



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

Wednesday, March 9, 2022, 2:30 p.m.

By Remote Participation

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 2:30 p.m.

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

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

Decisions: All votes were by roll call vote, 2-0, unless otherwise stated.

Public Testimony Matters

1. **Application #161215** New England Auto Group, Inc, 235 Western Avenue, for a New Used Car Dealer's License (Office Only).

Present: Andrew Upton, attorney; and Ameer Alshukri, applicant.

Documents Considered: Application and documents attached thereto; and explanatory statement from applicant.

Summary: The intent for this business is to be an office based and to obtain a Wholesale Used Car Dealer License, which allows the applicant access to auto auctions in order to buy and sell cars dealer to dealer via auctions. By having the license the applicant can also buy vehicles from auction to export. Although the applicant holds a New Hampshire license, it cannot be used for his intended business. The general concept is to wholesale and transport automobile dogmatically and internationally from office via virtual tools including accessing to auctions, transportation platforms, and CRM. He intends to buy the cars, transport them directly to dealers or oversees and all via internet with none of the cars coming into or being stored in Cambridge. The way the law is written in Massachusetts, he cannot operate without a license from the municipality from which he is operating.

Decision: Under advisement.

2. **Application #154925** S. L. W. & P. Hong Kong Restaurant, Inc. d/b/a Hong Kong, 1238 Massachusetts Avenue, C.V. All Alcohol License #11688, for an Alteration of Licensed Premises to Include a Seasonal Outdoor Patio in the City Parking Lane. The Proposed Premises description is: 7,176 square feet on three floors, one room per floor. Approximately 345 square feet on city property, parking lane.

Present: Kevin Crane, attorney; and Paul Lee, owner. Denise Jillson, Harvard Square Business Association ("HSBA").

Documents Considered: Application and documents attached thereto.

Summary: This is meant to mirror the set up approved through the temporary extension due to COVID-19 #129049. The total square footage is 468, with 24 seats. The hours of operation would be 12:00 p.m. – 11:00 p.m. Street and Sidewalk Business Use Permit (“SSBU”) has been issued. Denise Jillson spoke in favor of the application.

Decision: Granted.

3. Application 161788 Washwell, LLC d/b/a Ferro’s Food, 336 Rindge Avenue, had applied to transfer the Wine and Malt Beverages Package Store License held by Ferro’s Food Town, Inc., at the same address. Faiyaz Washwell as proposed Manager of Record of a premises described as: Main store on first floor with cellar for storage.

Present: James Rafferty, attorney; and Faiyaz Washwell.

Documents Considered: Application and documents attached thereto.

Summary: The application is missing the articles of organization for LLC, and the releases from the DOR and DUA. There is a presumption of need. Faiyaz Washwell has experience in the business and is trained in the safe service, sale and delivery of alcohol. They intend to continue operating the business as is and with the same hours. The market portion of the business has hours of Monday - Friday 6:00 a.m. – 9:00 p.m., Saturday and Sundays 7:00 a.m. – 8:00 p.m. Within those hours, they intend to operate the alcohol within the statutorily allowed hours.

Decision: Granted subject submission of missing articles of organization for LLC, and releases from the DOR and DUA. Also with amended hours, Monday - Friday 6:00 a.m. – 9:00 p.m., Saturday and Sunday 7:00 a.m. – 8:00 p.m. the market and the opening hour for alcohol will be the statutorily allowed hour of 8:00 a.m. Monday – Saturday and 10:00 a.m. on Sunday. Closing hour for alcohol will be the same as the market. There will be a condition on the license that when the store is open but alcohol cannot be sold, the aisles and coolers with alcohol must be secured with gates/locks.

4. Application #143352 261 SRC, LLC d/b/a Source, 27 Church Street, C.V All Alcohol License #63767, for an Alteration of Licensed Premises to include a Seasonal Outdoor Patio in the City Parking Lane. The proposed premises description is: Approximately 2,200 square feet first floor area. Restaurant, bar, kitchen and 3 bathrooms on first floor, office on mezzanine and storage in basement. Entrance and exit points in the front of the building. Outdoor patio on city property, parking lane.

Present: Daniel Roughan, applicant. Denise Jillson, HSBA; and Manny Ramirez, Black Sheep Bagel Café.

Documents Considered: Application and documents attached thereto.

Summary: This is meant to mirror the set up approved through the temporary extension due to COVID-19 #107674. Total square footage is 352, 32 seats. Intend the hours to be the same as they currently have: Monday - Thursday 12:00 p.m. – 10:00 p.m., Friday 12:00 p.m. – 11:00 p.m., Saturday 11:00 a.m. – 11:00 p.m. and Sunday 11:00 a.m. – 10:00 p.m. The SSBU application has been submitted. Denise Jillson and Manny Ramirez spoke in support.

Decision: Granted.

5. Application #160245 First United 271, Inc. d/b/a First United Market, 271 Brookline Street, Wine and Malt Package License #54373, for a Change of License Category to All Alcoholic Beverages.

Present: Attorney Kristen Scanlon; and Harry Patel. Persons who spoke in favor/opposition: Jake Palmer; Manny Ramirez; James Cronin; Shola Friedensohn; Samuel Figueroa; Elaine Dailey; Sarah; Carolina Pedroza; Gesibela Sousa; Nicholas Hattabaugh; Rosie Jones; Donald LaBraico; Erinn Pearson; Wilfredo Robles; Julian Agyeman; Michael Smith; Jill Becker; Adriana Prat; and Gopal Rungta.

Documents Considered: Application and documents attached thereto; and various correspondence received in support/opposition to application.

Summary: The need to upgrade to an all alcohol license is based off regular customers' requests. These are customers that walk to the store and live in nearby vicinity. The intent is to continue serving the community with a one stop shop location. The owners have made significant changes to the store since they took it over and the accolades in the letters of support regarding the applicant's fitness and character are evidence of it. There is no intent to sell nips or singles. There will be no changes to the current hours of operation and the market's current configuration is not going to change, rather some of the extra liquor inventory will be replaced with more varied inventory.

Decision: Granted with the condition that no nips or single are sold.

6. Application #154040 Amelia's Trattoria II, LLC d/b/a Amelia's, 111 Harvard Street, Common Victualler All Alcohol License, has applied for an Alteration of Premises to include an outdoor patio on private property. The proposed premises description is: First Floor Premises with Entrance on Harvard Street; Kitchen In The Rear. Rest Rooms, Office, And Storage in the basement. Approximately 644 square feet seasonal patio on the public sidewalk and private property.

Present: Eric Quadrino; and Delio Susi. Individual who spoke in opposition.

Documents Considered: Application and documents attached thereto; and various correspondence received in support/opposition to application.

Summary: This is meant to mirror the set up approved through the temporary extension due to COVID-19 #75906. There will be 32 seats and the hours of operation will be the same as inside. The current set up and intended set up does not block any egresses from the building where the business is located or the neighboring building. The Board confirmed with DPW that there have been no grease

trap issues associated with the business. The outdoor area has been operating under the temporary for 2 years with no licensing violations and no complaints.

Decision: Granted.

7. Application #154074 SuzeQ, LLC d/b/a Mexcito, 350 Kendall Street, Common Victualler Wine and Malt with Cordials/Liqueurs, has applied for an Alteration of Premises to expand the outdoor patio on private property. The proposed premises description is: 222 sq ft pass through window service. Approximately 600 square foot patio on private property. No indoor seating. Small service kitchen no cooking on premises.

Present: Eric Quadrino; and Delio Susi.

Documents Considered: Application and documents attached thereto.

Summary: This is meant to mirror the set up approved through a temporary extension due to COVID-19 #87488. The hours of operation will be 11:00 a.m. – 1:00 a.m. The total square footage of outdoor area would be 575 sq. ft. (which would bring the total to 797 sq ft). The total number of seats in the outdoor area would be 52.

Decision: Granted.

8. Application #161121 Tomolly, Inc. d/b/a Charlie's Kitchen, 10 Eliot Street, Common Victualler All Alcohol License, has applied for an Alteration of Premises to expand the outdoor patio on public property, sidewalk. The proposed premises description is: Approximately 4,400 square feet including First floor dining area with bar and bathrooms; Second floor dining area with bar and bathrooms; Approximately 698 square feet ground floor patio on public sidewalk; Beer garden on private property.

Present: Jaap Overgaag. Denise Jillson, HSBA.

Documents Considered: Application and documents attached thereto.

Summary: This is meant to mirror the set up approved through a temporary extension due to COVID-19 #106937 except that this application does not include the loading zone area. The outdoor seating capacity on the sidewalk would be increasing from 30 to 64. The SSBU has been filed. The outdoor hours of operation are intended to be 8:00 a.m. – 1:00 a.m. Monday – Saturday and 11:00 a.m. – 1:00 a.m. on Sunday. Denise Jillson spoke in support of the application.

Decision: Granted.

9. Application #162488 Mass Ave Wine Shop, LLC d/b/a Momma's Grocery + Wine, 2304 Massachusetts Avenue, has applied to transfer the Wine and Malt Beverages Package Store License held by Shiny Shell, LLC d/b/a Momma's Grocery + Wine, 75 Dudley Street. Applicant is also applying for a Change of Location. Danielle Pattavina as proposed Manager of Record of a premises described as:

Market comprised of 1,300 square feet on the ground level, employee bathroom at back of the store, basement storage, entrance on Massachusetts Avenue/Rice Street and secondary egress on Rice Street.

Present: Danielle Pattavina.

Documents Considered: Application and documents attached thereto. Significant number of letters in support of application.

Summary: Due to issues with the landlord at the current location, the applicant started to look at other spaces in the area. The concept is staying the same, a market that provides the convenience of alcohol and regionally grown produce and snacks. The space is slightly bigger than the old space. The hours of operation would be Monday – Wednesday 8:00 a.m. – 9:00 p.m., Thursday – Saturday 8:00 a.m. - 9:30 p.m., and Sunday 8:00 a.m. – 9:00 p.m. with alcohol sales starting at 10:00 a.m. Danielle Pattavina would remain sole owner and manager of record.

Decision: Granted with the condition that when the store is open but alcohol cannot be sold, the aisles and coolers with alcohol must be secured with gates/locks.

10. Application #159882 RCH, LLC, d/b/a Mr. Bartley’s Gourmet Burgers, 1246 Massachusetts Avenue, Common Victualler License #106424, to add Seasonal Outdoor Seating in the City Parking Lane.

Present: Josh Huggard. Denise Jillson, HSBA.

Documents Considered: Application and documents attached thereto.

Summary: This is meant to mirror the set up approved through a temporary extension due to COVID-19 #118290. Going from the current approved patio on the sidewalk to the parking lane with 14 seats on the sidewalk and 16 seats on the street. The hours of operation are meant to be the same as inside. The SSBU application has been filed but the permit has not been issued. Denise Jillson spoke in support of the application.

Decision: Granted.

11. Disciplinary Fat Heady, LLC, d/b/a Whitney’s Café, 37 JFK Street, Common Victualler All Alcohol License #99534, for allegations of violating the City of Cambridge Mask Order and certain provisions of the law related to the referenced license. Specifically, whether on February 24, 2022, an employee of Whitney’s was not wearing a face mask over their nose and mouth, as required by the current City of Cambridge Face Mask Order, in violation of G. L. c. 138, §§ 23 and 64, and Board’s Rules 2, 13 & 14.

Present: Investigator Tyler Bubenik; Andrew Upton, attorney; and Dan McGuire, owner.

Documents Considered: Hearing notice and documents attached thereto; file and previous warning letter for COVID-19 violations.

Summary: A warning letter was previously sent on December 13 for at least one employee not wearing a mask on December 10. Bubenik testified that when he entered the premises he saw McGuire at the bar with no mask or face covering on (or even on his person). Bubenik confirmed McGuire was not the person who he observed to not wearing a mask on December 10. McGuire testified he wears a handkerchief but takes it off from time to time due to a medical condition (sleep apnea). McGuire testified he was restocking the bar when Bubenik entered and that all other employees were wearing masks at the time.

Decision: Under advisement.

12. Application #161333 Fat Heady, LLC d/b/a Whitney's Café, 37 JFK Street, Common Victualler All Alcohol License #99534, for a Change of Closing Hour to 2:00 a.m. Thursday Through Saturday and to add Live Entertainment with Amplification.

Present: Andrew Upton, attorney; and Dan McGuire, owner. Denise Jillson, HSBA.

Documents Considered: Application and documents attached thereto.

Summary: They want to be able to provide live acoustical music all days. The area needs the amenity and the business concept allows for it. The 2:00 a.m. closing hour request is to accommodate the need. Denise Jillson spoke in support of the application.

Decision: Granted.

13. Application #128376 One Linkage, LLC d/b/a One, 1759 Massachusetts Avenue, Common Victualler License #13380, to add Seasonal Outdoor Seating in the City Parking Lane.

Present: Yan Lin. David Johnson, business abutter.

Documents Considered: Application and documents attached thereto. Correspondence received regarding application.

Summary: This is meant to mirror the set up approved through a temporary extension due to COVID-19 #85058 but with a smaller footprint – just the parking spot in front of the premises, and 9 seats. The intended hours of operation are meant to be the same as indoors. They will be lowering the barrier and replacing it with one that is compliant with the current policy which requires the height to be 42 inches or less. The abutter notification was sent late. David Johnson spoke in favor of the application so long as the barrier is lowered to 42 inches.

Decision: Defer due to abutter notification.

14. SNV #163863 Jarrod LaRocco on behalf of Bond Civil & Utility for 3/9/22 – 5/27/22 (Alt. 3/10/22 – 5/30/22) at 145 Broadway, from 6:00 p.m. to 7:00 a.m. the following morning on weekdays, to perform utility work, strictly on an as-needed basis, related to the Kendall Culvert Project using excavators, pile drivers, compactors, trucks, generators, compressors, and other civil construction

equipment. The variance is sought to minimize impacts to utility service, and vehicular or pedestrian traffic, should certain conditions arise. Needed to reduce impacts to the public and utility users.

Present: Investigator Tyler Bubenik; Jonny Williams – Senior Superintendent, Bond Civil & Utility.

Documents Considered: Application and documents attached thereto. Correspondence received regarding application.

Summary: This variance was previously granted for the same reason as this one is sought - to reduce impacts to the public and utility users. The Department of Public Works has asked that the variance be granted but that they are notified prior to it being exercised since the intent is that the variance is not always going to be needed for the time being requested.

Decision: Granted with the conditions that 1) No work is to take place on legal holidays, 2) Prior to exercising the variance, the Department of Public Works must be notified, 3) The number of times the variance is exercised cannot exceed eight (8).

15. SNV #164380 Daniel Germain on behalf of FE French Construction for 3/9/22 – 3/31/22 (No alternate specified) at 150 Cambridgepark Drive, for one overnight shift from 6:00 p.m. until 7:00 a.m. the following morning, to install a new water tie-in using an excavator, dump truck, compactor, and generator. The variance is sought to minimize utility service impacts while the water main is shut down.

Present: Investigator Tyler Bubenik, Sean McLaughlin.

Documents Considered: Application and documents attached thereto. Correspondence received regarding application.

Summary: The work is to install a new domestic water line being required by the Department of Public Works. There should be no impact on fire suppression while this is going on at 130 Cambridgepark Drive but they will check as to 150 because there is no loop there.

Decision: Granted.

16. SNV #161123 Mike Carucci on behalf of John Moriarty and Associates for 4/2/22 – 5/15/22 (No alternate specified) at 441 Morgan Avenue, from 12:00 a.m. on Saturdays until 11:59 p.m. the following Sundays, to perform multiple mat slab pours and erect a tower crane using lulls, forklifts, pump trucks, concrete trucks, cranes, and delivery trucks. The variance is sought in the interest of allowing enough time to complete the scope of the concrete pours and crane assembly, as well as minimizing impacts to the area due to overlapping weekend drainage work scheduled for Route 28.

Present: Investigator Tyler Bubenik; Mike Carucci; and Holly Sutherland.

Documents Considered: Application and documents attached thereto. Correspondence received regarding application.

Summary: The request is only for 4 weekends. The hours requested are based off discussions with the Department of Public Works and others. If it were up to them they would start the work early during the allowable hours on Friday so as to finish before Sunday. The tower crane, that is something out of their control but the other work they could start earlier. There has been a significant amount of construction in the area and the more they can be sensitive to the abutters and work during allowable hours or end earlier on weekends, the better.

Decision: Defer while the applicant checks if they can amend the hours based on the work needed to be performed.

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.

17. Application #162162 Little Crepe Café, LLC d/b/a Little Crepe Café, 102 Oxford Street, has applied for a new Common Victualler License with proposed hours of 7:00 a.m. to 8:00 p.m. all days with seating for 18 and an occupancy of 27. Kamil Sylvain as proposed manager of a premises described as: 1,200 sq. ft. on the ground level floor with open kitchen behind the counter, cafe/bistro style with an accessible entrance/exit facing Oxford Street. Basement for storage only. Applicant is also applying for an Entertainment License for Readings of Poetry or Other Works.

Decision: Granted.

18. Application #163216 Alemayehu Legese, for a Cambridge Hackney Driver's License.

Decision: Granted.

19. Consideration of Meeting Minutes February 7, 2022 Meeting Minutes

Decision: Approved.

20. Special Noise Variance #163293 Dominic French on behalf of Bond Brothers for 3/12/22 (Alt. 3/19/22) at 1 Oxford Street, from 7:00 a.m. to 4:00 p.m. on a Saturday, to perform exterior inspections using a manlift. The variance is sought in the interest of allowing sufficient time for inspections while minimizing impacts to the loading dock and potential deliveries of necessary materials.

Summary: This is for an early start time on Saturday for manlift – this is all Harvard property.

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.

21. Application #162897 Audrey Leibig has applied for an entertainment license to be exercised at MIT Kresge Little Theater- 48 Massachusetts Avenue, on 4/22/22-4/24/22 and 4/28/22-4/30/22 from (4/22, 4/23, 4/28 and 4/29 6:00 p.m. – 11:00 p.m. 4/24 12:00 p.m. -5:00 p.m. and 4/30 4:00 p.m. – 9:00 p.m. for a musical theater performance with performers/entertainers dancing, live music, amplification system and theatrical exhibition/play/moving picture show. Expected attendance – 150 people.

Decision: Granted.

22. Application #163024 Rob Salazar, on behalf of Reality Boston, has applied for an entertainment license to be exercised at Cambridge Masonic Hall Association – 1950 Massachusetts Avenue, on 4/17/22 from 8:00 a.m. – 1:00 p.m. for an Easter Sunday worship gathering with live music and amplification system. Expected attendance 135 people.

Decision: Granted.

23. Application #163029 & 163036 Lydia Albano, on behalf of Aletheia Church, has applied for an entertainment and one day temporary amusement license to be exercised at Riverside press park-2 Blackstone Street, on 4/16/22 from 9:30 a.m. – 12:30 p.m. for an easter egg hunt with recorded music, amplification system and a bounce house. Expected attendance – 150 people.

Decision: Defer – until receive proof of liability insurance and the City Park Permit.

24. Application #163426 Maria Scofield has applied for a all alcohol and entertainment license to be exercised at Cambridgeside – 100 Cambridgeside Place, on 3/29/22-4/24/22 (No Mondays) Tuesday-Thursday 6:00 p.m. – 10:00 p.m. Friday 6:00 p.m. – 11:30 p.m., Saturday 12:00 p.m. – 11:30 p.m., and Sunday 12:00 p.m. – 10:00 p.m. (Each show is 90 minutes) for an Immersive show experience with performers/entertainers dancing, recorded music, amplification system, theatrical exhibition/play/moving picture show and light show. Expected attendance – 60 people.

Decision: Granted.

25. Application #164109 Kiersten Mitzel, has applied for an entertainment license to be exercised at MIT 84 Massachusetts Avenue, on 3/11-3/13 & 3/17-3/18 from 6:00 p.m.-11:00 p.m. on 3/11, 3/12, 3/17, 3/18 and 12:00 p.m.-5:00 p.m. on 3/13 for a performance with theatrical exhibition/play/moving picture show. Expected attendance – 300 people.

Decision: Granted.

26. Application #164629 Joseph Mahoney has applied for an entertainment license to be exercised at Cambridge Masonic Hall, 1950 Massachusetts Avenue, on 3/9, 3/16, 3/23, 3/30, 4/6, 4/13, 4/20 & 4/27/22 from 7:30 p.m.-12:15 a.m. for dance lessons and practice with patrons dancing, performers/entertainers dancing, recorded music, live music, amplification system, theatrical exhibition/play/moving picture show, floor and light show and dynamic audio/visual show live/recorded. Expected attendance 100 people.

Decision: Granted.

[Matters Added to the Agenda After Posting]

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27. Application #161434 Safa Fagiri for a new Hackney Driver's License.

Decision: Granted.

28. Application #164260 Charan Jit Singh for a new Hackney Driver's License.

Decision: Granted.

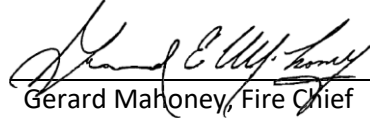
By the Board of License Commissioners

Minutes Approved: May 2, 2022



Nicole Murati Ferrer, Chair

Minutes Posted: May 2, 2022



Gerard Mahoney, Fire Chief



Christine Elow, Police Commissioner

