



CAMBRIDGE LICENSE COMMISSION

831 MASSACHUSETTS AVE, CAMBRIDGE, MA 02139

NICOLE MURATI FERRER
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ELIZABETH Y. LINT
EXECUTIVE DIRECTOR

BOARD OF LICENSE COMMISSIONERS' MEETING AGENDA

Wednesday, June 30, 2021, 1:00 p.m.
By Remote Participation 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 Present: Nicole Murati Ferrer (present), Gerard E. Mahoney (present), and Branville G. Bard (absent).

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

All votes were by roll call vote, 2-0.

Meeting started at approximately 1:01 p.m.

Public Testimony Matters

- Application #121737** PlantPub (Kendall), LLC d/b/a PlantPub, 675 West Kendall Street, has applied for a new Common Victualler Wine and Malt Beverages License with proposed hours of operation of 11:00 a.m. to 9:00 p.m. all days with seating for 15. Mary Dumont as Proposed Manager of Record of a premises described as: On first floor consisting of 1,519 square feet with kitchen, one (1) restroom, storage, dining area, counter for ordering and pick up, and grab and go refrigerator. There is one entrance into public retail space of premises, one doorway from retail area to hallway containing the restroom.

Present: Marci Costa, Patrick McAuley, Mary Dumont.

Documents Considered: Application and documents attached thereto.

Summary: Applicants are trying to redefine pub food and bring a modern feel – sustainability – recreating classic pub fare, better for us and planet – 100% plant based. Creating it in an atmosphere that is approachable and sustainable, also offering local craft beer and wines. Seeking for a total capacity of 18. Mary Dumont, has been an approved manager of record with no issues other than administrative. Has been trained before and scheduled to update it.

Decision: Granted.

- Application #123613** Vester, LLC d/b/a Vester, 75 Ames Street, Common Victualler Wine and Malt License, has applied for an Alteration of Premises to include approximately 320 square feet of patio space on the public sidewalk.

Present: Nicole Liu.

Documents Considered: Application and documents attached thereto.

Summary: Seeking a total of 24 seats (8 of which are on private property against the building). Acknowledged letters received in support of application.

Decision: Granted.

3. **Application #122792** Shack Foods of Harvard Square, LLC d/b/a Summer Shack, 20 University Drive, has applied for a new Common Victualler All Alcohol License with proposed hours of operation of 4:00 p.m. to 11:00 p.m. Monday through Friday and 11:00 a.m. to 11:00 p.m. Saturday and Sunday with seating for 110 and an occupancy of 130. Carlos Eduardo Almeida as Proposed Manager of Record of a premises described as: Approximately 1,000 square foot patio on private property with tables, bar, service station, and kitchen. Applicant is also applying for an Entertainment License to include live music without amplification to cease at 9:00 p.m.

Present: Attorney James Rafferty, Patrick Lyons, and Carlos Almeida.

Documents Considered: Application and documents attached thereto.

Summary: This was the space that was previously occupied by Legal's (presumption of public need) and which the Summer Shack operated as last summer (this operation would also be weather permitting). The tables at the plan are all for four people each. Therefore, 96 seats at tables and 30 at bar. Total capacity would be 126 seats with 20 standing. Carlos Eduardo Almeida, has been with Summer Shack for more than 10 years and his work experience there has trained him for this position. Has TIPS certification.

Decision: Granted with 126 seats and 20 standing.

4. **Application #124523** Charles Fine Dining, LLC b/d/a Bar-Enza, One Bennett Street, has applied to transfer the Common Victualler All Alcohol License held by Benedetto, Inc. d/b/a Benedetto, One Bennet Street. The proposed hours of operation are 4:00 p.m. to 1:00 a.m. Monday through Friday and 10:30 a.m. to 1:00 a.m. Saturday and Sunday with seating for 201 inside, inside occupancy of 240 and 29 patio seats on private property with an outside occupancy of 40. Gabriela Choate as proposed Manager of Record of a premises described as: Restaurant on second floor consisting of two dining rooms, bar and lounge (approximately 5,300 sf) and outdoor dining on terrace (approximately 1,000 sf). Applicant is also applying for an Entertainment License to include: recorded music above conversation level; live music with amplification; and DJ.

Present: Attorney James Rafferty, Patrick Lyons, Gabreila Choate.

Documents Considered: Application and documents attached thereto.

Summary: Since this is a transfer, there is a presumption of public need for the license. The Chef is Mark Ladner (Italian Chef in NY with Michelin star award). Chef Mark was born and

raised in Belmont. The intent is to satisfy the needs of the hotel and Harvard Square neighborhood – not changing the space but for cosmetics. Different seating – nooks, booths, post pandemic world – paint, paper, furniture and fixtures and change the vibe and feeling of the space – physical stays the same, generally speaking seating capacity also the same. This would be similar to the Scampo concept which has a broad range of plates and options – popular prices \$25-75/person, depending on needs. They are going for a high quality experience.

An updated plan for the entertainment was supplied.

Gabriela Choate, has extensive experience, previously approved manager of record without disciplinary issues. Booked for new TIPS certification.

Decision: Granted, inclusive of both floor plans.

5. **Application #122805** Sargent Hospitality, Inc. d/b/a Si Cara, 425 Massachusetts Avenue, has applied for a new Common Victualler All Alcohol License with proposed hours of 11:00 a.m. to 2:00 a.m. Monday through Saturday and 10:00 a.m. to 2:00 a.m. Sunday with seating for 59 inside, an inside occupancy of 90, 32 patio seats on private property, and an outside occupancy of 40. Michael Lombardi as proposed Manager of Record of a premises described as: 1,486 square feet of interior space on a single floor and 470 square feet of patio space, for a combined square footage of 1,956 square feet. There are two entrances/exits for public use and an additional service/employee entrance/exit. The space sits on the ground floor of a multi-story building.

Present: Attorney Elizabeth Lashway, Michael Lombardi.

Documents Considered: Application and documents attached thereto.

Summary: Proposed first class pizza restaurants – first floor of a new multi floor building. The outdoor area is fenced off on private property on the front. There is a significant buildout in the space, and therefore the capacity numbers are estimates at this time. With that said, the estimation is that the indoor seats are 55, and 32 outdoor seats on private patio. Total occupancy of 90 inside, and 40 outside. The public need is based on urban area primarily commercial, and MIT. There is a traffic increase in the area. They intend to subsidize train passes and provide blue bikes memberships for the employees. They will install sound buffers and provide good acoustics. The track record, based on previous operations, including SRV, is exemplary. Michael Lombardi, is TIPS certified.

Decision: Granted.

6. **Application #112849** Kismet Coffee, LLC d/b/a Kismet Coffee, 358 Huron Avenue, has applied for a new Common Victualler Wine and Malt Beverages License with proposed hours of 7:00 a.m. to 10:00 p.m. all days with alcohol sales starting at noon on Sundays, and 5:00 p.m.

Monday through Saturday and seating for 14 and an occupancy of 18. Nicholas Zappia as proposed Manager of Record of a premises described as: Two floors; first floor is 847 sf with entrance from street level on Huron Ave and has service / coffee counter, kitchen area, bathroom, speakers for background music and second egress on Gurney Street side of the building. Basement level is 790 sf for storage and office. The applicant is also seeking an Entertainment License for recorded music above conversation level with amplification.

Present: Nick Zappia, Igor Ivanovic. Members from the public who spoke in support.

Documents Considered: Application and documents attached thereto; and correspondence regarding the application.

Summary: Seeking for common victualler and entertainment to be 7AM-10PM all days, and alcohol 4PM-10PM all days. This concept is an off shoot of what Iggy's has been; there is a coffee shop need in that neighborhood that has not been served. Line of coffee, butter, bread, and additional service that Formaggio does not have and neighborhood very vocal, after work on way to dinner, casual and comfortable setting. Nicholas Zappia, has extensive experience, been approved manager of record with no issues. Has TIPS certification. Acknowledged letters in support as well as extensive testimony from the public in support of the application.

Sam Stern - great idea. Eli Gurock – Magic Beans, across the street very much in favor of this idea, no cup of coffee, employees would love it. Doug Brown – great idea and fills some holes – lives a couple of yards away and co-chair of Fresh Pond alliance. Checks 2 boxes, not a lot of options first thing in the morning and nothing in evening hours get away from kids to catch up.

Decision: Granted.

- 7. SNV Application #124636** Bill Wilbur on behalf of John Moriarty and Associates for 7/3/21 – 10/2/21 (Alt. 7/10/21 – 10/9/21) at 350 Water Street, from 7:00 a.m. to 6:00 p.m. on Saturdays only, to perform facade element detailing and roofing installation using swing staging and a lull. The variance is being requested to extend the workday to compensate for time lost to COVID 19 restrictions.

Present: Bill Wilbur, Investigator Tyler Bubenik.

Documents Considered: Application and documents attached thereto.

Summary: The need is to elongate – working daily during the week until 6 p.m. Saturdays tend to be longer days – to support the materials catch up with schedule – the façade has dwindle down. Roof at 15 story – elongated delivery.

Decision: Granted.

- 8. SNV Application #121436** Bill Czerepak on behalf of the MBTA for 7/30/21 – 1/5/22 (Alt. 8/1/21 – 1/5/22) at 131 Cambridge Street, from 6:00 p.m. – 6:00 a.m. Work is anticipated to occur on four to five days out of the week, for three weeks a month. The work will repair and rehabilitate the East Cambridge Viaduct using air compressors, pressure washers, drills, rivet busters, jack hammers, concrete saws, cranes, manlifts, lulls, concrete trucks, concrete/grout pumps, impact guns, light plants, sand blaster, grinders, and hand tools. The variance is sought to extend the work day and accelerate the construction schedule to complete the viaduct structural rehabilitation work coordinated with the GLX Project Green Line shut down period.

Present: Bill Czerepak, Horace Cooper, Diane Stokes, DPW, Investigator Tyler Bubenik.

Documents Considered: Application and documents attached thereto.

Summary: The variance seeks to extend the current noise variance to the completion – flexibility to complete construction work. This is for VIAduct project – previous variances have been completed with no issue. Diane Stokes and DPW works closely with them on the project. They are working well with GLT team – primarily held to work with Mass DOT schedule. This is a matter of public safety. They have worked with DIVCO west and good rapport and route the traffic.

Decision: Granted, with condition that no work is permitted on a legal holiday and must obtain a Sunday Work Permit from the Cambridge Police Department.

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.

Ratification of Temporary Extensions

- 9. #125657** Dip Dog, Inc. d/b/a Vincent's, 233 Cardinal Medeiros Ave., Common Victualler All Alcohol License #11386, 20 seats with the conditions that 1) Closing hour of outdoor area is 11:00 p.m. (2) Must have managerial staff monitoring outdoor area at all times. (3) Expiration date is as stated on the Indemnification Agreement signed by business, City Manager and City Solicitor.
- 10. #121962** Orale Mexican Grill, Inc. d/b/a Orale Paco's Mexican Grill, 847 Cambridge Street, Common Victualler License #98537, 32 seats, with condition that closing hour of outdoor area is 10:00 p.m.

- 11. #118825** Young Americans, LLC d/b/a Dear Annie, 1741 Massachusetts Ave., Common Victualler All Alcohol License #58187, 40 seats with conditions: (1) Closing hour of outdoor areas is 11:00 p.m. (2) Outdoor areas must be staffed and monitored by managerial employee at all times.
- 12. #125583** PAJ2002 Corporation d/b/a 9 Tastes, 50 JFK Street, Common Victualler Wine and Malt License #11247, 12 seats with the condition that closing hour of outdoor area is 11:00 p.m.
- 13. #126416** Rangsiya Global Corporation d/b/a Spicies Thai Cuisine, 24 Holyoke Street, Common Victualler Wine and Malt License #11279, 24 seats, with conditions: (1) Outdoor area must be monitored by managerial employee at all times. (2) Closing hour of outdoor area is the same as inside - 10:00 p.m. Sunday-Thursday, and 10:30 p.m. Friday & Saturday.
- 14. #118610** Sulmona Restaurant Group, LLC d/b/a Sulmona Restaurant, 608 Main Street, Common Victualler All Alcohol License #11572, 42 seats with conditions: (1) The outdoor areas can operate at the maximum combined capacity of 42 until 11:00 p.m., thereafter, the outdoor areas can operate at a combined maximum capacity of 20 until 1:00 a.m. (2) The outdoor patio areas must not encroach upon the public sidewalk, cannot extend in front of Cafe Luna, and cannot extend in front of Pfizer. (3) The Portland end of the patio (including barriers) must end before the stop line for the intersection. (4) At the end closest to the intersection, no barrier or decorative element may extend higher than 42 inches. (5) A 6ft corridor must be maintained on the sidewalk between the seating setup on private property and the seating setup in the public way for pedestrians to pass. (6) Any platform built in the parking lane must allow for access to any manholes, valve covers, drain grates, etc.

Decision: Ratified as to all.

- 15. Application #115977** Anthony Romano d/b/a Ballardvale Catering has applied for a hawker/peddler license to be exercised on Main Street.

Decision: Granted.

- 16. License # 12328** Coffee Co., LLC d/b/a Gracernote Cambridge, 150 First Street, surrendered its Malt and Wine License as of June 15, 2021, and will close the business at the end of the summer of 2021. It has been operating as a non-alcohol common victualler since June 15, 2021.

Summary: Licensee informed the Board that the lease had expired, and they will close at the end of the summer.

Decision: Acknowledged.

- 17. Application #118620** Derric Small, on behalf of Cosver, LLC, d/b/a Tenoch Mexican, has applied for a Common Victualler license at 8 Museum Way. The premises is described as

approximately 5,000 sq. ft. on the ground floor of 8-14 Museum Way, with seating for 30 and occupancy of 50, hours 10:00 a.m. to 9:00 p.m. all days. This is a previously licensed location (the application has also been previously before the Board but has not been voted upon due to it being incomplete.

Summary: The main issue on this one had been that the capacity listed on the application did not match the floor plan. We finally got an updated floor plan and updated capacities. This is for 17 seats and maximum total occupancy of 32.

Decision: Granted with 17 seats and 32 total occupancy.

- 18. COVID-19 Recovery Measures.** City has approved use of public way space for temporary extensions through January 1, 2022 (thinking of NYE). Board vote of May was through December 31, 2021. Consideration to extend through January 1, 2022.

Summary: This is only an issue as to temporary that have a combination of previously approved patios v. new patios since we closed the temporary patios at 11 p.m. per Board vote. When renewals come around, the Board will consider the request to operate beyond 11pm at that time.

Decision: Granted, the temporary extensions will expire on 1/1/22.

- 19. SNV #124924** Frederick York on behalf of Phoenix Communications for 7/19/21 – 7/31/21 (Alt. 8/2/21 – 8/31/21) with the work site shifting along a route stretching from Watertown to 250 Bent Street, from 6:00 p.m. to 6:00 a.m. all days, excluding Sundays, to replace fiber optic cable using power derived from an idling vehicle engine. The variance is sought as the City has requested work take place at night.

Summary: Needed due to the other work in the area.

Decision: Granted.

- 20. Consideration of Meeting Minutes – June 9, 2021.**

Summary: At the June meeting only Commissioner Bard and Mahoney were present. Although the minutes could be approved by a quorum at this time, they were not reviewed.

Decision: Defer.

One Day License Applications

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.

21. Application #124737 Aubrey Quackenbush has applied for a malt and wine with entertainment license to be exercised at courtyard at Technology Square, on 7/15/21, 7/22/21 and 7/29/21 with rain date of 8/5/21 from 5:00 p.m. – 7:30 p.m. for a concert with live music and amplification system. Expected attendance – 150 people.

Decision: Granted.

22. Application #126400 Joshua Komyerov has applied for a malt with entertainment license to be exercised at Hubbard Avenue, on 7/10/21 with rain date of 7/11/21 from 10:00 a.m. – 9:00 p.m. for a Block party/Going away party with recorded music, dj and amplification system. Expected attendance – 150 people.

Summary: There was an open to the public question, but the applicant has confirmed the event is closed to the public.

Decision: Granted, with amendment per City Permit, opening hour is 11:00 a.m. and may operate until 10:00 p.m. Also with the condition that all attendees/invitees must be identified with a wrist band or other form. Any person that is not an invitee, must purchase the alcohol.

23. Application #126560 Toby Leith has applied for an entertainment license to be exercised at Meacham Road between Locke and Massachusetts Avenue, on 7/18/21 with rain date of 7/25/21 from 2:00 p.m. – 9:00 p.m. for a neighborhood celebration with patrons dancing, live music and amplification system. Expected attendance – 50 people.

Decision: Granted with hours of operation are 3:00 p.m. – 8:00 p.m. per City permit.

24. Application #124723 Matthew Meyer has applied for an entertainment license to be exercised at Cambridge Common Park, on 7/21/21 with rain date of 8/18/21 from 4:00 p.m. – 8:00 p.m. for a worship gathering with live music and amplification system. Expected attendance – 50 people.

Decision: Granted.

25. Application #128451 Jason Alves, on behalf of East Cambridge Business Association has applied an all alcohol with entertainment license to be exercised at 320 Morgan Ave-The Common, on 7/15/21, (rain date 7/21/21), 8/19/21 & 9/16/21 from 4:00 p.m. – 9:30 p.m. for a concert with patrons dancing, performers/entertainers dancing, recorded music, live music and amplification system. Expected attendance – 800 people.

Decision: Granted with hours of operation of 5:30-8:30 p.m., per permission letter.

26. Application #128695 Camilla Elvis has applied for an entertainment license to be exercised at Dana Park, on 7/10/21 with rain date of 7/11/21 from 2:00 p.m. – 6:00 p.m. for a city council campaign kick-off party with amplification system. Expected attendance – 50 people.

Decision: Granted with start/opening hour of 3:00 p.m. per City permit.

27. Application #128927 Jason Alves and Pardis Saffari, on behalf of East Cambridge Business Association and City of Cambridge has applied for an entertainment license to be exercised at East Cambridge Savings Bank parking lot-1310 Cambridge Street, on 7/8/21, 8/12/21, 9/9/21, 10/14/21, 11/11/21 and 12/9/21 from 6:00 p.m. – 8:30 p.m. for second Thursdays in Inman Square with patrons dancing, recorded music, live music, amplification system and theatrical exhibition/play/moving picture show. Expected attendance – 22 people.

Decision: Granted and no license fee due to City co-hosting.

28. Application #127992 Jason Alves, on behalf of East Cambridge Business Association has applied for a malt and wine with entertainment license to be exercised in Inman Square between Springfield and Prospect Street, on 8/1/21 from 8:00 a.m. – 5:30 p.m. for a street fair with patrons dancing, recorded music, live music and amplification system. Expected attendance – 3000 people.

Decision: Granted.

29. Application #129044 Karim El-Gamal, on behalf of Lafayette Square Café LLC has applied for an entertainment license to be exercised at 403 Massachusetts Avenue, on 7/18/21 from 11:00 a.m. – 9:00 p.m. for a party/national ice cream day celebration with dj and live music. Expected attendance – 50 people.

Decision: Granted.

30. Application #128921 Carrie Murphy has applied for a one day temporary amusement license to be exercised at Lowell School Park, 25 Lowell Street, on 7/11/21 with rain date of 7/18/21 for a birthday party with a small bouncy house. Expected attendance – 28 people.

Decision: Granted.

31. Application # 129920, Michael Pirrello, Special Noise Variance seeking to extend # 112499, from 7/12/2021 – 10/9/21, Weekdays from 6:00 a.m. to 7:00 a.m. and 6:00 p.m. to 11:00 p.m.; Saturdays & Sundays from 7:00 a.m. to 9:00 a.m. and 6:00 p.m. to 9:00 p.m., at 325 Main Street.

Decision: Granted, with conditions that cannot operate any legal holiday and must obtain a Sunday Work Permit from the Cambridge Police Department.

Minutes Approved: August 17, 2021

Minutes Posted: August 18, 2021


By the Board of License Commissioners



Nicole Murati Ferrer, Esq., Chair



Police Comm., Branville Bard, Commissioner



Fire Chief, Gerard Mahoney, Commissioner