TIPS certified.

**Decision:** Granted.

6) Application #92794 Colwen Management, Inc. d/b/a Fairfield Inn and Suites, 209 Monsignor O'Brien Highway, All Alcohol Innholder License #10760, for a Change of Manager to Kristoffer Martin. [Time Stamp: 20:51]

**Present:** Kristoffer Martin and Attorney Jon Aieta.

**Documents Considered:** Application and documents attached thereto.

**Summary:** Kristoffer has about 10 years' experience in the hospitality industry. He is TIPS certified but has never been a manager of record before.

**Decision:** Granted.

7) Application #66279 Coffee Co., LLC d/b/a Intrepid Café, 150 First Street, Common Victualler Wine and Malt License #12328, for a Change of d/b/a to Gracenote Cambridge. [Time stamp: 23:10]

**Present:** Mae DeLuca.

**Documents Considered:** Application and documents attached thereto.

**Summary:** There are no changes to the business or operation. They are just rebranding.

**Decision:** Granted.

#### **Administrative Matters**

*All the below listed matters are considered and voted upon by the Board without public testimony. Unless otherwise indicated, all the matters are decided upon by the individual review of the papers/applications before the Board members and each member votes upon the matter. The summary of what is considered by the Board, unless otherwise indicated, is the identifying information of the matter as listed on the agenda.*

- 9) Discussion of license fee for Farmer Brewery licensees also selling/serving wine.

**Summary & Decision:** No vote as there has already been a discussion on this and the fees have been set.

- 10) Application #93487 Michael Pirrello on behalf of Turner Construction has applied for a Special Noise Variance for 10/2/2020 – 12/26/2020 (alternate dates of 10/3/2020 – 12/29/2020) at 325 Main Street on weekdays from 3:00 p.m. – 11:00 p.m. to conduct construction activities with a second shift using welders, lights, generators, small hand and power tools. The variance is being sought for worksite and public safety, spreading out the workforce over multiple shifts to enhance social distancing. The application would extend the approved dates of an existing variance.

**Decision:** Granted.

- 11) Ratifications of approvals of Temporary Extensions of Licensed Premises to Outdoor Area Due to COVID-19, pursuant to Boards' vote of June 8, 2020: See attached list.

**Decision:** Ratified as to all.

**[Late additions to the agenda]**

- 12) Disciplinary E.C. Hathaway & Associates for allegedly operating leaf blowers on March 12, 2020 at approximately 2:20 p.m., March 30, 2020 at 4:55 p.m. and June 12, 2020 at approximately 12:00 p.m., all in the vicinity of 167 Brattle Street and on July 9, 2020 at approximately 11:00 a.m. in the vicinity of Appleton and Brewster Streets in violation of Cambridge Municipal Code 8.16.081.1(b) and 8.16.081.2(c)- operating without a permit. In addition, the alleged usage on March 12 and July 9, 2020 are also in violation of 8.16.081.2(a), operating during a prohibited period. It is also alleged that employees of E.C. Hathaway were not wearing face masks on June 12, 202 in violation of State, City and Board mandates. **[Time Stamp: 27:12]**

**Present:** Licensing Investigator Tyler Bubenik.

**Documents Considered:** Hearing notice and documents attached thereto.

**Summary:** No one appeared for E.C. Hathaway. Mr. Bubenik testified that he observed employees of E.C. Hathaway operating leaf blowers on dates enumerated above. He also received numerous email complaints for these dates. Photos were included. A fourth email was received on July 12 stating employees were not wearing face masks but there was not mention of leaf blowers. This business has a history of violating noise ordinance, not appearing for hearings and a total disregard for public safety and the process.

**Decision:** Violation for operating without a permit on March 12, March 30, and June 12, 2020; Violation for not wearing a face mask on July 12, 2020; Violation for operating during a prohibited period on March 12 and July 9, 2020. Fine of \$300.00 for each of the seven violations for a total of \$2,100.00.

13) Application #94052 Tamilyn McGee, on behalf of BTNM Assoc., LLC, doing business as AI's Café, holder of Common Victualler License #12318 at 600 Technology Square, has applied to change their opening hour to 9:00 a.m. Current opening hour is 10:30 a.m.

**Decision:** Granted.

14) Application #94017 Daniel Cedrone, on Behalf of McCourt Construction has applied for Special Noise Variance for 10/5/2020 – 10/31/2020 (Alternate dates of 10/6/2020 – 11/1/2020) at 48 Quincy Street on weeknights from 8:00 p.m. until 6:00 a.m. to remove current road striping and lay down new striping for the improved bicycle corridor using grinding and pavement marking equipment. The variance is being sought to minimize traffic impacts and expedite completion.

**Decision:** Granted.

15) Ratification of vote for application #65522 1160Massave, Inc. d/b/a Kung Fu Tea, 1160 Massachusetts Ave., Board originally approved on June 29, 2020 but abutters were not notified.

**Summary:** This had been heard and approved on June 29, 2020 but the applicant failed to notify abutters. This has since been rectified. There were no objections to the application and the Board incorporated by reference and made a part of the record the testimony given on June 29, 2020.

**Decision:** Vote of June 29, 2020, ratified – application granted.

16) Application #94192 Michael Monestime, on behalf of Central Square BID/Starlight, has applied for alcohol and entertainment licenses from October 1 through October 31 (excluding 10/5) at Starlight Sq. Lot 5.

**Decision:** Zola Coleman is the actual responsible party, in accordance with the original approval on July 23, 2020. Granted with the conditions that an admission fee cannot be charged to the public, but may be asked for voluntary donations; no alcohol can be sold prior to 11:00 a.m. and must be sold in conjunction with food service; alcohol cannot be taken out of the licensed area and all conditions placed by the City of Cambridge for the use of the space in the indemnification and license agreement are incorporated by reference herein and only a one day license fee will be charged to the applicant.

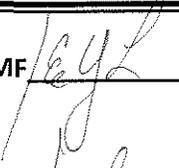
17) Falda and Fountain of Theta has purchased medallion #224.

**Decision:** Board acknowledged.

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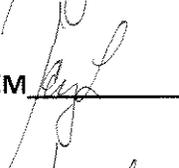
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NMF



Minutes Approved: OCT 28 2020

GEM



Minutes Posted: OCT 28 2020

BGB

