



CAMBRIDGE LICENSE COMMISSION

831 MASSACHUSETTS AVE, CAMBRIDGE, MA 02139

NICOLE MURATI FERRER
CHAIRPERSON | BOARD MEMBER

BRANVILLE G. BARD, JR.
POLICE COMMISSIONER | BOARD MEMBER

GERARD E. MAHONEY
FIRE CHIEF | BOARD MEMBER

ELIZABETH Y. LINT
EXECUTIVE DIRECTOR

MINUTES FOR THE BOARD OF LICENSE COMMISSIONERS MEETING OF MONDAY, JUNE 29, 2020 At 5:00 p.m.

This meeting was held by remote participation through Zoom, pursuant to Governor Baker's Executive Order of March 10, 2020, suspending certain provisions of M.G.L. ch. 30A.

Meeting started at approximately 5:00 p.m.

Board members in attendance: Chair Nicole Murati Ferrer (present); Commissioner Branville Bard (present); Chief Gerard Mahoney (absent).

Staff member in attendance: Elizabeth Y. Lint.

1. Application #75851 Colwen Management, Inc. d/b/a Fairfield Inn and Suites, 209 Monsignor O'Brien Highway, All Alcohol Innholder License #10760, for a Change of Manager to Robert Michael Ayers.

Present: Attorney Rashi Mangalick; and Robert Ayers.

Documents Considered: Application and documents attached thereto.

Summary: Mr. Ayers stated that he has been working at the hotel since March. He has managed a hotel before but has not been the manager of record on a liquor license. He also stated that he will update his TIPS certification and upload the certificate to the record.

Decision: Granted 2-0, by roll call vote.

2. Application #67134 TTT&K Corp. d/b/a Muku, 411 Massachusetts Avenue, for a new Common Victualler License with proposed hours of 11:30 a.m. to 10:00 p.m. all days with seating for 36 and a total occupancy of 42. Kumiko Oga as proposed manager of record of a premise described as: First floor retail unit of 1297 square feet fronted along one side by a pedestrian passage between Massachusetts Ave and Columbia St, and along another side on a covered retail breezeway. Kitchen and storage are located in rear of premises away from Mass. Ave-Columbia pedestrian passage. There is one entrance/exit on the Mass. Ave-Columbia passage and one entrance/exit on the covered retail breezeway. The public dining room is located in front portion of the premises with access to the passageway and, on the breezeway side, with access to the breezeway. Two public bathrooms are located in the rear along the breezeway side. There will be background music played through speakers and a television.

Present: Dan Wilson and Komiko Oga.

Documents Considered: Application and documents attached thereto.

Summary: This will be a ramen/noodle shop with soups as well as other food items. The currently have a location in Natick. They are also applying for 2 T.V.'s which will be for the menu and to show work being done in the kitchen.

Decision: Grated 2-0 by roll call vote.

3. Application #68716 Anong, Inc. d/b/a Soup Shack, 9 White Street, for a new Common Victualler License with proposed hours of 11:30 a.m. to 10:00 p.m. Sunday through Thursday and 11:30 a.m. to 10:30 p.m. Friday and Saturday with seating for 16 and a total occupancy of 20. Anothai Sompatsorsiri as proposed manage of record of a premise described as: The space is 996 Square footage. There is one restroom at the end of the space on the left. The kitchen and host area will be on the left after coming in from the front entrance. The Dining section will be on the right all the way toward the end of the Space. There is a rear entrance as well as a basement for dry storage. There will be an iPod playing the background music via WIFI speakers.

Present: No one appeared for Soup Shack.

Documents Considered: Application and contents attached thereto.

Summary: The Board discussed that the applicant may have not appeared due to the last-minute change in date of the meeting. The Board discussed that the application was straightforward and considered it on the papers. No one from the public spoke on the matter. The applicant has another location in the state,

Decision: Granted 2-0 by roll call vote.

4. Application #65522 1160 Mass Ave, Inc. d/b/a Kung Fu Tea, 1160 Massachusetts Avenue, for a new Common Victualler License with proposed hours of 11:00 a.m. to 11:00 p.m. all days with seating for 16 and a total occupancy of 19. Jaihui Feng as proposed manager of a premise described as: Approximately 826SF on the first floor. There is a back-of-house area for storage and ware washing and a front-of-house for beverages preparation only.

Present: No one appeared for Kung Fu Tea.

Documents Considered: Application and documents attached thereto.

Summary: The Board discussed that the applicant may have not appeared due to the last-minute change in date of the meeting. The Board discussed that the application was straightforward and considered it on the papers. No one from the public spoke on the matter. The BZA had granted them relief for a fast food establishment. This is a small operation with some food being prepared on site.

Decision: Granted 2-0 by roll call vote.

5. Application #65932 SFJ Group, LLC d/b/a El Jefe's Taqueria, 83 Mount Auburn Street, Common Victualler Wine and Malt License #11568, has applied for a Change of Ownership Interests, and Change of Stock Interest.

Present: No one appeared for El Jefe's.

Documents Considered: Application and documents attached thereto.

Summary: The Board discussed that the applicant may have not appeared due to the last-minute change in date of the meeting. The Board discussed that the application was straightforward and considered it on the papers. It is an update to the LLC. It combines two LLC's. There is no change to the operation of the business.

Decision: Granted 2-0 by roll call vote.

6. Application #67519 Curb Mobility d/b/a Curb, for a Hackney Dispatch Service.

Present: Jason Gross for Curb.

Documents Considered: Application and documents attached thereto.

Summary: Curb is an app for taxis. It was Taxi Magic. They provide a range of services including dispatch and payment services for licensed taxis and for hire vehicles. They also work with the MBTA on the Ride program. The app can be programmed to conform with our regulations. They can also put in any flat rates that we have. They can also use the vouchers. They have different ways the vouchers can work.

Decision: Granted 2-0 by roll call vote.

7. Application #61364 Mass Ave Restaurant, LLC d/b/a Mass Ave Diner, 906 Massachusetts Avenue, Common Victualler Wine and Malt License #11493, has applied for a Change of Ownership Interests, and Change of Stock Interest.

Present: David Barlam.

Documents Considered: Application and document attached thereto.

Summary: This is a change to the ownership structure and stock interest that was discovered through renewals. This is a family run business, and this is a change to reflect this, just updating the LLC. David Barlam will remain the primary shareholder. The operation will not change.

Decision: Granted 2-0 by roll call vote.

Administrative Matters

All the below listed matters are considered and voted upon by the Board without public testimony. Unless otherwise indicated, all the matters are decided upon by the individual review of the papers/applications before the Board members and each member votes upon the matter. The summary of what is considered by the Board, unless otherwise indicated, is the identifying information of the matter as listed on the agenda.

8. Application #68750 Arianne Rucky, on behalf of Chubby Chickpea, LLC d/b/a Chubby Chickpea, has applied for a Hawker/Peddler license to operate every Wednesday at 3rd and Binney Streets.

Decision: Granted, pending a passed inspection with Inspectional Services Department, 2-0 by roll call vote.

9. Application #689454 Christian Surian, on behalf of the Yum Group, Inc., has applied for a new Common Victualler license at 847 Cambridge Street with seating for 19 and hours Sunday from 11:00 a.m. to 10:00 p.m., Monday through Thursday 11:00 a.m. to 11:00 p.m. and Friday and Saturday from 11:00 a.m. to 12:00 a.m.

Decision: Granted 2-0 by roll call vote.

10. Application #73297 Anthony Pacillo, on behalf of President and Fellows of Harvard College, d/b/a Adams House, Claverly Hall, 63 Mount Auburn Street, holder of Lodging House license #10817, has applied for a change to their existing license to increase the overall number of bedrooms from 90 to 116 and total beds (occupants) to 133 from 136.

Decision: Granted 2-0 by roll call vote.

11. Application #70882 Ann Sobolewski, on behalf of Discovery Park DE, LLC, has applied for a new Garage and/or Flammables License at 90 Acorn Park Drive for 657 parking spaces. This is an existing licensed location with new ownership.

Decision: Granted 2-0 by roll call vote.

12. Application #73908 Laurentzi Brabo, on behalf of Hurley Ventures, LLC, has applied for a new Garage and/or Flammables license at 307 Hurley Street for 7 parking residential spaces. This is an existing licensed location with new ownership.

Decision: Granted 2-0 by roll call vote.

13. Application #72139 Jason Biedrzycki, on behalf of FAEC 35 CPD, LLC, d/b/a The Arc, 35 Cambridgepark Drive, has applied for a Garage License for 331 spaces. This is an existing licensed location with new ownership.

Decision: Granted 2-0 by roll call vote.

14. Application #45967 Elizabeth Mallakis, on behalf of Vaimall, Inc d/b/a Kendall House of Pizza, holder of Common Victualler License #12224 at 201 Third Street, has applied to add 12 outdoor seats in their private parking lot.

Decision: Granted 2-0 by roll call vote.

15. Laura Olivier, on behalf of Earthworm, Inc. holder of Waste Hauler license #14076, has requested that the Board consider a reduced renewal fee or postpone the payment.

Summary: The Board received a legal opinion from the Law Department that a renewal fee cannot be waived. The Board also did not think it was appropriate to waive or reduce the fee considering this is an essential business that has been operating. However, considering the general effects COVID-19 has had on all businesses, the Board discussed extending the renewal fee deadline as it had done so for other types of businesses as well.

Decision: The Board voted 2-0, by roll call vote, to deny the request. However, by roll call vote, the Board voted 2-0 to extend the deadline of the waste hauler license renewal fee until the end of July.

16. Application #68144 Orius Fanfan has applied for a new Hackney Driver's License.

Decision: Granted 2-0 by roll call vote.

17. Application #68362 David Katz has applied for a new Hackney Driver's License.

Decision: Granted 2-0 by roll call vote.

18. Application #68859 Wubishet Bahiru has applied for a new Hackney Driver's License.

Decision: Granted 2-0 by roll call vote.

19. Sidali Bentayeb c/o State House Care, Inc. has applied for a new livery license.

Decision: Granted 2-0 by roll call vote.

20. Application #69568 G/J Carting, Inc. has applied for a new Disposal/Solid Waste Hauler License.

Decision: Granted 2-0 by roll call vote.

21. Application #70246 Colin Warren, on behalf of Fred DeRoma & Sons. Has applied for a special noise variance for Saturday and Sundays- 7/11-8/30/2020 with an alternate date of 7/12-9/6/2020. 7:00 AM - 9:00 AM. at 7 Waterhouse Street for excavation of raised platform and installation of new one.

Summary: The Board received opposition to this application, as presented and based on the opposition the applicant changed the application. The Board considered the application as changed by the applicant due to the opposition received: three weekends during the proposed date ranges of 7/18-8/16 or 7/25-8/23, weather permitting.

Decision: Granted 2-0 by roll call vote with conditions/modifications: three weekends during the new dates, cannot use any impact devices or compressor tools before 9:00 a.m., and cannot arrive at the location prior to 8:00 a.m. At 8:00 a.m. may start prepping the work area and may use hand tools. Must inform abutters at least 48 hours prior to commencing the work.

22. Application #77334 John Moriarty and & Sons has applied for a special noise variance for Saturdays and Sundays from 6/27-9/26/2020 with an alternate date of 7/4-9/26/2020 from 7:00 a.m. to 9:00 a.m. at 350 Water Street to erect a tower crane.

Decision: Denied as to any work being performed on 7/4, by roll call vote 2-0; and granted, by roll call vote 2-0, as to everything else.

23. Application #74499 Matt Burnham, on behalf of McCourt, has applied for a special noise variance for Saturdays only from 7/11-8/1/2020 with an alternate date of 7/18-8/8/2020 from 7:00 a.m. to 9:00 a.m. at 2-4 Canal Park for excavators, rollers, pavers, trucks, compressors, compactors and saws.

Decision: Granted 2-0 by roll call vote.

24. Minutes from the hearing of February 12, 2020.

Approved.

24. Ratifications of approvals of Temporary Extensions of Licensed Premises to Outdoor Area Due to COVID-19, pursuant to Boards' vote of June 8, 2020: See attached list.

Decision: Ratified 2-0 by roll call vote.

Continued from March 2, 2020:

25. Disciplinary S.L.W. & P. Hong Kong Rest., Inc., d/b/a Hong Kong Restaurant, 1238 Massachusetts Avenue, Common Victualler All Alcohol License #11688, for allegation of employee making improper bodily contact with a patron on December 6, 2019, in violation G. L. c. 138, §§ 23 and 64, and Board's Rules 2, 2.5, 5.1 and 8.1.

Decision: No action, continued to July 9, 2020.

 NMF

 BGB

Date Minutes Approved SEP 15 2020

Date Minutes Posted SEP 15 2020