



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

BOARD OF LICENSE COMMISSIONERS' MEETING AGENDA

Wednesday, May 13, 2021, 11:00 a.m.

By Remote Participation

The meeting was held by remote participation through Zoom, pursuant to Governor Baker's Executive Order of March 12, 2020, suspending certain provisions of M.G.L. c. 30A, due to the COVID-19 Pandemic. Meeting started at approximately 11:04 a.m.

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

Staff member in attendance: Elizabeth Y Lint.

Note: All decisions/votes were by roll call vote, and 2-0, unless otherwise specified.

1) Informational Goden Street, Inc. d/b/a The Rising, 1172 Cambridge Street, Common Victualler All Alcohol License #11554, for non-use pursuant to, but not limited to, M. G. L. c. 138, §§ 23, 64, and 77. **(Time Stamp: 01:50)**

Present: Kevin Treanor, Mr. Kourtidis and Attorney Stetson.

Documents Considered: Hearing notice and file.

Summary: The parties are in litigation. There is no agreement for a lease. Mr. Treanor is trying to find a new location to put the license to use. Attorney Stetson stated that the Rising vacated the space and returned the keys. They have a new tenant for the space who requires a liquor license. 85% of the license fee is still due.

Decision: Provided the licensee pays the remainder 85% of the renewal fee, the licensee has 6 months to transfer or move the license, otherwise the Board will hold a cancellation hearing for non-use to cancel/revoke the license, pursuant to G. L. c. 138, § 77.

2) Application #113657 Nem Kitchen, LLC d/b/a Cicada Coffee Bar, 106 Prospect Street, holder of a Common Victualler License #89941, has applied to add Wine and Malt Beverages with proposed hours of operation of 8:00 a.m. to 10:00 p.m. Monday through Saturday, and 10:00 a.m. to 10:00 p.m. Sunday with seating for 17 inside, an occupancy of 20, and 5 patio seats on private property with an outside occupancy of 8. Duong Huynh as Proposed Manager of Record of a premise described as: 648 gross square feet of indoor space, open floor plan with one dining room, one front entrance and one back exit, open kitchen, and prep area. Basement for storage. 1,000 square feet outdoor patio on private property. **(Time Stamp: 19:32)**

Present: Duong Huynh, Vin Lei and Michael Fang.

Documents Considered: Application and documents attached thereto.

Summary: Licensee stated they would like to extend their hours to 7:00 a.m. to 11:00 p.m. Opening during COVID was challenging. The community enjoys the space. When they first applied for the CV, they stated they would like to move into a wine and malt program. It coordinates with their food concept and Vietnamese culture. They use local vendors. There are very few places in the area that offer food and wine. Floor plan will not change. They have a maximum seating of 17 so there cannot be more. There can only be 5 seats outside. There were numerous letters of support and 2 in opposition. This will enhance the area and help to revitalize Central Square. There is concern about more noise, trash, and parking issues. A new ABCC application is needed to remove outdoor area.

Decision: Granted, with the amendment that the sale, service and consumption of alcohol is only indoors, closing hour 11:00 p.m. on all days, and opening hour on food at 7:00 a.m.

3) Application #85883 281-295 Albany Street Leasehold LLC, 281 Albany Street, has applied for a Flammables License for 1,920 gallons of Class 1, 1,000 gallons of Class 2, 1,000 gallons of Class 3, 5 pounds of flammable solids, and 5 cubic feet of flammable gases. Applicant is also applying for 24 open air parking spaces. **(Time Stamp: 1:12:08)**

Present: Will Wong, Jonathan Eisenberg, and Allen Breed.

Documents Considered: Application and documents attached thereto.

Summary: The parking spaces are for their tenant, Intelia. The flammables are for tenant usage and not for direct consumption.

Decision: Granted, with 24 for fee parking spaces and flammables not for direct consumption.

4) Application #112007 Wusong Road, LLC d/b/a Wusong Road, 2 Bennett Street, has applied for a New Common Victualler All Alcoholic Beverages License with proposed hours of operation of 11:00 a.m. to 2:00 a.m. all days with seating for 159 and total occupancy of 196. Jason Doo as Proposed Manager of Record of a premises described as: Three (3) floors with a total Gross Area of 7,425 square feet, consisting of: 2,875 square foot basement with thirteen rooms, bathrooms and closets, and elevator. 2,275 square foot First Floor with four rooms, bathrooms and closets, and elevator. 2,275 square foot Second Floor with five rooms, bathrooms, and closets, and elevator. **(Time Stamp: 1:18:45)**

Present: Jason Doo and Tom Brush.

Documents Considered: Application and documents attached thereto.

Summary: This space is in the Conductor's Building and was formerly Les Sablons. They will be the only restaurant in the U.S. with a Peking Duck oven. Mr. Doo has been manager of record in the past with no issues. There is no seating in the basement and the TV's are on carts for private events only. Many letters in support were received.

Decision: Granted.

5) Application #114188 HRB MA Holdings, LLC d/b/a Hyatt Regency Cambridge, 575 Memorial Drive, All Alcohol Innholder License #66021, for a Change of Manager to Melissa Green. **(Time Stamp: 1:23:50)**

Present: Melissa Green.

Documents Considered: Application and documents attached thereto.

Summary: Ms. Green has been manager of record before without issues.

Decision: Granted.

6) Disciplinary Venuto Landscaping, holder of Leaf Blower Permit #13720, for allegations of violations of 8.16.081.2(f) – Limit of one blower per 10,000 square feet, and 8.16.081.2(b) – Operating blowers on a legal holiday, on April 19, 2021 at the vicinity of 34 Buckingham Street. **(Time Stamp: 1:26:00)**

Present: Tyler Bubenik.

Documents Considered: Hearing notice, email, and video.

Summary: Nick Venuto did not appear. Mr. Bubenik received an email from a resident with video attached stating that multiple leaf blowers were being used on Patriots' Day. The video did not clearly show more than one leaf blower being operated.

Decision: No violation for simultaneous use of multiple leaf blowers; violation for operating on a legal holiday, \$300.00 fine imposed.

7) Disciplinary Nicolazzo & Sons Landscape alleging that you or employees of Nicolazzo & Sons Landscape operated leaf blowers on April 13, 2021 at approximately 11:20 a.m. in the vicinity of 6 Berkeley Place in violation of 8.16.081.1(b) and 8.16.081.2(c) – operating without a permit. **(Time Stamp: 1:28:14)**

Present: Tyler Bubenik and Mike Nicolazzo.

Documents Considered: Hearing notice and documents attached thereto.

Summary: Mr. Bubenik stated he received an email from a resident with photos attached showing employees of Nicolazzo & Sons operating leaf blowers without being permitted. Mr. Nicolazzo admitted to the violation. Nicolazzo was under the impression that they needed to wait for a hearing before the Board prior to being able to re-apply for a permit.

Decision: Board found a violation and gave Mr. Nicolazzo one week to apply for a permit. If an application is filed, the violation will be placed on file. If no application is received by May 20, 2021, a \$300 fine will be imposed.

8) Application #117172 Tom Saidnawey on behalf of Pemberton Farms has applied for a special noise variance for 5/14/21 – 11/14/21 (No alternate dates specified) at 2225 Massachusetts Avenue, from 5:30 a.m. to 8:30 a.m., to accept early deliveries from vendors. The variance is being requested to

allow for the delivery of goods prior to 6:00 a.m. when the establishment opens its doors to the senior population.

Removed from agenda prior to hearing.

9) Application #117275 Aaron Butler on behalf of Consigli Construction has applied for a special noise variance for 5/15/21 – 7/31/21 (Alt. 5/22/21 – 8/7/21) at 450 Water Street, from 7:00 a.m. to 9:00 a.m. on Saturdays to perform interior fit-out and exterior curtainwall installation using delivery trucks, dumpsters, scissor lifts, and forklifts. The variance is being requested to extend the workday and expedite the work schedule with quiet activities while maintaining COVID 19 Protocol. **(Time Stamp: 1:33:45)**

Present: Andrew Rouille, Ed LeFlore and Mike Ragusa.

Documents Considered: Application and documents attached thereto.

Summary: Noise complaints have been received about this location. They were not in compliance with the special noise variance. They are now doing more community outreach. Mr. Bubenik and DPW met with the applicant to provide feedback as to how to remain compliant. This is inside work, but they wanted to be transparent.

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: 1:37:57)

10) Application #95965 Elliot Mortell, on behalf of The Residences at Alewife Station, LLC, 201 and 203 Concord Turnpike, has applied for an Open Air Parking Lot License for 26 vehicles.

Decision: Granted subject to submission of flammable materials permit.

11) Application #107924 Sophie Benyamina, on behalf of Praline, LLC d/b/a Praline, 907 Main Street, has applied for a Common Victualler License for a coffee shop and bakery with 21 seats, occupancy of 40 and hours Monday through Friday from 6:30 a.m. to 6:30 p.m., Saturday 7:00 a.m. to 6:30 p.m. and Sunday 7:00 a.m. to 4:00 p.m. Premises is described as approximately 1,100 sq. feet, with access on Columbia Street. This is part of the 907 Main Hotel.

Decision: Granted. A Certificate of Inspection is needed.

12) Application #118620 Derric Small, on behalf of Cosver, LLC, d/b/a Tenoch Mexican, has applied for a Common Victualler license at 8 Museum Way. The premises is described as approximately 5,000 sq. ft. on the ground floor of 8-14 Museum Way, with seating for 30 and occupancy of 50, hours 10:00 a.m. to 9:00 p.m. all days.

Decision: Application incomplete- deferred.

13) Application #119532 Pat MacCauley, on behalf of PlantPub(Kendall), Inc., d/b/a PlantPub, has applied for a Common Victualler license at 675 West Kendall Street, on the first floor with 1,519 sq. ft., kitchen, storage and restroom, with 15 seats. Hours 11:00 a.m. to 9:00 p.m. all days.

Decision: Granted.

14) Update: Coleman Murray, Inc. d/b/a The Field, 20 Prospect Street, Common Victualler All Alcohol License #11677, for non-use. Information has been received that the license is in the process of being transferred.

Summary: Beneficial interest holder has severe medical problems as this time. His wife called to inform the Board they are in the process of transferring the license. The application should be coming in forthwith. They were informed that the 85% remainder needs to be paid to ensure the license remains valid while the license transfers.

Decision: Matter will be taken off the agenda. If the renewal fee is paid, and no transfer application is filed by June 1, 2021, then the matter will be brought back before the Board.

Ratifications:

15) Application #115000 HK Food Group 1030, LLC, d/b/a Waypoint, 1030 Massachusetts Ave., License #11547, for 7 tables on the public sidewalk and 3 tables on private property. Closing hour of the outdoor patio is 11:00 p.m.

16) Application 115526 Spyce Food Co., Inc. d/b/a/ Spyce, 1 Brattle Sq., License #54738, for 3 four-top tables (one of which is ADA) and 1 two-top table in an area next to Spyce's existing patio. Conditions: Conditions: Alcohol must be taken outside by staff; outdoor area must be monitored by managerial staff; Outdoor closing hour is 11:00 p.m.

17) Application #86613 Numikoff Consulting, d/b/a Silk Road Uyghur Cuisine, License #12275, for 8 seats on the public sidewalk, no alcohol. Conditions: Outdoor closing hour is 11:00 p.m.; Barriers must run the length of the parking space where the tables are located.

Decision: Ratified as to all.

18) Discussion of Board vote of September 28, 2020 regarding a one-time change to the renewal fees.

Summary: License Commission staff noticed a miscalculation of fees, the due date for the 85% balance of the renewal fee is May 30. By extending it to June 15, it will give IT and the staff the time to correct the fee issue. We will review the paid records and issue refunds for those who overpaid, and issue updated invoices for those who underpaid.

Decision: Deadline to pay the 85% balance of the renewal fee is extended to June 15, 2021.

Ratifications:

19) Application #115944 Veggie Galaxy, LLC d/b/a Veggie Galaxy, 450 Massachusetts Ave., to extend the currently approved patio area further on the sidewalk and parking lane with a platform and coral. Outdoor closing time is 10:00 p.m. Sunday through Thursday and 1:00 p.m. Friday and Saturday.

20) Application #117892 Curio Coffee, LLC d/b/a Curio Coffee and Wine, 441 Cambridge Street, to extend in to the 2 parking spaces in front of 441 and 435 Cambridge Street, for 24 Seats. Outdoor closing hour is 11:00 p.m.

21) Application #116811 Between a Rock, LLC d/b/a Artifact Cider Project, 438 Mass. Ave., to expand into the frontage of 424-465 Mass. Ave. for 16 tables and 65 seats. Outdoor closing hour is 11:00 p.m.

22) Application #119347 Hi-Rise Bread Company, Inc. d/b/a Hi-Rise bread Company, 208 Concord Ave., for 5 tables and 12 chairs in front of 208 Concord Ave. Closing hour of the outdoor patio is 11:00 p.m. The space is for the sale, service, and consumption of food only.

23) Application #113717 Stoked Pizza Cambridge, LL d/b/a Stoked Pizza Co., 1611 Mass. Ave., to extend in to the 3 metered spaces in front of the licensed premises. The outdoor areas can operate at the combined maximum of 88 seats until 11:00 p.m. Thereafter, the outdoor areas can operate at a maximum of 32 seats until 12:00 p.m.

Decision: Ratified as to all.

24) Application #118098 Lisa Valela, on behalf of Graduate Commons Program, has applied for a one day entertainment license on May 20, 2021, (rain date 5/22/21) for a concert at 900 Memorial Drive for 25 people.

Decision: Granted with the condition that must follow all City of Cambridge and State issued COVID-19 safety standard guidelines.

25) Application #119097 Patrick Martin on behalf of Phoenix Communications has applied for a special noise variance from 5/20/21 – 5/29/21 (Alt. 5/27/21 – 5/29/21) at 201 Galileo Way, for overnight shifts beginning at 8:00 p.m. and ending at 6:00 a.m. the following morning, to place and cut over cable using power derived from the engine of an idling support vehicle. It is anticipated that placement of the cable will occur from 5/20 – 5/22 and the cut over from 5/27 – 5/29. The variance is being sought to minimize operational impacts to Verizon Business customers.

Decision: Granted.

26) Application #120034 Jarrod LaRocco on behalf of Bond Civil & Utility has applied for a special noise variance from 5/17/21 – 5/28/21 (Alt. 5/18/21 – 5/29/21) at 346 Binney Street, from 7:00 p.m. to 5:00 a.m. the following morning Monday through Friday and including 12:00 a.m. to 5:00 a.m. on Saturday, to excavate and install a new water main using a pavement saw, excavator, generator, compressor, and back up alarms from support vehicles. The variance is sought in the interest of

completing work concurrent with other tasks during a planned outage of Galileo Galilei Way, and to alleviate spatial constraints. Additionally, it is anticipated that a Verizon Ductbank may need to be relocated prior to culvert work beginning on 6/1/21. This may also require water main shutoff.

Decision: Granted.

27) Consideration of Meeting Minutes for March 9, 2021, March 24, 2021, April 8, 2021 and April 28, 2021.

Decision: Approved as to all.

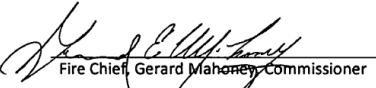
Minutes Approved: June 9, 2021

Minutes Posted: June 10, 2021

By the Board of License Commissioners


Nicole Murati Ferrer, Esq., Chair


Police Comm., Branville Bard, Commissioner


Fire Chief, Gerard Mahoney, Commissioner