



CAMBRIDGE LICENSE COMMISSION

831 MASSACHUSETTS AVE, CAMBRIDGE, MA 02139

NICOLE MURATI FERRER
CHAIRPERSON | BOARD MEMBER

CHRISTINE A. ELOW
POLICE COMMISSIONER | BOARD MEMBER

GERARD E. MAHONEY
FIRE CHIEF | BOARD MEMBER

BOARD OF LICENSE COMMISSIONERS' MEETING MINUTES

Thursday, December 9, 2021, 10:30 a.m.

Held Via Zoom

This meeting was held remotely in accordance with Section 20 of Chapter 20 of the Acts of 2021, signed into law on June 16, 2021.

Board Members (All Present): Nicole Murati Ferrer, Gerard E. Mahoney, and Christine A. Elow.

Staff Member Present: Chris O'Neil, Administrative Assistant.

Decisions: All votes were by roll call vote, 3-0, unless otherwise stated.

Public Testimony Matters

1. **Application # 148564** Star Markets Company, Inc. d/b/a Star Market, 699 Mount Auburn Street, Package Store License #11306, change of officers/directors.

Present: Nicholas Zozula, attorney.

Documents Considered: Application and documents attached thereto.

Summary: This is a top-tier change, no other changes to the operation. One of the listed directors has retired and been replaced by another who is a MA resident; the other is an officer that has left the company, and was just removed from the business.

Decision: Granted.

2. **Application #151024** Barca, Inc. d/b/a Barca has applied to transfer the existing Common Victualler All Alcohol Beverages License held by Lulu Cuisine, LLC d/b/a Luce, at the same location, 1 Shepard Street. The proposed hours of operation are 5:00 p.m. to 1:00 a.m. all days with proposed seating for 82 inside. Ernani Michael Pagliarini as Proposed Manager of Record of a premises described as: 2,322 sq ft. in one main room, on ground floor, kitchen in rear, storage in basement; 1 main entrance on Shepard Street, 4 emergency exits in rear.

Present: Kristen Scanlon, attorney; Ernani Michael Pagliarini; Pamela Ralston; and Laura Faria. Residents: Emily Axelrod; Clare Rager; and Deborah Zucker.

Documents Considered: Application and documents attached thereto; and correspondence received in support of the application.

Summary: There is a presumption of need for a license at this location. This would be a full-

service seafood restaurant, with a d/b/a name change to Moeca, to cater to the neighborhood's needs and compliment what is there already. Would want to start operating at 11 a.m. for lunch. There will be cosmetic changes to the space, and gas operated cooking facilities. Will not be using a wood fire grill. Ernani Michael Pagliarini has extensive experience in the industry with no disciplinary issues.

Applicants stressed they are opening a dining establishment not a bar. The hours sought are to provide flexibility and ultimate hours will be structured once the demand of the neighborhood is determined. The operators' experience has provided them the opportunity to navigate the concerns raised by neighbors and they are confident they will enhance the quality of life of residents and neighbors.

Decision: Granted with the amended d/b/a of Moeca and amended opening hour of 11:00 p.m.

3. **Application # 146449** Science Partners Incorporated d/b/a Miracle of Science Bar & Grill, 321 Massachusetts Avenue, holder of a Common Victualler All Alcoholic Beverages License, alteration of premises to include outdoor seating areas on the public way with a total of 36 seats. The proposed new licensed premises would be: Restaurant with kitchen, bar and dining area on the first floor, with two outdoor patios on the public way measuring approximately 50 sq. ft and 100 sq. ft.; storage, office and prep area in the basement.

Present: Chris Lutes.

Documents Considered: Application and documents attached thereto.

Summary: This application mirrors the area used and approved through Temporary Extension # 78662. The premises description needs to be updated to more specifically address these are two outdoor areas and their square footage and seating capacities. Hours of operation of outdoor areas are the same as inside.

Decision: Granted; premises description to include details of outdoor area: the one on Mass Ave is curbside for a total of 273 sq. ft. and a total seating capacity of 20, and the second seating area is on the corner of Massachusetts and State against the building with a total square footage of 20 sq ft. and total seating of 16.

4. **Application #152785** YAN 2000, LLC d/b/a Flame Hot Pot and Sushi, 1001 Massachusetts Avenue, Common Victualler Wine and Malt License, has applied for a Change of Beneficial Interests and Transfer of Stock/New Stockholder.

Present: Eddy Hsia.

Documents Considered: Application and documents attached thereto.

Summary: Eddie Hsia has become the majority shareholder and there was a change in

ownership bringing in Xiaoli Deng. Other than the change in ownership, no other changes.

Decision: Granted.

5. **Application #132251** Rutu, Inc. d/b/a Tanjore, 878 Massachusetts Avenue, has applied for a New Common Victualler All Alcohol License with proposed hours of 11:00 a.m. to 1:00 a.m. Sunday through Thursday and 11:00 a.m. to 2:00 a.m. Friday and Saturday with proposed seating for 99 and a total occupancy of 99. Nirmal Lama as proposed manager of record of a premises described as: 2,319 total square feet (including basement -1,060 square feet), 1 room, 1 kitchen, 1 entrance, three exits. Applicant is also applying for an entertainment license to include: amplified recorded music above conversation level and 6 TV's.

Summary/Decision: Not heard as the applicant failed to notify abutters in accordance with the law. The matter will be rescheduled in 2022.

6. **Application #126739 [Continuation of October 19, 2021 Hearing]** Subcentral, LLC d/b/a Subcentral, 645 Massachusetts Avenue, for an Entertainment License to include: Live and Amplified Music; Dancing by Patrons; DJ and Light Show from 11:00 p.m. to 5:00 a.m. Fridays and Saturdays. The updated request is to operate 2:00 p.m. – 5:00 a.m. Thursday-Saturday, although the “classes” would not be late at night.

Present: James Rafferty, attorney; Julien Vazquez; and Jose Zamora. Persons who spoke in support of application: Diego Torres; Hichem Benyamina; and Payum Noshiravan.

Documents Considered: Application and documents attached thereto; website; business plan; and correspondence regarding application.

Summary: [Testimony from October 19, 2021 referenced/discussed]. Admission would be to members and students only and only for entertainment purposes. There would be a DJ and dancing by patrons. The structure behind the business is to have students perfect their skills in more traditional nightclub setting. They would operate 7 days a week with hours of 2:00 p.m. – 1:00 a.m. Sunday through Wednesday and 2:00 p.m. – 5:00 a.m. Thursday through Saturday. Their classes would not be all the time properly Monday – Thursday 6:00 p.m. – 9:00 p.m. They are trying to support a culture of experimental/underground house, dance and techno music.

There was discussion on how the plan seems to be “all over the place” and how they would control the food traffic and the no service of food or alcohol. However, the hands-on teaching method/approached was supported and understood as something unique. From 2015 to date, the membership has been between 50-100. They would ensure there is no re-entry and classes would be for groups of 4-6 people. The area is commercial and no residents about the location. The applicants must submit a floor plan which is stamped by an architect or engineer to ensure the capacity and load requested is sustainable.

Decision: Granted, pending submission of stamped plan (final capacity to be set based after receipt) and with amended hours of operation of 2:00 p.m. opening every day, 1:00 a.m. closing Sunday-Wednesday and 2:00 a.m. closing Thursday through Saturday.

7. **Disciplinary** Landscape Collaborative, holder of Leaf Blower Permit #10704, for alleged violations of Cambridge Municipal Code 8.16.081.2(f) - operating multiple blowers within the same 10,000 square foot area on November 19, 2021 at approximately 12:00 p.m. in the vicinity of 4 Berkeley Place.

Present: Investigator Tyler Bubenik; and Virginia Coleman.

Documents Considered: Hearing notice and documents attached thereto.

Summary: No representative for Landscape Collaborative appeared at the hearing. Significant disciplinary history. Complainant observed the employees at the back of 4 Berkley Place, simultaneously operating leaf blowers within 6 feet of each other.

Decision: Violation, \$300 fine.

8. **Disciplinary** Gilliam and Sons Landscaping, for alleged violations of Cambridge Municipal Code of 8.16.081.1(b), 8.16.081.2(c) – operating without a permit, CMC 8.16.081.2(e) – manufacturer’s noise emissions rating limited to 65 dBA, and CMC 8.16.081.2(f) – limit of one blower per 10,000 square feet on November 17, 2021 at approximately 1:00 p.m. in the vicinity of 180 Brattle Street.

Present: Investigator Tyler Bubenik.

Documents Considered: Hearing notice and documents attached thereto.

Summary: No representative for Gilliam and Sons Landscaping appeared. Investigator Bubenik observed the employees simultaneously operating leaf blowers in close proximity to each other on the same parcel. At least one of the leaf blowers used was non-compliant. Company had received a cease and desist but had not commenced/completed the permitting process.

Decision: Violation \$300 fine for each violation (no permit, non-compliant leaf blower, and operating less than 10,000 square feet apart), for a total fine of \$900.

9. **Disciplinary** S&J Landscape and General Services, for alleged violations of Cambridge Municipal Code 8.16.081.1(b), 8.16.081.2(c) – operating without a permit on the afternoon of November 9, 2021 and morning of November 29, 2021, and CMC 8.16.081.2(f) – limit of one blower per 10,000 square feet on November 29, 2021, as well as failure to adhere to an August 11, 2021 Cease and Desist Order, all in the vicinity of 7 Berkeley Place.

Present: Investigator Tyler Bubenik; and Virginia Coleman.

Documents Considered: Hearing notice and documents attached thereto.

Summary: No representative for S&J Landscape and General Services appeared. Complainant observed three employees simultaneously operating leaf blowers in close proximity to each other. The area is fenced so the picture obtained is from far away. Company had received a cease and desist but had not commenced/completed the permitting process.

Decision: Violation for operating without a permit 11/9 & 11/29 and operating multiple blowers. \$300 fine for each violation, for a total fine of \$900.

Administrative Matters

All the below listed matters were considered and voted upon by the Board without public testimony. Unless otherwise indicated, all the matters were decided upon by the individual review of the papers/applications/matter before the Board members and each member voted 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.

10. **Application #154239** Georgio Kheirallah has applied for a new Cambridge Hackney Driver's License.

Decision: Granted.

11. **Application #154241** Christopher Kheirallah has applied for a new Cambridge Hackney Driver's License.

Decision: Granted.

12. **Application #153166** Mirlande Joseph has applied for a new Cambridge Hackney Driver's License.

Decision: Granted.

13. **Application #154261** Life Alive, LLC d/b/a Life Alive, has applied for a Common Victualler License to be exercised at 22 JFK Street, between the hours of 7:00 a.m. – 10:00 p.m., operating on the ground floor and basement level. The total SF is 6,243 SF with a total of 102 seats. A portion of the space is sublet to a yoga studio (Down Under Yoga). The first floor is 3,470SF and consists of kitchen, coffee/juice bar, dining room (45 seats), yoga reception and yoga studio room. The basement level is

2,773 SF and consists of dining room (57 seats), restrooms, walk-in fridge, storage room, yoga studio room and locker room. Background music throughout the establishment.

Decision: Granted.

Ratification of Approved Changes to Licenses Through Renewal Applications:

14. **License #12254** Aramark Services, Inc. d/b/a Aramark @ Biogen, 225 Binney Street, Common Victualler License, through its renewal application changed its manager to Helena Leighton.
15. **License #21826** 3G, LLC d/b/a Mex Taqueria & Bar, 500 Technology Square, Common Victualler All Alcohol License, through its renewal application changed its opening hour on Saturday and Sunday to 10:00 AM for brunch.
16. **License #10940** Cambridge Multicultural Arts Center, Inc., 41 Second Street, Entertainment License, through its renewal application changed its manager to Adria Katz, and added DJ, acrobatic show and comedy show to its already approved live entertainment categories.
17. **License #10895** Residence Inn by Marriott, LLC d/b/a Residence Inn by Marriott, 120 Broadway, Innholder All Alcohol License, updated number of rooms to 250, and increased number of TVs to 6.
18. **License #12234** Chipotle Mexican Grill of Colorado, LLC d/b/a Chipotle Mexican Grill, 600 Massachusetts Avenue, Common Victualler License, changed its manager to Livan Robles.
19. **License #12358** Chipotle Mexican Grill of Colorado, LLC d/b/a Chipotle Mexican Grill, 227 Alewife Brook Parkway, Common Victualler License, changed its manager to Jenelle Parise.
20. **License #11656** Deanta Corporation, Inc. d/b/a Phoenix Landing, 512 Massachusetts Avenue, Common Victualler All Alcohol License, changed opening hour on Sundays from 11:00 a.m. to 10:00 a.m.
21. **License #53343** Harvard Square BBQ Co., LLC d/b/a Smoke Shop, 8 Holyoke Street, Common Victualler All Alcohol License, added recorded music above conversation level with amplification.
22. **License #57008** Anthony Pizza Grill and More, Inc. d/b/a Anthony Pizza Grill and More, 43 Gore Street, Common Victualler License, changed weekday opening hour to 8:00 a.m.
23. **License #12394** Starbucks Corporation d/b/a Starbucks, 750 Memorial Drive, Common Victualler, changed its manager to Jordan Morgan.

24. **License #12195** Starbucks Corporation d/b/a Starbucks, 200 Alewife Brook Parkway, Common Victualler, changed its manager to Daniel Callahan.
25. **License #12396** Starbucks Corporation d/b/a Starbucks, 120 Broadway, Common Victualler, changed its manager to Linh Nguyen.
26. **License #12197** Starbucks Corporation d/b/a Starbucks, 468 Broadway, Common Victualler, changed its manager to Lexi Ortiz-Melo.

Decision: Ratified – granted as to all.

Ratification of Votes on Requests for Extensions on New Year’s Eve: These requests are considered for a maximum of 1 hour extension on alcohol, not to exceed to 2:00 a.m. and a maximum of 2 hours extension on food and entertainment.

27. **License #11682** Greek American Political Club Of Mass d/b/a Greek American Political Club, 288 Green Street, Common Victualler All Alcohol License, requested a New Year’s Eve a closing hour of 3:00 a.m. for food and entertainment. Granted.
28. **License #21826** 3G, LLC d/b/a Mex Taqueria & Bar, 500 Technology Square, Common Victualler All Alcohol License requested a New Year’s Eve a closing hour of 2:00 a.m. for alcohol, food and entertainment. Granted.
29. **License #109172** Whisnant A & MacLean R d/b/a Zuzu’s Petals, 204 Hampshire Street, Common Victualler Malt, Wines and Cordials License, requested a New Year’s Eve a closing hour of 1:00 a.m. for alcohol, food and entertainment. Granted.
30. **License #11452** Nutoshimo, Ltd. d/b/a The Mad Monkfish, 524 Massachusetts Avenue, Common Victualler All Alcohol License requested a New Year’s Eve a closing hour of 1:30 a.m. for alcohol. Granted.
31. **License #11285** 47 Palmer, Inc. d/b/a Passim Folk Music and Culture Center, 47 Palmer Street, Common Victualler Malt and Wines License requested a New Year’s Eve a closing hour of 2:00 a.m. for alcohol, food and entertainment. Granted.
32. **License #11464** Gllypad, LLC d/b/a The Lily Pad, 1353 Cambridge Street, General on Premises Malt and Wines License requested a New Year’s Eve a closing hour of 2:00 a.m. for alcohol and entertainment. Granted.
33. **License #69757** Between a Rock, LLC d/b/a Artifact Cider Project, 438 Massachusetts Avenue, Malt and Wines Famer Series Pouring Permit, requested a New Year’s Eve closing hour of 1:00 a.m. for alcohol, food and entertainment. Granted 12:00 a.m. for alcohol, 1:00 a.m. for food and entertainment.

34. **License #124523** Charles Fine Dining, LLC d/b/a Bar-Enza, 1 Bennett Street, Common Victualler All Alcohol License, requested a New Year's Eve closing hour of 2:00 a.m. for alcohol, food and entertainment. Granted.
35. **License #118197** Dow Enterprises, LLC d/b/a Judy's Bay, 279A Broadway, Common Victualler All Alcohol License, requested a New Year's Eve closing hour of 2:00 a.m. for alcohol, food and entertainment. Granted with modifications – 1:30 a.m. closing hour on alcohol, 2:00 a.m. closing hour on food and entertainment.
36. **License #124523** Charles Fine Dining, LLC d/b/a Bar-Enza, 20 University Road, Common Victualler All Alcohol License, requested a New Year's Eve closing hour of 2:00 a.m. for alcohol, food and entertainment. Granted.
37. **License #99534** Fat Heady, LLC d/b/a Whitney's Café, 37 JFK Street, Common Victualler All Alcohol License, requested a New Year's Eve closing hour of 2:00 a.m. for alcohol, and 3:00 a.m. for food and entertainment. Granted.

Decision: Ratified – granted as to all with the conditions listed therein.

38. **Ratification of Temporary Extension #151741** Belly to Bones, LLC d/b/a Talulla, 377-A Walden Street, Common Victualler All Alcohol extending onto the private sidewalk against the building with two tables of two seats each, with conditions (1) Outdoor area must close at 11:00 p.m. (2) Greenhouses must be accessible and in compliance with American Disabilities Act. (3) If greenhouses are not in use, outdoor area must be enclosed by planters, rope or other means so as to avoid access from the public walkway.

Decision: Ratified – granted.

Acknowledgement of Non-Renewed Licenses: The following alcohol renewal applications were not submitted in accordance with state law and/or Board procedures.

39. **License #11368** Bright Star Lunch, Inc. d/b/a Courtside, 291 Cambridge Street, Common Victualler All Alcoholic Beverages License. Business has been closed and is not currently open/operating.
40. **License #11689** Luna Azteca Mexican Restaurant, Inc. d/b/a Jose's Mexican Restaurant, 131 Sherman Street, Common Victualler All Alcoholic Beverages License. Business has been closed, is not currently open/operating and lost the lease to the space as of August 2021.
41. **License #11495** 1071 Cambridge Street, LLC d/b/a Bisq, 1071 Cambridge Street, Common Victualler All Alcoholic Beverages License. Business has been closed and is not currently open/operating.

Decision: Acknowledged – licenses will automatically expire on December 31, 2021, at midnight so

technically on January 1, 2022.

One Day License Applications

42. **Application #153903** 450 Kendall Hospitality, LLC, dba Glass House has applied for an entertainment license to be exercised at 450 Kendall Street, on 12/17/21 from 5:00 p.m. – 11:00 p.m. for a corporate holiday party with patrons dancing, recorded music, dj and amplification system. Expected attendance – 150 people.

Decision: Granted.

43. **Application #153743** Tamine Son has applied for an entertainment license to be exercised at 300 Athenaeum Street, on 12/18/21 from 6:30 p.m. – 11:30 p.m. for an ice-skating community holiday event with patrons dancing, performers/entertainers dancing, dj and amplification system. Expected attendance – 75 people.

Decision: Granted.

44. **Application #153254** Isabel Barnet, on behalf of Camp Kesem at MIT, has applied a malt and wine and entertainment license to be exercised at Morss Hall, Walker Memorial 142 Memorial Drive, on 3/8/22 from 5:00 p.m. – 8:30 p.m. for a fundraiser/gala. Expected attendance – 200 people.

Decision: Granted, with the condition that police detail is required per MIT Event registration.

45. **Application #155050** Kirsten Sims has applied for an all alcohol license to be exercised at Gallery 263-263 Pearl Street, on 12/16/21 from 5:00 p.m. – 8:00 p.m. for a fundraiser. Expected attendance – 50 people.

Decision: Granted, with the condition that there must be a limited number of alcoholic drinks (3) associated with the admission price, otherwise/thereafter, the alcohol must be sold.

46. **Application #155289** Jennifer Sur has applied for a one-day hawkers/peddler license to be exercised at Sanders Theatre 45 Quincy Street, on 12/16-29/21 from 12:00 p.m. – 10:00 p.m. to sell cd's, books, cards, and ornaments.

Decision: Granted with the conditions that the peddling hours are limited as stated in the Memorial Hall registration/permission event letter.

47. **Application #155387** Bill Manley, on behalf of Harvard Square Business Association, has applied for an entertainment license to be exercised at Deguglielmo Plaza, on 12/11/21 from 2:00 p.m. – 5:00 p.m. for a kickoff of holiday giving tree with live music. Expected attendance – 25 people.

Decision: Granted, pending submission of the City Permit and subject to the conditions therein.

48. **Application #155510** Pardis Saffari, on behalf of Community Development and East Cambridge Business Association, has applied for a one-day hawkers/peddler license for 2 vendors to be exercised in front of 1337 Cambridge Street, on 12/9/21 from 6:00 p.m. – 8:00 p.m. to sell clothing and art illustrations.

Decision: Granted, no license fee as it is a City event.

49. **Application #155574** Scott Fraser has applied for an entertainment license to be exercised at 400 Harvard Street, on 12/17/21-12/19/21 from 5:00 p.m. – 10:00 p.m. for a dance concert with performers/entertainers dancing, recorded music, amplification system and light show. Expected attendance – 99 people.

Decision: Granted.

50. **Application #155596** Hong Liu has applied for an entertainment license to be exercised at Cambridge Common 1500 Massachusetts Avenue, on 12/12/21 with rain date of 12/19/21 from 12:00 p.m. – 2:00 p.m. for a gathering to support winter sports with live music. Expected attendance – 100 people.

Decision: Granted.

[Administrative Matters Considered but which were not posted on the agenda.]

51. **Meeting Minutes** November 16, 2021.

Decision: Approved.

52. **Medallion Notice of Sale** Christopher's Cab Inc. c/o Joseph F. Kheirallah (#33425) sold medallion # 52 to Georgio's Cambridge Taxi, Inc. c/o Georgio Kheirallah (#156164).

Decision: Acknowledged/granted.

53. **Medallion Notice of Sale** Old VP Andrew J. Cab Inc. c/o Joseph Kheirallah (#33912) sold medallion # 117 to Christopher's Cambridge Taxi, Inc. c/o Christopher Kheirallah (#156166).

Decision: Acknowledged/granted.

54. **Application # 155792** Zvonko LLC, on behalf of St. Sava Church has applied for a malt and wine with entertainment license to be exercised at 41 Alewife Brook Pkwy, on 12/17/21 from 7:00 p.m. – 12:00 a.m. for a concert/fundraiser with live music. Expected attendance – 100 people.

Decision: Granted.

55. **Application # 155892** Fallon Adair has applied for a malt and entertainment license to be exercised at 29 Brattle Street, on 12/19/21 with rain date of 1/10/22 from 6:00 p.m. – 8:00 p.m. for a donation- shoe drive with recorded and live music. Expected attendance – 150 people.

Decision: Granted with the condition that the alcohol must be sold.

56. **Application # 155853** BFF Bubble Tea Inc. dba Moge Tee- So Lim Ting has applied for an entertainment license to be exercised at 605 Massachusetts Avenue, on 12/18/21 from 11:00 a.m. – 1:00 p.m. for a grand opening celebration. Expected attendance – 100 people.

Decision: Granted with the condition that there can be no fireworks display/use.

57. **Application # 156154** Bill Manley, on behalf of Harvard Square Business Association has applied for an entertainment license to be exercised at Deguglielmo Plaza, on 12/18/21 from 12:00 p.m. – 4:00 p.m. for a jazz band concert with live music. Expected attendance – 25 people.

Decision: Granted pending submission of the City Permit and subject to the conditions therein.

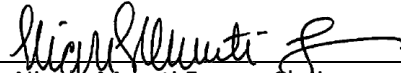
58. **Special Noise Variance Application # 155918** Samantha Glancy on behalf of Glancy & Sons for 12/11/21 (Alt. 12/12/21) at 1414 Massachusetts Avenue, from 6:00 a.m. to 12:00 p.m., to assemble a crane for hoisting materials to a roof and later disassembling it using chains on the street and trucking with back up alarms. The variance is sought in the interest of allowing enough time to finish the hoist in one day, as the task involves shutting down mechanical equipment that cannot be turned back on until work is completed. Minimizing impacts to pedestrian and vehicular traffic are an additional consideration.

Decision: Granted.

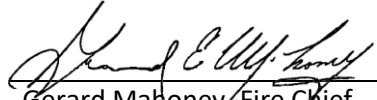
By the Board of License Commissioners

Minutes Approved: January 11, 2022

Minutes Posted: January 11, 2022



Nicole Murati Ferrer, Chair



Gerard Mahoney, Fire Chief



Christine Elow, Police Commissioner