



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

March 11, 2024, 10:30 a.m.

By Remote Participation via Zoom

This meeting was held remotely in accordance with Chapter 2 of the Acts of 2023 adopted by Massachusetts General Court and approved by the Governor.

Board Members: Nicole Murati Ferrer (present), Christine A. Elow (present), and Thomas Cahill, Jr. (absent).

Staff Member Present: Christopher O'Neil.

Decisions: All decisions were 2-0, unless otherwise indicated, and by roll call.

Public Testimony Matters

1. Application #257221 A and T JCuisine, Inc. d/b/a Manya Jiro, 57 JFK Street, Common Victualler Wine and Malt License #55625, for a Change of DBA to An Nam.

Present: Andy Truong.

Documents Considered: Application and documents attached thereto; and file.

Summary: They are changing the d/b/a because they changed the menu – different type of cuisines and the name was causing confusion. Everything else is staying the same.

Decision: Granted.

2. Application #231081 The Coast Café, LLC d/b/a The Coast Café, 233 River Street, for a new Common Victualler License with 9 seats inside and a total occupancy of 17 with proposed hours of 3:00 p.m. to 8:00 p.m. Wednesday through Friday and 1:00 p.m. to 6:00 p.m. Saturday. The proposed premises is: One floor 400 sq. ft. - 370 sq. ft. of Kitchen and 30 sq. ft. for customer, Front door for customer and Back door for employees. Basement 400 sq. ft. for prep and storage.

Decision: Off agenda – failed to notify abutters.

3. Application #257794 Arrow Street, LLC d/b/a Arrow Street, 2 Arrow Street, for a new Entertainment License for indoors and outdoors to include: Recorded music above conversation level with amplification; Dancing by Patrons; Live music with amplification; Theatrical Exhibitions; Floor Shows; Light Shows; Dynamic Audio/Visual Show; DJ; Comedy Show; Karaoke; Acrobatic Show; Beauty Contest; Wrestling; Talk Show; Magic Show; Readings of Poetry; 4 TV's; Theatrical Stage; and 2 Stages.

Present: David Altshuler.

Documents Considered: Application and documents attached thereto; and letter in support of application.

Summary: Have been operating under one day licenses for a while with no issues. They are a public charity working out of what used to be the Oberon Theater and an additional floor. They want to continue to provide a space of performing arts to the square and in collaboration with the community. They are making the space accessible to a variety of artists and different types of entertainment forms. They are a place dedicated to innovation and artform. They have spoken to all abutters and all notices went out but not all at the same time and some may have not gotten the notice within the time required.

Decision: Defer to March 26 meeting at which time the Board will discuss any comments received as to the application and vote on it.

4. Application #255841 Vester, LLC d/b/a Vester, 73-75 Ames Street, Common Victualler Wine and Malt License #14019, for a Change of License Category to Wine and Malt Beverages with Cordials/Liqueurs and for an Alteration of Premises. The proposed premises description is: 3,798 square feet on street level with counter, kitchen, storage and dining area. One entrance/exit. 1,366 square foot Mezzanine and office. Approximately 250 square foot patio on public sidewalk.

Present: Nicole Liu.

Documents Considered: Application and documents attached thereto; and file.

Summary: They are expanding the internal footprint into what used to be Dumpling Daughter. They are also adding cordials to the license to have more variety and be able to provide a service to the public. They would like to have the flexibility to stay open until 9:00 p.m. all days (currently open until 7:00 p.m.). They do not see a need to expand the footprint of the outdoor area. They have uploaded an amended floor plan which shows that the total capacity would be 40 on the Vester (current) side and 48 on the expanded area.

Decision: Granted, for alteration of premises, change in license category and increase of closing hour to 9:00 p.m.

5. Applications #257682 and #258025 Just A Start Corporation, 430 Rindge Avenue, for a Garage and Flammables License for 4 parking spaces, 40 gallons of gasoline in the tanks of autos only, and 316 gallons of Class 2 for a generator, and an Open Air Parking Lot License for 229 parking spaces.

Present: Connor Ring; Noah Sawyer.

Documents Considered: Application and documents attached thereto; and file.

Summary: The licenses are for two different addresses. The garage and flammables license is for 430 Rindge Avenue and the open air parking lot license for 402 Rindge Avenue. This is an existing

site but there is a new building with affordable housing and prekindergarten program. Underneath parking is to serve their program. Generator is serving the new structure for life safety features - resiliency. The open air parking lot has been in existence since 1971 but had not been licensed.

Decision: Granted, with amendment that open air parking lot license be linked to 402 Rindge Avenue.

6. Application #255891 Wusong Road, LLC d/b/a Wusong Road, 2 Bennett Street, Common Victualler All Alcohol License #112007, to Add entertainment to the license - Karaoke and Background Music Outdoors.

Present: Jason Doo.

Documents Considered: Application and documents attached thereto; and file.

Summary: The karaoke is only for the inside of the premises. The background music outside would be on the one speaker from the pre-existence owner which used to be mounted on the wall. If approved, when it is reinstalled, they will put a timer on it to ensure it shuts off. The outdoor music is needed as they are in a not ideal area that is noisy. The business's model and theme is immersive experience and they want to continue that unique selling point and experience in the outdoor area. The karaoke would be to offer it on slower nights like Mondays and Tuesdays, improve the downstairs bar area, and provide more livelihood to the square on those days.

Decision: Granted.

7. Application #253901 Overlind Industries, LLC d/b/a The Red House, 98 Winthrop Street, Common Victualler All Alcohol License #111650, to Remove Entertainment Conditions of license: *While live entertainment (limited to no more than five (5) acoustic performers and/or musicians with no amplification except one microphone) is operating, the windows and doors must be closed to contain the noise from emanating outside of the indoor licensed premises.*

Present: Molly Lindbergh, applicant; Jacob Lazzara, Inspectional Services Department; Carolyn Rider, abutter; and Philip Borden, abutter.

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

Summary: Application was filed for removal of conditions. The entertainment area was approved on the outdoor private area which is an enclosable area. They have used the area since November (enclosed per conditions) and there have been no reported issues. As warm weather approaches, they want to be able to continue providing the service but with the windows and doors on the private area open (the roof remains in place).

Carolyn Rider, long standing abutter that operates a psychotherapist practice in the abutting building, opposes the removal of the conditions. They explained they have had multiple issues with noise emanating from the premises (none of which were reported to the License Commission) and that the noise is very disruptive to their patients and practice. The practice hours can start as early as early 7:00 a.m. and go until 10:00 or 11:00 p.m. with the routine being more a 9:00 p.m. or 10:00 p.m. closure.

Philip Borden, is a resident at the abutting building on 93 Winthrop Street, and they strongly approve of the removal of the conditions. Evening and weekends seem reasonable and as long as there are set reasonable hours of operation, very supportive, especially as it will attract more people to the area.

Decision: Defer to March 26, 2024.

8. Disciplinary Shojo Cambridge, LLC d/b/a Shojo, Common Victualler All Alcohol License #193948, 425 Massachusetts Avenue, for allegedly operating over the licensed capacity on February 23, 2024 (11:00 p.m.), in violation of G. L. c. 138, §§ 12, 23 and 64, G. L. c. 140, and Board's Rules 2.3, 2.5, 5.1, and 9.

Present: Brian Moy; and Investigator Tyler Bubenik.

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

Summary: While conducting routine inspections on that day, from the outside of the premises, around 11:00 p.m., Investigator Bubenik observed the business was crowded. The licensed indoor capacity is 59, and Investigator Bubenik counted 90 persons. It took the business 90 minutes to reduce the capacity. When Investigator Bubenik first encountered the door person, they asked what was the capacity inside and the door person stated they did not know. Then when asked what the capacity of the space was, the door person stated they did not know. Brian Moy had to be told multiple times within the 90 minute span that they needed to take active measures to reduce the capacity. It was not until informed that the Fire Department would be called to shut the place down that all patrons were asked to leave the premises and it was repopulated with the maximum number of persons allowed in the space.

Moy testified the door person's lack of knowledge was their mishap for never informing them of the capacity. Moy has started to get updated stamped engineer plans for an increase in capacity. After being prompted as to what corrective actions taken, Moy testified they have talked to staff, met with the head of security to ensure they understand capacity limitations. They have bought two way clickers and also added an application to the phone to keep count. They have told staff where the licenses are posted and noted the capacity.

Decision: Violation, 2 days suspension.

Administrative Matters

9. Board Discussion Middle East Restaurant, Inc. d/b/a Middle East, 472 Massachusetts Avenue, Common Victualler All Alcohol License #11691, as a follow up to the orders issued to it on the Board's Statement of Reasons of October 12, 2023 relative to the matter heard on October 3, 2023, produced through counsel on January 19, 2024, the following: Security Plan for All Ages Shows and Wristband Process; Plan for Staggered Event Times and Plan for Event Entry and Let Out; Plan for Additional Points of Entry and Alternative Reserved Areas for Patrons Waiting to Gain Entry Rather than Sidewalk; Plan for Service of Alcohol; and Security and De-escalation Procedures.

Summary: The matter was discussed in the previous meeting but since Commissioner Elow had not been present, wanted to ensure to get the full Board's take on what was submitted. The documents seem responsive. The investigators are following up on the expired/not produced alcohol training certificate. No further information required at this time.

Decision: Acknowledged.

10. Board Discussion La Fabrica Central, LLC d/b/a La Fabrica, 450 Massachusetts Avenue, All Alcohol Common Victualler License #11593, as a follow up to the order issued to it on the Board's Statement of Reasons of February 1, 2024, produced through their manager of record various documents and written information in response to the order.

Summary: The matter was discussed in the previous meeting but since Commissioner Elow had not been present, wanted to ensure to get the full Board's take on what was submitted. The documents seem responsive. There were a couple of issues with the alcohol training certificates but the investigators are following up on those. There may be an issue to further discuss with them regarding the communication between bartenders and servers. Also, we may want to discuss items listed for when police, fire or EMS are called. Specifically, items 6-9 state when licensing authorities require it; it should be when it happens or when the business becomes aware of it.

Decision: Schedule informational hearing to discuss materials produced. Meeting to discuss what was written and get confirmation of what they meant with what was written.

11. Application #260021 Efthemios Kotsiopoulos, John Moriarty & Associates, for a Special Noise Variance on 3/22/24-4/29/24, specifically the weekends of 3/22/24-3/24/24 and 4/26/24-4/28/24 (Alternate start date 3/29/24-5/6/24), at 200 Main Street, continuously from 7:00 a.m. - 8:00 p.m. for the mobilization, assembly, disassembly, and demobilization of a crane using diesel engines, back up alarms, power tools, and hammers. The work needs to be done during off-peak hours for public safety concerns and an active construction site at 200 Main Street.

Summary: Considered they are only seeking two weekends.

Decision: Granted only for 3/22-24/2024 and 4/26-28/2024 (and only two weekends within the alternate dates) with the condition that a Sunday work permit is required.

12. Application #260889 Julia Gutierrez on Behalf of Redgate Real Estate for 3/13/24 – 3/15/24 (Alt. 3/16/24 and 3/23/24), at 48 Quincy Street, from 7:00 a.m. – 6:00 p.m. to conduct wind-driven rain resistance testing of the curtain wall and windows using a wind generator that may produce noise levels higher than 86 dBA. The variance is sought as no alternate equipment can be obtained to successfully perform the testing at a lower sound pressure level.

Present: Investigator Tyler Bubenik.

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

Summary: We received opposition to this application but there is really no way to do this test otherwise which is for public safety reasons. The applicant updated the application minutes before the meeting and informed Investigator Bubenik that they were able to secure a smaller fan that would do the job. This fan is about 18 decibels less, which represents a 70-80% reduction in noise emissions for the observer.

Decision: Granted.

13. Consideration of Waiver of Hearing Disciplinary - Boston Carting, Solid Waste Hauler License #65459, admitting violations of CMC 8.16.080(e), loading and unloading outside allowable hours, on January 20, 2024 (3:56 a.m.) at 15 Notre Dame Avenue; and at 12 Boardman Street on January 22, 2024 (5:14 a.m.), January 24, 2024 (5:00 a.m.), and February 16, 2024 (4:27 a.m.).

Summary: On March 5, 2024, Michael Barry, VP of Boston Carting/Star Waste submitted a waiver of hearing admitting to the violations as noticed. The business has a significant disciplinary history at 15 Notre Dame.

Decision: Violation, 4 counts, \$300 fine per count for a total fine of \$1,200. The property owners will be sent a notification of the violations and fines issued.

14. Application #259484 Chris Shaughnessy, CJ Shaughnessy Crane Service, for a Special Noise Variance on 3/20/24-3/20/24 (Alternate dates 3/21/24-3/21/24), at 441 Morgan Ave, 4:00 a.m. – 8:00 p.m. for setting up a crane, hoisting roof top equipment, and then breaking down the crane using trucks. Variance is needed to extend the workday to accommodate the full scope of work.

Decision: Granted.

15. Application #259064 Melt, Inc. d/b/a Cook Night, for a new Hawker/Peddler license to sell grilled cheese sandwiches, hand-cut fries, poutine, salads, prepackaged and homemade beverages.

Decision: Granted.

16. Consideration of Statement of Reasons
[Matters Heard February 1, 2024]

- Abe’s Complete Auto Service Inc. d/b/a Abe’s Complete Auto Service, 217 Fresh Pond Parkway, Flammables License #16193, violation of conditions of the license. One (1) day suspension held in abeyance for six (6) months.
- Perennial Landscape Corporation, on December 1, 2023, at 38 Carver Street, violations of Cambridge Municipal Code 8.16.081: simultaneously operating multiple leaf blowers within the same 10,000 square foot area, 8.16.081.1(f); operating a non-compliant leaf blower, 8.16.081.2(e); and operating without a permit, 8.16.081.1(b) and 8.16.081.2(c). \$300 fine per violation, for a total fine of \$900. Notice of violations and fines to be sent to property owner as well.
- John’s Landscape Service, Leaf Blower Permit #10678, on December 6, 2023, at 16 Forest Street, violations of Cambridge Municipal Code 8.16.081: operating non-compliant equipment, 8.16.081.2(e); and operating at a prohibited hour, CMC 8.16.081.2(b). \$300 fine per violation, for a total \$600 fine.

Decision: Approved as to all.

- 17. Consideration of Meeting Minutes** February 27, 2024; and February 29, 2024.

Decision: Approved as to all.

One Day License Applications

- 18. Application #260144** Zhifei Yu, MIT Shakespeare Ensemble, for an entertainment license for a theatrical exhibition/show at 84 Massachusetts Avenue on 3/15-17, and 3/21-22/2024 from 6:00 p.m. – 10:00 p.m. Expected attendance 250.

Decision: Granted.

- 19. Application #260077** Jennifer Smith, MIT, for an entertainment license for a dance performance with amplification system and recorded music at Kresge Auditorium on 3/17/24 (rain date, 3/18/24) from 3:00 p.m. – 4:30 p.m. Expected attendance 650.

Decision: Granted, police detail required.

- 20. Application #259729** Jose Da Silva, Patagonia Cambridge, for a malt license for post screening reception for Blackwaters Film at the Brattle Theater at 39 Brattle Street on 3/15/24 from 7:00 p.m. – 9:00 p.m. Expected attendance 50.

Decision: Granted.

21. Application #259464 Scott Benfield, Boston Cater, for an all alcohol license for a St. Patrick's Day Mixer for Mass Bio at 700 Technology Square on 3/14/24 from 5:00 p.m. – 7:00 p.m. Expected attendance 300.

Decision: Granted.

22. Application #259422 Sophie Reynolds, Camp Kesem MIT, for a wine and malt license for a Make the Magic Fundraiser Gala at MIT Media Lab, 75 Amherst Street, on 3/21/24 from 6:00 p.m. – 9:00 p.m. (event set up at 12:00 p.m.). Expected attendance 150.

Decision: Granted, police detail required.

23. Application #259283 Sarah Binney, Commission on Immigrant Rights and Citizenship (City of Cambridge) for a block party entertainment license with performers dancing and live/recorded amplified music at Joan Lorenz Park on 5/31/24 from 5:00 p.m. – 8:00 p.m. (set up at 2:00 p.m.). Expected attendance 200.

Decision: Granted, no license fee.

24. Application #259192 Joe Juknievich, The New Dance Complex, Entertainment License #11133, for a wine and malt license for a concert at 536 Massachusetts Avenue on 3/16-17/24 from 6:00 p.m. – 10:00 p.m. Expected attendance 80.

Decision: Granted.

25. Application #258927 Dimitrios Rentel, The Telos Center, for an entertainment license with live amplified music for a picnic at Dana Square Park on 5/16/24 from 5:00 p.m. – 9:00 p.m. Expected attendance 50.

Decision: Granted.

26. Application #258884 David A. Hall, AKT Health, for a wine and malt license for DCTs: New Horizons for Pharma Leaders event at The Foundry on 3/19/24 (rain date 4/16/24) from 6:00 p.m. – 8:00 p.m. Expected attendance 40.

Summary: The letter from The Foundry approving the use of the space has not yet been submitted. In addition, based on the application the event is open to the public and there is no admission charge.

Decision: Granted, pending submission of permission letter and subject to any conditions and modifications therein, and with the condition that the alcohol must be sold. [Post meeting a message from the applicant was received that they are no longer serving alcohol – the application was rejected/stopped as moot.]

27. Application #258642 Andrea Campbell, Cambridge Symphony Orchestra, for an entertainment license with live music for an orchestra concert at Kresge Auditorium on 3/24/24 from 4:00 p.m. – 6:00 p.m. Expected attendance 800.

Decision: Granted.

28. Application #258168 Kristen Hardwick, Hope Fellowship Church, for an entertainment license for amplified recorded music for an Easter egg hunt at Raymond Park on 3/30/24 (rain date 4/6/24) from 8:00 a.m. – 12:00 p.m. Expected attendance 200.

Decision: Granted.

29. Application #257882 Kimberlee Costanza for a wine license for a bridal shower at St. John the Evangelist Church, 2254 Massachusetts Avenue, on 5/11/24 from 12:00 p.m. – 5:00 p.m. Expected attendance 65.

Decision: Granted with amended start time of 1:00 p.m. per permission letter.

30. Application #256474 Lynne Standish, Parents' Nursery School, for a wine with entertainment of recorded music and patrons dancing license at 117 Cushing Street on 5/4/24 from 7:00 p.m. – 10:00 p.m. Expected attendance 40.

Decision: Granted.

31. Application #256364 Madeline Colker, Cambridge Public Library, for an entertainment license with live music for a concert at Joan Lorentz Park on 4/8/24 from 12:00 p.m. – 2:30 p.m. Expected attendance 500.

Summary: Park permit has not yet been provided. Since there is another meeting prior to the date of the event, there is no reason to vote on the application.

Decision: No vote – continued to next meeting of March 26, 2024.

32. Applications #256134 & 256135 Herman Sanchez, Cambridge Veterans Office, for an entertainment license with recorded/live amplified music and temporary amusement for a Memorial Day Celebration at Cambridge Common on 5/27/24 from 8:00 a.m. – 4:00 p.m. Expected attendance 100.

Decision: Granted, no license fee.

33. Application #256133 Herman Sanchez, Cambridge Veterans Office, for an entertainment license with live amplified music for a Patriots Day Reenactment at Cambridge Common on 4/15/24 from 7:00 a.m. – 3:00 p.m. Expected attendance 100.

Decision: Granted with amended hours of 10:00 a.m. – 1:00 p.m. per Park Permit, no license fee.

34. Application #259985 Paulo Pinto, Massachusetts Alliance of Portuguese Speakers-MAPS, for a Charity Wine Fundraising Event at Royal Sonesta on 4/20/24 from 5:30 p.m. – 11:59 p.m.

Decision: Granted.

Matters Considered; Not Previously Posted on Agenda

35. Application #260910 Raesia Straker, Cambridge Jazz Foundation, for an all alcohol and entertainment license at 33 Dunster Street, on 3/16/24 from 7:00 p.m. – 1:00 a.m. for a party with patrons dancing, recorded music, DJ and amplification system. Expected attendance 200.

Summary: Inquired whether there was a cannabis component to the event and received confirmation from the applicant that the Cambridge Jazz Foundation does not participate in cannabis events.

Decision: Granted, police detail required.

36. Application #260911 Raesia Straker, Cambridge Jazz Foundation, for an all alcohol and entertainment license at 33 Dunster Street, on 3/15/24 from 7:00 p.m. – 1:00 a.m. for a concert/party with patrons dancing, performers/entertainers dancing, recorded music and DJ. Expected attendance 200.

Summary: Inquired whether there was a cannabis component to the event and received confirmation from the applicant that the Cambridge Jazz Foundation does not participate in cannabis events.

Decision: Granted, police detail required.

36. Application #260960 David Altshuler, Arrow Street LLC, for an entertainment license at 0 Arrow Street, on 3/15/24 with rain date of 3/22/24 from 6:00 p.m. – 11:00 p.m. for a theatrical performance. Expected attendance 60.

Decision: Granted.

37. Application #261295 Carson Tully, Jones Lang LaSalle, for an entertainment license with recorded music and theatrical/moving show for March Madness Watch Party at 314 Main Street on 3/28/24 from 11:00 a.m. – 3:00 p.m. Expected attendance – 200.

Decision: Granted, pending submission of MIT approval for use of the space and subject to any conditions and modifications therein.


Minutes Approved: March 26, 2024

Minutes Posted: March 26, 2024

By the Board of License Commissioners



Nicole Murati Ferrer, Chair



Thomas Cahill, Jr., Fire Chief



Christine Elow, Police Commissioner