



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 AGENDA **Tuesday, January 11, 2022, 10:00 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. Meeting started at approximately 10:03 a.m.

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 #143243** Season to Taste Catering, LLC, 2447 Massachusetts Avenue, Common Victualler Wine and Malt License, has applied for a Change of Category to All Alcoholic Beverages and Alteration of Licensed Premises to include an additional outdoor patio in the rear of the premises. The proposed premises description is: Approximately 2,114 square feet in a one story building with a kitchen, and two restrooms, rear outdoor patio on private property, front outdoor patio on the public sidewalk.

Present: Anthony McGuinness, attorney; and Robert Harris.

Documents Considered: Application and documents attached thereto; and letters in support.

Summary: This would increase outdoor capacity to 40 – 20 in the public space and 20 in the private space. The premises description needs to be amended to include the approximate square footage of each patio – public 256 sq. ft., private – 386 sq. ft. The back patio is visible from the inside through a window. The intent for the back patio is during certain times of the year extend the dining area, and also to use as a wait area and/or a private dining room as well. The request for the extension and the full liquor license is based mostly on queries from the public and their customer base seeking for more options. The location used to be more of a catering site, now trying to go into full service – attract more people – somewhat of a demand for full course to have a cocktail rather than just have wine or beer. As to the back patio a lot of inquiries from Harvard and MIT wanting to book private smaller parties, 10. The business is looking for flexibility, which is critical to survive. There will be no changes to hours of operation or manager.

Decision: Granted, with premises description as amended.

2. **Application #154942** Lamplighter Brewing Co., LLC d/b/a Lamplighter Brewing, 284

Broadway, holder of a farmer series pouring license, has applied for a Change of Ownership interests.

Present: Cayla Marvil.

Documents Considered: Application and documents attached thereto.

Summary: There are no new owners but rather it was decided to change the structure of the LLC and put majority of owners into holding companies, which have a separate LLC. They were going to have a holding company that held both locations, but ended up going back to the LLC with the holding companies within. No changes to the operation.

Decision: Granted.

3. **Application #152986** Lamplighter Brewing Co., LLC d/b/a Lamplighter Brewing, 110 North First Street, has applied for a 19(H) Farmer Series Pouring Permit, with proposed hours of 11:00 a.m. to 12:00 a.m. all days with 111 inside seats, a total occupancy of 300, and 30 patio seats on private property. Cayla Marvil as proposed Manager of Record of a Premises described as: Two floors each of 3,115 square feet for a total of 6,230 total square feet. The ground floor includes customer space (1,210 sq ft), a bar and service area (365 sq ft), bathrooms (180 sq ft), and production space (925 sq ft). Service, electrical, and elevator space makes up the remaining 435 sq ft of the ground floor. The second floor is an open floor plan consisting of customer space (1740 sq ft), bar and service area (380 sq ft), and bathrooms (210 sq ft). The remaining 785 sq ft of the second floor is an elevator and inaccessible mechanical well open to the outside. There is a main entrance and second exit on the first floor, and an exit on the second floor. There are speakers on both floors, and a projector and screen on the second floor. Applicant is also applying for an Entertainment License to include: Recorded music above conversation level; live music with amplification; dancing by patrons; DJ; karaoke; comedy show; trivia; 1 TV; and 1 Video Game, Pinball Machine, or other.

Present: Cayla Marvil.

Documents Considered: Application and documents attached thereto.

Summary: This location will be based off the concept at Broadway but with more flexibility as to the entertainment. They will have a tap room with an open concept, a little smaller but similar space. This would be located in the North Point development near the Lechmere T stop. Here, however, they would only be providing beer that is brewed on the premises, there is no wine or spirits. They want to do a little more live entertainment, DJ, karaoke, and overall want to create neighborhood bar that caters to the area. Cayla Marvil is an approved manager of record with just one instance of discipline due to confusion as to the floor plan and approved distribution. Proof of safe service of alcohol training required.

Decision: Granted.

4. **Application #155606** Ducky Pants Corporation d/b/a Kendall Kitchen at the Quad, 10 Wilson Road, has applied for a new Common Victualler Wine and Malt License with Cordials/Liqueurs Permit with proposed hours of 7:00 a.m. to 9:00 p.m. all days for food and entertainment and 8:00 a.m. to 9:00 p.m. all days for alcohol with seating for 40 inside, an occupancy of 83, 56 outdoor patio seats on private property and an outdoor occupancy of 60. Hratch Adourian as proposed Manager of Record of a Premises described as: Cafe including dining area, service area and prep station. Outdoor seating on private property.

Present: James Rafferty, attorney; and Hratch Adourian.

Documents Considered: Application and documents attached thereto.

Summary: Existing business but currently closed to the public. The business operated for 6-9 months as an accessory café for employees only – now obtained zoning relief. This would be a replicate of Kendall Kitchen on Broadway. This would be the only licensed establishment in that area (there is one at the shopping center) but there is a need for this kind of service – for more expansive options at this location. Hratch Adourian is an experienced operator with no issues who is looking forward to establishing a second location and serve the public. Business seeks to open to the public as soon as possible and requested whether the Common Victualler License could be issued prior to receipt of the final ABCC approval for the alcohol license.

Decision: Granted. The Board also granted to issue the Common Victualler operation after all final sign-offs, Certificate of Inspection and fees are received while the alcohol portion of the application is pending at the ABCC.

5. **Application #154212** Urban Hearth, LLC d/b/a Urban Hearth, 2263 Massachusetts Avenue, Common Victualler Wine and Malt Beverages with Cordials/Liqueurs Permit, has applied for a Change of Category to All Alcoholic Beverages.

Present: Erin Miller.

Documents Considered: Application and documents attached thereto.

Summary: This is a small farm to table restaurant that has been in operation for 6 years. They offer dinner primarily with occasional private events during other hours. Their concept is one of a multi course meals. Before the clientele was from the broader metropolitan area, and they operated as a fine dining establishment. With COVID and a shift in their operations, they now have more people from the immediate neighborhood and community. They have become more of a destination, adjusted menu so not strictly multi course, and now are more accessible. They have heard many times “can I get a martini” and other requests from the patrons from spirits, and hence they want to transition to a full liquor and satisfy the needs and interests of its patrons.

Decision: Granted.

6. **Application #154238** Alby Enterprises, LLC d/b/a Porter Provisions, 1925 Massachusetts Avenue, has applied for a new All Alcoholic Beverages Package Store License with proposed hours of 8:00 a.m. to 11:00 p.m. Monday through Saturday and 10:00 a.m. to 11:00 p.m. Sunday. Mohammed Khan as proposed Manager of Record of a premises described as: Store located on ground floor containing a sales room with stock area, registers and restroom.

Present: James Rafferty, attorney; Eric Hoagland; and Mohammed Khan. Individuals who spoke in opposition of application: David Selib and Trish Farnsworth.

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

Summary: Needs for package store licenses is population based. The applicant is seeking one of the recently added licenses to the Cambridge quota. Their intent is to be a convenience store in area. Provide more than simply alcohol, they would provide deli and the like; they would not be exclusively a liquor store. They are proposing 984 square feet total of which about 20% will be dedicated to the liquor which will predominantly be in the coolers, and also have some stored in the back. They claimed that due to their location, Davenport Street is a high traffic area into Somerville and is now one way; they intend to catch the volume of traffic between Cambridge and Somerville. This location used to be a deli without a liquor license. Mohammed Khan has experience in the industry, has never been the manager of record, and has completed training in the safe sale and service of alcohol. The Board discussed and pressed for the need for the license in light of the number of liquor stores in the Cambridge area that provide the service of liquor only and a combination of a convenience store with liquor. The Board also highlighted that the Somerville line also has a number of similar outlets.

Decision: Reject/deny as there was no showing of a public need for the license at the location.

7. **Application #146553** Alexandria Real Estate Equities, Inc, 325 Binney Street, has applied for a new Garage and Flammables License for 286 parking spaces, 2,860 gallons of gasoline in the tanks of autos only, 30 gallons of Class 1, 4,000 gallons of Class 3, and 100 cubic feet of flammable gases.

Present: James Rafferty, attorney; Michelle Lower; Chris Sekora; and Zach Amdur.

Documents Considered: Application and documents attached thereto.

Summary: Parking on 2 levels underground, below grade in a life science building that is currently under construction. It would be a 286 car garage for tenant use (single lab tenant). The diesel tank is in the generator, but it is self-contained and on the roof.

Decision: Granted, flammables are not for direct consumption.

8. **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.

Present: Subin Dheke; Nirmal Lama; Pushkar Neupane (CPA); and Roberta Dinsmore, abutter.

Documents Considered: Application and documents attached thereto.

Summary: This group is the one that purchased the Tanjore at Eliot Street in 2019, and COVID hit and they were doomed and did not have enough time to make all the changes including the ownership change in the license. This location would be pretty much the same but a smaller venue. This location had a liquor license tied to it, and thus, there is a presumption of need for the license. To address concerns of neighbors, the applicant will do all inspection and any required sound proofing, will hire an exterminator to make sure all holes are plugged in, and will have a waste management system. Nirmal Lama, has worked in the food industry but has never worked with liquor. They have become familiar with the rules, laws and regulations regarding alcohol and have completed a training in the safe sale and service of alcohol.

Decision: Granted.

9. **Disciplinary** **E.C. Hathaway and Associates, for alleged violations of Cambridge Municipal Code 8.16.081.1(b) and 8.16.081.2(c) – operating without a permit, 8.16.081.2(e) – manufacturer's noise emissions rating limited to 65 dBA, and 8.16.081.2(f) - operating multiple blowers within the same 10,000 square foot area, all on December 1, 2021 at approximately 12:15 p.m. in the vicinity of 163 Brattle Street.**

Present: Tyler Bubenik, investigator; no representative for E.C. Hathaway and Associates appeared.

Summary: Investigator Bubenik observed the violations while on routine patrol. He also inspected the equipment and ascertained it was non-compliant. The business has a long disciplinary history and has never been permitted.

Decision: Three counts of violations of the Noise Ordinance, \$300 fine per violation, for a total fine of \$900.

10. **Disciplinary** **Zen Associates, for alleged violations of Cambridge Municipal Code 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 30, 2021 at approximately 10:30 a.m. in the vicinity of 20 Berkeley Street.**

Present: Tyler Bubenik, investigator; no representative for Zen Associates appeared.

Summary: An email was received with pictures of the violations. The business is not permitted and received a cease and desist letter in August 2021.

Decision: Three counts of violations of the Noise Ordinance, \$300 fine per violation, for a total fine of \$900.

11. **Disciplinary** Loyal Cleaning Solutions, holders of Leaf Blower Permit #34103 for alleged violations of Cambridge Municipal Code CMC 8.16.081.2(f) – limit of one blower per 10,000 square feet on December 13, 2021 at approximately 11:15 a.m. in the vicinity of 19 Sacramento Street.

Present: Joseph Kelley, investigator; no representative for Loyal Cleaning Solutions appeared.

Summary: In response to a noise complaint received, Investigator Kelley went to the premises when he observed three Loyal Cleaning employees and two blowers. The employees admitted to using the leaf blowers simultaneously and less than 10,000square feet apart from each other.

Decision: Violation, \$300 fine.

12. **Disciplinary** Republic Services, holder of Solid Waste Hauler Permit #14078, for alleged violations of Cambridge Municipal Code 8.16.080(e) – Loading and Unloading, on December 3, 2021, at approximately 3:50 a.m. in the vicinity of 21 Notre Dame Avenue.

Present: Tyler Bubenik, investigator.

Summary: Republic Services submitted a waiver of hearing admitting to the violation and expressing it intends to give up the account to avoid any further issues. The Board had recently issued the company a warning for the same violation at the same location.

Decision: Violation, \$300 fine.

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.

13. **Application #157216** Third Street Donuts, LLC d/b/a Dunkin Donuts, 5 Third Street, has applied for a New Common Victualler License from 5:00 a.m. to 8:00 p.m. all days with seating for 12 and a maximum occupancy of 50. Michael Leonardi as Manager of record of a premises described as: 1,904 sq fee Dunkin Donuts location, one floor has a front door, lobby area, front counter, kitchen area, parking lot, exit door.

Decision: Granted.

One Day License Applications

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.

14. **Application #157248** Sasha Fried-Snoad has applied for an entertainment license to be exercised at Kendall/MIT Open Space 292 Main Street, on 1/15/22, 2/8/22, 2/22/22, 3/8/22 & 3/22/22 from 12:15 p.m. – 1:00 p.m. for an outdoor gathering/lunch break series with patrons dancing, performers/entertainers dancing, recorded music, live music and amplification system. Expected attendance – 100 people.

Summary: There was a typographical error on the agenda, the first proposed date is 1/25 not 1/15.

Decision: Granted.

15. **Application #157767** Ezra Bizuneh has applied for an all alcohol and entertainment license to be exercised at St. John the Evangelist Church -2254 Massachusetts Avenue, on 1/16/22 with rain date of 1/23/22 from 4:00 p.m. – 8:00 p.m. for a party with dj. Expected attendance – 100 people.

Decision: Granted.

16. **Application #158863** Christine Mastal, on behalf of Many Helping Hands 365/Cambridge Community Foundation has applied for an entertainment license to be exercised at Starlight Square 84 Bishop Allen Drive, on 1/17/22 with rain date of 1/22/22 from 12:00 p.m. – 3:00 p.m. for a community walk with performers/entertainers dancing, recorded music and amplification system. Expected attendance – 300 people.

Documents Considered: Application and documents attached thereto; and email in opposition to grant of application.

Summary: The Board received an email in opposition of the grant of the application. Although the email raised the issue of music, amplification, noise and the disruption, this application is for an event limited in scope and time. In addition, the monitoring of the area and Starlight in particular, which is what the email seems to oppose, has shown that there is no violation of the noise ordinance by the permitted activities at this location. Notwithstanding, the Board recognized the possible disruption a new venture like Starlight may be causing the residents of the area. Regardless, the Board stated that the hours sought and the event being proposed does not seem to be a detriment to the community or public need.

Decision: Granted.

17. **Application #158978** Grendel's Den, Inc. dba Grendel's Den has applied for an entertainment license to be exercised at 89 Winthrop Street, on 1/23/22, 2/6/22, 2/27/22 & 3/20/22 from 5:00 p.m. – 8:00 p.m. for a spoken word with live music and theatrical exhibition/play/moving picture show. Expected attendance 60 people.

Decision: Granted.

[Matters Added After the Posting of the Agenda.]


18. Consideration December 9, 2021 and December 14, 2021 meeting minutes.

Decision: Approved as to both.

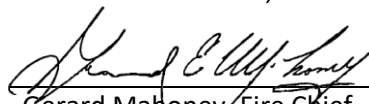
By the Board of License Commissioners

Minutes Approved: January 28, 2022

Minutes Posted: January 28, 2022



Nicole Murati Ferrer, Chair



Gerard Mahoney, Fire Chief



Christine Elow, Police Commissioner