



# CAMBRIDGE LICENSE COMMISSION

831 Massachusetts Avenue, First Floor, Cambridge, Massachusetts 02139

## Board of License Commissioners' Hearing Agenda

Wednesday, May 22, 2019 at 3:00 p.m.

Michael J. Lombardi Building

831 Massachusetts Avenue

Carmelia M. Vicente Conference Room (Basement Level)

Cambridge, Massachusetts

### Public Testimony Matters

*The following are matters which the Chair reasonably anticipates will be discussed, and for which public testimony will be taken, as of 3:00 p.m.*

1. Application Antonio Dorvil, for a new Cambridge Hackney Driver's License.
2. Disciplinary General Landscaping Corporation, for failure to comply with the Cease and Desist Order of August 13, 2018, and for allegedly operating leaf blowers at approximately 2:25 p.m. on May 1, 2019 in the vicinity of Berkeley Street in violation of Cambridge Municipal Code 8.16.081.1(1)(b) and 8.16.081.2(c).

### **Waiver of hearing filed.**

3. Application #45878 Cambridge Cuisine, LLC d/b/a Puritan & Company, 1166 Cambridge Street, Common Victualler All Alcohol License #11463, for a Transfer of Stock (no new stockholder).
4. Application #45656 Shake Shack Harvard Square Boston, LLC d/b/a Shake Shack, Common Victualler All Alcohol License #11893, for a Change of Manager to Brian Hickey.
5. Application #45786 Harvest 2000, LLC d/b/a The Harvest, 44 Brattle Street, Common Victualler All Alcohol License #11411, has applied to add live music with amplification.
6. Application #30891 Caffe Nero Americas, Inc. d/b/a Caffe Nero, 1868 Massachusetts Avenue, for a new Common Victualler License with proposed hours of 5:30 a.m. to 10:00 p.m. all days, seating for 54, a total occupancy of 60, and an Entertainment License for recorded music above conversation level. Jill Sharner as proposed manager of record of a premise described as: 2,800 sq. ft. which includes basement storage area. Main floor will be on the 1st floor level. One room with public access. Kitchen is in the rear of the building, dry storage is in the leased space in the basement, entrance/exit: through hotel main lobby, through Caffe Nero main entrance, additional egress through kitchen door.

7. Application #44701 Tomiko, Inc. d/b/a Café Sushi, 1105 Massachusetts Avenue, Common Victualler Wine & Malt License #11251, has applied for an Alteration of Licensed Premises to remove approximately 325 square feet of existing space. The premise would be described as: Dining Room, Main Kitchen, and Sushi Bar and Kitchen On First Floor With Portion Used For Storage.
  
8. Application #46035 Dip Dog, Inc. d/b/a Café du Pays, 233 Cardinal Medeiros Avenue, Common Victualler All Alcohol License #11386, for an Alteration of Premise to add a seasonal outdoor patio on the city sidewalk. The premise would be described as: 1,600 SF on the first floor with 1 entrance and 2 exits, 2 dining rooms, bar, kitchen, and bathrooms. 800 SF in basement. Approximately 50 square foot seasonal patio with 8 seats.
  
9. Application #43884 Wisdon4289, LLC d/b/a The Nu Do Society, 123 River Street, for a new Common Victualler License with proposed hours of 11:00 a.m. to 10:00 p.m. all days, seating for 28, a total occupancy of 28, and an Entertainment License for two TV's. Wudthipong Guygaew as proposed manager of record of a premise described as: Full-service Asian noodle and food restaurant. Approx. 860 sq. ft., ground floor, open plan w/seating, kitchen and food storage. Front entrance on River Street, Rear exit to common area to Kinnaird Street. Background music (no entertainers).

#### **Administrative Matters**

*The following are matters which the Chair reasonably anticipates will be discussed without accepting, soliciting or taking public testimony at the hearing. Anyone wishing to be heard on the below, please contact the Board at least 24 hours prior to the hearing and/or submit your statement in writing to [License@cambridgema.gov](mailto:License@cambridgema.gov).*

10. Matter deferred from March 27, 2019:  
 Disciplinary Middle East Restaurant, Inc. d/b/a Middle East Restaurant/Zuzu/Sonia's, 472 Massachusetts Avenue, Common Victualler All Alcohol License #11691, due to alleged violations of M. G. L. ch. 138 M. G. L. c. 138, §§ 23, 64 and Board's Rules 2, 2.5, 5.1, and 8.1; to wit: (1) 2 Counts - Improper bodily contact (employee on patron) on January 30, 2019 and February 5, 2019; and (2) Service/sale/delivery of alcohol to an intoxicated patron on January 6, 2019, in violation of M. G. L. c. 138, §§ 64-64A, 69 and Board's Rules 2, 2.5, 12B.6, 12B.7; and (3) Failure to call police or an ambulance on February 14, 2019, in violation of M. G. L. c. 138, §§ 23, 64 and Board's Rules 2, 2.5, 12B.6, 12B.7.
  
11. Matter deferred From April 24, 2019:  
 Disciplinary La Fabrica Central, LLC d/b/a La Fabrica, 450 Massachusetts Avenue, Common Victualler All Alcohol License #11595, to determine whether on November 10, 2018, an

employee of La Fabrica made improper bodily contact with a patron in violation of M. G. L. c. 138, §§ 23, 64, and Board's Rules 2, 2.5, 5.1, and 8.1.

12. Attorney Upton, on behalf of P.F. Chang's, holder of Common Victualler All Alcohol License # 11395 at 100 Cambridgeside Place, is requesting a refund of the unused portion of their annual license fee as they closed March 31, 2019.
13. The License Commission has received notice that Noory Taxi, LLC has purchased Medallion #33.
14. The License Commission has received notice that Yasmine Cab, LLC has purchased Medallion #42.
15. Application #46424 Kari Richards, on behalf of GLXC, has applied for a special noise variance for one night within the period of June 24 to July 13, 2019 with a start time of 3:00 a.m. and end time of 7:00 a.m. to move a crane across the street, placing street pallets to protect the road, and one night within the week of July 22 to July 26, 2019 to move the crane back.
16. Application #45402 Dylan Archambault, on behalf of Dylan & Pete's Ice Cream, has applied for a Hawker/Peddler License to sell ice cream at various Cambridge companies Sunday through Saturday.
17. Statements of Reasons for:
  - (1) Phoenix Communications, Inc. for allegations of operating or allowing another to operate construction devices outside the allowable hours of the Cambridge Municipal Code Noise Control Ordinance, 8.16.080(F).
  - (2) Crown Castle for allegations of operating or allowing another to operate construction devices outside the allowable hours of the Cambridge Municipal Code Noise Control Ordinance, 8.16.080(F).
18. Minutes for hearing of April 24, 2019.

### **One Day Applications**

*The following are matters which the Chair reasonably anticipates will be discussed without accepting, soliciting or taking public testimony at the hearing. Anyone wishing to be heard on the below should contact the Board at least 24 hours prior to the hearing and/or submit your statement in writing to [License@cambridgema.gov](mailto:License@cambridgema.gov).*

19. Application # 44525     Deferred from 5/8/19- Bertrand Laurence has applied for an entertainment license to be exercised at Raymond Park, 106 Raymond Street, on 6/22/19 from 2:30 p.m. – 6:30 p.m. for an open mic event with live music and amplification system. Expected attendance – 50 people.
  
20. Application # 46136     Stewart Isaacs has applied for a malt and wine with entertainment license to be exercised at MIT Museum, Massachusetts Avenue, on 5/24/19 from 6:00 p.m. – 10:00 p.m. for a social and cultural event with a dj and live music. Expected attendance – 80 people.
  
21. Application # 45776     Julie Barry, on behalf of Cambridge Arts Council, has applied for an entertainment license to be exercised at Massachusetts Avenue from Prospect Street to Sidney Street, on 6/1/19 from 11:00 a.m. – 6:00 p.m. for Cambridge Arts River Festival with patrons, performers/entertainers dancing, recorded music, live music, amplification system and theatrical exhibition/play/moving picture show. Expected attendance – 150,000 people.
  
22. Application # 46370     Leo Crowley has applied for a malt and wine license to be exercised at American Repertory Theater, 2 Arrow Street outside patio, on 6/14/19 from 7:00 p.m. – 8:30 p.m. for a VIP pre-performance reception. Expected attendance – 50 people.
  
23. Application # 45829     Ursula August, on behalf of Cambridge Community Art Center, has applied for a malt and wine with entertainment license to be exercised at One Kendall Square, on 5/30/19 from 10:00 a.m. – 7:30 p.m. for a fundraiser with recorded music, dj, live music, amplification system, theatrical exhibition/play/moving picture show and floor show. Expected attendance – 200 people.
  
24. Application # 45825     Brandis Premo, on behalf of Restaurant Associates, has applied for a malt and wine with entertainment license to be exercised at Harvard Gund Hall, 48 Quincy Street, on 5/29/19 3:00 p.m. – 7:00 p.m. & 5/30/19 11:00 a.m. – 2:00 p.m. for a reception with recorded music and amplification system. Expected attendance – 1,500 people.
  
25. Application # 46114 & #46971     H K Food Group, LLC d/b/a Alden & Harlow, 40 Brattle Street, holder of Common Victualer All Alcohol License #11478, has applied for an entertainment license on 5/26/19 and 6/1/19 from 9:00 p.m. – 12:00 a.m. for a wedding with dj and amplification system. Expected attendance – 90 people.
  
26. Application # 46079     Yamaris Vazquez has applied for a wine with entertainment license to be exercised at Cambridge Masonic Hall, 1950 Massachusetts Avenue, on 8/17/19 from 2:00 p.m. – 8:00 p.m. for a wedding with patrons, performers/entertainers dancing, recorded music,

dj, live music, amplification system, floor show and light show. Expected attendance – 135 people.

27. Application # 46139 Rith Chak has applied for an entertainment license to be exercised at Cambridge Masonic Hall, 1950 Massachusetts Avenue, on 6/29/19 from 3:00 p.m. – 9:00 p.m. for a dance competition with patrons, performers/entertainers dancing, dj, live music and floor show. Expected attendance – 200 people.
28. Application # 46204 Paul Clark has applied for a malt and wine with entertainment license to be exercised at 100 Cambridgeside Place, on 6/9/19 from 10:00 a.m. – 1:00 p.m. for a road race with recorded music, dj, live music and amplification system. Expected attendance – 1700 people.
29. Application # 46372 Poofydude, LLC d/b/a Wits End, 1248 Cambridge Street, holder of Common Victualer All Alcohol License #11615, has applied for an entertainment license on 5/31/19 from 4:00 p.m. – 7:00 p.m. for a live music event with live music and amplification system. Expected attendance – 40 people.
30. Application # 46367 Bill Manley, on behalf of Harvard Square Business Association, has applied for an entertainment license to be exercised at Brattle Plaza, on 6/8/19 from 11:00 a.m. – 4:00 p.m. for a concert with patrons dancing, live music and amplification system. Expected attendance – 100 people.
31. Application # 46359 Jeff Marcoux, on behalf of ARE-MA Region No. 59, LLC, has applied for a malt and wine with entertainment license to be exercised at the courtyard outside of building 200 Kendall Square, on 6/13/19, 7/11/19, 8/15/19, 9/12/19 & 10/24/19 from 5:30 p.m. – 8:30 p.m. for a live music event with live music and amplification system. Expected attendance – 100 people.
32. Application # 46335 Jason Alves, on behalf of East Cambridge Business Association, has applied for an all alcohol with entertainment license to be exercised at North Point Common, 30 Northpoint Blvd/330 Morgan Ave, on 6/20/19, 7/18/19, 8/15/19 & 9/19/19 from 4:00 p.m. – 9:00 p.m. for a concert with patrons, performers/entertainers dancing, recorded music, live music and amplification system. Expected attendance – 800 people.
33. Application # 46406 Chelsea Owens, on behalf of ALS Therapy Development Institute, has applied for a malt with entertainment license to be exercised at 300 Technology Square, on 8/10/19 from 10:00 a.m. – 6:00 p.m. for a fundraiser with recorded music and amplification system. Expected attendance – 700 people.

34. Application # 46498 & 46492 Michael Monestime, on behalf of the Central Square Business Association, has applied for a malt license (beer garden) to be exercised at Brookline Street between Green Street and Massachusetts Avenue and University Park Commons on Sidney Street between Franklin & Pilgrim Streets, on 6/1/19 from 11:30 a.m. – 5:45 p.m. for the Cambridge River Festival. Expected attendance – 999 people.
35. Application # 46622 Celestine Hong has applied for an entertainment license to be exercised at MIT Kresge Auditorium, 48 Massachusetts Avenue, on 5/25/19 from 7:00 p.m. – 9:30 p.m. for a concert with live music. Expected attendance – 250 people.
36. Application # 46685 Sarah Gyorog, on behalf of Transition House, has applied for a wine with entertainment license to be exercised at Tatte Bakery and Café, 318 Third Street, on 6/19/19 from 4:00 p.m. – 8:00 p.m. for a fundraiser with recorded music, live music and amplification system. Expected attendance – 40 people.
37. Application # 46267 Mari Watson, on behalf of Tobin Community School, DHSP, has applied for a one day temporary amusement license (Inflatable obstacle course, Bounce House and Pony Rides) to be exercised at Rindge Field, 143 Pemberton Street, on 6/12/19 from 12:00 p.m. – 5:00 p.m. for a field day. Expected attendance – 400 people.
38. Application # 46934 Peter Devito, on behalf of Cambridgeside, has applied for an entertainment license to be exercised at Lechmere Canal Park, on 6/5, 6/12, 6/19, 6/26, 7/3, 7/10, 7/17, 7/24, 7/31, 8/7, 8/14, 8/21, 8/28 from 5:30 p.m. – 7:30 p.m. for a fitness series event with recorded music and amplification system. Expected attendance – 50 people.

**Matters Added to Agenda After Posting on May 16, 2019**

39. Application #47083 John Harmon, on behalf of Bond brothers, Inc., has applied for a special noise variance on May 26, 2019 at 5:00 a.m. at 500 memorial Drive to remove jersey barriers work zone limits prior to DCR Run to Remember and to replace them when the run is over.
40. Application #47082 Nicola Williams, on behalf of the Sustainable Business Network of Massachusetts, has applied for a wine and malt and entertainment license on June 8, 2019 from 12:00 p.m. to 2:00 p.m. for product drop off; Session 1 from 2:30 p.m. to 5:30 p.m. and Session 2 from 6:30 p.m. to 9:30 p.m. at University Park.
41. Application 47240 Megan Dupres, on behalf of the Havard Alumni Association, has applied for a one day wine license on May 30, 2019 from 11:30 a.m. to 2:00 p.m. at 1 Harvard Yard.

**PLEASE NOTE THAT THE ORDER IN WHICH MATTERS ARE LISTED DOES NOT GUARANTEE IT IS THE ORDER WHICH THEY WILL BE CALLED. AS SUCH, PLEASE BE SURE TO ARRIVE AT THE NOTICED TIME OF 3:00 P.M.**

A handwritten signature in blue ink that reads "Elizabeth Lint". The signature is fluid and cursive, with the first name and last name clearly distinguishable.

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Elizabeth Lint, Executive Director