



CAMBRIDGE LICENSE COMMISSION

831 Massachusetts Avenue, First Floor, Cambridge, Massachusetts 02139

**License Commission Meeting Minutes for the
09/13/17 3:00 PM Public Hearing
831 Massachusetts Avenue
Basement Conference Room**

In Attendance: Chair Nicole Murati Ferrer; Acting Fire Chief Gerard Mahoney; Police Commissioner Branville Bard

Staff Present: Elizabeth Y. Lint, Executive Director

Public Testimony Matters:

- 1) Violation D. Muzziolo [sic] Associates, for alleged violation of Cambridge Municipal Ordinance 8.16.081.2(a), operating during a prohibited period, on July 29, 2017 at, or near, 38 Carver Street. [Audio Begins: 00:00:20]

Present: Connor Maguire, on behalf of D. Muzzioli; and Andrea Boyer, License Commission.

Decision: Board found (3-0) a violation for the improper use of the leaf blower and issued a \$300.00 fine.

- 2) Disciplinary Hoppy, Inc. d/b/a Daedalus, holder of a Common Victualler All Alcohol All Alcohol License at 45 Mount Auburn Street for alleged violation of M.G.L. c. 138, § 23 & 64 M.G.L. c. 148 §26G½ and 148A, 527 CMR 10.5.2.1, and Rules and Regulations of the Board of License Commissioners 2.5, 2.6, 5.1, 9.1, and 13.1 for overcrowding on July 21, 2017. [Audio Begins - First Call: 00:03:53]; [Audio Begins – Second Call: 00:09:40]

Present: Attorney Kevin Crane, representing the licensee; Lawrence Hopkins, Owner and Manager of Record for Daedalus; Jacob Miller, General Manager Daedalus; and Andrea Boyer, License Commission.

Decision: Board found (3-0) a violation for overcrowding and issued a 1-day suspension to be served as to service on the roof deck only.

- 3) Cancellation The Elephant Walk Restaurant Group, Inc. d/b/a The Elephant Walk, holder of a Common Victualler All Alcohol License at 2067 Massachusetts Avenue pursuant to M. G. L. c. 138 §§ 64 and 77 for non-use of said license. [Audio Starts – First Call: 00:07:08]; [Audio Starts – Second Call: 01:22:30]

Present: None.

Decision: The Board voted (3-0) to reschedule the matter to 10/18 17 to make sure the attorney is notified as the notice of hearing went to the licensee at the business

email address which could indicate that notice was not received; in addition, licensee was represented by counsel at the last hearing, notification should also go to the attorney.

- 4) Cancellation CDM International Enterprises, LLC, d/b/a O Sushi, holder of a Common Victualler All Alcohol License at 104 Mount Auburn Street pursuant to M. G. L. c. 138 §§ 12, 16A, 23, 64, 70, and 77, for non-use of said license and failure to timely/properly renew the license.

[Audio Starts – First Call: 00:07:26]; [Audio Starts – Second Call: 01:24:35]

Present: None.

Decision: The Board found (3-0) that the license was not properly renewed as the second annual fee was not paid, and therefore, the license expired. Alternatively, the license is cancelled for failure to renew and/or failure to put the license to use.

- 5) Application University Wine Shop, Inc., holder of an All Alcohol Package Store License at 1739 Massachusetts has applied for a Change of Location to 1737 Massachusetts Avenue and an Amendment to the Premise Description to: 1,350 square feet on the first level in one room with two entrances and two exits. Application is also made to Pledge said license to Cambridge Trust.

[Audio Begins: 00:30:54]

Present: Paul DeRuzzo, owner/operator.

Decision: Granted (3-0).

- 6) Application Cheesecake Factory Restaurants, Inc. d/b/a The Cheesecake Factory, holder of a Common Victualler All Alcohol License at 100 Cambridge Avenue has applied for a Change of Beneficial Interests. [Audio Begins: 00:32:49]

Present: Attorney Andrew Upton, representing the applicant.

Decision: Granted (3-0).

- 7) Application Transfer of the Wine and Malt Package Store License held by LLH, LLC d/b/a Trader Joe's at 748 Memorial Drive to Salt and Olive, Inc. at 1160 Massachusetts Avenue. Mary Dean Taylor as Proposed Manager of Record of a premise described as: approximately 826 square feet with one entrance and one exit. The proposed hours of operation are 8:00 a.m. to 11:00 p.m. Monday through Saturday and 10:00 a.m. to 11:00 p.m. on Sunday. [Audio Begins: 00:33:52]

Present: Attorney Sean Hope, representing the applicant Salt & Olive, Inc.; Mary Taylor, Owner of Salt & Olive, Inc. and proposed Manager of Record.

Decision: Granted (3-0).

- 8) Application ARE-MA Region No. 45, LLC has applied for a Garage License with additional Flammable Storage at 100 Binney Street for 185 parking spaces, 1,850 gallons of gasoline in the tanks of autos only, and 810 gallons of Class 2. [Audio Begins: 00:40:29]

Present: Jeff McComish, on behalf of applicant Alexandra Real Estate.

Decision: Granted (3-0).

- 9) Application Tosh Enterprises, LLC has applied for an Antique/Second Hand Goods License at 541 Massachusetts Avenue with hours of operation of 10:00 a.m. to 11:00 p.m. seven days per week. Michael Bayles as proposed manager of record. Application has also been made for a Pawnbrokers License at said address. Hours of operation Monday through Saturday from 11:00 AM to 7:00 PM. [Audio Begins: 00:42:50]

Present: Michael Bayles, beneficial interest holder of applicant.

Decision: Granted (3-0) with an amended closing hour of 10:00 p.m. for the Antique/Second Hand Good Store only per Cambridge Municipal Code.

- 10) Application Pineapple Thai Cuisine, LLC has applied for a Common Victualler License and Entertainment License for background music at 1108 Cambridge Street with a seating capacity of 26 and proposed hours of 11:30 a.m. to 9:30 p.m. Monday through Thursday; 11:30 a.m. to 10:00 p.m. Friday and Saturday; and 3:30 p.m. to 9:30 p.m. Sunday. Suparporn Bunnaghitkan [sic] as proposed manager of record of a premise described as: approximately 862 SF of first floor space with three entrances and exits, full kitchen, and one unisex bathroom. An additional 924 SF of basement space for office/storage. [Audio Begins: 00:46:49]

Present: Attorney Megan Kemp, representing the applicant; Suparporn Bunnaghitkan, beneficial interest holder of applicant and proposed manager of record; and Yehoshua Peled, beneficial interest holder of applicant.

Decision: Granted (3-0), a correction to be made to the License Commission records to reflect the proper spelling of the last name of Suparporn Bunnaghitkan.

- 11) Application Tesfalem Y. Ghebrezhi has applied for a new Cambridge Hackney Driver's License. [Audio Begins: 00:52:20]

Present: Tesfalem Y. Ghebrezhi, applicant.

Decision: Granted (3-0); must meet with Officer Benny Szeto to go over Hackney Rules and Regulations prior to being issued a license.

- 12) Application Cakewalk Bakers, LLC d/b/a Flour Bakery + Café, holder of a Common Victualler License at 40 Erie Street has applied to add a Wine & Malt Beverages License to their Common Victualler at said address. Michael Brucklier as Proposed Manager of Record of a premise described as: approximately 1800 square feet on one floor with 2 entrances and 2 exits. Proposed hours of operation are: 7:00 a.m. to 8:00 p.m. seven days per week

with alcohol sales starting after 8:00 a.m. Monday through Saturday and after 10:00 a.m. on Sunday with seating for 50 inside.

[Removed from agenda - applying for a variance.]

- 13) Application Misrak Gandhi d/b/a Sheger Café and Ethiopian Restaurant, has applied for a Common Victualler License at 2376 Massachusetts Avenue with a seating capacity of 14 inside and 8 outside, a proposed occupancy of 52, and proposed hours of 9:00 a.m. to 10:00 p.m. Monday through Saturday and 11:00 a.m. to 9:00 p.m. on Sunday. Misrak Gandhi as proposed manager of record of a premise described as: approximately 1500 SF on the street level of Massachusetts Avenue with a bathroom, kitchen, and storage. [Audio Begins: 00:54:57]

Present: Misrak Ghandi, applicant; Zemeni Efwork, beneficial interest holder (husband).

Decision: Granted (3-0), with an amended inside seating capacity of 44. Outdoor seating cannot be set up or used until Sidewalk Obstruction Permit from DPW is issued. Applicant must provide tax identification number to the License Commission.

- 14) Application Eliot Management Services, Inc. d/b/a Paradise, holder of a Common Victualler All Alcohol License at 180 Massachusetts Avenue has applied for a Change of License Type to General On Premise. [Audio Begins - First Call: 00:08:04]; [Audio Begins – Second Call: 00:59:31]

Present: Attorney James Rafferty, representing the applicant; Paul McCarthy, owner of applicant and manager of record.

Decision: Granted (3-0).

Administrative Matters – Considered and Voted Upon by the Board without Public Testimony:

- 15) Violation hearing continued from August 9, 2017 Carbone Landscape Company, for alleged violations of Cambridge Municipal Ordinances 8.16.081.2(a), operating during a prohibited period, and 8.16.081.2(c), operating without a permit, on July 1, 2017 at 725 Concord Avenue and July 6, 2017 at 700 Huron Avenue. [Audio Begins: 01:03:02]

Decision: Records show that the appropriate company was noticed of the violation and did not respond to it. Board found (3-0) violation on both counts, \$300.00 fine per day for a total fine of \$600.00.

- 16) Charlie Moore on behalf of Turner Construction has applied for a special noise variance at 145 Broadway from January 1, 2018 until July 31, 2018 from 6:00 PM until 11:00 PM for steel hoisting and erection. [Audio Begins: 01:04:41]

Decision: Granted (3-0).

- 17) Sam Pogoso, d/b/a Phinix Grill has applied for a hawker/peddler license on Mondays from 11:00 AM until 2:00 PM at 3rd and Binney St. until 11/24/17. [Audio Begins: 01:05:15]

Decision: Granted (3-0), with the condition that it must be at the location every Monday for a minimum of three consecutive hours, per agreement with CHA.

- 18) Consideration of Frenel Rene's application to renew hackney driver's license. [Audio Begins: 01:06:15]

Decision: Renewal denied (3-0) based on the driving record history.

- 19) Norton's Woods, Inc. d/b/a American Academy of Arts and Sciences at 136 Irving Street has applied for a one-day extension to their existing license for a tent adjacent to their building for a luncheon. [Audio Begins: 01:08:51]

Decision: Granted (3-0) as a one-day malt and wine license pursuant to G. L. c. 138, § 14.

One Day Applications – Considered and voted upon by the Board without public testimony.
[Audio Begins: 01:10:07]:

- 20) Paul Clark, has applied for a malt license to be exercised at Forest City, 64 Sidney Street, on 9/17/17 from 9:00 a.m. – 12:00 noon for a road race. Expected attendance – 1800 people.

Decision: Granted (3-0), with the condition that the alcohol must be sold, or there must be an admission charge and a limited number of drinks must be associated with that charge.

- 21) Rev Aleksandar Vlajkovic, on behalf of the St. Sava Serbian Orthodox Church, has applied for a malt and wine with entertainment license to be exercised at 41 Alewife Brook Pkwy, on 9/16/17 from 12:00 p.m. – 10:00 p.m. & 9/17/17 11:00 a.m. – 5:00 p.m. for a festival with patrons dancing, recorded/live music and amplification system. Expected attendance – 1000 people.

Decision: Granted (3-0), and also granted the applicant's request for a peddler's license during the same dates, times and location.

- 22) Jason Alves, on behalf of the East Cambridge Business Association, has applied for a malt and wine with entertainment license to be exercised at Cambridge Street (Between Fulkerson and Fifth St), on 10/1/17 from 12:00 p.m. – 4:00 p.m. for a festival with patrons dancing, recorded/live music and amplification system. Expected attendance – 5000 people.

Decision: Granted (3-0).

- 23) Azem Dervisevic, on behalf of New England Friends of Bosnia, has applied for a wine with entertainment license to be exercised at 2400 Massachusetts Avenue (private parking lot in

back), on 9/24/17 from 12:00 p.m. – 6:00 p.m. for a festival with performers/entertainers dancing, recorded/live music and amplification system. Expected attendance – 200 people.

Decision: Granted (3-0).

- 24) Alexander Maciel, has applied for an all alcohol with entertainment license to be exercised at St. Anthony's Church, 400 Cardinal Medeiros Avenue, on 9/30/17 from 7:00 p.m. – 12:00 a.m. for a fundraiser dinner with patrons dancing, recorded/live music and amplification system. Expected attendance – 250 people.

Decision: Granted (3-0), with the condition that a police detail for the event is required.

- 25) Paddy's Lunch Inc. d/b/a Paddy's Lunch, Ruth Allen, holder of a Common Victualler All Alcohol license at 260 Walden Street has applied for a malt with entertainment license for a block party to be exercised at Huron Avenue, on 10/1/17 from 10:00 a.m. – 5:00 p.m. with patrons dancing, recorded/live music and amplification system. Expected attendance – 200 people.

Decision: Granted (3-0), with the condition that a police detail for the event is required.

- 26) 450 Kendall Hospitality LLC d/b/a Glass House, Jennifer Cleary, holder of Common Victualler All Alcohol license at 450 Kendall Street has applied for a malt and wine license for a private cornhole league to be exercised at south plaza alongside patio, on 9/26, 10/3, 10/10, 10/17, 10/24, 10/31, 11/7, 11/14 and 11/28 from 6:00 p.m. – 8:00 p.m. Expected attendance – 40 people.

Decision: Granted (3-0) only as to 9/26, 10/3, 10/10, 10/17, 10/24 and 10/31; all others are denied (3-0).

- 27) Jillian Davis, on behalf of ALS Therapy Development Institute, has applied for a malt license for a cornhole tournament fundraiser to be exercised at Technology Square courtyard, 300-500 Technology Square, on 9/16/17 from 11:00 a.m. – 4:00 p.m. Expected attendance under 200 people.

Decision: Granted (3-0).

- 28) Erica Gauthier, on behalf of Restaurant Associates, has applied for a malt and wine license to be exercised at 250 Massachusetts Avenue, on 9/13/17 from 6:00 p.m. – 9:00 p.m. for a reception. Expected up to 120 people.

Decision: Granted (3-0).

- 29) Erika Gauthier, on behalf of Restaurant Associates, has applied for a malt and wine license to be exercised at 250 Massachusetts Avenue, on 9/14/17 from 3:00 p.m. – 6:00 p.m. for a reception. Expected attendance – 300 people.

Decision: Granted (3-0).

- 30) William Doane, has applied for a malt and wine with entertainment license to be exercised at Harvard Law School, Jarvis Field, Hark Lounge & Millstein West, on 9/15/17 from 3:30 p.m.- 11:00 p.m. & 9/16/17 from 11:30 a.m. – 4:30 p.m. for a catered event with patrons, performers/entertainers dancing, recorded/live music, amplification system, theatrical exhibition/play/moving picture show & floor show. Expected attendance – 800 people.

Decision: Granted (3-0), with the condition that a police detail for the event is required.

- 31) IBD Ltd d/b/a Darwin's Ltd holder of Common Victualler Wine, Malt & Cordial beverages license, Steve Darwin, has applied for a one-day amendment to existing license at 313 Massachusetts Avenue, on 9/21/17 from 8:00 p.m. – 12:00 a.m. for a private function. Expected attendance – 100 people.

Decision: Granted (3-0).

- 32) Pedro Morales, has applied for a wine license to be exercised at Sanders Theatre, 45 Quincy Street, on 9/14/17 from 5:00 p.m. – 10:00 p.m. for an awards ceremony. Expected attendance – 1000 people.

Decision: Granted (3-0), with the condition that a police detail for the event is required.

- 33) Arlyn dePagter, has applied for a malt and wine license to be exercised at MIT, 20 Ames Street, on 9/14/17 from 4:00 p.m. – 5:30 p.m. for a reception. Expected attendance – 90 people.

Decision: Granted (3-0).

- 34) Alexander Newman, has applied for a malt and wine with entertainment license to be exercised at Greek American Political Club, 288 Green Street, on 9/21/17 & 9/22/17 from 8:00 p.m. – 12:00 a.m. for a comedy festival with amplification system and theatrical exhibition/play/moving picture show. Expected attendance – 75 people.

Decision: Matter deferred, need to obtain more information as to where proposed event is taking place. 288 Green Street currently holds a liquor license, if the space is already licensed, it cannot have a one day license.

- 35) Jacqueline Ng, on behalf of Capital One Café, has applied for an entertainment license to be exercised at 24 JFK Street, on 10/8/17 from 11:00 a.m. – 5:00 p.m. for a party with recorded/live music. Expected attendance – 60 people.

Decision: Granted (3-0).

36) Lisa Lawler, on behalf of Sanofi Genzyme, has applied for an entertainment license to be exercised at 500 Kendall Street, on 10/10/17 with rain date 10/11/17 from 11:30 a.m. – 2:00 p.m. for a private corporate employee event with recorded/live music and amplification system. Expected attendance – 600

Decision: Granted (3-0).

37) Michael Monestime, on behalf of CSBA d/b/a Central Square Business Association, has applied for an entertainment license to be exercised at University Park Commons, 65 Sidney Street, on 9/16/17 from 7:00 a.m. – 5:00 p.m. for a yoga/day of wellness event with patrons, performers/entertainers dancing and amplification system. Expected attendance – 200 people.

Decision: Granted (3-0).

38) Kyann Anderson, on behalf of Kleinfelder, has applied for an entertainment license to be exercised at Donnelly Field, 45 Berkshire Street, on 9/19/17 with rain date 9/26/17 from 5:00 p.m. – 7:00 p.m. for a Cambridge DPW Annual BBQ with patrons dancing, recorded/live music and amplification system. Expected attendance – 500 people.

Decision: Granted (3-0); note the application is on behalf of the Department of Public Works – correction to be reflected on license.

39) Kalina Schloneger, has applied for an entertainment license to be exercised at Wong Auditorium, 70 Memorial Drive, on 9/23/17 from 7:00 p.m. – 10:00 p.m. for a concert with recorded/live music and amplification system. Expected attendance – 30 people.

Decision: Granted (3-0).

40) Kalina Schloneger, has applied for an entertainment license to be exercised at Wong Auditorium, 70 Memorial Drive, on 10/8/17 & 10/15/17 from 4:00 p.m. – 7:00 p.m. for a concert with recorded/live music and amplification system. Expected attendance 30 people.

Decision: Granted (3-0).

41) Maryellen Carvello, on behalf of the City of Cambridge, has applied for an entertainment license to be exercised at Danehy Park, 99 Sherman Street, on 9/16/17 from 11:00 a.m. – 4:00 p.m. for a family day with patrons, performers/entertainers dancing, recorded/live music, amplification system and floor show. Expected attendance – 6000 people.

Decision: Granted (3-0).

42) Jen Benway, on behalf of Lesley University, has applied for an entertainment license to be exercised at Danehy Park, 99 Sherman Street, on 10/22/17 from 8:00 a.m. – 12:00 p.m. for a

soccer game with recorded/live music and amplification system. Expected attendance – 100 people.

Decision: Granted (3-0).

- 43) Bill Manley, on behalf of the Harvard Square Business Association, has applied for an entertainment license to be exercised at Winthrop Park, on 9/17/17 from 5:00 p.m. – 6:00 p.m. for a concert with patrons dancing and recorded/live music. Expected attendance – 50 people.

Decision: Granted (3-0).

- 44) Latonya Smith-Winston d/b/a B. Royal Boutique has applied for a vendor's permit to sell dresses, tops, pants, jewelry and accessories to be exercised at MIT Student Center, on 9/15/17 from 9:00 a.m. – 5:00 p.m.

Decision: Granted (3-0).

- 45) The Kinsey Sicks, LLC has applied for a one-day hawker/peddler license for September 15 and 16 from 3PM until 8PM at Harvard Law School to sell CD's, T shirts, magnets and DVD's.

Decision: Granted (3-0).

- 46) Arlyn dePagter has applied for a one-day malt & wine license on September 14, 2017 from 4 to 6PM at 142 memorial Drive for a reception.

Decision: Granted (3-0).

- 47) Rachel Roccoberon has applied for a one-day wine and malt license at 536 Mass. Ave., the Dance Complex, on September 15, 2017 from 6-9 PM for a dance film screening.

Decision: Granted (3-0).