

CAMBRIDGE LICENSE COMMISSION HEARING

CITY OF CAMBRIDGE

IN RE: LICENSE COMMISSION HEARING

LICENSE COMMISSION BOARD MEMBERS:

CHAIR NICOLE MURATI FERRER

FIRE CHIEF GERALD REARDON

POLICE COMMISSIONER CHRIS BURKE

STAFF: EXECUTIVE DIRECTOR ELIZABETH LINT

AT: Michael J. Lombardi Building
Basement Conference Room
831 Massachusetts Avenue
Cambridge, Massachusetts 02139

DATE: Tuesday, July 7, 2016

TIME: 10:30 a.m.

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P R O C E E D I N G S

July 7, 2016

EXECUTIVE DIRECTOR ELIZABETH LINT: This is the License Commission for Thursday, July 7, 2016 at 10:07 a.m.

We are in the Michael J. Lombardi Building, 831 Mass. Ave, basement conference room.

Before you are the Commissioners: Chair Nicole Murati Ferrer, Chief Gerald Reardon and Commissioner Chris Burke:

CHAIR NICOLE MURATI FERRER: We are being recorded.

EXECUTIVE DIRECTOR ELIZABETH LINT: You have my file first?

CHAIR NICOLE MURATI FERRER: I do. I took whatever from that.

ERIC PROPP

EXECUTIVE DIRECTOR ELIZABETH LINT: Eric Propp on behalf of the Garment District has applied for one day licenses for July 21 and August 18. These are in addition to the two one days licenses that have already been approved for the location and we have requested more information on that.

CHAIR NICOLE MURATI FERRER: Yeah. So what we got from him?

EXECUTIVE DIRECTOR ELIZABETH LINT: He's just using it as a way to stimulate business in the summer when it's slow.

CHAIR NICOLE MURATI FERRER: Okay. I have no issues with these applications. I would vote to grant.

POLICE COMMISSIONER CHRIS BURKE: Agreed.

CHAIR NICOLE MURATI FERRER: Granted.

**BOARD OF LICENSE COMMISSIONERS DISCUSSION OF
AMENDMENTS TO ALCOHOL AND ENTERTAINMENT RULES AND
REGULATION OF THE LICENSE COMMISSION**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Discussion of the proposed amendments to the
rules and regs.

CHAIR NICOLE MURATI FERRER: Okay. So I
think -- this is this is my cheat sheet type of
thing.

You know, I think last time when we met
on May 2, and I know, Commissioner Burke, you
weren't part of that meeting, but I believe you
read the minutes and have come -- read everything
else afterwards and you have been part of the
other meetings anyways.

I think we pretty much agreed that it was
a good idea to add the common victuallers and

innholders and lodging house licenses as licensees. I say we go forward on that.

The edits don't change the substance of the rules. So rules 2, 3, 4, 5, 6, 7, 8, 12, 14, 15, 16, 18, 32, 33, 35, 36, 39, 43, 45, 46, 47, Rule 3 of the Noise Section, Rule 2 of the Entertainment Section and Addendum C.

The edits to that with no substance to any of them, and I think that we went through those and I say we go forward on that.

The no changes to the rules to 10, 11, 22, 23, 24, 30, 41, 44 and 45, those still makes sense so I would keep that as-is.

And then -- so those are the easy ones. And I would say that we go forward and approve those as we had them or as we have them currently. So why don't we vote on that.

FIRE CHIEF GERALD REARDON: Agreed.

POLICE COMMISSIONER CHRIS BURKE: Agreed.

CHAIR NICOLE MURATI FERRER: With regard to the proposed, quote/unquote, substantive changes to 1, 9, 19, 20, 25, 26, 27, 28, 29, 30, 31, 34, 37, 38, 42, 48 and Addendum Em I would say that we go forward on that as well, including the subsequent proposed changes that we made after that May 2 meetings based on comments by the Commission. So I would vote to go forward on those.

FIRE CHIEF GERALD REARDON: Agreed.

POLICE COMMISSIONER CHRIS BURKE: Agreed also.

CHAIR NICOLE MURATI FERRER: And then with regard to deleting rules 12, 13, 40, Noise Section Rule 1, Entertainment Sections Rules 1, 3, 4 & 5, Addendum A, Addendum B, Addendum D and the Policy Section, I would say we go on that.

And the reasons for it I think are very well outlined in our explanations as the proposed changes and rules that we drafted after that May 2 meeting. And I would say we, you know, we adopt those deletions based on what we discussed at that May 2 meeting and what's in our document so I say we go forward on that.

FIRE CHIEF GERALD REARDON: Agreed.

POLICE COMMISSIONER CHRIS BURKE: Agreed.

CHAIR NICOLE MURATI FERRER: And then were regard to the new rules that created and proposed as to the subject of transfer of privilege, food requirements for common victualers and innholders, register requirements for innholders and lodging houses, Happy Hour regulation exceptions, hindering investigations, and crowd control, again I would say we go forward on that for the reasons we stated at our

May 2 meeting and later on put in our memo.

FIRE CHIEF GERALD REARDON: Agreed.

POLICE COMMISSIONER CHRIS BURKE: Agreed.

CHAIR NICOLE MURATI FERRER: And the one thing I did want to discuss in terms of this a little bit more is with regard to the no value and no transferrable licenses. At that May 2 meeting we talked about two ways to do it, that either they just full blown, as of January 1, become just regular licenses or that they kind've die out with regard to -- or when the business dies, that the license dies with it. I say we go with the latter, which is what we agreed on at our May 2 meeting.

I think that maybe administratively it'll be kind've a little more burdensome on our staff, but I think it's the safest way and the most equitable way to deal with this at this point and

I think for the reasons we stated in our explanation to the rules after that May 2 meeting, I think it makes sense to continue with the way that we proposed to kind've phase out those licenses.

I know we received comments on it recently, so I just wanted to highlight that.

POLICE COMMISSIONER CHRIS BURKE: I would agree with the changes proposed.

FIRE CHIEF GERALD REARDON: I would agree.

CHAIR NICOLE MURATI FERRER: And then one other thing that has been raised recently with regard to this, are the annually fees for the licenses.

I agree we need to look at annual fees but what I would propose is that the annual fees right now that we actually sit down and take a

better look at this. Chris O'Neil, from our office, I asked him to do kind of a study of the licenses around the neighboring cities and towns and try and figure out, and obviously, this also needs a review by the Law Department in terms of if these needs to be commensurate with the process and everything.

So I would say that we look at the fees and make sure that by November, which is renewal season, that we have it all squared away, so that when they renew, if we are taking either lower fees or standard fees, or something like that, that they are in place for the 2017 license year.

So what I would do is, the current licenses, you know, obviously, the licenses that are already paid, they've already paid for this year. Any license that we issue after today, basically, I say we have the fees that in our fee

schedule are called newly-issued license, so use that fee schedule through the end of 2016, and then just make sure before November we review it and decide whether or not those fees will continue in place or whether they'll be changed or unchanged or whatnot. Does that sound good?

POLICE COMMISSIONER CHRIS BURKE: Yes.

FIRE CHIEF GERALD REARDON: Yes.

POLICE COMMISSIONER CHRIS BURKE: Yes.

CHAIR NICOLE MURATI FERRER: Okay.

MASSACHUSETTS STATE LOTTERY COMMISSION

EXECUTIVE DIRECTOR ELIZABETH LINT: The Massachusetts State Lottery Commission has notified the License Commission that Inman Square Wine and Spirits has applied for Keno to Go.

CHAIR NICOLE MURATI FERRER:

Acknowledged. No objection.

MIT

EXECUTIVE DIRECTOR ELIZABETH LINT: MIT has filed a request for change of a license/corporation for LIN10007, 407 Memorial Drive, Gamma Pi of Kappa Sigma Fraternity Corporation to The Massachusetts institute of Technology. Dennis Collins, Director of Housing will be the contact person for this location.

CHAIR NICOLE MURATI FERRER: We got all his information, right?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

CHAIR NICOLE MURATI FERRER: Okay.
Granted.

CANCELLATION OF LICENSES

EXECUTIVE DIRECTOR ELIZABETH LINT:
Cancellation of the following licenses for ceasing to operate: LIN10051 and LIN10050, Nicholas LaFauci.

LIN10130, Lincoln Inn Society.

OAP10093, Rosanne Amore-Maslak.

ANT10003 Hourglass Tattoo Studios.

ANT1004, 1111 Cambridge Vintage.

LLS10001, Blue Moon Lime.

LLS1007, Providence Limo Transportation.

LLS1008, Cambridge accessible Cab.

LLS100010, East West Bridge, LLC.

SHG10001, Superior Market.

SHG10002, Metamorphosis

SHG10003, Superior Market.

SHG10005, Tone Broke Guitars, Inc.

That's all of those.

CHAIR NICOLE MURATI FERRER: Why did we
cross out LIN10039 United Home?

EXECUTIVE DIRECTOR ELIZABETH LINT:

Because he came in and renewed and paid. So I
don't know why we were told it wasn't there

because it is there.

CHAIR NICOLE MURATI FERRER: Okay.

EXECUTIVE DIRECTOR ELIZABETH LINT: It's
a nonprofit.

CHAIR NICOLE MURATI FERRER: We should --
when Andrea gets back, we should circle back with
her with regard to that because I know she went
to the location. All right, so voted,
acknowledged. License is cancelled.

Just make sure we did a CRS.

MOHAMMED KAMAL

EXECUTIVE DIRECTOR ELIZABETH LINT:
Mohammed Kamal, a Cambridge resident, has
requested a letter for Massport to allow him to
operate his livery vehicle there.

CHAIR NICOLE MURATI FERRER: Granted.

**BOARD OF LICENSE COMMISSIONERS WILL DISCUSS
NECESSITY TO ADVERTISE LICENSE CATEGORIES OF**

**COMMON VICTUALLER, CHANGE OF COMMON VICTUALLER
HOURS, INCREASE OF SEATS, VENDOR/PEDDLER, ANTIQUE,
SECOND-HAND GOODS, USED CAR DEALER, FARMER WINERY
FOR FARMER'S MARKETS**

EXECUTIVE DIRECTOR ELIZABETH LINT: The Board of Commissioners will have a discussion regarding the necessity to advertise the following license categories as there is no statutory requirement: Common victualer, change of common victualer hours, increase of seats, vendor/peddler, antique, secondhand goods, used car dealer, farmer winery for farmer's markets.

CHAIR NICOLE MURATI FERRER: So I just wanted to maybe start talking about this. We don't need to make a decision today.

But these licenses they don't have a requirement to be -- when they are seeking for these, there's no requirement to have them

advertised in the newspaper.

And so, for me, for example, a CV, which can be as little as 50 dollars, the hearing and advertisement is \$175. It makes no sense to me.

I wouldn't propose to take away the component of the application that they have to notify their abutters and submit something to us proving that they notified the abutters, and whether that's in the form of an affidavit or notice to abutters, green cards, or just basically a certification by them saying, yes, we did this, I think that should be enough.

With regard to the change of a CV hour, I would say unless it's before 8 a.m. or after 11 p.m., or a substantial one, so I think that one is a little trickier.

I think if you're going into a space that's already licensed as a CV or had been

licensed as a CV that had 8 to 10 and you are seeking 8 to 11, that one hour and like -- so, I don't know. It is, obviously, something that we all have to thing about, but I just don't see -- I don't see the reason for the extra cost and burden on the licensee and also the delay because, since we do it through the Cambridge Chronological, and they have to receive the advertisement basically a week before they get advertised, so it ends up pushing back the hearing for a lot of these applicants a couple weeks.

Same with the vendor/peddlers, the antique, the secondhand goods. The used car dealer, did we confirm that there was no statutory on that one?

And then the farmer -- winery for farmer's markets, this is the one that we grant

through that our state law that is for agricultural events that they have to prove to the state that they are an agricultural -- that they qualify for it.

Again, especially with the short season on farmer's markets, I just think it is highly burdensome on the applicants.

FIRE CHIEF GERALD REARDON: So this is still advertised on the website, our website?

CHAIR NICOLE MURATI FERRER: Yes. So it would still go agenda that needs to be posted at least 48 business hours. So, for example, you know sometimes that could end up being four days because of the weekend.

So, yeah, it would still be notice pursuant to the open meeting law.

FIRE CHIEF GERALD REARDON: I'm fine as long as the abutters -- there's proof that the

abutters are getting notifications.

CHAIR NICOLE MURATI FERRER: So I'll work on a more detailed proposal then for us to take a look at. Do you have any comments?

POLICE COMMISSIONER CHRIS BURKE: I agree with you, the abutters it is important to get their input, any changes, and I don't think we need to -- the burden of advertising, I think that what we're trying to do is satisfy that the folks in the neighborhood are aware of what's going on, so I think that would be satisfied by the notifications to the abutters.

CHAIR NICOLE MURATI FERRER: I'll work on something more detailed and then maybe we'll -- probably July 18, I'll have something written down we can all agree on.

FIRE CHIEF GERALD REARDON: Yes.

POLICE COMMISSIONER CHRIS BURKE: Yes.

**MALT AND WINE LICENSE WITH OR WITHOUT
ENTERTAINMENT**

DHRUBA GHIMIRE

EXECUTIVE DIRECTOR ELIZABETH LINT: Malt
and wine licenses. One days?

CHAIR NICOLE MURATI FERRER: Yup.

EXECUTIVE DIRECTOR ELIZABETH LINT: One
days. Dhruba Ghimire has applied for a malt and
wine license with entertainment, patrons dancing,
to be exercised at St. Anthony's Parish Hall, 400
Cardinal Medeiros Avenue on August 27 from 6 to
11:30 p.m. for a women's festival, 250 expected.

CHAIR NICOLE MURATI FERRER: Granted.
Police detail required.

LESLY SERIGNY

EXECUTIVE DIRECTOR ELIZABETH LINT: Lesly
Serigny has applied for a malt and wine license
to be exercised at Novartis Institutes of

BioMedical Research, 700 Main Street lobby,
Cambridge on July 19 from 5:30 to 8:30 for a
reception with 120 expected.

CHAIR NICOLE MURATI FERRER: Granted.

ARLYN dePAGTER

EXECUTIVE DIRECTOR ELIZABETH LINT: Arlyn
dePagter has applied for a wine & malt license to
be exercised at MIT, 100 Main Street on July 10
from 5 to 8 for a reception and dinner with 55
expected.

CHAIR NICOLE MURATI FERRER: Granted.

ARLYN dePAGTER

EXECUTIVE DIRECTOR ELIZABETH LINT: Arlyn
dePagter has applied for wine & malt license to
be exercised at MIT, 100 Main Street on July 13
from 3 to 8 for a reception with 80 expected.

CHAIR NICOLE MURATI FERRER: Granted.

KATERYNA KUC

EXECUTIVE DIRECTOR ELIZABETH LINT:

Kateryna Kuc has applied for a wine & malt to be exercised at Urban Outfitters, 11 JFK Street on July 7 from 7:30 to 10:00 for an in-store event with 75 expected.

CHAIR NICOLE MURATI FERRER: Granted.

SUSAN FLEISCHMANN

EXECUTIVE DIRECTOR ELIZABETH LINT: Susan

Fleischmann on behalf of CCTV has applied for a wine & malt license with a entertainment, performers, entertainers, dancing, recorded live music, amplification system to be exercised behind CCTV, 438 Mass. Ave on Green Street in the parking lot on September 22 from 5 to 9 for a BBQ fundraiser with 250 expected.

CHAIR NICOLE MURATI FERRER: Granted.

Police detail required.

RICHARD WANG

EXECUTIVE DIRECTOR ELIZABETH LINT:

Richard Wang has applied for a wine & malt license to be exercised at MIT Tang Center, 70 Memorial Drive on July 13 from 6 to 7:15 for a reception with 50 people expected.

CHAIR NICOLE MURATI FERRER: Granted.

Police detail required.

ENTERTAINMENT LICENSES ONLY**BILL MANLEY**

EXECUTIVE DIRECTOR ELIZABETH LINT: Bill

Manley on behalf of the Harvard Square Business Association has applied for an entertainment license for patrons, performers, entertainers, dancing, recorded live music and amplification system for the 3rd annual salsa squared at Brattle Plaza July 22 from 7 to 10 with 300 expected.

CHAIR NICOLE MURATI FERRER: Did this go through special events?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

CHAIR NICOLE MURATI FERRER: Granted.

LAURA GRAZIANO

EXECUTIVE DIRECTOR ELIZABETH LINT: Laura Graziano has applied for an entertainment license for recorded, live music and amplification system for a tenant appreciation event at Rogers Street Park, July 20 from 11 to 2 with 1300 expected.

CHAIR NICOLE MURATI FERRER: Did this go through special events as well?

EXECUTIVE DIRECTOR ELIZABETH LINT: I have to look it up. It does not sound familiar to me.

CHAIR NICOLE MURATI FERRER: I would hold off on it.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Typically that would something that would go through.

CHAIR NICOLE MURATI FERRER: I mean, on 7/20 we have time. I would hold off on it just to confirm, but that's me, I don't know if the other Commissioners want to vote on it.

EXECUTIVE DIRECTOR ELIZABETH LINT: I'll look it up when I go up.

JENNY MCBRIDE

EXECUTIVE DIRECTOR ELIZABETH LINT: Jenny McBride on behalf of Inman Square Business Association has applied for a vendor's permit for Ole restaurant to sell food outside of Vellucci Plaza in a parking spot on July 14 from 11 to 2.

CHAIR NICOLE MURATI FERRER: They do have a special event permit from Traffic and Parking.

EXECUTIVE DIRECTOR ELIZABETH LINT: And then there were two add-ons.

CHAIR NICOLE MURATI FERRER: Hold on. We haven't voted.

Granted.

EXECUTIVE DIRECTOR ELIZABETH LINT: I'm sorry. I just get on that mode.

JACKIE LINNANE

EXECUTIVE DIRECTOR ELIZABETH LINT: The License Commission received notice from Jackie Linnane that River Gods will be closed for vacation from July 4 through the 10 and will reopen on Monday the 11.

CHAIR NICOLE MURATI FERRER:
Acknowledged.

LE'S SUSHI BAR

EXECUTIVE DIRECTOR ELIZABETH LINT: And Le's Sushi Bar, we need to correct the seating. They were approved for 40 but zoning sign-off is for 24, and they're also requesting to change

their hours to be open at 7 a.m. and close at 11 p.m. And I don't believe they noticed any abutters for that.

CHAIR NICOLE MURATI FERRER: Yeah, I would do the change on the seats, and I would get something from them saying that they did notice, mean, the abutters on this for -- or at a minimum, I would like to look at my notes for the hearing, but I think this is the one where they weren't sure about the hours and there was some back and forth with that, but I don't recall at the top of my head.

EXECUTIVE DIRECTOR ELIZABETH LINT: Tell me the date.

CHAIR NICOLE MURATI FERRER: It says April 19.

Is this the one where they said they're the owners of the apartment above it or

something?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

I don't have notes here, just it was granted.

CHAIR NICOLE MURATI FERRER: I would like to look at my notes first. Obviously, the seats we can't licensed them for more than what they're authorized to, so I would say that we change immediately the seats to 24 and then look at the notes and see if we need more information from them or notice to the abutters with regard to the hours.

POLICE COMMISSIONER CHRIS BURKE: Agreed.

FIRE CHIEF GERALD REARDON: Agreed.

CHAIR NICOLE MURATI FERRER: Okay. Is that it?

EXECUTIVE DIRECTOR ELIZABETH LINT:

That's all I have. Unless you want to approve some minutes.

CHAIR NICOLE MURATI FERRER: Yeah, I read them. I did my home work.

EXECUTIVE DIRECTOR ELIZABETH LINT: May 16.

CHAIR NICOLE MURATI FERRER: Approved.

EXECUTIVE DIRECTOR ELIZABETH LINT: May 24.

CHAIR NICOLE MURATI FERRER: Approved.

EXECUTIVE DIRECTOR ELIZABETH LINT: June 7.

CHAIR NICOLE MURATI FERRER: Approved.

EXECUTIVE DIRECTOR ELIZABETH LINT: And the 21.

CHAIR NICOLE MURATI FERRER: Approved.

EXECUTIVE DIRECTOR ELIZABETH LINT:
That's all I have.

(Hearing concluded)

ERRATA SHEET

INSTRUCTIONS: After reading the transcript, note any change or correction and the reason therefor on this sheet. Sign and date this errata sheet.

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I have read the foregoing transcript, and except for any corrections or changes noted above, I hereby subscribe to the transcript as an accurate record of the statement(s) made by me.

CERTIFICATION

Commonwealth of Massachusetts

Norfolk, ss.

I, Jill Kourafas, a Notary Public in and
for the Commonwealth of Massachusetts, do hereby
certify:

That the hearing herein before set forth
is a true and accurate record of the proceedings.

IN WITNESS WHEREOF, I have hereunto set
my hand this 13th day of July, 2016.

Jill Kourafas
Certified Shorthand Reporter
License No. 14903
Notary Public

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