

# 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 MEETING MINUTES for Wednesday, October 28, 2020 At 9:00 a.m.

*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.*

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

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

1. Application #95661 H Mart LHC, LLC d/b/a H Mart, 581 Massachusetts Avenue, has applied to transfer the All Alcoholic Package Store License held by Libby's Market, Inc., 575 Massachusetts Avenue. Applicant is also applying for a Change of Location to 581 Massachusetts Avenue. William Denby Wood as Proposed Manager of Record of a premise described as: 23,320 square feet with 5 entrances and 5 exits. [Time Stamp: 01:50]

**Present:** William Wood and Attorney Andrew Upton.

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

**Summary:** This was heard in July, but a new application had to be filed as the entity had to be changed as the sole director of the corporation was not a Massachusetts resident. This is the same information but with a new corporation. The only difference in this application besides the new corporation is that they have added space in the rear. Testimony from the July hearing is incorporated and made a part hereof.

**Decision:** Granted.

2. Application #92352 Jerry Gordon d/b/a Fun Antiques, 33 Belmont Street, has applied for a new Secondhand Goods, Junk Dealer and/or Antiques License. [Time Stamp: 06:55]

**Present:** Jerry Gordon, applicant.

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

**Summary:** Mr. Gordon had held this type of license on Mass. Ave. for 14 years and is now moving to a new location. He explained that he mostly repairs lamps and does sell some

antiques. He has had no disciplinary issues. Minka Van Beuzekom spoke in favor of this application.

**Decision:** Granted.

3. Application #95174 Dreamland Corp. d/b/a Fresh Mart, 222B Broadway, has applied for a new Wine & Malt Package Store License. Syed Shahidullah as Proposed Manager of Record of a premise described as: 1,200 sq. ft. with 1 entrance, 1 exit and a seating capacity of 0. **[Time Stamp: 09:25]**

**Present:** Syed Shahidullah and Attorney Andrew Upton.

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

**Summary:** Mr. Shahidullah moved here from Bangladesh. He has owned Fresh Mart since 2008 with his wife. One of them is in the store every day. He has added an ID scanner to his POS. He was manager of record on a liquor license in New Hampshire with no incidents. This location had been a liquor store in the past. He will not sell kegs. He will take alcohol training. Their hours are currently 7 am to 7 pm. They will close at 9pm if they obtain the license. Minka Van Beuzekom spoke in favor of this application.

**Decision:** Granted. Shelves and/or coolers must be locked during non-alcohol hours.

4. Consideration of Renewal Poofydude, LLC d/b/a Wits End, 1248 Cambridge Street, Common Victualler All Alcohol License #11615 for revocation and/or cancellation of the license based on the non-renewal and/or violations of the provisions of M. G. L. c. 138, §§ 16A, 23 and 70, and the Board's Rules. **[Time Stamp: 19:55]**

**Present:** No one appeared for Poofydude, LLC.

**Documents Considered:** Hearing notice.

**Summary:** Mr. Stein had made representations that he was not paying the renewal fee and was working with the landlord who was thinking of purchasing the license.

**Decision:** The license is expired for failure to renew properly or in the alternative the license is cancelled for failure to comply with the renewal provisions of ch. 138 and Board's rules.

6. Consideration of Renewal Lulu Cuisine, LLC d/b/a Luce, 1 Shepard Street, Common Victualler All Alcohol License #11518 for revocation and/or cancellation of the license based on the non-renewal and/or violations of the provisions of M. G. L. c. 138, §§ 16A, 23 and 70, and the Board's Rules. **[Time Stamp: 21:45]**

**Present:** Rene Becker, Andrew Upton and Melissa Young.

**Documents Considered:** Hearing notice, emails and Viewpoint record.

**Summary:** Mr. Upton explained that there was confusion between his various licenses, and this fell through the cracks. Mr. Becker confirmed one of the phone numbers and emails when asked. His other license was renewed on time. Emails were sent 3 times from Viewpoint, personal emails 2 times and numerous telephone calls. Mr. Becker took full responsibility for the failure to renew in a timely fashion. He agreed he received messages from Melissa. Typically, his manager handles these things and he did pay for High Rise but didn't say anything about the restaurant. Since Luce has been closed, he hasn't been paying attention to the emails. The Board expressed concern that he has been in business for many years and didn't realize he had to renew. Mr. Becker said he is currently working with the landlord to reopen. He would serve breakfast, lunch and dinner.

**Decision:** Warning for late payment and failure to pay in a timely manner and renewal approved subject to payment being made today. Otherwise, it will be cancelled.

7. Consideration of Renewal Eastern End, Inc. d/b/a Eastside, 561 Cambridge Street, Common Victualler All Alcohol License #11333 for revocation and/or cancellation of the license based on the non-renewal and/or violations of the provisions of M. G. L. c. 138, §§ 16A, 23 and 70, and the Board's Rules. [Time Stamp: 35:35]

**Present:** No one appeared for Eastern End, Inc.

**Documents Considered:** Hearing notice.

**Summary:** The hearing notice was not acknowledged. The investigator went and the place is closed. There is also a history with this licensee.

**Decision:** The license is expired for failure to renew properly or in the alternative the license is cancelled for failure to comply with the renewal provisions of ch. 138 and Board's rules.

8. Disciplinary Club Recreativo Lusitania, Inc., 40-42 Fifth Street, All Alcohol Club License #11624 due to allegations that Club Lusitania has been open and operating, being a common nuisance, selling, providing or delivering alcohol while currently prohibited pursuant to the State of Emergency and Orders Due to COVID-19, in violation of the Governor's Orders, City of Cambridge's Orders, Board's Orders and Rules, and G. L. c. 138, §§ 12, 23, 60, 61, 62 and 64. [Time Stamp: 37:33]

**Present:** Jose DaSilva.

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

**Summary:** Board explained that this should have been an informational hearing, not disciplinary. Mr. Da Silva explained that they had some renovations while they were closed. He also said that they were going through a transition from vice president to president and a lot of

people had keys. He believes other members were going in without his permission. When he received the second warning, he changed the locks and the only people that have keys are him and the president. There was an individual who had been stealing and is now calling the police every day as revenge. They are not open for their members.

**Decision:** Warning letters affirmed but no further disciplinary action.

#### **ADMINISTRATIVE MATTERS**

9. Application #95965 The Residences at Alewife Station, LLP 201-203 Alewife Brook Parkway, has applied for an open air parking lot license for 26 vehicles. **[Time Stamp: 48:35]**

**Summary:** This is actually adding open air spots to an existing garage license.

**Decision:** Granted.

10. Disciplinary John's Landscape Service for allegedly operating multiple leaf blowers within the same 10,000 square foot area on May 5, 2020 at approximately 4:10 p.m. in the vicinity of 54 Concord Avenue in violation of Cambridge Municipal Code 8.16.081.2(f)- limit of one leaf blower per 10,000 square feet. **[Time Stamp: 49:18]**

**Summary:** This matter was taken under advisement at the hearing on October 1, 2020 as not all of the Board members had viewed the video evidence. Mr. Tighe did admit his employees were there and the property management company had confirmed that Mr. Tighe's company is the one that services their properties. The language used by the reporter was not necessary or condoned by the Board.

**Decision:** Violation \$300.00 fine.

11. Update on renewals.

**Summary:** Just to let everyone know that renewals have started for non-alcohol licenses. The Board was asked to waive the fee for the New Years Extension this year to the hardship the businesses have faced.

12. Minutes for 9/15, 9/23 and 10/1,2020.

Approved as to all.

13. Disciplinary Azzam Development For allegations that employees of Azzam Development and/or SKC Properties worked outside of the permissible hours of 9:00 a.m.to 6:00 p.m. on Saturdays, Sundays or a Holiday, in violation of Cambridge Municipal Code 8.16.080(f) at 45-47 Granite Street on Saturday, September 5, 2020 at approximately 8:45 a.m. (see: attached CAD report #20073852). **[Time Stamp: 52:35]**

**Present:** No one appeared for Azzam. Tyler Bubenik, Investigator.

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

**Summary:** Mr. Bubenik received a voice mail from building inspector Brandon Vigneault that construction work had started at 8:45 a.m. on Saturday, September 5, 2020 on Granite Street. Cambridge Police were also notified. The same situation had occurred earlier in the year. Confirmation of delivery of the notice was received by Mr. Bubenik.

**Decision:** Violation \$300.00 fine.

14) Application #97182 Aaron Butler on behalf of Consigli Construction has applied for a Special Noise Variance for 11/1/2020 – 12/6/2020 (alt. 11/8/2020 – 12/13/2020) at 450 Water Street, on multiple Sundays from 7:00 a.m. to 9:00 a.m. to weld column splices for a building using welding equipment. The variance is being sought to limit worker interaction due to COVID-19 and expedite steel erection.

**Decision:** Granted.

15) Travis Crowley of Phoenix is requesting an extension to a previously approved Special Noise Variance #94405. The details are the same, but with a requested start date of 10/29/2020 – 10/30/2020 (Alt. 10/30/2020 -10/31/2020). The variance is being sought after complications arose with the cable splice from 10/16/2020 – 10/17/2020.

**Decision:** Granted.

16) Disciplinary Capizzi Landscape- consideration of waiver filed for violations of Cambridge Municipal Code 8.18.081. [Time Stamp: 56:45]

**Decision:** Violation \$300.00 fine.

Add on- Application #97679 Travis Crowley on behalf of Phoenix Communications is applying for Special Noise Variance for 10/29/2020 – 10/30/2020 (Alt. 10/30/2020 – 10/31/2020) at 705 Cambridge Street, from 8:00 p.m. to 5:00 a.m. to perform a cable splice using an idling vehicle as a power source. The variance is sought in the interest of worker safety and to minimize impacts to traffic. This work is an extension of Application #94405, which was approved by the Board on 10/6/2020 for the same work, at the same location for 10/16/2020 – 10/17/2020 from 8:00 p.m. – 1:00 a.m.

**Decision:** Granted.

Application #96327 Lisa Vallela, on 10/30/31, rain date 10/31 for an outdoor movie at Harvard, Peabody terrace, 50 people- from 5-9.

**Decision:** Granted with the condition that amount of people present is capped at 50.

---

---

NMF

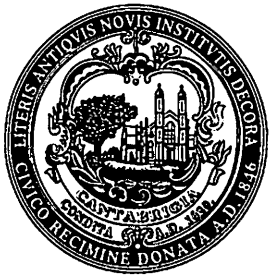
GM

Board Voted: \_\_\_\_\_

OCT 28 2020

Date Minutes Posted: \_\_\_\_\_

NOV 25 2020



# 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 Meeting Minutes For September 28, 2020

*The meeting was held by remote participation via Zoom.*

### Administrative Matters

- 1) The Board of License Commissioners (the "Board") will discuss the 2021 (Fall) and 2021-2022 (Spring) Renewal License Fees, and whether the Board will be changing any renewal processes in light of the COVID-19 pandemic.

**Summary:** A memo of propose fees was distributed to the Board. This was discussed with the City Manager as some of the fees are set by the Manager. A 40% reduction is proposed for all license types except Pole & Conduit, Waste Haulers, Leaf Blowers and Flammables only, as they are not affected by Covid-19. This is a onetime non-precedent setting reduction, exclusive of those in the spring of 2021. This means there would be a 40% reduction of the renewal fee for all of the following license types: alcohol (restaurant, club, hotel, general on premises/bar), common victualler, entertainment, innholder, lodging houses/dormitories, letting of motor vehicles, used car dealers, garages, open air parking lots, second hand good stores (antiques and junk), hawker/peddler (food trucks), jitneys, and liveries. We will also consider continuing to waive all fees for the renewal of taxi driver licenses and medallions.

- (2) For all alcohol licensees:

- (a) If the business is open/operating, provide the licensee the option to pay the full reduced alcohol license fee by November 30, 2020, or pay 15% of the alcohol renewal fee due by November 30, 2020 with the rest of the balance of the alcohol renewal fee due May 31, 2021, the corresponding CV and ENT, if applicable, would either have to be paid in full by November 30, 2020, or the licensee could choose to pay 15% of the fee by December 11, 2020 with the remainder due on May 31, 2021.
- (b) If the business is not open/operating, provide the licensee the option to pay the full reduced alcohol license fee by November 30, 2020, or pay 15% of the alcohol renewal fee due by November 30, 2020 with the rest of the balance of the alcohol renewal fee due May 31, 2021. The CV and ENT fees, if applicable, would not have to be paid until the business reopens at which time the total reduced fee would be prorated.
- (c) If the business does not reopen in 2021 because the phase in which we are in does not allow the business to reopen, the licensee would have two options – surrender the

license or pay the full reduced alcohol renewal fee by May 31, 2021. If the alcohol license fee is not paid by May 31, 2021, the license will expire, be deemed not properly renewed, and/or be subject to cancellation/revocation pursuant to the provisions of G. L. c. 138.

(3) All businesses that do not have an alcohol license:

- (a) If the business is open/operating, provide the licensee the option to pay the full reduced license fee by December 11, 2020, or pay 15% of the renewal fee due on December 11, 2020 with the rest of the balance of the renewal fee due May 31, 2021.
- (b) If the business is not currently open/operating but is hoping to conserve the license, accept the renewal without the payment, without imposing penalties for late payments, and when they are ready to open, pro-rate the license fee by the # of months which it will operate.
- (c) If the business does not open during the calendar year for which it seeks to renew because the phase we are in does not allow the business to reopen, the licensee would have two options – surrender the license, or pay the full reduced license fee by May 31, 2021 (for Fall renewals) or by October 29, 2021 (for Spring Renewals). If the license is sought to be “renewed” regardless of it not being allowed to reopen, the renewal must be accompanied by proof of the right to occupy the space (this would ensure that businesses are not holding spaces/landlords “hostage” while they get to re-open).

(4) In light of the above-mentioned recommendations, and for the limited purpose of renewals, I would propose the Board allow pro-rating of license fees as explained above.

(5) Based on health expert advice that being outdoors is better than indoors, reduce all annual patio fees for 2021 to \$25.00 for private patios and \$75.00 for public patios.

(6) Continue to suggest to the City of Cambridge absorb the credit card processing fees. This may be beyond our control. It is a suggestion from the Board to the City.

(7) The Board wants to stress that this is a one-time, non-precedent setting reduction or change in policy, procedures and processes due to the state of emergency declared by the Governor of Massachusetts pursuant to the COVID-19 Pandemic. As always, the Board will continue to enforce and regulate all licenses pursuant to state laws and City Ordinances.

**Decision:** Board voted (3-0) to adopt the document as amended with the above language.

2) Hybrid Vehicle Lottery drawing pursuant to the City of Cambridge’s Hybrid Vehicle Lottery Policy of March 10, 2020. List of qualified participants attached.

**Summary:** The City’s hybrid policy was amended to allow this to be done remotely due to Covid. Each participant received an entry number which was by numerical order alphabetical order by their first name. The following stated they did not wish to participate: #12 and #72 (need names). Winners will



be notified via email and Officer Szeto will follow up. Ms. Young operated the lottery drawing system. There will be ten winners. All attendees were loaded, and the wheel was spun. Winners were:

- 1) #58 Munir Salah
- 2) #7 Abner Polinice
- 3) #14 Armine Jasmine
- 4) #39 Gene Tevesse
- 5) #34 Jacob Finese
- 6) #30 Hisham Higazy
- 7) #6 Abel Jean Juice
- 8) #62 Pierre Devil
- 9) #44 Joseph Chaperone
- 10) #74 Walid Nakhoul

---

---

NMF \_\_\_\_\_

Board Voted: SEP 28 2020

BGB \_\_\_\_\_

Date Minutes Posted: NOV 25 2020

GEM \_\_\_\_\_