



CAMBRIDGE LICENSE COMMISSION

831 MASSACHUSETTS AVE, CAMBRIDGE, MA 02139

NICOLE MURATI FERRER
CHAIRPERSON | BOARD MEMBER

CHRISTINE A. ELOW
POLICE COMMISSIONER | BOARD MEMBER

THOMAS CAHILL, JR.
FIRE CHIEF | BOARD MEMBER

BOARD OF LICENSE COMMISSIONERS' MEETING AGENDA

Thursday, August 11, 2022, 10:00 a.m.

By Remote Participation

This meeting was held remotely in accordance with Chapter 107 of the Acts of 2022 signed into law on July 16, 2022.

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

Decisions: All votes were by roll call vote, 3-0, unless otherwise stated.

Meeting started at approximately 10:07 a.m.

Public Testimony Matters

1) **Disciplinary** John's Landscape Service, Leaf Blower Permit #10678, alleged violations of Cambridge Municipal Code 8.16.081.2(a) – operating leaf blower during a prohibited period on June 30, 2022 and July 28, 2022, at approximately 1:15 p.m. in the vicinity of 334 Harvard Street.

Decision/Summary: Rescheduled.

2) **Disciplinary** Burns Landscape & Snow Management, alleged violations of Cambridge Municipal Code 8.16.081.1(c) & 8.16.081.2(b) – operating leaf blowers without a permit (failure to adhere to June 28, 2022 Cease and Desist Order) on July 6, 2022, at approximately 8:15 a.m. in the vicinity of 145 Brattle Street.

Present: Damon Krukowski, Complainant; and Investigator Tyler Bubenik.

Documents Considered: Hearing notice and documents attached thereto; and file.

Summary: No one appeared for Burns Landscape. Complainant testified as to observations – and employee was operating a leaf blower on July 6 at 145 Brattle Street, Trinity Church. The complainant has spoken to the church in the past to no avail. The complainant feels threatened when he approaches the crew as they are aggressive. At the time, they were just blowing dust from the parking lot. To date the company has not sought a permit.

Decision: Violation, \$300 fine and notice of the violation to the owner of the premises/Church.

3) **Informational** Craigie Bistrot, LLC d/b/a Craigie on Main, 853 Main Street, Common Victualler All Alcohol License #11387, for a license informational hearing for non-use pursuant to, but not limited to, M. G. L. c. 138, §§ 23, 64, and 77.

Present: Tony Maws.

Documents Considered: Hearing notice and documents attached thereto; and file.

Summary: Closed doors temporarily (or at least that is what they thought) last summer, but were unable to reopen. They have put the business on the market and have been actively showing it. They have seen a lot of interest, and have two offers on the line. *This matter was called and due to the multiple previous hearing where the licensee did not show up, the Board heard the matter upon being called. Towards the end of the meeting, the licensee showed up (explained had trouble connecting) and the Board heard the matter. It vacated its original vote.*

Decision: Provided 6 months to put license to use, otherwise, cancellation hearing for non-use.

4) **Application #180673** LSF Kendall Square, LLC d/b/a Legal Sea Foods, 355 Main Street, C.V. All Alcohol License #133234, for a Change of Manager to Shahrokh Naghibi.

Present: Donna Cruz; and Shahrokh Naghibi.

Documents Considered: Application and documents attached thereto.

Summary: Shahrokh Naghibi has experience in the food and beverage industry, and has been the manager of record on a liquor license before with no disciplinary issues with the local board or the ABCC. Naghibi is familiar with the rules and regulations of the Board, the ABCC and the laws of the Commonwealth of Massachusetts with regard to the sale and service of alcohol. Has training in the safe sale, service and delivery of alcohol and will upload to the record.

Decision: Granted.

5) **Application #184162** Café Spice MIT, Inc., d/b/a Brooklyn Bagel Company, 168 Hampshire Street, has applied for a New Common Victualler Wine & Malt Beverages License with proposed hours of 6:00 a.m. to 11:00 p.m. All days with alcohol service from 10:00 a.m. to 9:00 p.m. and seating for 16 inside, an occupancy of 18, and 12 seats outside. Gopal Rungta as proposed Manager of Record of a premises described as: 900 sq ft on first floor, total of one room, storage & prep kitchen is at the back of the room. Outdoor patio on private property.

Present: Gopal Rungta.

Documents Considered: Application and documents attached thereto.

Summary: Applicant has provided: a signed statement attesting that Gopal Rungta has no beneficial interest in the license (this was required because Gopal signed the lease and is not disclosed in the ABCC application as one of the persons with an interest on the license or in the articles of incorporation); confirmation that the space is 850 sq. ft. and that they are not seeking standing capacity; and confirmation that the outdoor area is 275 sq. ft. However, applicant still needs to provide an

amended lease or letter from the landlord attesting that the outdoor area is being leased/provided for their use. Department of Public Works confirmed the outdoor area is all on private property.

This is a husband/wife operation, with Ishita Rungta being the sole beneficial interest holder in the license. Gopal has been a Cambridge resident almost 60 years. They were a part of MIT dining for 14 years and lost it during COVID as well as a CambridgeSide restaurant. The concept is a small café in Cambridge – whole idea is to give students an ambient space, relax, have a coffee, beer/wine, and internet. They intend to be different from other regular bagels cafes. They will offer a lot of vegan options, plant based products. They see a lot of foot traffic in the area and will cater to the heavy pedestrian flow of the commuters as well as the large number of people living in that area. They intend to offer something affordable and good for under \$10. They have been approached by a lot of students in MIT to open in Cambridge, his fusion, and based on this and the feedback from community, is why they decided to open this and make this their retirement.

Gopal Rungta, has 42 years of experience in the food industry and although does not have direct experience in the sale and service of alcohol, is familiar with the rules and regulations of the Board, the ABCC and the laws of the Commonwealth of Massachusetts with regard to the sale and service of alcohol. Will complete a training in the safe sale, service and delivery of alcohol.

Decision: Granted, with updated premises description of: 850 sq. ft. on first floor, total of one room, no hood/venting, storage and prep kitchen are at the back of the room. Approximately 275 sq. ft. outside area on private property.

6) **Disciplinary** Zen Associates, Leaf Blower Permit #168363, alleged violation of Cambridge Municipal Code 8.16.081.2(a) – operating leaf blower during a prohibited period on June 23, 2022 in the vicinity of 20 Berkeley Street.

Present: Investigator Tyler Bubenik; and Virginia Coleman, complainant.

Documents Considered: Hearing notice and documents attached thereto; and file.

Summary: Permit holder did not appear. Complainant testified she observed the use of the leaf blowers on June 23 and when she approached they crew they told her it was okay because they had a permit and it was electric. She informed them they could not use it, and they ignored her. The property where the violation occurred is one listed as a property maintained by this company.

Decision: Violation, \$300 fine and notice of the violation to the owner of the premises.

7) **Disciplinary** D. Muzzioli Associates, Leaf Blower Permit #10707, alleged violations of Cambridge Municipal Code 8.16.081.2(a) – operating leaf blower during a prohibited period on June 20, 2022, at approximately 9:45 a.m. in the vicinity of 23 Healy Street, and June 26, 2022, at approximately 3:30 p.m. in the vicinity of 19 Fayette Street; and alleged violation of 8.16.081.2(f) – limit of one blower per 10,000 square foot area on June 20, 2022 in the vicinity of 23 Healy Street.

Documents Considered: Hearing notice and documents attached thereto; file; and Waiver of Hearing filed prior to the hearing.

Summary: Connor McGuire filed a waiver of hearing accepting the violations as noticed. Permittee has extensive disciplinary history.

Decision: Violation on each of the 3 instances, \$300 fine/violation for a total fine of \$900.00 and notice of the violation to the owner of the premises.

8) **Disciplinary** Smith Landscaping Plus, alleged violations of Cambridge Municipal Code 8.16.081.1(c) & 8.16.081.2(b) – operating leaf blower without a permit (failure to adhere to Cease and Desist Order of May 22, 2022), and 8.16.081.2(a) – operating blower during a prohibited period on June 24, 2022, at approximately 1:00 p.m. and July 1, 2022, at approximately 1:00 p.m., in the vicinity of 2203 Massachusetts Avenue.

Present: Investigator Tyler Bubenik.

Documents Considered: Hearing notice and documents attached thereto; and file.

Summary: No one appeared for Smith Landscaping. The complaint came in through See-Click-Fix. The business has submitted an application for a leaf blower permit but have not completed it. It was noted that the address of 2203 is listed as one of the serviced addresses.

Decision: Violation on each of the 3 instances, \$300 fine/violation for a total fine of \$900.00 and notice of the violation to the owner of the premises.

9) **Disciplinary** Riverside Services, alleged violations of Cambridge Municipal Code 8.16.081.1(c) & 8.16.081.21(b) – operating leaf blower without a permit (failure to adhere to Cease and Desist Order of June 25, 2019), and 8.16.081.2(a) – operating blower during a prohibited period on July 12, 2022, at approximately 10:40 a.m. in the vicinity of 258 Harvard Street.

Present: Investigator Tyler Bubenik.

Documents Considered: Hearing notice and documents attached thereto; and file.

Summary: No one appeared for Riverside Services. They have not submitted an application to become permitted. The complaint came in through See-Click-Fix.

Decision: Violation on each of the 2 provisions, \$300 fine/violation for a total fine of \$600.00 and notice of the violation to the owner of the premises.

10) **Disciplinary** Garrick Santo Landscape Co., Leaf Blower Permit #10681, alleged violation of Cambridge Municipal Code 8.16.081.2(a) – operating leaf blower during a prohibited period on July 26, 2022, at approximately 2:30 p.m. in the vicinity of 222 Third Street.

Present: Investigator Tyler Bubenik; and Stephen Santo.

Documents Considered: Hearing notice and documents attached thereto; and file.

Summary: It was stated for the record that although the agenda only listed one alleged violations, that was a typographical error – the notice of hearing also included an alleged violation for the use of a non-compliant blower. The Board considered both violations as listed on the hearing notice sent to the business. There is a history of this same violation – the use of a non-compliant blower. This particular case, the violations were observed first-hand by the licensing investigator.

Stephen Santo admitted to the violation, and sought leniency as to the fine. Santo explained the crew that was there that day usually goes to a different City and was unaware of the limitations of the Ordinance. Santo had a meeting with all staff after the incident.

Decision: Violation on each of the 2 instances, \$300 fine/violation for a total fine of \$600.00 and notice of the violation to the owner of the premises.

11) **Disciplinary** Brightview Landscape, Leaf Blower Permit #43662, alleged violation of Cambridge Municipal Code 8.16.081(a) – operating leaf blower during a prohibited period on July 20, 2022, at approximately 8:10 a.m. in the vicinity of 88 Sherman Street.

Present: Investigator Tyler Bubenik.

Documents Considered: Hearing notice and documents attached thereto; and file.

Summary: No one appeared on behalf of Brightview Landscape. This came through a See-Click-Fix complaint. The company has a history of discipline.

Decision: Violation, \$300 fine.

12) **Application #158258** Kaitlin Becker on behalf of PIDC Construction for a Special Noise Variance to be exercised on 8/12/22 – 9/23/22 (Alt. 8/13/22 – 9/23/22) at 150 Cambridgepark Drive, from 6:00 p.m. to 2:00 a.m. the following morning on weeknights, to perform interior demolition of the concrete floor of the penthouse level and material disposal using concrete saws, chipping hammers, and jack hammers. The variance is sought as work must be completed when the building is not populated by employees.

Present: Rob Harris; Brian Mikolaycik; Marshall Harris; and Ben Jordan.

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

Summary: The proper application number is 185258. The hours being sought are 6:00 p.m. to 2:00 a.m. They are seeking the variance because they need to do demolition on the top floor while the existing tenants of building are out. They have tenants on the 10 floors below the 11th floor which is the

one they need to demolish. The area they are demolishing is the floor which would be the ceiling space of the occupied floor below and doing the work while the floor is occupied presents a safety and operational concern. They have installed temporary walls to mitigate noise and have agreed to remove the demolition/debris via crane during daytime hours. The Board received a letter in opposition to the application from the property management company of the adjacent building.

Decision: Granted with the condition that debris be brought during daytime allowable hours.

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) **Board Vote – Disciplinary Matter Heard on 7/28/22** New England Development, alleged violations of Cambridge Municipal Code 8.16.080(f) - Construction activity outside of the allowable hours at approximately 2:57 a.m. on June 14, 2022 in the vicinity of 100 Cambridgeside Place, and at approximately 6:25 a.m. on June 29, 2022 in the vicinity of 41 Land Boulevard.

Summary: The general thoughts is that there was insufficient evidence presented to establish where the alleged noise was coming from and whether it was related to construction or to construction from a particular site. Police have and will continue to monitor the area to ensure that there is no construction happening outside the allowable hours, or in the alternative, they intend to identify which site or company is working outside the allowable hours.

Decision: No violation (2-0, Chair Murati Ferrer did not vote).

14) **Board Vote – Disciplinary Matter Heard on 7/28/22** Anchorline Partners, alleged violations of Cambridge Municipal Code 8.16.080(f) - Construction activity outside of the allowable hours at approximately 6:30 a.m. on June 28, 2022, and at approximately 6:25 a.m. on June 29, 2022, in the vicinity of 60 First Street.

Summary: The general thoughts is that there was insufficient evidence presented to establish where the alleged noise was coming from and whether it was related to construction or to construction from a particular site. Police have and will continue to monitor the area to ensure that there is no construction happening outside the allowable hours, or in the alternative, they intend to identify which site or company is working outside the allowable hours.

Decision: No violation (2-0, Chair Murati Ferrer did not vote).

15) **Board Vote – Disciplinary Matter Heard on 7/28/22** The Richmond Group, alleged violations of Cambridge Municipal Code 8.16.080(f) – Construction activity outside of the allowable hours at

approximately 6:30 a.m. on June 28, 2022, 6:25 a.m. on June 29, 2022, and 6:20 a.m. on June 30, 2022, in the vicinity of One Canal Park.

Summary: The general thoughts is that there was insufficient evidence presented to establish where the alleged noise was coming from and whether it was related to construction or to construction from a particular site. Police have and will continue to monitor the area to ensure that there is no construction happening outside the allowable hours, or in the alternative, they intend to identify which site or company is working outside the allowable hours.

Decision: No violation (2-0, Chair Murati Ferrer did not vote).

16) **Consideration of Waiver of Hearing – Disciplinary** Republic Services, Solid Waste Hauler License #14078, alleged violations of Cambridge Municipal Code 8.16.080(e) – Loading and unloading, on June 22, 2022 at approximately 5:30 a.m. and on June 30, 2022, at approximately 6:30 a.m., in the vicinity of 1575 Cambridge Street; and on June 23, 2022, at approximately 6:52 a.m. in the vicinity of 80 Trowbridge Street.

Decision: Violation on each of the 3 instances, \$300 fine/violation for a total fine of \$900.00 and notice of the violation to the owner of the premises.

17) **Consideration of Waiver of Hearing – Disciplinary** Landscape Collaborative, holder of Leaf Blower Permit #10704, alleged violations of Cambridge Municipal Code 8.16.081.2(a) – operating leaf blower during a prohibited period on June 20, 2022, in the vicinity of Lakeview Avenue, and on June 24, 2022, at approximately 10:30 a.m. in the vicinity of 4 Berkeley Place.

Decision: Violation on each of the 2 instances, \$300 fine/violation for a total fine of \$600.00 and notice of the violation to the owner of the premises.

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.

18) **Application #185553** Adam Corbeil, on behalf of Cambridge Recreation has applied for an entertainment license to be exercised at St. Peter's Field, 65 Sherman Street, on 8/22/22 from 5:00 p.m. – 11:00 p.m. for a Oldtime Baseball game with amplification system. Expected attendance – 100 people.

Decision: Granted with amended end time of 10:00 p.m. per City permit, and no license fee as this is a City event.

19) **Application #186382** Brad Tinkham, 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 8/20, 8/24-

8/27, 8/31-9/3, 9/7-9/10, 9/14-9/17, 9/21-9/24, 9/28-10/1 & 10/5-10/8 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.

20) **Application #186574** Conor Lipchus, on behalf of the Trustees of Boston University has applied for a malt and wine and entertainment license to be exercised at DeWolfe Boat House, 619 Memorial Drive, on 10/23/22 from 12:00 p.m. – 9:00 p.m. for a reunion with recorded music and amplification system. Expected attendance – 175 people.

Decision: Granted.

21) **Applications #186719 and 186720** Ryan Montbleau, on behalf of the East End House, has applied for an entertainment and one day temporary amusement license (Bounce House) to be exercised at 105 Spring Street, on 8/17/22 with rain date of 8/18 from 5:00 p.m. – 8:00 p.m. for a block party with patrons dancing, performers/entertainers dancing, recorded music, dj, live music and amplification system. Expected attendance – 500 people.

Decision: Granted with the amendment that the event start time is 6:00 p.m. per the Traffic Permit, set-up may commence at 2:00 p.m.

22) **Application #187085** Paddy's Lunch, Inc. d/b/a Paddy's Lunch, 260 Walden Street, Common Victualler All Alcohol License (#11694), has applied for an entertainment license on 8/19/22 from 5:00 p.m.- 11:00 p.m. for a private party with patrons dancing and live music. Expected attendance – 25 people.

Decision: Granted.

23) **Application #187136** Sage Dallmus, on behalf of Curio Spice Co & The Boston Shaker, has applied for a malt and wine license to be exercised at 2267 Massachusetts Avenue, on 8/18/22 from 5:00 p.m. – 6:30 p.m. for a class. Expected attendance – 10 people.

Decision: Granted with the condition that there must be a limited number of drinks (2) associated with the admission price; otherwise/thereafter the alcohol must be sold.

24) **Application #187171** Kellie Ruccolo, on behalf of the Cambridge Public Library, has applied for an entertainment license to be exercised at Joan Lorentz Park, 449 Broadway, on 9/14/22 from 5:00 p.m. – 8:00 p.m. for a concert with patrons dancing, live music and amplification system. Expected attendance – 75 people.

Decision: Granted, no license fee as it is a City event.

25) **Application # 187694** Bill Manley has applied for an entertainment license to be exercised at Cambridge Common 1500 Massachusetts Avenue, on 8/20/22 from 12:00 p.m. – 6:00 p.m. for a

Women's parade and speeches with recorded music, live music and amplification system. Expected attendance – 250 people.

Decision: Granted.

26) **Application #188291** Scott Kendall has applied for a malt and wine and entertainment license to be exercised at Pemberton Farms, 2225 Massachusetts Avenue, on 9/10/22 from 12:30 p.m. – 5:00 p.m. for a Pemberfest beer tasting with live music. Expected attendance – 300 people.

Decision: Granted.

27) **Application #187746** Emily Stallings, on behalf of Hult International Business School, has applied for a wine license to be exercised at 1 Education Street, on 8/15/22 from 10:00 a.m. – 4:00 p.m. for a graduation celebration. Expected attendance – 800 people.

Decision: Granted.

28) **Application #188466** Pardis Safari has applied for a one day hawker/peddler license for (2) vendors to be exercised at 1310 Cambridge Street, on 8/11/22 from 5:00 p.m. – 8:00 p.m. to sell apparel, stickers, accessories and prints.

Decision: Granted, no license fee as it is a City event.

29) **Application #188686** Liliana Jimenez has applied for an entertainment license to be exercised at Cambridge Masonic Hall, 1950 Massachusetts Avenue, on 9/25/22 with rain date of 9/26/22 from 6:00 p.m. – 11:30 p.m. for a social dance party with patrons dancing and dj. Expected attendance – 100 people.

Decision: Granted.

30) **Application #185237** Kate Economides, on behalf of Blackstrap BBQ, has applied for an all alcohol license (inside) to be exercised at Cambridge Multicultural Arts Center (Centanni Park) 41 Second Street, on 8/20/22 from 5:30 p.m. – 7:00 p.m. for a wedding. Expected attendance – 200 people.

Decision: Granted. There can be no service, consumption, sale or delivery of alcohol outside the premises, specifically on Centanni Park.

[Matters Added to the Agenda After Posting]

31) **Application #189065** Erika Gauthier has applied for a malt and wine license to be exercised at Hult International Business School, 1 Education St (6th, 7th and 8th floors), on 8/15/22 from 5:30 p.m. – 7:30 p.m. for a reception. Expected attendance – 500 people.

Decision: Granted.

32) **Application #183892** Dan Kakabeeke/Emily Ediger has applied for a malt and wine license to be exercised at Marriott Cambridge – Urban Park/Kendall Square Roof Top, 50 Broadway, on 8/20/22 10:00 a.m. – 12:00 p.m. with rain date of 8/23 5:00 p.m. – 8:00 p.m. for a rooftop cooking event. Expected attendance – 20 people.

Decision: Granted with the condition that there must be a limited number of drinks (2) associated with the admission price; otherwise/thereafter the alcohol must be sold. If are going to be doing any cooking on the roof, must contact Fire Prevention Services to ensure no further permits necessary.

33) **Application #187344** Jay Dunn on behalf of Waveguide has applied for a Special Noise Variance to be exercised on 8/15/22 – 8/19/22 (Alt. 8/22/22 – 8/26/22) at multiple locations, from 6:00 p.m. until 11:59 p.m. on consecutive weeknights, to place fiber optic cable via manholes using the power derived from an idling vehicle engine. The variance is sought in the interest of limiting impacts to and from vehicular traffic.

Decision: Granted.

34) **Application #189259** Harvard Square Business Association – Chris Masci has applied for a one day hawker/peddler license for (35 vendors) to be exercised at Church Street, on 8/14/22 from 11:00 a.m. – 5:00 p.m. to sell Handmade goods: Arts and Crafts.

Decision: Granted.

35) **Application #189297** Ryan Howe, on behalf of the Duck Duck Goofs LLC has applied for a malt and wine and entertainment license to be exercised at Cambridge Community Center 5 Callender Street, on 8/13/22 with rain date of 8/27/22 from 7:00 p.m. – 11:59 p.m. for a comedy show. Expected attendance – 90 people.

Decision: Granted.

36) **Application #186019** Jay Dunn on behalf of Waveguide has applied for a Special Noise Variance to be exercised on 8/15/22 – 8/19/22 (8/22/22 – 8/26/22) at 238 Main Street, from 6:00 p.m. to 11:59 p.m. on weeknights, for fiber optic cable placement using the power derived from an idling vehicle engine. The variance is sought in the interest of minimizing impacts to and from vehicular traffic.

Decision: Granted.


Minutes Approved: August 24, 2022

Minutes Posted: August 24, 2022

By the Board of License Commissioners



Nicole Murati Ferrer, Chair



Thomas Cahill, Jr., Fire Chief



Christine Elow, Police Commissioner