



# CAMBRIDGE LICENSE COMMISSION

831 MASSACHUSETTS AVE, CAMBRIDGE, MA 02139

NICOLE MURATI FERRER  
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ELIZABETH Y. LINT  
EXECUTIVE DIRECTOR

## BOARD OF LICENSE COMMISSIONERS' MEETING MINUTES

Wednesday, June 9, 2021, 1:00 p.m.  
By Remote Participation Via Zoom

*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. c. 30A.*

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

**Staff member in attendance:** Elizabeth Y. Lint.

**Meeting started at approximately 1:03 p.m. All votes were by roll call vote (2-0).**

### Public Testimony Matters

- 1) **Application #119536** Carly Sanker d/b/a The Lucky Jungle, 286 Broadway, has applied for a Secondhand Goods, Junk Dealers, and/or Antique License. **(Time Stamp: 01:45)**

**Present:** Carly Sanker.

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

**Summary:** Ms. Sanker explained that she will have local artists work in an inspiring setting. She will hold classes. There will be antiques but this is not the main focus of the business. She has applied for a variance for entertainment and will apply for an entertainment license.

**Decision:** Granted.

- 2) **Application #117382** Four Seasons Food Service, Inc. d/b/a Koreana, 158 Prospect Street, Common Victualler All Alcohol License #11494, has applied for a Change of Officers/Directors and Change of Stock Interest. **(Time Stamp: 04:20 )**

**Present:** Attorney Jeff Lynch.

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

**Summary:** Two long term employees are being added to the ownership group as equal partners and shareholders in the business. They are also being added to the Board of Directors. The officers are remaining unchanged.

**Decision:** Granted.

- 3) **Application #108407** Marriott Hotel Services, Inc. d/b/a Cambridge Center Marriott, 50 Broadway, All Alcohol Innholder License #10898, for a Change of Manager to Dan Kakabeeke. **(Time Stamp: 08:30)**

**Present:** Dan Kakabeeke.

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

**Summary:** Mr. Kakabeeke has been the General Manager at the Courtyard Boston and was the manager of record there. He has been with Marriott for 21 years. They have a TIPS trainer on site.

**Decision:** Granted.

4) **Application #119132** Area Celeste, LLC d/b/a La Royal, 221 Concord Avenue, has applied for a new Common Victualler All Alcohol License with proposed hours of operation of 4:00 p.m. to 10:00 p.m. Monday through Thursday, 4:00 p.m. to 11:00 p.m. Friday, 12:00 p.m. to 11:00 p.m. Saturday, and 12:00 p.m. to 9:00 p.m. on Sunday with seating for 48 inside, and an occupancy of 48. Maria Rondeau as Proposed Manager of Record of a premises described as: Approximately 1,365 square feet located on the ground-level and consists of one larger and one smaller contiguous room. In the larger room, open area, with a long bar and an open kitchen along the back wall. The smaller contiguous space is to be a dining room (or private event area) and two bathrooms. Approximately 1,280 square foot basement to be used as a prep area, wash station, and storage. We intend to have a few speakers for subtle music playing throughout. **(Time Stamp: 12:05)**

**Present:** Maria Rondeau.

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

**Summary:** Ms. Rondeau explained the concept. She is co-owner of Celeste in Union Square since 2018. She is the manager of record in that location. They serve Peruvian and Guatemalan food with a curated cocktail program. Many letters in support were received for this application. She and her partner are Cambridge residents. They were approved at the BZA for increase in capacity to 48. Her partner is the chef. Mr. Berman expressed concerns about cooking methods and impact on air quality. Ms. Rondeau explained there are many cold dishes, oyster bar, stews and some fried food. There is a small fryer and gas grill. There is a powerful extractor that will be on the roof. Matthew Boyes Watson spoke in favor of the petition.

**Decision:** Granted.

5) **Application #119855** Dancing in the Dark, LLC d/b/a The Cantab Lounge, 738 Massachusetts Avenue, has applied to transfer the General On Premises All Alcoholic Beverages License held by Crystal Lunch, Inc. d/b/a The Cantab Lounge, 738 Massachusetts Avenue. The applicant is seeking to operate 8:00 a.m. to 2:00 a.m. all days with seating for 137 and total occupancy of 250. Michael Cronin as Proposed Manager of Record of a premises described as: Approx. 5,000 square feet of space on two levels. First floor contains bar, stage, kitchen/storage room, and restrooms. Basement is a lounge with bar, stage, storage room, and two restrooms. Applicant is also applying for an Entertainment License to include: recorded music above conversation level; dancing by patrons; live music with amplification; DJ; comedy show; karaoke; trivia; readings of poetry or other works; 1 juke box; 2 TV's; and 1 stage or separate area for live performances. **(Time Stamp: 21:25)**

**Present:** Attorney Adam Barnosky, Timothy Dibble and Michael Cronin.

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

**Summary:** Applicant was reminded that the balance of the renewal fee needs to be paid before June 15, 2021. The applicant explained that they intend to bring the Cantab back to life. It will be consistent with prior operation. Mr. Cronin has extensive experience in the restaurant industry and has been manager of record. Mr. Dibble is a former Cambridge resident. They will be doing renovations to the floors and bathrooms and have filed with the AAB to put in an ADA compliant bathroom. There are other substantial renovations that will take place. Michael Monestime spoke in favor of the petition.

**Decision:** Granted, with amended Sunday hour to 10:00 a.m.

6) **Application #118197** Dow Enterprises, LLC d/b/a Judy's Bay, 279A Broadway, has applied for a new Common Victualler All Alcohol License with proposed hours of operation of 8:30 a.m. to 12:30 a.m. all days with alcohol starting at 10:00 a.m. and seating for 28 inside, an occupancy of 28, and 12 patio seats on public and private property. Lukas Dow as proposed manager of a premises described as: 1300 square feet on ground floor, large open dining room, kitchen and prep area and two bathrooms at rear of the floor. Front entrance and exit at the sidewalk, rear entrance and exit at the alley at rear of building, storage in basement. Outdoor patio on public and private property. **(Time Stamp: 32:17)**

**Present:** Attorney Michael Wiggins, Kim Bow and Lucas Dow.

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

**Summary:** Numerous letters of support were received for this application. This is the Bondir space. They plan to have Izakaya (Japanese tapas) food that is more accessible, local, and sustainable. It will be New England classic food with a Japanese twist. Mr. Dow has not been manager of record, but he is TIPS certified, as is Ms. Bow. He is a lifelong Cambridge resident and the family has been in the restaurant industry. All staff will be TIPS certified. They did several pop-ups to test the concept and were received very favorably. Numerous people spoke in support of the application stating it will be an asset to the neighborhood and testified as to the applicants character.

**Decision:** Granted.

7) **Application #110086** TTT&K Corp. d/b/a Muku, 411 Massachusetts Avenue, holder of Common Victualler License #67134, has applied to add Wine and Malt Beverages. The currently approved hours are 11:30 a.m. to 10:00 p.m. all days with proposed seating for 36 inside, an occupancy of 42, 24 outside seats and an outside occupancy of 30. Komiko Oga as proposed manager of a premises described as: First floor retail unit of 1297 square feet. Kitchen and storage are located in rear of premises. 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. 357 square foot patio area. **(Time Stamp: 48:40)**

**Present:** Attorney Daniel Wilson, Komiko Oga and Kodu Oga.

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

**Summary:** Ms. Oga has been a manager of record at their restaurant in Natick since 2001. This is a family run business. They have had many requests from customers for beer and wine. They serve ramen. They are hoping to serve their customers' needs and desires.

**Decision:** Granted.

- 8) **Disciplinary** Pemberton Farms, 2225 Massachusetts Avenue, for alleged violations of having received deliveries outside of the allowable hours on May 25, 2021 at approximately 6:15 a.m., and June 1, 2021 at approximately 6:00 a.m., in violation of CMC 8.16.080(e). **(Time Stamp: 53:35)**

**Present:** Attorney James Rafferty and Licensing Investigator Tyler Bubenik.

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

**Summary:** Testimony presented by Mr. Bubenik was that he was cc'd on emails from a resident to the owners of Pemberton Farms alleging that deliveries were occurring outside the allowable hours. He learned that operational hours had shifted due to accommodate at risk populations, so deliveries needed to occur earlier. Mr. Bubenik advised them to apply for a special noise variance, which they did, with a requested start time of 5:30 a.m. every day for 6 months. Mr. Bubenik recommended they limit the scope and hours. Representatives from Pemberton stated they were considering withdrawing the application and they did so. Two more emails were received from the complainants with video files attached showing deliveries outside of allowable hours. Attorney Rafferty pointed out that the noise ordinance does not refer to early deliveries, but rather to noise. The ordinance states that loading and unloading cannot be plainly audible from 50 feet. The complainant was not complaining about noise, just the hour of deliveries. The only sound that can be heard is a tailgate closing. The notice to the licensee does not state anything about noise. A mere delivery doesn't constitute a violation.

**Decision:** No violation.

- 9) **Application #120254** Kevin Botti on behalf of Dellbrook JKS for 5/29/21 -11/27/21 (Alt. 6/5/21 – 12/4/21) at 55 Wheeler Street, from 7:00 a.m. to 9:00 a.m. Saturdays only, to perform concrete formwork, rebar installation, formwork removal, wood framing, and concrete placement using a forklift and concrete pump. The variance is being sought to extend the day in the event concrete pours encounter complications and run long. **(Time Stamp: 1:10:50)**

**Present:** Kevin Botti.

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

**Summary:** Mr. Botti explained that they applied for a backup plan in case they were weathered out on a Friday. It takes 11 hours to complete the pour. They want to work on Saturday so as not to have to postpone until Monday. It would not be for normal operation, only for a pour if needed. The job is currently on schedule. They only intend to work on an as needed basis.

**Decision:** Granted with the condition that work only take place if they can't work on Friday due to weather. Abutters are to be notified if work is to take place on Saturday.

10) **Application #120033** Jarrod LaRocco on behalf of Bond Civil & Utility for 5/28/21 – 11/14/21 (Alt. 6/3/21 – 11/21/21) at 346 Binney Street, from 6:00 a.m. to 7:00 a.m. Monday through Friday, and 7:00 a.m. to 9:00 a.m. on Saturdays, Sundays, and holidays, to perform miscellaneous roadway and utility work to support the Kendall Culvert and ALTA Phase 1 projects for the City via Turner and Boston Properties using back up alarms, excavators, loaders, pavers, compactors, drilling or piling equipment and other miscellaneous civil construction tools and equipment. The variance is being sought as a contingency plan for extra/long days in case schedule is at risk or for activities that should be done during off hours to mitigate impacts to business and users of the ROW. **(Time Stamp: 1:2-:50)**

**Present:** Jarrod LaRocco.

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

**Summary:** Mr. LaRocco explained that this is a contingency plan as the road has to be returned to the City by Labor Day for the schools. They are running in to unknowns every day due to underground utilities. There is a public safety issue, and this is not private development. They will address the need for another variance for the remainder of the project.

**Decision:** Granted with amendment to run through Labor Day only.

#### **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: 1:28:00)*

#### **Ratifications:**

11) **Application #115986** Dunster Street Restaurant Corporation d/b/a The Hourly Oyster House, 15 Dunster Street, holder of common victualler all alcohol license #11556 for a temporary outdoor patio with the conditions that (1) Outdoor areas must be monitored by managerial staff at all times. (2) Outdoor areas can operate at the maximum combined capacity of 62 until 11:00 p.m., thereafter, the outdoor areas can operate at a combined maximum capacity of 20 until 1:00 a.m. Sunday-Wednesday, and 2:00 a.m. Thursday-Saturday.

12) **Application #114733** Atwood's Corner, LLC d/b/a Atwood's Tavern, 877 Cambridge Street, holder of common victualler all alcohol license #11361, for a temporary outdoor patio with the conditions that Closing hour of outdoor areas is 11:00 p.m. Sunday-Thursday. On Friday and Saturday, the outdoor areas can operate at a combined at the maximum combined capacity of 76 until 11:00 p.m., thereafter, the outdoor areas can operate at a combined maximum capacity of 40 until 12:00 a.m.

13) **Application #118290** RCH, LLC d/b/a Mr. Bartley's Burger Cottage, 1246 Massachusetts Ave., holder of common victualler license #106424, for three parking spaces in front of the restaurant. Closing hour of the patio is 11:00 p.m.

**Decision:** Ratified as to all.

14) **Application #124069** Jarrod LaRocco, on behalf of Bond Civil & Utility, has applied for a special noise variance for 6/18/21 (Alt. 6/19/21) at 145 Broadway, from 7:00 a.m. to 9:00 a.m., for general utility construction using excavators, drilling and piling equipment, vac trucks, generators, pumps, and compressors. The variance is sought to complete proposed work during a planned outage on Galileo Galilei Way.

**Decision:** Application withdrawn as the prior variance voids this one.

15) **Application #124051** Kyle Clayson, on behalf of Marr Crane and Rigging, has applied for a special noise variance for 6/12/21 (Alt. 6/19/21) at 320 Bent Street, from 7:00 a.m. to 9:00 a.m., to set up a crane and hoist materials to the roof of 320 Bent street using mobile crane tractor trailers.

**Decision:** Granted.

16) **Application # 123508** Brian Burke has applied for a malt license to be exercised at American Legion Marsh Post, 5 Greenough Blvd, on 6/10/21 with rain date of 6/11/21 from 6:00 p.m. – 10:00 p.m. for a beer garden. Expect attendance – 150 people.

**Decision:** Granted.

17) **Application # 113381** Xiomara Nunez has applied for an entertainment license to be exercised at Dana Park, 70 Magazine Street, on 6/13/21 with rain date of 6/20/21 from 5:00 p.m. – 10:00 p.m. for a fundraiser with amplification system and theatrical exhibition/play/moving picture show. Expected attendance – 80 people.

**Decision:** Granted.

18) **Application # 122986** Timothy Khanoyan has applied for an entertainment license to be exercised at Common @ CX 520 Morgan Ave and Maria Baldwin open space 222 Jacob Street, June 12 – Sept 26, 2021 with exception of July 4th and Labor day weekend (Wed) 5:45 p.m. – 7:15 p.m. and (Sat) 9:30 a.m. – 11:30 a.m. for fitness class with performers/entertainers dancing, recorded music, dj and amplification system. Expected attendance – 100 people.

**Decision:** Granted.

19) **Application # 122811** Katy Chirichiello has applied for an entertainment license to be exercised at Little Donkey, 505 Massachusetts Avenue, on 7/10/21 from 3:00 p.m. – 11:00 p.m. for a wedding reception with patrons dancing and live music. Expected attendance – 70 people.

**Decision:** Granted

20) **Application # 124269** Nicole Badia has applied for a malt and wine license to be exercised at Alexandria Real Estate, Tech Square Lawn, on 6/11/21 with rain date of 6/18/21 from 3:30 p.m. – 6:30 p.m. for a pride celebration. Expected attendance – 60 people.

**Decision:** Granted.

21) Minutes for May 13 and 27, 2021.

**Decision:** Approved.

**Late Additions to the agenda:**

21) Application #115645 Hyun Soo Kim, d/b/a Gogi on the Block, has applied for a hawkler/peddler license to be exercised every Tuesday at 150 Cambridgepark Drive.

**Decision:** Granted.

22) Application #124427 Girma Beka has applied for a one day entertainment license on June 26, 2021 at 2254 Massachusetts Avenue, for a graduation party with 150 expected.

**Decision:** Granted.

23) Taxi Lottery: the alternate winner chosen on November 20, 2020 was actually not qualified because they already had a hybrid vehicle. We needed to pull a new one, so we are working off original list minus winners or those who are unqualified.

**Summary:** Alan Cadet won.

24) Application #124051 Kyle Clayson on behalf of Marr Crane and Rigging for 6/12/21 (Alt. 6/19/21) at 320 Bent Street, from 7:00 a.m. to 9:00 a.m., to set up a crane and hoist materials to the roof of 320 Bent street using mobile crane tractor trailers. The variance is sought in the interest of public safety, and to limit impacts to and from vehicular traffic.

**Decision:** Granted

25) Application #124669 Travis Crowley on behalf of Phoenix Communications for 6/17/21 - 6/19/21 (Alt. 6/22/21 - 6/24/21) at 2 Canal Park, for two separate consecutive overnight shifts from 8:00 p.m. to 4:00 a.m. the following morning, to splice fiber optic cable using the power derived from an idling vehicle engine. The variance is being sought to minimize impacts to and from vehicular traffic, and to avoid scheduling conflicts with ongoing construction in the vicinity.

**Decision:** Granted.

26) Application #124671 Travis Crowley on behalf of Phoenix Communications for 6/17/21 - 6/19/21 (Alt. 6/22/21 - 6/24/21) at 4 Museum Way, for two separate consecutive overnight shifts from 8:00 p.m. to 4:00 a.m. the following morning, to splice fiber optic cable using the power derived from an idling vehicle engine. Though noise generation is anticipated to be minimal, the variance is being sought to avoid scheduling conflicts with ongoing construction in the vicinity.

**Decision:** Granted.

27) Application #124657 Raymond Granchelli on behalf of Turner Construction for 6/14/21 (Alt. 6/15/21) at 300 Main Street, from 4:00 a.m. to 10:00 p.m. on a weekday, to perform a concrete mat slab pour using a concrete pump, trucks, and vibrator. The variance is being sought to ensure sufficient time to complete the 500 cubic yard pour if any complications arise.

**Decision:** Granted.

28) Application #124402 Marcus Gonzalez on behalf of Commodore Builders for 6/14/21 – 8/31/21 (No alternate specified) at 115 Broadway, for overnight shifts from 6:00 p.m. to 2:00 a.m. on all days, excluding Saturday nights into Sunday Mornings, to perform interior demolition on one floor of an occupied building using saws. The variance is being sought as only the third floor is unoccupied, so the variance would be in the interest of safety for the building's other occupants, and to minimize operational impacts. Only 2 weeks of demo work is anticipated, but some additional coverage is requested to allow for potential delays due to mitigation approval by the EPA.

**Decision:** Granted.


**Minutes Approved:** August 17, 2021

**Minutes Posted:** August 18, 2021

**By the Board of License Commissioners**

  
Nicole Murati Ferrer, Esq., Chair

  
Police Comm., Branville Bard, Commissioner

  
Fire Chief, Gerard Mahoney, Commissioner