



# CAMBRIDGE LICENSE COMMISSION

831 MASSACHUSETTS AVE, CAMBRIDGE, MA 02139

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## BOARD OF LICENSE COMMISSIONERS' MEETING MINUTES

Tuesday, June 21, 2022, 8:30 a.m.  
By Remote Participation via Zoom

### Public Testimony Matters

1. **Application #177040** Reins International Massachusetts, Inc. d/b/a Gyu-Kaku, 16 Eliot Street, Common Victualler Wine & Malt Beverages License #11524, for a Change of Manager to Kathy Chau.

**Present:** Kathy Chau.

**Documents Considered:** Application and documents submitted therewith.

**Summary:** Kathy Chau, has experience in the food and beverage industry and is familiar with the rules and regulations of this Board, the ABCC and the laws of the Commonwealth of Massachusetts with regard to the sale and service of alcohol. Chau has TIPS certification and will provide it.

**Decision:** Granted.

2. **Application #170735** Mira Verde, Inc. d/b/a Corazon de Frida Mexican Cantina, 1287 Cambridge Street, Common Victualler All Alcohol License #54278, has applied for an Alteration of Premises to include an outdoor seasonal patio on City property in the parking lane for 58 seats. The proposed premises description is: 2450 sq. feet with dining room and kitchen on first floor; Main entrance on Cambridge St.; Emergency exits at rear of premises; food storage and prep on lower level; Approximately 835 square foot patio on city property in the parking lane.

**Present:** Eric Brambila and Cassandra Hereford.

**Documents Considered:** Application and documents submitted therewith.

**Summary:** This is meant to mirror Temporary Extension of Licensed Premises Due to COVID-19 #78575 but with a little more capacity. Proposed 54 seats. Hours of operation meant to mirror the indoor hours. SSBU has issued, proof of abutter notification received.

**Decision:** Granted with the condition that while the outdoor area is open and operating, there must be managerial staff monitoring it.

3. **Application #174713** Lupo Partners, Inc., 660 Cambridge Street, has applied for a New Common Victualler All Alcohol License with proposed hours of 8:00 a.m. to 12:00 a.m. Sunday and 7:00 a.m. to 1:00 a.m. Monday through Saturday with alcohol service starting after 10:00 a.m. all days and seating for 130 inside, 50 seats outside with an outside occupancy of 65. James Cochener as proposed Manager of Record of a premises described as: 3,744 square feet on the first floor consists of the kitchen

area; a bar area, a main dining area, and a cafe area. 1,496 square feet in the basement for storage, an administrative office and prep work. 2,600 square foot seasonal outdoor patio area on private property.

**Present:** Attorney Marshall Newman and James Cochener. Marie Saccoccio, resident. Jason Alves, ECBA.

**Documents Considered:** Application and documents submitted therewith; and correspondence regarding application.

**Summary:** This space was previously occupied by Loyal Nine so there is a presumption of public need for the license at the location. Meant to be operated as a full service restaurant Italian scope menu, lunch during day and dinner service. Don't yet know the d/b/a, and the lease is for 10 years (there was a typo stating it was for 2 years). The outdoor area on the private way is approximately 2,600 sq. ft., and updated seating plans have been received for indoors and outdoors. James Cochener has extensive experience in the food and beverage industry, and has had no disciplinary issues with the local boards or the ABCC. Cochener is familiar with the rules and regulations of this Board, the ABCC and the laws of the Commonwealth of Massachusetts with regard to the sale and service of alcohol. Although he has trained in the safe and responsible sale and service of alcohol, he does not have a current certificate but will provide one.

The "condition" that when the patio is operating, the maximum total capacity for indoor and outdoor cannot exceed 160 is from the previous license. The applicant does not know the source. There is no intended standing capacity on the patio just the 50 seats. The hours of operation are: 8AM opening on Sunday and Saturdays, 7AM opening Monday-Friday, 12AM closing on Sundays, 1AM closing all other days, 10AM start time for alcohol service all days, and a 12AM closing on the patio on all days.

Letter received regarding Sunday services and the business operation will be addressed and the applicant happy to work with the community. Saccoccio generally supports the business, questioned the hours and whether all abutters were notified (abutter notifications provided and confirmed to include all required). Alves spoke in support of the application.

**Decision:** Granted with hours as discussed and removal of standing room on patio.

4. **Application #170484** San Grill La, Inc. d/b/a Base Crave, 344 Huron Avenue, Common Victualler Wine and Malt License #55624, has applied for an Alteration of Premises to include a seasonal outdoor patio on city property in the parking lane for 12 seats. The proposed premises description is: Approximately 1,890 sq. ft. on 2 floors with 5 rooms on main floor consisting of open dining room, open kitchen, back kitchen, and 2 restrooms, and 3 rooms in basement for storage, office, and shower room; 1 front entrance/exit for public use, 1 rear entrance/exit for employees and deliveries, and 1 rear door for deliveries. Approximately 210 square foot seasonal outdoor patio in the parking lane.

**Present:** Bhola Pandey.

**Documents Considered:** Application and documents submitted therewith.

**Summary:** This is meant to mirror Temporary Extension of Licensed Premises Due to COVID-19 #79662. The proposed seating capacity is 12. Hours of operation meant to mirror the indoor hours. SSBU has issued, and proof of abutter notifications provided.

**Decision:** Granted with the condition that while the outdoor area is open and operating, there must be managerial staff monitoring it.

5. **Application #165782** Dip Dog, Inc. d/b/a Vincent's, 233 Cardinal Medeiros Avenue, Common Victualler All Alcohol License #11386, has applied for an Alteration of Premises to include an outdoor seasonal patio on the public way in the parking lane for 16 seats and remove the previously approved patio on the city sidewalk. The proposed premises description is: 1,600 SF on the first floor with 1 entrance and 2 exits, 2 dining rooms, bar, kitchen, and bathrooms. 800 SF in basement. 152 square foot seasonal patio on public property in the parking lane.

**Present:** John Kessen, Rachel Miller Munzer, and Evan Harrison.

**Documents Considered:** Application and documents submitted therewith.

**Summary:** This is meant to mirror Temporary Extension of Licensed Premises Due to COVID-19 #125667. It is also meant to remove the outdoor patio previously approved for the sidewalk. Proposed seating capacity is 16, and the patio will be located on Bristol Street. Hours of operation meant to mirror the indoor hours. SSBU has issued, and proof of abutter notifications provided.

**Decision:** Granted with the condition that while the outdoor area is open and operating, it must be staffed at all times and there must be managerial staff monitoring it. Premises description amended for the last sentence to read: 152 square foot seasonal patio on public property in the parking lane on Bristol Street.

6. **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, June 2, 2022, at approximately 5:30 a.m. and June 9, 2022, at approximately 5:50 a.m., both in the vicinity of 80 Trowbridge Street.

**Present:** Investigator Tyler Bubenik.

**Documents Considered:** Hearing notice and documents attached thereto; business record.

**Summary:** Second call at 9:09 a.m., no one from Republic Services appeared. Between first and second call Investigator Bubenik attempted to make contact with an individual from Republic Services. Confirmation of notification with proper details and receipt of it was given.

On 6/2/22, Republic Services serviced the dumpster at 80 Trowbridge Street at approximately 5:30 a.m. at Trowbridge Street near the front entrance to the Ellis School. Second complaint received was for June 9, 2022, approximately 5:50 a.m. at the same location. The complainant is more than 50

feet away from the collection site, which is residential. Hence, waste cannot be picked up until 7:00 a.m. From the complaints, it is ascertained the resident was woken up by the activity. Republic Services has been previously fined for the same activity.

**Decision:** Violation on each instance, \$300 fine per instance for a total fine of \$600.

7. **Disciplinary** Harvard University Facilities and Maintenance Operations, holder of Leaf Blower Permit #10675, for alleged violation of Cambridge Municipal Code 8.16.081.2(e) – Noise emissions limited to 65 dBA, on May 25, 2022 at approximately 10:55 a.m. in the vicinity of 1651 Massachusetts Avenue.

**Present:** Investigator Tyler Bubenik.

**Documents Considered:** Hearing notice and documents attached thereto; business record.

**Summary:** Second call at 9:12 a.m., no one from Harvard University Facilities and Maintenance Operations appeared (even though it was acknowledged Wayne Carbone had been in the meeting at some point). Between first and second call Investigator Bubenik attempted to make contact with an individual from Harvard University. Confirmation of notification with proper details and receipt of it was given.

Bubenik responded to 1651 Massachusetts Avenue based off complaint of loud leaf blower. When investigator arrived, leaf blower was not being used but it was an Echo PB770T, which has a manufacturer's specified noise emissions rating of 77 dBA, in excess of the maximum allowable rating of 65 dBA. Employees admitted to using it at that location prior to the investigator's arrival.

**Decision:** Violation, \$300 fine.

8. **Disciplinary** PIDC Construction for allegedly working outside of the allowable hours for construction activity, in violation of Cambridge Municipal Code 8.16.080(f) on June 2, 2022 at approximately 9:24 p.m., and June 6, 2022 at approximately 9:42 p.m., both in the vicinity of 150 Cambridgepark Drive.

**Present:** Investigator Tyler Bubenik.

**Documents Considered:** Hearing notice and documents attached thereto; business record.

**Summary:** Second call at 9:15 a.m., no one from PIDC Construction appeared. Between first and second call Investigator Bubenik attempted to make contact with an individual from PIDC Construction and reached someone but person did not connect to the meeting. Confirmation of notification with proper details and receipt of it was given.

Email sent to investigators alleged that on June 2, 2022, equipment and banging could be heard emanating from the interior of the building, and that it was clearly audible from the complainant's apartment well over 50 feet away. The complainant provided videos, two of which showed the noise

coming from the interior of 150 Cambridgepark Drive, as filmed from the side street that runs along the western property boundary. The time stamp on the video showed it was 9:24 p.m.

Another email with video was received alleging that on June 6, 2022, construction was occurring at 9:42 p.m. One of the videos provided appeared to show equipment noise propagating from the interior of the building.

PIDC was last before the Board on June 9, 2022 for similar allegations of construction activity. Although the facts of the case were different during that hearing it was acknowledged by PIDC that they had been doing construction work inside the building during non-allowable hours and without a special noise variance. There was no special noise variance active for either of the dates discussed during this meeting.

**Decision:** Violation on each instance, \$300 fine for each, total fine of \$600, and notification to ISD about the matter to ascertain status of permits.

#### **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.*

9. **Application #179252** Boston Barbecue Works LLC d/b/a Boston Barbecue has applied for an annual hawker/peddler license to sell barbecue and related items throughout the City of Cambridge. William Phillips as owner, manager, and operator. Truck last licensed with the City of Cambridge in 2019.

**Decision:** Granted.

10. **Consideration of Meeting Minutes** June 9, 2022.

**Decision:** Approved.

11. **Statement of Reasons** Devonshire Restaurant Group, LLC d/b/a Drifter's Tale, 1281 Cambridge Street, Lic. #111632, heard and decided May 24 and May 31, 2022: alcohol license deemed expired, renewal rejected, or in the alternative the license was cancelled/revoked for failure to properly renew and/or follow Board's procedures, pursuant to G. L. c. 138, §§ 16A, 23, 64.

**Decision:** Approved.

12. **Application #179929** James Dimauro on behalf of Danella Line Service for 6/24/22 – 6/25/22 (Alt. 6/28/22 – 6/29/22) at 538 Massachusetts Avenue, for an overnight shift from 7:00 p.m. until 5:00 a.m. the following morning, for a dig to repair conduit using a vacuum truck, mini excavator,

jackhammers, compactor, and support vehicles. The variance is being requested to minimize impacts to and from traffic.

**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.*

13. **Application #179763** Maura Gould, on behalf of JCC of Greater Boston has applied for an entertainment license to be exercised at Danehy Park, 99 Sherman Street, on 8/11/22 from 5:00 p.m. – 7:30 p.m. for a family picnic with patrons dancing, recorded music and amplification system. Expected attendance – 100 people.

**Decision:** Granted.

14. **Application #179424** Marietta Sbraccia has applied an all alcohol and entertainment license to be exercised at MIT, 134 Memorial Drive, on 7/1/22 from 4:00 p.m. – 10:00 p.m. for a fundraiser with patrons dancing, recorded music, dj and amplification system. Expected attendance – 100 people.

**Decision:** Granted.

15. **Application #179267** Isabella Lolongo, on behalf of Nigh Shift Brewing has applied for a malt and wine license to be exercised at University Park, 65 Sidney Street, on 6/29, 7/13, 7/20, 7/27, 8/3, 8/10, 8/17, 8/24 and 8/31/22 from 4:00 p.m. – 9:00 p.m. for an outdoor beer garden. Expected attendance – 200 people.

**Decision:** Granted with the condition that the area where the alcohol is served and consumed must be clearly delineated/enclosed from any public way.

16. **Application #179008** Matt Eshelman, on behalf of Night Shift Brewing has applied for a malt and wine license to be exercised at Henri A. Termeer Square, 675 West Kendall Street, on 7/1-7/3, 7/7-7/10, 7/14-7/17, 7/21-7/24, 7/28-7/31, 8/4-8/7, 8/11-8/14, 8/18-8/20/22 from 12:00 p.m. – 9:00 p.m. for a beer garden. Expected attendance – 350 people.

**Decision:** Granted with the condition that the area where the alcohol is served and consumed must be clearly delineated/enclosed from any public way.

17. **Application #179637** Ken Barrett-Sweet, on behalf of Harvard Arts Museums has applied for a wine license to be exercised at 32 Quincy Street, on 6/30/22 from 5:00 p.m. – 9:00 p.m. for a museum open house. Expected attendance – 1500 people.

**Decision:** Granted.

18. **Application #179750** Liliana Jimenez, on behalf of Bachata Passion has applied for an entertainment license to be exercised at Cambridge Masonic Hall Association, 1950 Massachusetts Avenue, on 6/26/22 with rain date of 7/9/22 from 6:00 p.m. – 11:00 p.m. for a dance party with patrons dancing and dj. Expected attendance – 100 people.

**Decision:** Granted.

19. **Application #180001** Lamplighter Brewing Co., LLC d/b/a Lamplighter Brewing, (11567) has applied for a malt license to be exercised at 320 Morgan Avenue, on 7/14/22 from 11:30 a.m. – 2:00 p.m. for a corporate picnic. Expected attendance – 400 people.

**Decision:** Granted with the condition that the area where the alcohol is served and consumed must be clearly delineated/enclosed from any public way.

20. **Application #180492** Sabrina Moore has applied for a one day hawker/peddler license to be exercised at Veggie Galaxy, 450 Massachusetts Avenue, on 7/17/22 with rain date of 7/31/22 from 10:00 a.m. – 2:00 p.m. to sell purses, candy bars, artwork, journals and skincare products.

**Decision:** Granted with amended start time of 11:00 a.m. per permission letter.

21. **Application #180331** Sarain Lay has applied for an entertainment license to be exercised at Hoyt Field, 12 Gilmore Street, on 6/29/22 from 3:00 p.m. – 7:00 p.m. for a party with recorded music. Expected attendance – 50 people.

**Summary:** Confirmed park permit issued.

**Decision:** Granted.

**Administrative Matters Added as Supplement to Agenda**  
**[not posted on original meeting agenda]**

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22. **Application #180632** Paul Clark has applied for one day malt with recorded and live amplified music entertainment license to be exercised at 64 Sidney Street for a road race, on 7/14/22 from 5:00 p.m. – 9:30 p.m. Expected attendance – 1,700.

**Decision:** Granted with an amended end time of 8:00 p.m. per the Right of Entry Agreement of Bio Med Realty and the condition that the area where the alcohol is served and consumed must be clearly delineated/enclosed from any public way. Also, it should be noted that the contract seems to have extended hours in the morning, this license is only being granted with hours of 5:00 p.m. – 8:00 p.m.

23. **Application # 180976** William Manley, on behalf of Harvard Square Business Association & City of Cambridge has applied for an entertainment license to be exercised at Dunster Street, on 6/25/22 from 5:00 p.m. – 11:00 p.m. for a pit a polooza event with patrons dancing, performers/entertainers dancing, recorded music, live music and amplification system. Expected attendance – 250 people.

**Decision:** Granted with amended hours of 6:00 p.m. – 10:00 p.m. per City permit. Setup may commence at 5:00 p.m.

24. **Application # 181059** Dunster Street Restaurant Corp. d/b/a The Hourly Oyster House (11556) has applied for a malt and wine license to be exercised at Dunster Street, on 6/25/22 with rain date of 6/26/22 from 5:00 p.m. – 11:00 p.m. for a pit a palooza/beer garden event. Expected attendance – 500 people.

**Decision:** Granted with amended hours of 6:00 p.m. – 10:00 p.m. per City permit, and the additional condition that the area where the alcohol is served and consumed must be clearly delineated/enclosed from any public way. Setup may commence at 5:00 p.m.

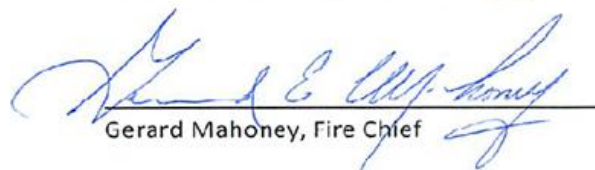
**Minutes Approved:** July 1, 2022

**Minutes Posted:** July 1, 2022

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By the Board of License Commissioners:

  
Nicole Murati Ferrer, Chair

  
Gerard Mahoney, Fire Chief