



# CAMBRIDGE LICENSE COMMISSION

831 MASSACHUSETTS AVE, CAMBRIDGE, MA 02139

NICOLE MURATI FERRER  
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ELIZABETH Y. LINT  
EXECUTIVE DIRECTOR

## BOARD OF LICENSE COMMISSIONER'S MEETING MINUTES For Monday, March 2, 2020

Michael J. Lombardi Building  
831 Massachusetts Avenue  
Carmelia M. Vicente Conference Room (Basement Level)  
Cambridge, Massachusetts

**Board of License Commissioners Board Members:** Nicole Murati Ferrer (Absent), Gerard E. Mahoney (Present), and Branville G. Bard (Present).

**Staff Member Present:** Elizabeth Y. Lint, Executive Director.

Meeting started at approximately 3:03 p.m.

### Applicant/Licensee Testimony Matters

1) 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. [Time Stamp: 01:05]

**Present:** Attorney Kevin Crane and Paul Lee, owner; Licensing Investigator Tyler Bubenik; Christopher Parks, Officer Steven Burke and Sgt. William Macedo.

**Documents Considered:** License file, hearing notice and documents attached thereto.

**Summary:** Testimony elicited at the hearing was that Hong Kong staff called the police on December 6, 2019 as a patron and a bouncer having an altercation. Investigation revealed that the patron was trying to leave without paying his bill. The patron became argumentative and threatening. The patron pushed and punched Mr. Parks, the bar manager, and he was then taken to the ground. Hong Kong staff stated that they did not feel he was intoxicated, but that there was something wrong with him. When police arrived, they found the patron to be uncooperative and agitated. Officer Burke stated that the patron stated his friend had died that day and he appeared to be looking for a fight. They found a metal pipe in his bag. Officer Burke stated further that the Hong Kong staff acted reasonably under the circumstances. He asked Mr. Parks if he wanted to press charges and he said he did not.

**Decision:** Matter taken under advisement to 3/25 agenda.

2) Disciplinary Midwest Grill, Inc. d/b/a Midwest Grill, 1124 Cambridge Street, Common Victualler All Alcohol License #11348, for allegations of: (1) Transfer of privilege of the license

and/or changes to the beneficial interest holders of the license and/or changes to the officers/directors without approval from the Board and the Alcoholic Beverages Control Commission, in violation G. L. c. 138, §§ 15A, 23, and 64, and Board's Rules 2.4, 2.5, 5.5 and 5.6; and (2) Change of Manager of Record without approval from the Board and the Alcoholic Beverages Control Commission, in violation G. L. c. 138, §§ 26 and 64, and Board's Rules 2.4, 2.5, and 5.2. [Time Stamp: 35:18]

**Decision:** No Show, no action. 2nd call was at 4:31

3) Disciplinary Paige Landscape Company, 2255 Providence Highway, Walpole, MA, for alleged violations of Cambridge Municipal Code ("CMC") 8.16.081 on February 5, 2020 at approximately 10:37 a.m. at 353 Fresh Pond Parkway for: (1) Failure to comply with a June 25, 2019 Cease and Desist Order; (2) Operating without a permit in violation of CMC 8.16.081.1(1)(b) and 8.16.081.2(c); and (3) Operating during a prohibited period in violation of CMC 8.16.081.2(a). [Time Stamp: 37:02]

**Present:** Licensing Investigator Tyler Bubenik and Brian Paige.

**Documents Considered:** License file, hearing notice and documents attached thereto.

**Summary:** A complaint was received through See Click Fix on February 2, 2020 alleging Paige Landscape was operating 2 leaf blowers in the Bank of America parking lot on Fresh Pond Pkwy. On June 24, 2019 they were observed at the same location operating multiple leaf blowers. A cease and desist was sent and they applied for a permit on March 2, 2020. Mr. Paige stated that Bank of America is their only client in Cambridge.

**Decision:** Violation- \$300 fine for each for a total of \$600.

4) Disciplinary Azzam Development and/or SKC Properties and/or its employees for alleged violations of Cambridge Municipal Code 8.16.080(F) at 45-47 Granite Street on: (1) September 2, 2019 at approximately 7:15 a.m.; (2) November 14, 2019 at approximately 6:21 a.m.; (3) November 16, 2019 at approximately 7:00 a.m.; (4) January 29, 2020 at approximately 7:15 p.m.; (5) January 30, 2020 at approximately 6:40 a.m.; and (6) January 31, 2020 at approximately 6:10 p.m.

Continued prior to hearing to 3/25/2020

5) Application #54738 Spyce Food Co., 1 Brattle Square, has applied for a new Common Victualler All Alcohol Beverages License. The proposed hours of operation are 10:00 a.m. to 2:00 a.m. Sunday through Wednesday and 10:00 a.m. to 4:00 a.m. Thursday through Saturday with alcohol sales until 2:00 a.m. Proposed seating for 55 inside, an inside occupancy of 80, 22 seats outside on a private property, and an outside occupancy of 30. Michael Lipari as Proposed Manager of Record of a premise described as: 2,700 sq. ft. On ground floor, in two (2) rooms including a dining room with one (1) bar, kitchen, two (2) restrooms, and a seasonal outdoor patio on private property; office and storage in rear of premises (closed off to public access). The premise has two (2) entrances, and (1) exit. Also, for an Entertainment License to include: Live music with amplification; floor show; DJ; trivia; 3 TV's; and 1 stage. [Time Stamp: ]

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**Present:** Attorney Kristen Scanlon; Kale Roger; Michael Fried.

**Documents Considered:** Hearing notice and documents attached thereto.

**Summary:** This application had been approved in the fall. While pending at the ABCC, there were changes to officers and directors and disclosures in question 6. There are many individuals with varying percentages, including less than 1%. This is being brought forward to correct the record. They are also adding 2 speakers on outdoor patio for ambient sound.

**Decision:** Granted.

- 6) Application #63869 Café ArtScience, LLC d/b/a Café ArtScience, 650 East Kendall Street, Common Victualler All Alcohol License #11543, for a change of d/b/a to Senses. [Time Stamp: 46:53]

**Present:** Attorney Kristen Scanlon; Mark Grande and Mary Laughton.

**Documents Considered:** Hearing notice and documents attached thereto.

**Summary:** This is a change of d/b/a to Senses and new concept. There are no changes to operation or ownership. Mr. Edwards will remain controlling owner.

**Decision:** Granted.

- 7) Application #65459 Barry Bros Disposal/JetAWay for a Disposal/Solid Waste Hauler License. [Time Stamp: 51:05]

**Present:** Michael Barry.

**Documents Considered:** Application and documents attached thereto.

**Summary:** In August 2018 they installed GPS in all trucks to track their location to make sure they are not in the City during prohibited times. They have 15 clients in Cambridge.53:06

**Decision:** Granted.

- 8) Application #63767 Transfer the Common Victualler All Alcoholic Beverages License held by 242 Incorporated d/b/a Cambridge 1 Restaurant, 27 Church Street to 261 SRC, LLC d/b/a Source Restaurant, 27 Church Street. The proposed hours of operation are 8:00 a.m. to 1:00 a.m. Monday through Saturday and 10:00 a.m. to 1:00 a.m. Sunday with proposed seating for 95. Daniel Roughan as Proposed Manager of Record of a premise described as: 2,200 sq. ft. on first floor, with Restaurant, kitchen, bar and three bathrooms, one entrance and one exit, storage in basement and office on the mezzanine. Also applying for a pledge of the license. [Time Stamp: 53:06]

**Present:** Attorney Mark Evgiliades and Mark Roughan, manager and sole owner. Attorney Kevin Crane, on behalf of the landlord; Denise Jillson on behalf of the Harvard Square Business Association.

**Documents Considered:** Application and documents attached thereto.

**Summary:** They are seeking a pledge from Eastern Bank and background music. This will be locally sourced, farm to table concept. They will also have wood fired pizza. All necessary documents were submitted. Mr. Crane and Ms. Jillson spoke in favor of the application and that it will help to re-invigorate the street.

**Decision:** Granted.

- 9) Application #65389 Homeowner's Rehab Inc., d/b/a HRI Concord Highlands II LLC, 675 Concord Avenue, has applied for a Garage License for 35 parking spaces and 350 gallons of gasoline in the tanks of autos only. [Time Stamp: 59:25]

**Present:** Jane Carbone and Rebecca Schofield.

**Documents Considered:** Application and documents attached thereto.

**Summary:** This is a parking lot for residents and guests with 35 spaces. There is no fee for the spaces.

**Decision:** Granted.

- 10) Application #65346 Oaktree 2013 Mass Ave, LLC, 7 Beech Street and 1991 Massachusetts Avenue has applied for a Garage License for 64 parking spaces and 640 gallons of gasoline in the tanks of autos only. [Time Stamp: 1:01:35]

**Present:** Phillip Terzis.

**Documents Considered:** Hearing notice and documents attached thereto.

**Summary:** There are 46 units which each have a space deeded with the unit. There are 18 spaces dedicated to the church. There are 2 spaces at grade and 62 underground. Permit is for 620 gallons as 2 spaces are at grade.

**Decision:** Granted.

- 110 Application #61667 Goodnight Banana, LLC d/b/a Gracie's Ice Cream, 399 Binney Street Ste. 2, has applied for a new Common Victualler All Alcohol Beverages License. The proposed hours of operation are 7:00 a.m. to 11:00 a.m. Sunday through Thursday and 7:00 a.m. to 12:00 a.m. Friday and

Saturday with alcohol sales starting after 11:00 a.m. on Saturday and Sunday and after 12:00 p.m. Monday through Friday. Proposed seating for 20 inside and 9 seats outside on a private property. Aaron Cohen as Proposed Manager of Record of a premise described as: 750 sq. ft. on the first floor. One room and a bathroom, and no access to additional floors. There is one entrance and exit towards the front. Open kitchen behind the ice cream counter and bar. [Time Stamp: 1:04:00]

**Present:** Aaron Cohen and Chris McClelland.

**Documents Considered:** Application and documents attached thereto.

**Summary:** Applicants stated that they don't need a permit from TTB as the alcohol is burned off prior to making in to ice cream. They are in possession of the space and have commenced work. Many documents needed to be amended/uploaded.

**Decision:** Continued to 3/25 for applicants to correct application, pay ABCC \$200 fee and obtain state permit if necessary.

12) Application #65411 Sumiao Xiang Restaurant, LLC d/b/a Sumiao Hunan Kitchen, 270 Third Street, Common Victualler All Alcohol License #11578, for a Change of Manager to Sumiao Chen. [Time Stamp: 1:1-:15]

**Present:** Meiki Fu and Sumiao Chen, owner.

**Documents Considered:** Application and documents attached thereto.

**Summary:** Ms. Chen is Tips certified and has serve safe. She owns 6 restaurants and has significant experience in the business.

**Decision:** Granted.

#### **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. [Time Stamp: 1:13:30]*

13) Board correction of statement regarding license # 11249 and status of liquor license. While voting on the CV application that went into the space, it was noted that Lic. #11249 was an alcohol no value non-transferable license. The license has no value, but it is transferable. After reaching out to the holders, it is their intent to transfer the license. Therefore, the license is still valid. The Board may hold an informational hearing for non-use to determine its transfer status.

**Decision:** Board acknowledged.

14) Application #67794 Jack Barber, on behalf of Mainely Burgers MA, LLC d/b/a Mainely Burgers, holder of Common Victualler Wine & Malt license #11594, has applied for a one day extension to their existing license on March 26, 2020, to remain open until 1:00 a.m. serving food and beer. Current closing hour is 10:00 p.m.

**Decision:** Granted.

15) Application #67251 John Moriarty, on behalf of Commodore Builders, has applied for a special noise variance weekdays from 6:00 a.m. to 7:00 a.m., Saturdays, Sundays and holidays from 6:00 a.m. to 9:00 a.m. and weekdays, Saturday, Sunday and holidays from 6:00 p.m. to 6:00 a.m. from March 3, 2020 (alternate start date of March 4, 2020) through June 30, 2020 at 20 University Road for interior work.

**Decision:** A Sunday/holiday work permit is needed from the Cambridge Police Department.

16) Application #67278 Susan Ciulla, on behalf of Michael Seaberg, has applied for a special noise variance for leaf blower usage for commencement, events and orientation from March 17, 2020 through December 31, 2020 weekdays from 7:00 to 8:00 a.m. and Saturdays only (no holidays) from 7:00 a.m. to 9:00 p.m. at MIT.

**Decision:** Granted.

17) Application #67873 Chris Shaughnessy, on behalf of CJ Shaughnessy Crane Service, Inc., has applied for a special noise variance on March 14, 2020 (alternate date of March 28, 2020) from 4:00 a.m. to 6:00 p.m. at 65 Mt. Auburn Street for trucks and back up alarms.

**Decision:** This is a duplicate application, so it was rejected.

18) Kosta Diamantopolis, on behalf of All Star Sandwich Bar and All Star Pizza Bar, is requesting that a portion of their first half alcohol license fee be refunded as they were only open for 1 ½ months. Denied as ch 138 sec. 23 states that there is no license reimbursement of license fee once it has been out in to use, not matter for how short a time.

**Decision:** Board acknowledged.

19) Application #66493 Sara Stevens, on behalf of Caring for a cure, has applied for a Charity Wine License for April 4, 2020 from 5:00 p.m. to 11:00 p.m. for a fundraiser.

**Decision:** Granted.

### One Day License Applications

*These applications are also considered administratively and there is no public testimony taken or requested. 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. In addition, the documents considered by the Board are the application submitted by the applicant and any other supporting document attached thereto. Police detail is required on some based on the recommendation of the signing-off police department. [Time Stamp: 1:20:25 ]*

20) Application # 64014 Karen Engels has applied for a malt and wine with entertainment license to be exercised at Cambridge Masonic Hall, 1950 Massachusetts Avenue, on 4/18/20 from 3:00 p.m. – 12:30 p.m. (7:30 p.m. – 11:00 p.m. party) for a bat mitzvah reception with patrons dancing, recorded music and amplification system. Expected attendance – 110 people.

**Decision:** Granted with amended time of 12 a.m. per permission letter.

21) Application # 65101 Catie Fauvelle has applied for an entertainment license to be exercised at North Point Park, 1 Education Circle, on 5/2/20 from 7:00 a.m. – 12:00 p.m. for a walk fundraiser with recorded music and amplification system. Expected attendance – 100 people.

**Decision:** Granted

22) Application # 65277 Ben Engle on behalf of ALS Therapy Development Institute, has applied for a malt with entertainment license to be exercised at Atrium at Technology Square (space between buildings 100 and 200), on 3/7/20 from 11:00 a.m. – 3:00 p.m. for a fundraiser with recorded music and amplification system. Expected attendance – 500 people.

**Decision:** For alcohol to be donated, must supply proof of 501(c)(3) status. Per permission letter: alcohol hours limited to 12-3 p.m.; malt beverage tasting limited to two ounces per serving and food shall be served in conjunction with the malt beverage tasting. There must be a limited # of tastings (4) associated with the admission price. Otherwise/thereafter, tastings must be sold.

23) Application # 65750 Marcus Graly, on behalf of Boston Intergenerational Dance Advocates (BIDA), has applied for an entertainment license to be exercised at Cambridge Masonic Hall, 1950 Massachusetts Avenue, on 3/20 7:00 p.m. – 11:00 p.m.; 3/21 9:30 a.m. – 11:00 p.m. and 3/22 9:30 a.m. – 3:00 p.m. for a dance weekend with patrons dancing, live music and amplification system. Expected attendance – 150 people.

**Decision:** Granted.

24) Application # 65753 Noah Ramos has applied for an entertainment license to be exercised at 59 Shepard Street, on 3/7/20 from 12:00 p.m. – 8:00 p.m. for a dance competition with patrons dancing,

performers/entertainers dancing, dj. live music, amplification system, floor show and dynamic audio/visual show live/recorded. Expected attendance – 100 people.

**Decision:** Granted with an amended time of 2 p.m. per HUPD sign off, police detail is required.

25) Application # 66211 & 66216 Lydia Albano, on behalf of Aletheia Church, has applied for an entertainment and one day temporary amusement license to be exercised at Riverside Press Park, 2 Blackstone Street, on 4/11/20 from 9:00 a.m. – 12:00 p.m. for an easter egg hunt and bounce house with recorded music and amplification system. Expected attendance – 300 people.

**Decision:** Granted.

26) Application # 66573 Cory Shea (Davoren) has applied for a malt and wine with entertainment license to be exercised at Lesley University Lunder Arts Building, 1801 Massachusetts Avenue, on 3/12/20 from 5:00 p.m. – 11:00 p.m. for a fundraiser and 10th anniversary celebration with live music. Expected attendance – 150 people.

**Decision:** Need proof of 501(c)(3) status for alcohol to be donated. Amended hours of 6-10 p.m. per permission letter.

27) Application # 66778 Katy Chirichiello has applied for an entertainment license to be exercised at Little donkey, 505 Massachusetts Avenue, on 3/21/20 from 6:00 p.m. – 12:00 a.m. for a private gathering with patrons dancing and live music. Expected attendance – 100 people.

**Decision:** Granted.

28) Application # 66995 Russell Marshall has applied for a wine license to be exercised at Zabriskie House, 27 Garden Street, on 3/4/20 with rain date 3/5/20 from 7:00 p.m. – 9:00 p.m. for a reception. Expected attendance – 30 people.

**Decision:**

29) Application # 66998 Russell Marshall has applied for an entertainment license to be exercised at 27 Garden Street, on 3/4/20 with rain date 3/5/20 from 8:00 p.m. – 10:00 p.m. for a concert with live music. Expected attendance – 100 people.

**Decision:** Granted. For alcohol to be donated, must provide proof of 501(c)(3) status.

30) Application # 67439 Hannah Grube, on behalf of Longy School of Music, has applied for a wine license to be exercised at Harvard University Memorial Hall, 45 Quincy Street, on 3/16/20 from 5:30 p.m. – 9:30 p.m. for a gala dinner. Expected attendance – 400 people.

**Decision:** Granted. There must be a limited # of drinks (4) associated with the admission charge. Otherwise/thereafter, alcohol must be sold.



31) Application # 67212 Joseph Griffith has applied for a one day hawker/peddler license to be exercised at Sanders Theatre, 45 Quincy Street, on 3/7/20 from 8:00 p.m. – 10:30 p.m. to sell clothing.

**Decision:** Granted.

32) Application # 67574 Jennifer Smith has applied for an entertainment license to be exercised at MIT, 48 Massachusetts Avenue, on 3/22/20 from 3:00 p.m. – 6:00 p.m. for a dance performance with performers/entertainers dancing, recorded music and amplification system. Expected attendance – 850 people.

**Decision:** Granted

33) Application # 67733 Grendel's Den Inc. d/b/a Grendel's Den, Common Victualler All Alcohol license # 11382, has applied for an entertainment license to be exercised at 89 Winthrop Street, on 3/8/20 from 4:00 p.m. – 8:00 p.m. for a storyteller with acoustic amplification system. Expected attendance – 72 people.

**Decision:**

34) Application # 67899 Nicole Whyte, on behalf of Commonwealth Restaurant, has applied for a malt and wine license to be exercised at 650 East Kendall Street, on 4/2/20 from 6:00 p.m. – 8:30 p.m. for a CitySprouts digit fundraising event. Expected attendance – 300 people.

**Decision:** For donated alcohol, need proof of 501(c)(3) status. There must be a limited # of drinks (4) associated with the admission price; otherwise/thereafter, alcohol must be sold.

35) Application # 67832 Kristen Patrice has applied for a malt and wine with entertainment license to be exercised at Parents Nursery School, 117 Cushing Street, on 3/7/20 from 7:00 p.m. – 10:00 p.m. for a school fundraiser with patrons dancing, recorded music and live music. Expected attendance – 40 people.

**Decision:** Granted. There must be a limited # of drinks (3) associated with the admission price; otherwise/thereafter, alcohol must be sold.

36) Application # 68017 Parker Woods has applied for a one day hawker/peddler license to be exercised at Sanders Theatre, 45 Quincy Street, on 3/13/20 from 7:00 p.m. – 11:00 p.m. to sell t-shirts, posters and cd's.

**Decision:** Granted.

37) Application # 68140 Jacob Crawford, on behalf of The Dance Complex, has applied for a malt and wine license to be exercised at 536 Massachusetts Avenue, on 3/6/20, 3/7/20 & 3/27/20 from 6:00 p.m. – 11:00 p.m. for a dance performance. Expected attendance – 80 people.

**Decision:** Granted.

38) Application # 68173 Ruoxuan Yang has applied for a malt and wine with entertainment license to be exercised at MIT, 142 Memorial Drive, on 3/6/20 from 5:00 p.m. – 9:00 p.m. for a concert with live music and amplification system. Expected attendance – 200 people.

**Granted.** Alcohol must be sold. A police detail is required.

**Late Submissions/Additions to the Agenda**

39) Application #68298 Patricia Marie Weinman, on behalf of the Boston Opera Collaborative, has applied for a one day entertainment license for March 20, 21 and 22, 2020 27 Garden Street from 7:00 p.m. to 10:00 p.m. on Friday and Saturday and 2:00 p.m. to 5:00 p.m. on Sunday for concerts.

**Decision:** Granted.

40) The License Commission has received notice that Abdelouahad Nadeff has purchased medallion #129.

**Decision:** Board acknowledged.

41) Application #68565 Stephen Meuse, on behalf of the City of Cambridge Traffic, Parking & Transportation Department, has applied for a Special Noise Variance weekdays from March 23 through December 31, 202 (Alternate start date of March 24, 2020) from 8:00 p.m. to 5:00 a.m. city wide for marking and grinding.

**Decision:** Granted

42) Application #68490 Matt Burnham, on behalf of McCourt Construction, has applied for a special noise variance on March 14, 2020 (alternate date of March 21, 2020) from 7:00 a.m. to 9:00 a.m. at 2 Canal Park for a City betterment project.

**Decision:** Granted.

43) Application #68479 Joseph Angulo, on behalf of Turner Construction, has applied for a special noise variance from March 13 through April 5, 202 (alternate date of March 14 through April 6, 2020) Saturday, Sunday and Holidays only from 7:00 a.m. to 9:00 a.m. and 6:00 p.m. to 10:00 p.m. at 238 Main Street for cranes, trucks rigging and welding.

**Decision:** Granted. Must obtain work permits from CPD

44) Application #68599 Sandy McCullough, on behalf of Joe Sent Me, 2388 Massachusetts Avenue, has applied for a one day entertainment license on March 6, 2020 from 7:00 to 10:00 p.m. for music.

**Decision:** Granted.

45) Application #68590 Scott Fraser, on behalf of Jose Mateo Ballet Theatre, 400 Harvard Street, has applied for one day wine, malt and entertainment licenses on March 14, 21 and 28; April 4, 18 and 25; May 2, 9 and 16 from 6:00 to 10:00 p.m. for concerts.

**Decision:** Granted.

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Board's Approval of Minutes

Date Minutes Approved JUL 09 2020

GEM [Signature]

Date Minutes Posted 7/13/2020

BGB [Signature]