

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' MINUTES

Friday, July 1, 2022, 9:00 a.m.

(Continuance of June 28, 2022 meeting)

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: 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 #168902** Chazumba, LLC d/b/a Felipe's Taqueria, 21 Brattle Street, Common Victualler All Alcohol License #11516, has applied for an Alteration of Premises to expand an existing outdoor seasonal patio on the public way on the sidewalk for a total of 24 seats. The proposed premises description is: Food preparation and storage in basement of approximately 2,350 square feet; approximately 2,350 square foot first floor cooking and seating. Approximately 700 square foot mezzanine seating, approximately 3,067 square foot roof deck and 411 square foot seasonal outside patio on the city sidewalk.

Present: Attorney John Connell; and Thomas Brush. Bertil Jean-Chronberg; Denise Jillson, Harvard Square Business Association; and John DiGiovanni.

Documents Considered: Application and documents attached thereto; and correspondence received with regard to the application.

Summary: This is meant to mirror Temporary Extension of Licensed Premises to an Outdoor Area Due to COVID-19 #75874, but with a little less capacity. Proposing 24 seats all on the public way. Hours of operation meant to mirror the indoor hours. There will be table service out front and the alcohol will be controlled by staff and area monitored by staff and front door person. Patrons will not be able to purchase alcohol and bring to table (as they do inside). Prior to COVID they had an outdoor area approved but without alcohol. The Sidewalk Street Business Use permit ("SSBU") has issued. There was support for the patio, but opposition raised as to the manner in which the business is using the back stairs as a form of ingress/egress to the roof deck. The area where this is located is a shared space with 10 other businesses, a loading zone, and also emergency egress. Inspectional Services Department had asked for an engineer certification on the stairs, but not yet received it. Business is attempting to use it as a form of ingress/egress to the roof deck from 6:00 p.m. – 2:00 a.m.

Decision: Granted with the conditions that alcohol must be delivered to patrons at their table by a staff member, and can only be removed from the table by a staff member, and while outdoor area is open and operating, it must be staffed at all times and must have managerial staff monitoring it. Business cannot use the back stairway as a form of egress and ingress until such time as they receive something in writing from Fire, ISD and License allowing them to do so. The stairs can be used as emergency egress.

2. **Application #167871** Abbey Cambridge, LLC d/b/a The Abbey, 1755 Massachusetts Avenue, Common Victualler All Alcohol License #11501, has applied for an Alteration of Premises to expand the outdoor seasonal patio on the public way on the sidewalk and into the parking lane for 28 seats. The proposed premises description is: Two floors. Ground level has a bar and banquettes. Basement has kitchen, storage, and additional dining. Three exits, two on ground level. Approximately 276 sf patio on the sidewalk curbside and into the parking lane.

Present: Damian Dowling. Bertil Jean-Chronberg.

Documents Considered: Application and documents attached thereto.

Summary: This is meant to mirror Temporary Extension of Licensed Premises to an Outdoor Area Due to COVID-19 #116328, with 28 proposed seats. They intend to close the patio at midnight. The SSBU has issued. Proof of abutter notification uploaded but still need the affidavit of notice to abutters. Jean-Chronberg spoke in strong favor of the application.

Decision: Granted with midnight closing hour.

3. **Application #169049** Love Art Udon Comm, LLC d/b/a Cloud and Spirits, 795 Main Street, Common Victualler All Alcohol License #89841, has applied for an Alteration of Premises to include an outdoor seasonal patio on the public way in the parking lane for 14 seats. The proposed premises description is: Approximately 2,200 sq ft. on first floor Kitchen with 1 staff entrance, office space, bar, with 1 emergency exit and 1 main entrance/exit. Basement storage. 294 square foot patio on public property in the parking lane.

Present: Michael Gander.

Documents Considered: Application and documents attached thereto.

Summary: This is meant to mirror Temporary Extension of Licensed Premises to an Outdoor Area Due to COVID-19 #117625 but with a little less capacity, proposed 14 seats. Also, the total square footage is 275 sq. ft. Hours of operation meant to mirror the indoor hours. They are no longer pursuing an outdoor area of 100 sq. ft. on the side of the building in the private way. The SSBU has issued.

Decision: Granted for 275 sq. ft.

4. **Application #165840** Checkraise, LLC d/b/a Lord Hobo, 92 Hampshire Street, Common Victualler All Alcohol License #11365, has applied for an Alteration of Premises to include an outdoor seasonal patio on the public way on the sidewalk and into the parking lane for 64 seats. The proposed premises description is: In One Room with bar and table seating, kitchen in rear; office and storage in basement; Main Entry & Exit On Corner Of Hampshire And Windsor. Includes approximately 374 square foot patio on the city sidewalk and into the parking lane on Hampshire Street.

Present: Daniel Lanigan.

Documents Considered: Application and documents attached thereto.

Summary: This is meant to copy, to a certain extent, Temporary Extension of Licensed Premises to an Outdoor Area Due to COVID-19 #107748, but without the Windsor Street side patio and further expanding on Hampshire Street side. Proposing 64 seats. They intend to close the outdoor area at 10:00 p.m. The SSBU has not issued (bond form missing and COI). Proof of abutter notification uploaded but still need the affidavit of notice to abutters.

Decision: Granted with 10:00 p.m. closing hour and the condition that while the outdoor area is open and operating, there must be managerial staff dedicated to monitoring it.

Administrative Matters

5. **Ratification/Modification of Vote** 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. *Disciplinary matter heard and decided 6/21/22, violation \$300 fine. Board received subsequent statement from permit holder.*

Summary: After the meeting we received an email from Harvard University Facilities and Maintenance Operations representative confirming they were in the meeting but due to an unforeseen matter they had to leave the meeting before the matter was called. The representative also stated in their correspondence that their intent was not to contest the violation but rather tell us the steps that they have taken to ensure no future violations. The email did not request a review of the Board's decision and the Board discussed the information provided did not change the facts, its analysis or decision.

Decision: Acknowledge receipt of correspondence; Board's vote ratified, violation \$300 fine.

6. **Approval of Meeting Minutes** June 21, 2022.

Decision: Approved.

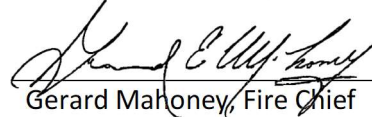
Minutes Approved: July 14, 2022

Minutes Posted: August 15, 2022

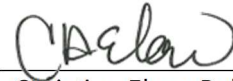
By the Board of License Commissioners



Nicole Murati Ferrer, Chair



Gerard Mahoney, Fire Chief



Christine Elow, Police Commissioner