



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

Wednesday, August 24, 2022, 10:30 a.m.

(Meeting Started at approximately 10:33 a.m.)

By Remote Participation

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

Board Members (All Present): Nicole Murati Ferrer, Thomas Cahill, Jr., 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. Informational/Follow-Up Chazumba LLC, d/b/a Felipe's Taqueria, 21 Brattle Street, Common Victualler All Alcohol License #11516, with regard to the use of the back stairway pursuant to the Board's vote of July 1, 2022 that stated, in part, "...you cannot use the back stairway as a form of egress and ingress until such time as you receive something in writing from Cambridge Fire Department, Inspectional Services Division, and the License Commission allowing you to do so. The stairs can currently only be used as emergency egress."

Present: Attorney William Kelley; Thomas Brush; Jacob Lazzara, Inspectional Services Department ("ISD"); Investigator Tyler Bubenik ("License"); Cambridge Police Supt. Rob Lowe ("Police"); and Cambridge Fire Lt. Chris Towski ("Fire").

Documents Considered: File, related correspondence; and documents provided by Cambridge Police Department.

Summary: The City staff presented their perspective as to the feasibility, practicality and public safety factors to consider regarding the use of the stairs as a form of regular ingress and egress. It was noted for the record that when Felipe's sought the alteration to increase the capacity on the roof deck, they represented to the Board that the stairs at issue, although not required to be added, were added as an additional form of egress in case of an emergency.

Police, Fire and License all raised major public safety concerns as to the use of the stairs and back of the premises as a regular form of ingress and egress. The matters of crowd control and capacity were discussed. As well as the issues that would or could arise during an emergency. Although Felipe's stated they use the back to avoid blocking Brattle Street and the businesses there with lines of people waiting to get onto the roof deck, it was noted for the record that there are no past issues of this on record. Felipe's counsel argued that the testimony provided by public safety officials was all speculation, but the argument ignored the more than 40 years of combined experience from the City officials, and the years of experience in the field of public safety of the Board members. ISD confirmed the document produced from the architect establishes that the stairs are code compliant. ISD's concern

would now center around the maintenance of the stairs, protection from weather, and lighting, all factors which would be considered during annual inspections of the premises.

Decision: Board order stands – back stairs cannot be used as a regular form of ingress and egress and should only be used as an emergency egress. In addition, the Board's order was further expanded to mandate that the back door and area cannot be used as a regular form of ingress/egress; all patrons must enter/exit the premises using the main entrance on Brattle Street. The Board will review its decision at the next meeting.

2. Application #185250 New Mulan Restaurant, LLC d/b/a Mulan Restaurant, 228 Broadway, has applied for a New Common Victualler Wine & Malt Beverages License with proposed hours of 8:00 a.m. to 1:00 a.m. Monday through Saturday and 11:00 a.m. to 1:00 a.m. Sunday with seating for 86, and an occupancy of 100. Zhi Chao Shi as proposed Manager of Record of a premises described as: Approximately 3,656 sq. ft. with separate kitchen and dining room, restrooms, 1 entrance and 3 exits.

Present: Attorney Russell Chin; and Zhi Chao Shi. Lenad Dobson, resident.

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

Summary: This location has a liquor license so there is a presumption of need. The proposed corporation and ownership is comprised of a group of employees of the existing restaurant who seek to purchase the business from the current owners. There was discussion of the correspondence received with regard to the application and it was noted for the record that the application seeks the same hours as the current operation, does not intend to change the concept, that the only entertainment is background music, and that none of the current owners would hold an interest in the license.

There were discussions as to the matters ISD would want the new ownership to know and address – rodents and overflowing dumpsters. Applicant informed that they would need to follow up with ISD on extermination plans and trash pickup scheduling. In addition, there were discussions as to the Department of Public Works concerns with the location. Specifically, the applicant was informed that they need to maintain cleanliness around the dumpster, continue cleaning the grease traps every other week, not dump grease in the catch basin and not dump waste water on the ground outside the building. The applicant represented they have spoken with the current ownership as to these issues and will maintain the contracts they have with the Pest Control company and the Cleaning company.

The proposed manager, Zhi Chao Shi, has experience in the industry, specifically as an employee of the current operation. Shi 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, and has received training on the safe service, handling or delivery of alcohol.

Dobson raised concerns as to the 1 a.m. closing hour due to limited parking and noise. It was noted that although the current operation has a 1:00 a.m. (which they exercised prior to COVID) there have been no noise issues. The Board acknowledged that should noise issues arise, it would address them accordingly.

Decision: Granted.

3. Application #184594 DW PROPCO I, LLC, 151 North First Street, has applied for a Garage License with additional Flammables License for 240 parking spaces, 10 gallons of Class 1, and 660 gallons of Class 2 Fuel Oil.

Present: Michael Gomes.

Documents Considered: Application and documents attached thereto.

Summary: This is for a new structure of mixed use – residential + business. The parking is below ground and it is a lease only building. The flammable fuel oil is for the emergency generator, on the roof and the fuel oil is in the garage. The 10 gallons of gasoline on the application were related to the gasoline in the tanks of vehicles (not additional flammables). Flammables and Combustible Permit has issued.

Decision: Granted, with finding that flammables are not for direct consumption. The 10 gallons of gasoline on the application will be removed.

4. Application #187352 HSA Food Park, LLC, LLC d/b/a Naco Taco, 297 Massachusetts Avenue, Common Victualler All Alcohol License #11549, has applied for an Alteration of Premises to include an outdoor patio on private property. The proposed premises description is: In two main areas: Interior dining area and approximately 2,130 sq. ft. annual outdoor patio on private property. In the interior dining area bar located in center of dining area; seating in interior dining area with kitchen and walk-in cooler to the right of the dining area entrance. Outdoor patio with seating located throughout the patio with food service being from kitchen housed within stationary food truck trailer located on the right side of the main entrance. Main entrance and exit on Massachusetts Avenue. Additional outdoor patio on private property in the private way (Village Street).

Present: Attorney James Rafferty; Alex Tannenbaum; and Lt. Chris Towski, Fire.

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 #75972 but larger in capacity. Total capacity of the new area is 90. The hours of operation are meant to mirror in the indoor hours, 1:00 am closing. The host stand will be in between the front existing patio and the Village Street patio. The total sq. ft. of the Village Street patio is 2,000. How about the patio on the front of the premises, do you know the total square footage of that one?

Lt. Towski explained that Fire does not need Village Street to be clear for the fire engines to use as a way during emergencies. Rather that if at any point they need to access the area, the business will need to remove everything so that there is access. However, this is not anticipated to be during a spontaneous emergency but rather a planned event.

Decision: Granted with partial amended premises description to say: Second outdoor patio on private area known as Village Street of approximately 2,000 sq. ft., and conditions: while the outdoor areas are open and operating, they must be staffed at all times and managerial staff must be monitoring them; and licensee must remove the patio and make the way (Village Street) accessible upon request by Cambridge Fire Department or City agency.

5. Application #166619 Stoked Pizza Cambridge, LLC, d/b/a Stoked Pizza, 1611 Massachusetts Avenue, Common Victualler All Alcohol License #52551, has applied for an Alteration of Premises to include an outdoor patio on public property. The proposed premises description is: Approximately 2,375 sq. ft. located on first floor of building, including dining room, bar, three (3) restrooms, kitchen, storage, one (1) entrance, three (3) means of egress. 493 square foot seasonal patio on private property and 378 sq. ft. seasonal patio on public property on the sidewalk curbside and into the parking lane.

Present: Attorney Adam Barnosky; and Toirm Miller. Peter Bowden, resident.

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 #113717 but smaller in capacity. Total capacity of the plan provided is 48. However that is because the plan has the private area reduced in capacity from 28 to 32. The applicant does not intend for this reduction and an updated plan will be provided. The public way area is just on the traffic lane, for 306 sq. ft. and a total capacity of 20. The intended closing hour for the outdoor areas is midnight. The Street Sidewalk Business Use Permit has not yet issued, there is a fee due.

Bowden raised a general concern about noise but stated that they have not had any issues with the previous operation or the COVID extension or excessive noise. They also mentioned that the owners have been good and considerate neighbors.

Decision: Granted with 12:00 am closing hour on the outdoor patios and with amendment of premises description to reduce public way square footage to 306. The capacity for the private way will remain at 32 and the public way 20. New plan will be required.

6. Disciplinary Boston Carting, holder of Solid Waste Hauler License #65459, for alleged violation of CMC 8.16.080(e) – Loading and unloading, on July 27, 2022, at approximately 3:13 a.m. in the vicinity of 15 Notre Dame Avenue.

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

Summary: Waiver of hearing received; permittee is admitting the violations as noticed. Previous history shows that in January of this year, the company was given a warning for loading/unloading outside allowable hours at this same location.

Decision: Violation, \$300 fine issued.

7. Disciplinary Casella Waste Services, holder of Solid Waste Hauler License #14070, for alleged violations of CMC 8.16.080(e) – Loading and Unloading, on August 6, 2022 at approximately 6:30 a.m. and August 13, 2022 at approximately 7:30 a.m., in the vicinity of 2235 Massachusetts Avenue.

Present: Investigator Tyler Bubenik; and John Tognazzi.

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

Summary: Received fine earlier this year for same type of violation. The complaints came in via email both with video evidence of the activity which was plainly audible at residence which is more than 50 feet away. Tognazzi did not contest the violation, asked for leniency, and explained they were out the two weekends when this happened. To avoid any issues in the future, they are going to speak to the customer to see if the Saturday pick up can be eliminated.

Decision: Violation on both instances, \$300 fine/violation, \$600 fine issued.

8. Disciplinary John's Landscape Service, holder of Leaf Blower Permit #10678, for alleged violations of CMC 8.16.081.2(a) – operating a leaf blower during a prohibited period, on June 30, 2022 and July 28, 2022, both at approximately 1:15 p.m. in the vicinity of 334 Harvard Street, and on August 11, 2022 at approximately 2:40 p.m. in the vicinity of 931 Massachusetts Avenue [Rescheduled from 8/11/22].

Present: Investigator Tyler Bubenik; and John Tighe.

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

Summary: June 30 & July 28 incidents both observed and reported by the same person for the same location 334 Harvard (address registered as one serviced by John's). The complainant submitted a written statement attesting to the observations. A different complainant reported the use at 931 Mass Ave, which is also an address registered to John's. The complainant sent a video of laborer operating the blower.

Tighe admitted that the violations occurred and asked for leniency based on their clean record of the past two years. Tighe explained that the issue is the turnover of employees and a delay in the training process to get everyone up to speed on the limitations of use in Cambridge. They have sent notification to the crews and are continuing to remind them as to the Ordinance.

Decision: Violation on three counts, \$300 fine/violation, total \$900 fine issued.

9. Disciplinary Smith Landscaping Plus for alleged violations of CMC 8.16.081.1(c) & 8.16.081.2(b) – operating without a permit, and 8.16.081.2(a) – operating leaf blowers during a prohibited period [failure to adhere to May 16, 2022 cease and desist], on June 24, 2022 at approximately 2:30 p.m. and July 1, 2022 at approximately 1:00 p.m., in the vicinity of 2203 Massachusetts Avenue. [Matter was heard and decided 8/11/22; Smith Landscaping Plus did not appear at that hearing].

Present: Investigator Tyler Bubenik; and Alberto Posada.

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

Summary: This matter was scheduled and heard on 8/11. After the Board sent notice of its vote, Smith landscaping asked for a rehearing as they were unable to attend the hearing and it was granted. During the hearing the evidence was presented as noticed and Posada admitted the violations. Posada further stated that they were not aware of the limitations of use, but the evidence established otherwise. Posada explained that although they have submitted an application for a leaf blower permit they did not complete it as they only have one customer for which they use leaf blowers. They are in the process of determining whether they will operate leaf blowers but do not think so.

Decision: Violation on all counts; \$300 fine to be held in abeyance for six months for the counts of operating without a permit; \$300 fine/violation for using during a prohibited period, \$600 fine.

10. Disciplinary Paiva Landscape Masonry for alleged violations of CMC 8.16.081.1(c) & 8.16.081.2(b) – operating without a permit, and 8.16.081.2(a) – operating leaf blowers during a prohibited period on May 3, 2022, in the vicinity of 52 Concord Avenue, and on July 22, 2022, in the vicinity of 47 Trowbridge Street. [May 3 matter was heard and decided on 6/9/22; Paiva Landscape Masonry did not appear at that hearing. July 22 incident is new violation].

Present: Investigator Tyler Bubenik; and Hildo Mateus DeSouza.

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

Summary: The May matter was scheduled and heard on 6/9. After the Board sent notice of its vote, Paiva asked for a rehearing as they were unable to attend the hearing and it was granted. The July 22 matter is new. Paiva now have a valid permit to operate leaf blowers in Cambridge. DeSouza did not contest the violations. DeSouza stated they have attempted to comply with the Ordinance, have purchased compliant equipment and have educated the employees on the prohibited periods of operation.

Decision: Violation on all counts; warning for operating without a permit; and \$300 fine for operating during a prohibited period.

11. Disciplinary Park Landscape Associates for alleged violations of CMC 8.16.081.1(c) & 8.16.081.2(b) – operating without a permit, and 8.16.081.2(a) – operating leaf blowers during a prohibited period [failure to adhere to June 24, 2020 cease and desist order], on June 22, 2022, at approximately 1:45 p.m. in the vicinity of 143 Pleasant Street.

Present: Investigator Tyler Bubenik.

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

Summary: No one appeared for Park Landscape Associates. The use of the leaf blower at the noticed location, date and time was witnessed by Investigator Bubenik while on routine patrol. The notice of the violation was handed to an employee on site, who was not too forthcoming. There was confirmation of receipt of the hearing notice. The business has not obtained a permit.

Decision: Violation on two counts, \$300 fine/violation, total \$600 fine issued per the Ordinance, and \$100 fee assessed for failure to appear at the hearing. Total fees due \$700.

12. Disciplinary J. Mosca Landscape and Design for alleged violations of CMC 8.16.081.1(c) & 8.16.081.2(b) – operating without a permit, and 8.16.081.2(a) – operating leaf blowers during a prohibited period [failure to adhere to July 21, 2022 cease and desist order], on August 8, 2022, at approximately 4:38 p.m. in the vicinity of 292 Harvard Street.

Present: Investigator Tyler Bubenik.

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

Summary: No one appeared on behalf of J. Mosca Landscape and Design. The complaint came in via See click fix. There is a picture of the employee using leaf blower. The business has not applied for a permit.

Decision: Violation on two counts, \$300 fine/violation, total \$600 fine issued per the Ordinance, and \$100 fee assessed for failure to appear at the hearing. Total fees due \$700.

13. Special Noise Variance Application #189269 Marcus Gonzalez on behalf of Commodore Builders for 8/30/22 (Alt. 8/31/22) at 1 Rogers Street, from 3:00 a.m. to 3:00 p.m., to install a rooftop exhaust fan and utility connections, using a crane and grinders. The variance is sought in the interest of minimizing impacts to business operations.

Summary/Decision: Due to the significant opposition received as to the application, the applicant withdrew it.

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 herein.

14. Application #187477 Reds Kitchen, Inc., Max Reeves, has applied for an annual Hawker/Peddler License to operate a mobile food truck on public and private property.

Decision: Granted.

15. Application #187104 TeaDo, 84 Massachusetts Avenue, has applied for a Common Victualler License with 120 seats and proposed hours of 10:00 a.m. to 10:00 p.m. All Days. Shin Poon as manager of a premises described as: 84 Mass Avenue Bldg W20 (student center). Room 100 (operating business/1,819 sq. ft.), room 002 (basement storage 518). Business location front of building. Restrooms within W20.

Summary: Correction, this is actually just for 12 seats as confirmed per the applicant and submitted floor plan.

Decision: Granted with total capacity amended to 12.

16. Correction/Clarification of Board Vote [Disciplinary Matter Heard 7/28, Voted 7/28 & 8/11] New England Development for 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 again at approximately 6:25 a.m. on June 29, 2022 in the vicinity of 41 Land Boulevard.

Summary: During the original hearing, the Board accepted the admission from New England Development of the incident on 6/14, the evidence on that issue has not been challenged. However, New England Development challenged the June 29 event. In fact, they presented evidence that refuted that the alleged activity happened at one of their sites. In addition, as to the other similar/interrelated matters the Board found there was insufficient evidence to support it, which is why on 8/11 it voted no violation. With that said – June 14 there is evidence that there was loading/unloading after allowable hours at the location of the NE Development work site and the violation should stand.

Decision: For the 6/14 event, affirmed Board's finding of 7/28 of a violation \$300 fine and vacated the Board's subsequent vote of 8/11 of no violation. For the 6/29 event, vacated the vote of 7/28 of violation, and affirmed the Board's subsequent vote of 8/11 of no violation.

17. Correction of Board Vote [Disciplinary Matter Heard and Decided 8/11/22] 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.

Summary/Decision: Matter moot as it was reheard today.

18. Board Discussion Implementing a \$100 hearing fee on any disciplinary matter where the person, business, permittee, or licensee cited fails to appear.

Summary: The fee would be commensurate with the hearing fee currently charged for applications. This fee will at least cover the administrative time and expenses incurred when scheduling

hearings, reschedule them, and the waste of resources caused to the staff and Board to individuals, businesses or licenses that do not show up when cited before the Board.

Decision: Any business, licensee, permittee, or person cited to appear for a disciplinary hearing who fails to appear without prior approval will be automatically assessed a \$100 fee for the hearing. The fee will be effective today and will be applied to any "no shows" at the meeting.

19. Consideration of Statement of Reasons

- Kirie, Inc. d/b/a Shay's Pub and Wine Bar, 58 JFK Street, Common Victualler All Alcohol License #11273, heard and decided July 14, 2022: violation of G. L. c. 138, §§ 23 and 64 and Board's Rules 2.3, 2.5, 5.1, and 9, for operating over the licensed capacity on May 27, 2022, warning issued.
- BL 27 Brattle MA, LLC d/b/a Bluestone Lane, 27 Brattle Street, Common Victualler All Alcohol License #51281, heard and decided July 14, 2022: violation of G. L. c. 138, §§ 12, 15A, 23, 26, 60, 62, 63A, 64, and G. L. c. 140, § 20, and Board's Rules Board's Rules 2, 5.2, 5.4, 5.5, 9.1, 9.2, 13, 13.5 and 14 for: operating unlicensed outdoor area from April 2, 2022 through June 6, 2022; serving, selling or delivering food, beverages and/or alcohol in an unlicensed area; allowing patrons to consume food, beverages and/or alcohol outside of the licensed premises; failing to comply with the provisions of the license; failing to comply with the approved floor plan; failure to have manager of record in control of the premises; failing to be in control of licensed premises or of the business; changing manager of record without approval; and failing to timely respond to orders, request for information or inquiries made by the License Commission or other City staff. License indefinitely suspended until such time as the corrective application for the change of manager is filed, which was mandated to be within five (5) days of the hearing; follow up disciplinary hearing scheduled. Follow up hearing of July 28, 2022, Board found corrective application filed, licensee was operating within the confined of the license, hence matter closed and no further disciplinary action taken. The indefinite suspension was administratively lifted on July 22, 2022.
- DMG Food Enterprises, LLC., d/b/a 730 Tavern Kitchen + Patio, Holder of Common Victualler All Alcohol License #11613, 730 Massachusetts Avenue, heard and decided July 28, 2022: violation of G. L. c. 138 & 140 and Rules of the Board for operating over the licensed capacity on June 2, 2022, and failure to keep, maintain or complete crowd safety manager records, checklists, or reports, issued 1 day suspension to be held in abeyance for 9 months.
- New England Development, heard and decided July 28, 2022, violation of Cambridge Municipal Code 8.16.080(e) on June 14, 2022 at 100 Cambridgeside Place, \$300 fine issued; and violation of 8.16.080(f) on June 29, 2022 at 41 Land Boulevard, warning issued. Matter was reconsidered on August 11, 2022, where the Board found no violation. Board vote corrected on August 24, 2022 to: vacate the vote of July 28 as to the June 29 incident, and affirm the vote taken on that matter on August 11, 2022, to find no violation; and to vacate the vote taken on August 11 as to the incident of June 14, and reinstate and affirm the vote taken on July 28, finding a violation and issuing a \$300 fine.

- Anchorline Partners, heard July 28, 2022, and decided August 11, 2022, no violation of Cambridge Municipal Code 8.16.080(f) on June 28 and 29, 2022 at 60 First Street.
- The Richmond Group, heard July 28, 2022, and decided August 11, 2022, no violation of Cambridge Municipal Code 8.16.080(f) on June 28, 29 and 30 2022, at One Canal Park.
- Burns Landscape & Snow Management, heard and decided August 11, 2022, violations of Cambridge Municipal Code 8.16.081.1(c) & 8.16.081.2(b) on July 6, 2022, at 145 Brattle Street, issued \$300 fine.
- Craigie Bistrot, LLC d/b/a Craigie on Main, 853 Main Street, Common Victualler All Alcohol License #11387, heard and decided August 11, 2022: license is not in use in violation of G. L. c. 138, §§ 23, 64, and 77, licensee is provided six months to transfer, move or put the license to use, otherwise, there will be a cancellation hearing for non-use pursuant to G. L. c. 138, § 77.
- Zen Associates, Leaf Blower Permit #168363, heard and decided August 11, 2022, violation of Cambridge Municipal Code 8.16.081.2(a) on June 23, 2022, at 20 Berkeley Street, issued \$300 fine.
- D. Muzzioli Associates, Leaf Blower Permit #10707, heard and decided August 11, 2022, violations of Cambridge Municipal Code 8.16.081.2(a) on June 20, 2022, at 23 Healy Street, and June 26, 2022, at 19 Fayette Street; and violation of 8.16.081.2(f) on June 20, 2022 at 23 Healy Street, issued \$300 fine/violation for a total fine of \$900.00.
- Smith Landscaping Plus, heard and decided August 11, 2022, violations of Cambridge Municipal Code 8.16.081.1(c), 8.16.081.2(b), and 8.16.081.2(a) on June 24, 2022, and July 1, 2022, at 2203 Massachusetts Avenue, four violations of the Ordinance and issued a \$300 fine for each violation for a total fine of \$1,200.
- Riverside Services, heard and decided August 11, 2022, violations of Cambridge Municipal Code 8.16.081.1(c), 8.16.081.21(b) and 8.16.081.2(a) on July 12, 2022, at 258 Harvard Street, issued \$300 fine/violation for a total fine of \$600.00.
- Garrick Santo Landscape Co., Leaf Blower Permit #10681, heard and decided August 11, 2022, violations of Cambridge Municipal Code 8.16.081.2(a) and 8.16.081.2(e) on July 26, 2022, at 222 Third Street, issued \$300 fine/violation for a total fine of \$600.00.
- Brightview Landscape, Leaf Blower Permit #43662, heard and decided August 11, 2022, violation of Cambridge Municipal Code 8.16.081(a) on July 20, 2022, at approximately 8:10 a.m. at 88 Sherman Street, issued \$300 fine.
- Republic Services, Solid Waste Hauler License #14078, heard and decided August 11, 2022, violations of Cambridge Municipal Code 8.16.080(e) on June 22, 2022 at 5:30 a.m. and June 30, 2022 at 6:30 a.m., at 1575 Cambridge Street; and June 23, 2022 at 6:52 a.m., at 80 Trowbridge Street, issued \$300 fine/violation for a total fine of \$900.00.

- Landscape Collaborative, holder of Leaf Blower Permit #10704, heard and decided August 11, 2022, violations of Cambridge Municipal Code 8.16.081.2(a) on June 20, 2022, at Lakeview Avenue, and on June 24, 2022, at 4 Berkeley Place, issued \$300 fine/violation for a total fine of \$600.00.

Decision: Approved as to all; with regard to the Smith Landscaping Plus matter, the Chair is designated to make the changes necessary to reflect the Board's vote of the rehearing of the matter and findings and to reissue and send the Statement of Reasons.

20. Consideration of Meeting Minutes July 14, 2022; July 28, 2022; and August 11, 2022.

Decision: Approved as to all.

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 herein.

21. Application #189717 Miguel Tejada for an entertainment license to be exercised at Harvard Old Yard - 1 Harvard Yard, on 9/2/22 from 3:00 p.m. – 9:00 p.m. for a concert with patrons dancing, performers/entertainers dancing, recorded music, live music, amplification system and light show. Expected attendance – 5,000 people.

Decision: Granted with amended start time of 5:30 p.m. per event registration form, and condition that police detail is required.

22. Application #189707 Paul Clark for a malt and entertainment license to be exercised at 64 Sidney Street, on 9/18/22 with rain date of 9/25/22 from 10:00 a.m. – 12:00 p.m. for a road race with recorded music, live music and amplification system. Expected attendance – 1,800 people.

Decision: Granted with the condition that the area where the alcohol is served, sold and consumed must be enclosed from any public walkways.

23. Application #189669 Bill Manley, on behalf of the Harvard Square Business Association, for an entertainment license to be exercised at Palmer Street, on 9/10/22 from 10:00 a.m. – 7:00 p.m. for a Reading and Ukranian awareness event with patrons dancing, performers/entertainers dancing, recorded music, live music and amplification system. Expected attendance – 100 people.

Decision: Granted pending and subject to the issuance of the City permit and subject to any conditions therein.

24. Applications #189463 & 189469 Matthew Nelson, on behalf of the City of Cambridge, for an entertainment and one day temporary amusement license to be exercised at Danehy Park 99 Sherman Street, on 9/17/22 with rain date of 9/18/22 from 11:00 a.m. – 3:00 p.m. for a Family Day fair

with performers/entertainers dancing, live music, amplification system and rides and games. Expected attendance – 5,000 people.

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

25. Application #189450 Jesus Gonzalez for a malt and wine and entertainment license to be exercised at St. John's Church, 2254 Massachusetts Avenue, on 8/27/22 from 5:00 p.m. – 11:00 p.m. for a party with patrons dancing, recorded music, dj, live music and amplification system. Expected attendance – 100 people.

Decision: Granted.

26. Application #189340 Fr. Aleksandar Vlajkoic, on behalf of St. Sava Serbian Orthodox Church, for a malt and wine and entertainment license to be exercised at 41 Alewife Brook Pkwy, on 9/17/22 & 9/18/22 from 12:00 p.m. – 10:00 p.m. and 11:00 a.m. – 3:00 p.m. for a Serbian Festival with patrons dancing, performers/entertainers dancing, live music, and amplification system. Expected attendance – 1,000 people.

Decision: Granted.

27. Application #188443 Guerlancia Laurent, on behalf of Margaret Fuller House, for an entertainment license to be exercised at Clement Morgan Park, 71 Cherry Street, on 9/10/22 with rain date of 9/17/22 from 9:00 a.m. – 5:00 p.m. for a picnic with dj. Expected attendance – 200 people.

Summary: They also submitted Application #191581 for a one day amusement (bouncy house) license.

Decision: Granted as to both, pending and subject to the issuance of the City permit and subject to any conditions therein.

28. Application #187105 Ben Jamieson, on behalf of Just A Start, for an entertainment license to be exercised at Donnelly Park- 61 Willow Street, on 9/13/22 & 9/14/22 with rain date of 9/15/22 from 3:00 p.m. – 6:30 p.m. for a graduation celebration with recorded music and amplification system. Expected attendance – 60 people.

Decision: Granted.

29. Application #186753 Nicola Williams, on behalf of the Cambridge Carnival International, Inc., for an entertainment license to be exercised at University Park 38 Sidney Street, on 9/11/22 with rain date of 9/25/22 from Set up 7:00 a.m.; Festival time: 11:00 a.m. – 5:00 p.m.; Parade starts at 12:30 p.m. for a festival and parade with patrons dancing, performers/entertainers dancing, recorded music, dj, live music and amplification system. Expected attendance – 35,000 people.

Decision: Granted, pending and subject to the issuance of the City permit and subject to any conditions therein, and with the condition that police and fire details are required.

30. Application #184530 Beryl Lipton, on behalf of the Homeless Empowerment Project, for a malt and wine license to be exercised at Cambridge Masonic Hall, 1950 Massachusetts Avenue, on 9/24/22 from 4:00 p.m. – 10:00 p.m. for a gala fundraiser. Expected attendance – 100 people.

Decision: Granted.

31. Application #190406 Michael Monestime, on behalf of Central Square Bid, for an all alcohol and entertainment license to be exercised at Starlight Square – 84 Bishop Allen Drive, on 8/12 7:00 p.m. – 9:00 p.m.; 8/13 6:30 p.m. – 9:00 p.m.; 8/14 1:00 p.m. – 3:00 p.m.; 8/16 1:00 p.m. – 3:00 p.m. & 7:00 p.m. – 9:00 p.m.; 8/17 7:00 p.m. – 9:00 p.m.; 8/18 7:00 p.m. – 9:00 p.m.; 8/19 7:00 p.m. – 9:00 p.m.; 8/20 7:00 p.m. – 9:00 p.m.; 8/23 7:00 p.m. – 9:00 p.m.; 8/24 7:00 p.m. – 8:00 p.m.; 8/25 6:00 p.m. – 9:00 p.m.; 8/26 6:00 p.m. – 9:00 p.m.; 8/28 1:00 p.m. – 3:00 p.m.; 8/30 6:00 p.m. – 9:00 p.m.; 9/1-3 7:00 p.m. – 9:00 p.m.; 9/4 1:00 p.m. – 3:00 p.m.; 9/8 7:00 p.m. – 9:00 p.m.; 9/9 6:00 p.m. – 9:00 p.m. & 9/10 7:00 p.m. – 9:00 p.m. for starlight programming with patrons dancing, performers/entertainers dancing, recorded music, dj, live music, amplification system and theatrical exhibition/play/moving picture show. Expected attendance – 1000 people.

Decision: Granted, subject to all conditions as listed on the Board of Zoning Appeals decision. Also, per previous related Board vote, license fee is for one day.

32. Application #190455 Shauna Ottina, 450 Kendall Hospitality LLC d/b/a Glass House, Common Victualler All Alcohol License (11553), for an entertainment license to be exercised at 450 Kendall Street, on 9/10/22 from 2:00 p.m. – 10:30 p.m. for a wedding with patrons dancing, recorded music, dj and amplification system. Expected attendance – 60 people.

Decision: Granted.

33. Application #190538 Ken Barrett-Sweet, on behalf of Harvard Art Museums, for a malt and wine license to be exercised at 32 Quincy Street, on 8/25/22, 9/29/22 & 10/27/22 from 5:00 p.m. – 9:00 p.m. for a museum event. Expected attendance – 1,500 people.

Decision: Granted.

34. Application #189010 Anna Hill, on behalf of Moderna, Inc., for a malt and wine and entertainment license to be exercised at 300 Technology Square courtyard/lawn, on 9/8/22 with rain date of 9/9/22 from 5:00 p.m. – 8:00 p.m. for a networking event with performers/entertainers dancing, dj and amplification system. Expected attendance – 200 people.

Decision: Granted with the condition that alcohol must be sold.

[Matters Added to the Agenda After Posting]

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 herein.

35. Application #190902 Dousabel May Yi Tay on behalf of Sidney-Pacific Graduate Residence has applied for a malt and wine and entertainment license to be exercised at 70 Pacific Street, on 9/2/22 from 8:00 p.m. – 12:00 a.m. for a party with patrons dancing, dj, live music and amplification system. Expected attendance – 325 people.

Decision: Granted with the condition that police detail is required per MIT registration.

36. Application #190906 Sasha Fried-Snoad, on behalf of MIT Open Space Programming has applied for an entertainment license to be exercised at Kendall/MIT Open Space – 292 Main Street, on 9/6/22 with rain date of 9/7/22 from 12:15 p.m -1:00 p.m. for a concert with patrons dancing, performers/entertainers dancing, recorded music, live music and amplification system. Expected attendance – 100 people.

Decision: Granted.

37. Application #190912 Sasha Fried-Snoad, on behalf of MIT Open Space Programming has applied for an entertainment license to be exercised at Kendall/MIT Open Space – 292 Main Street, on 9/10/22 with rain date of 9/11/22 from 11:00 a.m. – 12:00 p.m. for a reading/activities event with patrons dancing, recorded music and amplification system. Expected attendance – 200 people.

Decision: Granted.

38. Application #190965 Ibrahim Mohamed, on behalf of Best Life Foundation Inc has applied for an entertainment license to be exercised at Danehy Park 99 Sherman Street, on 9/3/22 & 9/4/22 from 9:00 a.m. – 10:00 p.m. for a soccer and cultural event with patrons dancing, recorded music, live music and amplification system. Expected attendance 800 people.

Decision: Granted pending and subject to the issuance of the City permit and subject to any conditions therein.

39. Application #191311 Michaela Purvis, on behalf of MIT Musical Theatre Guild has applied for an entertainment license to be exercised at Kresge Little Theater 48 Massachusetts Avenue, on 9/8 & 9/9 6:00 p.m. – 11:00 p.m.; 9/10 12:00 p.m. – 11:00 p.m. (two shows) and 9/11 12:00 p.m. – 11:00 p.m. for a musical theatre performance with performers/entertainers dancing, live music, amplification system and theatrical exhibition/play/moving picture show. Expected attendance – 194 people.

Decision: Granted subject to the hours being amended as conditioned upon by the MIT event registration form.


Minutes Approved: September 14, 2022

Minutes Posted: September 14, 2022

By the Board of License Commissioners



Nicole Murati Ferrer, Chair



Thomas Cahill, Jr., Fire Chief



Christine Elow, Police Commissioner