



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 MINUTES

Tuesday, November 15, 2022, 9:30 a.m.

By Remote Participation

By remote participation via Zoom in accordance with Chapter 107 of the Acts of 2022 signed into law on July 16, 2022.

Board Members All Present: Nicole Murati Ferrer, Christine A. Elow, and Thomas Cahill, Jr.

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

Decisions: All votes from matters 1-5 were by roll call vote, 3-0, unless otherwise stated. Votes from matters 6-end were 2-0, by roll call vote, unless otherwise stated.

1. The Board of License Commissioners will meet in the Zoom public session to vote to go into executive session, under a different platform, for the purposes of discussing litigation strategy, as doing so in an open session may have a detrimental effect on the litigating position of the Board, with respect to the matters known as Fresh Pond Auto Sales, Inc. v. Nicole Murati Ferrer, Gerard E. Mahoney, and Branville Bard, Jr., in their capacity as Members of the City of Cambridge License Commission, and the City of Cambridge License Commission (Used Car Dealer License #12774), Middlesex Superior Court Docket No. 1981CV03873.

Decision: Entered into Executive Session.

2. **Application #170651** Fat Heady, LLC, d/b/a Whitney's Cafe, 37 JFK Street, Common Victualler All Alcohol License #99534, has applied for an Alteration of Premises to include an outdoor patio on public property. The proposed premises description is: Approximately 750 square feet with 1 entrance, 2 exits, and 2 floors. Approximately 253 square foot patio on public property in the parking lane.

Decision: Matter removed – applicant failed to notify abutters.

3. **Application #198230** The Ragon Institute, 600 Main Street, has applied for a Garage License with additional Flammables for 120 parking spaces; 1,200 gallons of gasoline in the tanks of autos only; and 9,964 gallons of Class 2 Diesel Fuel.

Present: Patrick Conte; and Charles Viveros.

Documents Considered: Application and documents attached thereto.

Summary: The parking is below grade and there is no surface parking. There is no fee for the parking. This is an institute department of MGH and not a public building.

Decision: Granted.

4. Application #198584 Star Markets Company, Inc., 699 Mount Auburn Street, All Alcohol Package Store License #11306, for a Change of Officers/Directors.

Present: Nicholas Zozula, attorney.

Documents Considered: Application and documents attached thereto.

Summary: Top tier change - administrative housekeeping item swapping directors. Updated to match secretary of state changes.

Decision: Granted.

5. Application #199272 Pikalo Empanadas Cambridge Corp. d/b/a Pikalo Empanadas, 169 Harvard Street, for a New Common Victualler License with seating for 30 and proposed hours of 6:00 a.m. to 12:00 a.m. Monday through Saturday and 8:00 a.m. to 9:00 p.m. Sunday. Jose Pimentel as Manager of a Premises described as: Approximately 1,400 sq. ft. broken down as 500 sq. ft. dining area, 400 sq. ft. kitchen, and 500 sq. ft. basement. Includes two bathrooms (one public, the other for employees), one kitchen and prep area, basement for dry storage, and has three doors (one main front door, and 2 kitchen exit doors).

Present: Jose Pimentel; and Elsa Pimentel. Residents: Nancy Seymour; and Richard Goldberg.

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

Summary: Small independent empanada service restaurant. Will serve smoothies. They have another location in Jamaica Plan. Have been in business for 10 years. The hours requested are because have a lot of online order, Uber Eats and door dash. The hours requested also included prep hours. The hours they intend to be open to the public are: Monday – Saturday 8:00 a.m. – 11:00 p.m. and Sunday 8:00 a.m. – 8:00 p.m. The applicants understand the concerns of the neighbors and know important it is to respect neighbors. They are willing to work with the neighbors and address any concerns. The previous establishment at this location, Izzy's had the same capacity and entertainment; their hours used to be closed Sundays and open Monday - Saturday 8:00 a.m. – 9:00 p.m.

The residents expressed concern as to the extended hours due to problems with parking, and possible disruption to the neighborhood and school on opposite corner. The residents also raised the lack of notice as to the hearing. Applicants admitted they failed to send notice of the hearing in a timely manner.

Decision: Matter deferred – applicant to provide notice of application to abutters and any correspondence received would be considered. The Board will vote on the matter during its next meeting.

Note: Commissioner Elow departed the meeting. All votes hereafter were 2-0, by roll call vote, unless otherwise stated.

6. Application #200109 Lupo Partners, Inc., 660 Cambridge Street, Common Victualler All Alcohol License #174713 (not yet issued), has applied for a d/b/a to GUFO.

Present: Marshall Newman, attorney.

Documents Considered: Application and documents attached thereto.

Summary: This was approved in June 2022 but the license has not yet issued, still under construction. At the initial and instant hearing, it was represented this business will be operated as a full-service Italian restaurant. The proposed name means Owl. No other changes.

Decision: Granted.

7. Disciplinary Boston Carting, holder of Solid Waste Hauler License #65459, for alleged violation of CMC 8.16.080(e) – Loading and unloading, at approximately 6:30 a.m. on October 28, 2022, in the vicinity of 15 Notre Dame Avenue.

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

Summary: Michael Barry, VP for Boston Carting filed a waiver of hearing on November 14, 2022, admitting to the violation. They have a history of the same type of violation at this location.

Decision: Violation, \$300 fine.

8. Disciplinary Casella Waste Services, holder of Solid Waste Hauler License #14070, for alleged violations of CMC 8.16.080(e) – Loading and Unloading, at approximately 7:30 a.m. on October 15, 2022, 6:40 a.m. on October 29, 2022, and 5:44 a.m. on November 5, 2022, all in the vicinity of 2235 Massachusetts Avenue, as well as 4:00 a.m. on October 21, 2022, in the vicinity of 94 Hampshire Street.

Present: Investigator Tyler Bubenik. Erika Pereira – Complainant.

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

Summary: No one appeared for Casella Waste Services. The hearing notification was sent and received. They have extensive disciplinary history, including at this location. The complaint sent via email includes videos of the violations.

Decision: Violation (4 counts), \$300 fine/count for a total \$1,200 fine + \$100 hearing fee.

9. Disciplinary Waste Management, holder of Solid Waste Hauler License #14074, for alleged violation of CMC 8.16.080(e) – Loading and Unloading, at approximately 6:35 a.m. on October 31, 2022, in the vicinity of 56 Hancock Street.

Present: Investigator Joseph Kelley. Cathy Parreira and Ted Spinale for Waste Management.

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

Summary: The violation was not contested. The permittee explained it was a new driver (different from the one 3 week earlier). They have implemented service constraints and have informed their clients of it.

Decision: Violation, \$300 fine held in abeyance for six (6) months.

10. Disciplinary DWM Property Management for alleged violations of CMC 8.16.081.1(b) & 8.16.081.2(c) – operating a leaf blower without a permit (failure to adhere to July 14, 2021 Cease and Desist Order), and 8.16.080.2(e) – noise emissions specification limited to 65 dBA, at approximately 12:00 p.m. on October 17, 2022, in the vicinity of 106 Hancock Street.

Present: Investigator Tyler Bubenik.

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

Summary: No one appeared for DWM Property Management. The hearing notification was sent and received although it is to an administrative email. The violation was observed by Investigator Bubenik. They have not yet submitted an application to become permitted.

Decision: Violation (2 counts) \$300/count for a total \$600 fine + \$100 hearing fee. The notification will be sent via certified mail return receipt requested.

11. Disciplinary John's Landscape Service, holder of Leaf Blower Permit #10678, for alleged violations of CMC 8.16.081.2(f) – limit of one leaf blower per 10,000 ft², at approximately 4:00 p.m. on October 26, 2022, in the vicinity of 56 Concord Avenue.

Present: Investigator Tyler Bubenik.

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

Summary: No one appeared for John's but John Tighe sent an email not contesting the violations, hence it is being accepted as a waiver of hearing, therefore, not issuing hearing fee.

Decision: Violation, \$300 fine.

12. Disciplinary Riverside Services for alleged violations of CMC 8.16.081.1(c) & 8.16.081.21(b) – operating leaf blowers without a permit (failure to adhere to a June 25, 2019 Cease and Desist Order), and 8.16.081.2(a) – operating blowers 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. Jason Scott – General Manager, Riverside Services.

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

Summary: The Board heard and voted on this matter in August but since then received notification from company that they had not received the notices because the email we had was no longer in service. Therefore, a rehearing was provided. Riverside submitted an application on 11/10 but have not yet completed it. Riverside did not contest the violation.

Decision: Violation (2 counts) \$300 fine/violation for a total \$600 fine. The fine for operating without a permit will be lifted if payment for the permit is made by 11/22/2022.

13. Disciplinary Republic Services, holder of Solid Waste Hauler License #14078, for alleged violations of CMC 8.16.080(e) – Loading and Unloading, at approximately 6:00 a.m. on October 19, 2022, in the vicinity of 9-11 Chester Street, and 5:00 a.m. on October 27, 2022, in the vicinity of 1575 Cambridge Street.

Present: Investigator Tyler Bubenik. Steve McMahon and Erika Pereira, complainants.

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

Summary: There was confirmation hearing notice received. No one from Republic Services appeared. There is a history of violations by this company in same location. Complainants informed that “back up alarms” are exempt from ordinance, although the loading and unloading outside of allowable hours is not.

Decision: Violation (2 counts) \$300 fine/violation for a total \$600 fine + \$100 hearing fee. Spaulding Hospital will be contacted and looped into the situation.

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. Board Vote Matter Heard and Taken Under Advisement on October 26, 2022 - Application #186566, Mourad Lemhaouri is appealing the denial of the application for a new hackney driver’s license. Lemhaouri was licensed provisionally in 2011 for six months and has not been licensed with the City of Cambridge since that time.

Summary: Officer Szeto confirmed that the driver has been licensed in Boston without incident and continues to hold a license in good standing. In addition the driving record is clear of issues. Saugus reports no record of Lemhaouri ever holding a hackney license at their City. The only complaint was operating a gypsy cab in 2012.

Decision: Lift the denial of the license and grant the hackney driver's license.

15. Application #201097 Tasty Burger Central Square, LLC, 23 Prospect Street, Common Victualler Malt and Wine Record #165609 (license approved but not issued), has requested to add entertainment to its license – 4 Televisions at bar area, 1 pool table.

Decision: Granted.

16. Renewal Changes

- **Application #12250** Go Go Curry Cambridge, LLC d/b/a Go Go Curry at H Mart, 581 Massachusetts Avenue, Common Victualler License requested to change Manager to Johamy Hernandez.
- **Application #12293** Caffe Nero Americas, Inc. d/b/a Caffe Nero, 589 Massachusetts Avenue, Common Victualler License requested to change the Manager to Luis Marcano and to change the d/b/a to Caffe Nero Central Square.
- **Application #30891** Caffe Nero Americas, Inc. d/b/a Caffe Nero, 1868 Massachusetts Avenue, Common Victualler License requested to change the Manager to Matt McEachern and to change the d/b/a to Caffe Nero Central Square.
- **Application #181743** Coco Creations, LLC d/b/a 2nd Street Café, 89 Second Street, Common Victualler requested to extend its Monday-Friday closing hour from 2:30 p.m. to 3:30 p.m. and to operate on Saturday (currently closed) from 6:00 a.m. – 3:30 p.m. (which would be the same as the weekday operating hours provided the closing hour is amended).
- **Application #12290** BGR Hospitality, LLC d/b/a Blaze Fast Fire'd Pizza, 1 Canal Park, Common Victualler License requested to change the Manager to David Medeiros.
- **Application #11206** President & Fellows of Harvard College d/b/a Harvard University Music Building, 3 Oxford Street, Entertainment License requested to change the Manager to Beth Mullins.
- **Application #12310** Make Life Sweeter, LLC d/b/a Flour Bakery & Café, 40 Eire Street, Common Victualler License requested to change the Manager to Carro Oldham.
- **Application #13678** Belly to Bones, LLC d/b/a Talulla, 377-A Walden Street, Common Victualler All Alcohol License requested to change the hours of operation of Mondays from closed to 5:00 p.m. – 10:00 p.m., and to open at 5:00 p.m. Tuesday-Saturday (currently open at 5:30 p.m.). Sunday hours to be kept the same 10:30 a.m. – 10:00 p.m.
- **Application #82636** PB Crimson, LLC d/b/a Playa Bowls, 71 Mt. Auburn Street, Common Victualler License requested to change the Manager to Fribert Nivar.

- **Application #11414** Amelia's Trattoria II, LLC d/b/a Amelia's Trattoria, 111 Harvard Street, Common Victualler All Alcohol has requested to open at 10:00 a.m. Sundays (currently approved for 11:00 a.m. opening).
- **Application #10891** 220 Alewife Brook Parkway, LLC d/b/a Freeport Hotel, 220 Alewife Brook Parkway, Innholder License requested to change the manager to Mitchell Cox.
- **Application #12242** Hub Donuts, Inc. d/b/a Dunkin Donuts, 517 Concord Avenue, Common Victualler License requested to change the Manager to Samuna Kharki.
- **Application #12243** Hub Donuts, Inc. d/b/a Dunkin Donuts, 199 Alewife Brook Parkway, Common Victualler License requested to change the Manager to Emuye Akililu.
- **Various Applications** President and Fellows of Harvard College d/b/a Harvard University changed its room numbers:

#10872 d/b/a Mower Hall, 16 Harvard Yard, 25 to 27

#10757 d/b/a 1201 Mass Ave, 1201 Massachusetts Avenue, 75 to 76

#10840 d/b/a Cabot House-Cabot Hall, 100 Walker Street, 95 to 96

Decision: Ratified/approved as to all.

17. New Year's Eve extension of hours request – on our application we specify businesses can request a maximum of a one-hour extension for alcohol service, and a maximum two hour extension for food and entertainment. Under no circumstances can a business be approved to serve alcohol beyond 2:00 a.m.

- **Application #11452** Nutoshimo, Ltd. d/b/a The Mad Monkfish, 524 Massachusetts Avenue, Common Victualler All Alcohol License requested an extension of hours from 1:00 a.m. to 2:00 a.m. for alcohol. No extension sought for food or entertainment.

Decision: Granted, may also have food and entertainment until 2:00 a.m.

- **Application #13678** Belly to Bones, LLC d/b/a Talulla, 377-A Walden Street, Common Victualler All Alcohol License requested an extension of hours from 10:00 p.m. to 11:30 p.m. for alcohol and entertainment and 11:00 p.m. for food.

Decision: Granted.

- **Application #21826** 3G, LLC d/b/a Mex Taqueria & Bar, 500 Technology Square, Common Victualler All Alcohol License requested an extension of hours from 1:00 a.m. to 3:00 a.m. for alcohol, food and entertainment.

Decision: Denied as requested. Granted an extension until 2:00 a.m. for alcohol, and 3:00 a.m. for food and entertainment.

- **Application #16199** Selhi & Sons Associate, LLC d/b/a McDonald's, 186 Alewife Brook Parkway, Common Victualler License requested an extension of hours for food from 2:00 a.m. to 24 hours.

Decision: Denied as requested. Granted a 4:00 a.m. closing hour.

- **Application #11682** Greek American Political Club of Mass d/b/a Greek American Political Club, 288 Green Street, Common Victualler All Alcohol License requested an extension of hours from 2:00 a.m. to 3:00 a.m. for food and entertainment.

Decision: Granted.

- **Application #11414** Amelia's Trattoria II, LLC d/b/a Amelia's Trattoria, 111 Harvard Street, Common Victualler All Alcohol requested an extension of hours from 2:00 a.m. to 3:00 a.m. for alcohol, food and entertainment.

Decision: Denied as requested. Granted an extension of 3:00 a.m. for food and entertainment.

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.

- 18. Application #201025 & 201329** Rutu, Inc. d/b/a Tanjore, 878 Massachusetts Avenue, Common Victualler All Alcohol license # 132251, has applied for an entertainment license on 11/19/22 & 11/26/22 from 9:00 p.m. – 1:30 a.m. for a party with patrons dancing, dj and amplification system. Expected attendance – 90.

Present: Varun Bisht; and Subin Deke.

Summary: The event which they had in October which is still under investigation was with a promoter which they are no longer using. They will not be contracting anyone for the event and will be taking care of all details and have security.

Decision: Granted.

- 19. Application #199323** Paul Clark, for a malt and entertainment license at 1310 Cambridge Street, on 11/20/22 with rain date of 11/27/22 from 11:30 a.m. – 3:30 p.m. for a road race with recorded music and amplification system. Expected attendance – 1200.

Decision: Granted with the condition that the area where the alcohol is sold, served and consumed, is clearly separated from any public right of way, and sufficiently enclosed to ensure the safety of patrons.

20. Application #199326 Paul Clark, for a malt and wine and entertainment license at 64 Sidney Street, on 12/4/22 with rain date of 12/11/22 from 7:00 a.m. – 12:00 noon for a road race with recorded music, live music and amplification system. Expected attendance – 2000.

Decision: Granted with the condition that alcohol cannot be sold, served or consumed prior to 10:00 a.m. and the area where the alcohol is sold, served and consumed, is clearly separated from any public right of way, and sufficiently enclosed to ensure the safety of patrons.

21. Application #200733 Aleksandar Vljakovi, on behalf of St. Sava Serbian Orthodox Cathedral, for an all alcohol and entertainment license to be exercised at Parish Hall 41-45 Alewife Brook Pkwy, on 11/19/22 from 6:30 p.m. – 12 midnight for a fundraiser banquet with patrons dancing, live music and amplification system. Expected attendance – 150.

Decision: Granted.

22. Application #200782 450 Kendall Hospitality LLC – Shauna Ottina, for an entertainment license to be exercised at 450 Kendall Street, on 12/3/22 from 2:00 p.m. – 11:30 p.m. for a wedding with patrons dancing, recorded music, dj and amplification system. Expected attendance – 90.

Decision: Granted.

23. Application #201522 Meredith Sandiford, on behalf of Break Through Cancer, for a malt and wine license to be exercised at 101 Rogers Street, on 12/9/22 from 5:30 p.m. – 8:00 p.m. for an open house/party. Expected attendance - 70.

Decision: Granted.

24. Application #201802 Sean Matson, for an entertainment license to be exercised at Riverside Press Park, River St at Memorial Drive, on 11/19/22 from 8:00 a.m. – 12:00 p.m. for a tailgate event with patrons dancing, recorded music, dj and amplification system. Expected attendance – 250.

Decision: Granted, pending park permit and subject to any conditions therein.

25. Application #201759 Gabriel Alberts, on behalf of GSAS Student Center, for a malt and wine and entertainment license to be exercised at Lehman Hall 8 Harvard Yard, on 12/3/22 from 5:00 p.m. – 12:00 a.m. for a winter ball with patrons dancing, recorded music, dj, live music, amplification system, light show and dynamic audio/visual show live/recorded. Expected attendance 200.

Decision: Granted with an amended start time of 6:00 p.m. per registration event email, and the condition that the alcohol must be sold; in the alternative only one (1) alcoholic beverage drink can be associated with the admission price, thereafter the alcohol must be sold.

[Matters Considered at Meeting-Not Previously Listed on Agenda]

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26. Application #202132 Avtar Trans Inc. c/o Gurmit Singh seeks to purchase Medallion #194 (VP#64960) form Freshstart Venture Capital c/o Demetrios Andreadis.

Decision: Acknowledged/approved.

27. Application #202134 Adeline Narcisse has applied for a new hackney driver's license.

Decision: Granted.

28. Application #202383 Julia Blake for a malt license to be exercised at 39 Brattle Street, on 11/17/22 with rain date of 11/24/22 from 6:00 p.m. – 8:00 p.m. for a seminar. Expected attendance 40.

Decision: Granted.

29. Approval of renewal applications List attached.

Decision: Approved/ratified.


Minutes Approved: December 14, 2022

Minutes Posted: December 14, 2022

By the Board of License Commissioners



Nicole Murati Ferrer, Chair



Thomas Cahill, Jr., Fire Chief



Christine Elow, Police Commissioner