



CAMBRIDGE LICENSE COMMISSION

831 Massachusetts Avenue, First Floor, Cambridge, Massachusetts 02139

MEETING MINUTES

For Meeting of Wednesday, September 20, 2017 at 3:00 p.m.

Michael J. Lombardi Building, 831 Massachusetts Avenue

Carmelia M. Vicente Basement Level Conference Room

Board of License Commissioners Board Members Present: Nicole Murati Ferrer, Branville Bard, and Gerard Mahoney

Board of License Commissioners Staff Present: Elizabeth Y. Lint

Meeting Started at 3:00 p.m.

Public Testimony Matters:

Although matters were called in the order listed in the posted agenda, some matters required a second call due to the absence of the relevant parties when the matters were called. The matters are in the same order as listed in the posted Meeting Agenda, and if they required a second call, designation of the audio time stamp for both calls are listed.

1) Violation Brightview Landscape Services, holder of Leaf Blower Permit # 10043, for alleged violation of Cambridge Municipal Ordinance 8.16.081.2(a), operating during a prohibited period, on August 17, 2017 at 21 Chauncy Street and September 7, 2017 at 16 Chauncy Street.

[Audio Begins – First Call: 00:00:39]; [Audio Begins – Second Call: 00:51:30]

Present: No show for Brightview; Andrea Boyer, License Commission; Sam Nejame, complainant.

Documents considered by Board: Violation hearing notice and documents attached thereto.

Summary: The violation was presented as noticed by Ms. Boyer. Mr. Nejame testified he has been a witness as to all four violations regarding Brightview (the two before the Board and the two previous ones for which Brightview has been fined). He also testified he spoke to the management company at Chauncy Street, Chestnut Hill Realty, and they were aware of the violations. Brightview has been noticed for a total of four violations, has never presented itself before the Board and has overdue fines.

Decision: Board found (3-0) Brightview violated the Noise Ordinance on August 17 and September 7, 2017 and issued a \$300.00 fine per each day for a total fine of \$600.00. In addition, considering its record and lack of compliance, the Board revoked Brightview's permit to operate leaf blowers in Cambridge through 2017.

2) Application Poke for Me 2, LLC d/b/a Pokeworks, has applied for a new Common Victualler License and Entertainment License for background music at 1440 Massachusetts Avenue with a seating

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capacity of 12 and proposed hours of 11:30 a.m. to 11:00 p.m. Sunday through Wednesday; 11:30 a.m. to 12:00 a.m. Thursday; and 11:30 a.m. to 2:00 a.m. Friday and Saturday. Nikki Sandoval as proposed manager of record of a premise described as: 1,676 SF. Dining area, prep and service station on the first floor with kitchen and office in the basement.

[Audio Begins: 00:01:40]

Present: James Rafferty, attorney representing the applicant; Bret Sigworth, applicant/beneficial interest holder; and Nikki Sandoval, proposed manager of record.

Documents considered by the Board: Application submitted and documents attached thereto. Also, Board of Zoning Appeal's decision.

Summary: The concept is Hawaiian fish products, analogous to sushi. This would be the second location, first in Somerville. It is going into the space previously occupied by Liquiteria. The proposed closing hour is as a result of a request made by the Harvard Square advisory committee. The BZA imposed no restrictions in its decision.

Decision: Granted 3-0.

3) Application HK Food Group, LLC d/b/a Alden & Harlow, holder of a Common Victualler All Alcohol License at 40 Brattle Street has applied for an Alteration of Premise Description to include an additional two floors above the existing space. The premise description would be: Three floors. Main entrances/exits on public walkway off Brattle Street. Approximately 5,009 SF Ground floor contains men's and women's restrooms, bar, dining area, kitchen and storage. Approximately 1,150 SF First Floor contains bar, dining area, kitchen and prep station, and 300 SF seasonal patio on private property. Approximately 1,150 SF Second Floor contains men's and women's restroom's, bar, dining area, and an additional 200 SF outdoor patio. An Application has also been made to amend the d/b/a to Alden & Harlow and The Longfellow Bar at Alden & Harlow. Ground floor occupancy is 200; First floor occupancy is 45; Second floor occupancy is 45.

[Audio Begins: 00:08:11]

Present: James Rafferty, attorney representing the applicant; Michael Scelfo, applicant/beneficial interest holder; Brian Lesser, applicant/beneficial interest holder.

Documents considered by the Board: Application submitted and documents attached thereto.

Summary: Seeking to expand current Alden & Harlow operation to the top two floors with the intent that the two top floors will be more of a lounge operation with limited food menu. There is a kitchen upstairs but most prepping will happen in downstairs kitchen. The three floors connect through the elevator which is for public access, and the service stairs which is not intended for public access. There was discussion as to the submitted floor plans which did not present capacity for the street level patio and the capacity presented for the top floor was not clear. The second floor's outside area will be called deck, change in the licensed description will be made.

Decision: Granted (3-0) subject to updated floor plans being submitted to properly reflect outdoor seating and all seating capacity. In addition, the premise description is approved with a change that the second floor outdoor patio will be called outdoor deck.

4) Application Whole Foods Market Group, Inc., holder of a Wine & Malt Package Store License at 340 River Street has applied for a Change of Beneficial Interests of said license.

[Audio Begins: 00:22:10]

Present: Celia Marcum, attorney representing applicant; Debbie Pelkie, manager of record.

Documents considered by the Board: Application submitted and documents attached thereto.

Summary: This is a complete change in beneficial interest due to Amazon's purchase of Whole Foods Market. There is no anticipated change to the operation or manager of record.

Decision: Granted (3-0).

[Chair Murati Ferrer left the meeting.]

5) Application Legal Sea Foods, LLC holder of a Common Victualler All Alcohol License at 5 Bennett Street has applied for a Change of Manager from Drew Johnson to Courtney Bolinger.

[Audio Begins: 00:25:20 – Called together with next matter]

6) Application Legal Sea Foods, LLC holder of a Common Victualler All Alcohol License at 20 University Road has applied for a Change of Manager from Drew Johnson to Courtney Bolinger.

[Audio Begins: 00:25:20]

Present: Donna Cruz, paralegal at Legal Sea Foods, LLC; and Courtney Bolinger, proposed manager of record.

Documents considered by the Board: Application submitted and documents attached thereto.

Summary: Proposed new manager has been with the applicant for five years and has management experience since 2005.

Decision: Granted (2-0)

7) Application Chrismarc Louis has applied for a new Cambridge Hackney Driver's License.

[Audio Begins - First Call: 00:27:35] [Audio Begins - Second Call: 00:56:45]

Present: Applicant did not appear.

Summary & Decision: None – no action as applicant did not appear.

[Chair Murati Ferrer rejoins the meeting.]

8) Application Central Square Theatre, Inc., holder of a Common Victualler Wine & Malt License at 450 Massachusetts Avenue has applied for a Change of License Type to General On Premise.

[Audio Begins: 00:28:00]

Present: Kira Patterson, on behalf of applicant.

Documents considered by the Board: Application submitted and documents attached thereto. In addition to the May 10, 2017 License Investigator's report.

Summary: The application was filed as a result of an investigation which revealed applicant does not have a kitchen and was not serving food, only concession items like nuts and candy. The theater has no intent to serve food and operates solely as a theater.

Decision: Granted (3-0).

9) Cancellation Amandeep, Inc. d/b/a Shalimar Restaurant, holder of a Common Victualler All Alcohol License at 546 Massachusetts Avenue pursuant to M.G.L. c. 138 § 77 for non-use of said license.

[Matter removed from the agenda as a transfer application was submitted 9/20/17 prior to the hearing start time.]

10) Application Feeding Frenzy, Inc. d/b/a Chick Chick Boom, has applied for a new Common Victualler License at 80 River Street with a seating capacity of 18 and proposed hours of 11:30 a.m. to 10:00 p.m. seven days per week. Jamme Chantler as proposed manager of record of a premise described as: Approx. 907 SF with seats, counter, and kitchen.

[Audio Begins: 00:29:48]

Present: Kevin Crane, attorney for the applicant; Jamme Chantler, applicant/beneficial interest holder.

Documents considered by the Board: Application submitted and documents attached thereto.

Summary: Restaurant is going into space previously occupied by India Spice. The owner/applicant owns Thelonious Monkfish. This concepts centers around Asian-style dishes featuring chicken and tofu; sit-down restaurant with about 5% take-out business. It will have 18 seats and total capacity of 28. Due to request received from an abutter on Williams Street, Mr. Chantler has committed to installing a camera facing down Williams Street. Upon inquiry, it was ascertained that background music would be played.

Decision: Granted (3-0) with background music below conversation level.

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.

[Audio Begins: 00:34:48]

11) Pizza rev has notified the License Commission that they have ceased operations.

Summary & Decision: Board acknowledges (3-0) closure of business, license will be cancelled, and both electronic and paper file will be closed.

12) India Foods and Frozen Yogi has notified the License Commission that they have ceased operations.

Summary & Decision: Board acknowledges (3-0) closure of business, license will be cancelled, and both electronic and paper file will be closed.

13) Crema Café, LLC holder of license number PED10074, is requesting a change to their existing license to add 125 1nd [sic] 150 Cambridgepark Drive.

Summary: This is actually a request to add the locations of 125 and 150 Cambridgepark Drive as locations where the coffee trike can vend. The coffee trike has been inspected by ISD and the owners of Cambridgepark Drive submitted the letter of permission to vend at the listed locations.

Decision: Granted (3-0).

14) Paul Sacco on behalf of Harnum Industries, has applied for a special noise variance for Saturday, October 7, 2017 from 7:00 Am until 9:00 AM at 44-48 Brattle Street for crane work.

Summary: Other internal departments signed off and presented no issues.

Decision: Granted (3-0).

One Day 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 one day 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.

[Audio Begins: 00:36:30]

15) Eliza Rafferty, on behalf of the Catered Affair, has applied for a malt and wine license to be exercised at The Harvard Art Museums, 32 Quincy Street, on 9/27/17 from 7:00 p.m. – 9:00 p.m. for a cocktail reception. Expected attendance – 400 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 associated with that charge. Police detail required.

16) Edward O'Connor, has applied for a malt with entertainment license to be exercised at Cambridgeside, Garage Level B, 100 Cambridgeside Pl, on 10/1/17 from 10:00 a.m. – 1:00 p.m. (alcohol) & 9:00 a.m. – 1:00 p.m. (entertainment) for a road race with patrons dancing, recorded/live music and amplification system. Expected attendance – 2500 people. [Approved by Special Events Committee]

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 associated with that charge. Police detail required.

17) Christine Dicarlo, has applied for a malt and wine with entertainment license to be exercised at The Atrium, 100 Technology Square, on 10/18/17 from 5:00 p.m. – 9:00 p.m. for a food festival with amplification system. Expected attendance – 500 people.

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

18) Lamplighter Brewing Co, LLC d/b/a Lamplighter Brewing holder of a Common Victualer Malt beverages license, Cayla Marvil has applied for a malt license to be exercised at 286 Broadway, on 9/23/17 & 9/24/17 from 12:00 p.m. – 9:00 p.m. for a beer garden for Oktoberfest. Expected attendance – 200 people.

Decision: Granted (3-0).

19) Frank Kramer, has applied for a malt and wine license to be exercised at Garment District, 200 Broadway, on 9/28/17 from 6:00 p.m. – 9:00 p.m. for a fundraiser with up to 150 people in attendance.

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 associated with that charge.

20) Jeff Marcoux, on behalf of Alexandria Real Estate Equities, has applied for a malt and wine with entertainment license to be exercised at One Kendall Square (lower courtyard near Hampshire Street,

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on 9/27/17 from 5:00 p.m. – 8:00 p.m. for a fall festival with recorded/live music. Expected attendance – 100+ 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 associated with that charge.

21) Catherine Zusy, on behalf of the Cambridgeport Neighborhood Association, has applied for a malt and wine with entertainment license to be exercised at the Riverside Boat Club, 769 Memorial Drive, on 9/24/17 from 6:00 p.m. – 8:00 p.m. for a fundraiser with recorded/live music. Expected attendance – 125 people.

Summary: In addition to the license, the applicant has requested that the Board waive the license fee due to their 501(c)(3) status and City officials' participation in the event.

Decision: As to the license, 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 associated with that charge. As to the fee waiver, granted (2-1) (Chair Murati Ferrer voted to deny the waiver of the fee).

22) Thomas Hogan, on behalf of St. Paul Parish, has applied for a malt and wine with entertainment license to be exercised at 29 Mt. Auburn Street, on 9/30/17 from 5:00 p.m. – 9:00 p.m. for a 6th annual Oktoberfest with patrons dancing. Expected attendance – 100 people.

Decision: Granted (3-0).

23) Rachel Roccoberton, on behalf of the New Dance Complex, has applied for a malt and wine license to be exercised at 536 Massachusetts Avenue, on 9/29/17 & 9/30/17 from 7:00 p.m. – 11:00 p.m. for a dance concert. Expected attendance – 70 people.

Decision: Granted (3-0).

24) Rachel Roccoberton, on behalf of the New Dance Complex, has applied for a malt and wine license to be exercised at 536 Massachusetts Avenue, on 10/6/17 from 6:00 p.m. – 11:00 p.m. for a party-private event. Expected attendance – 50 people.

Decision: Granted (3-0).

25) Rachel Roccoberton, on behalf of the New Dance Complex, has applied for a malt and wine license to be exercised at 536 Massachusetts Avenue, on 10/13 & 10/14 7:00 p.m. – 11:00 p.m. and 10/15/17 from 6:00 p.m. – 10:00 p.m. for a dance concert. Expected attendance – 75 people.

Decision: Granted (3-0).

26) Fr. Michael Harrington, has applied for a malt and wine with entertainment license to be exercised at St. Anthony's Parish, 400 Cardinal Medeiros Avenue, on 9/22/17 from 7:00 p.m. – 11:00

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p.m. for a banquet with recorded/live music, amplification system and dynamic audio/visual show live/recorded. Expected attendance – 150 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 associated with that charge.

27) Jim D'entremont, on behalf of Cocktails Bar Staff, has applied for (10) alcohol license for class reunions as follows:

- 10/13/17 – all alcohol at Harvard Museum of Natural History, 26 Oxford St. from 6:30 -10:30 PM w/375 expected.
- 10/12/17-malt and wine at Harvard Coop 1400 Mass Avenue 6:30-8:30 pm w/ 214 people.
- 10/12/17 malt and wine at Barker Center 12 Quincy Street 6:00-10:00 pm w/ 275 people.
- 10/13/17 all alcohol at Northwest Lab 52 Oxford Street 6:00-10:00 pm w/ 275 people.
- 10/13/17 all alcohol at Lowell Lecture Hall 45 Quincy Street 9:30-12:00 am w/ 250 people.
- 10/14/17 malt and wine at Northwest Lab 52 Oxford St 7:00-12:00 am w/ 400 people.
- 10/14/17 all alcohol at Quadrangle Athletic Center 60 Garden Street 7:00-12:00 a.m. w/ 300 people.
- 10/15/17 malt and wine at Dunster House 945 Memorial Drive 10:00am-12:00pm w/ 200 people.
- 10/15/17 malt and wine at Pforzheimer House 56 Linnaean Street 9:00am-11:00am w/ 200 people.
- 10/15/17 malt and wine at Leverett House 28 DeWolfe Street 9:30am-12:00pm w/ 260 people.

Decision: Granted (3-0), with the condition that police details are required for all events.

28) Erika Gauthier, on behalf of Restaurant Associates, has applied for a malt and wine license to be exercised at Novartis, 181 Massachusetts Avenue, on 9/21/17 from 4:00 p.m. – 6:30 p.m. for a reception. Expected attendance – 600 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 Alexandria Real Estate, 400 Technology Square, on 9/29/17 from 3:30 p.m. – 6:00 p.m. for a reception. Expected attendance – 250 people.

Decision: Granted (3-0).

30) Tomolly Inc. d/b/a Charlie's Kitchen, Jaap Overgaag holder of a Common Victualer All Alcohol Beverages license has applied for a malt and wine license to be exercised at 10 Eliot Street, on 10/8/17 with rain date 10/15/17 from 12:00 p.m. – 6:00 p.m. for Oktoberfest. Expected attendance – 125 people.

Decision: Granted (3-0) **contingent upon a floor plan being submitted** and with the condition that a police detail is required for the event.

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31) Wheelings Brattle LLC d/b/a Beat Brasserie, Bertil Jean-Chronberg holder of a Common Victualer All Alcohol Beverages license has applied for a malt license to be exercised at 13 Brattle Street, on 10/8/17 from 12:00 p.m. – 6:00 p.m. for Oktoberfest. Expected attendance over 100 people.

Decision: Granted (3-0).

32) Nicola Williams, has applied for an all alcohol with entertainment license to be exercised at South plaza, next to Broad Canal in Kendall Square, on 10/13/17 with rain date 10/20/17 from 6:00 p.m. – 9:30 p.m. for a fundraiser with patrons dancing, recorded/live music and amplification system. Expected attendance – 300 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 associated with that charge.

33) Peter Chang, has applied for an entertainment and vendors (selling t-shirts) license to be exercised at Student Organization Center at Hilles (SOCH), 59 Shepard Street, on 9/23/17 from 12:00 p.m. – 11:59 p.m. for a dance competition with performers/entertainers dancing, amplification system, floor and light show. Expected attendance – 150 people.

Decision: Granted (3-0).

34) Ifeoluwa Obayan, has applied for an entertainment license to be exercised at Student Organization Center at Hilles (SOCH), 59 Shepard Street, on 9/30/17 from 7:30 p.m. – 9:30 p.m. (gala/banquet) and 10:00 p.m. – 2:00 a.m. for a party with patrons, performers/entertainers dancing, recorded/live music and light show. Expected attendance up to 400 people.

Decision: Granted (3-0).

35) Bill Manley, on behalf of the Harvard Square Business Association (HSBA), has applied for an entertainment license to be exercised at Harvard Square, on 10/8/17 from 12:00 p.m. – 6:00 p.m. for an outdoor festival with recorded/live music and amplification system. Expected attendance – 150,000 people. [Approved by Special Events Committee]

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

36) David Housman, has applied for an entertainment license to be exercised at MIT Main Kresge, 77 Massachusetts Avenue, on 10/1/17 from 7:00 p.m. – 10:00 p.m. for a fundraiser and comedy event. Expected attendance – 1000 people.

Decision: Granted (3-0).

37) Hannah-Rose Mann, has applied for an entertainment license to be exercised at EF Education First, 10 North Point Boulevard, on 10/2/17 from 10:00 a.m. – 1:00 p.m. for a groundbreaking ceremony with recorded/live music, amplification system, theatrical exhibition/play/moving picture show and

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dynamic audio/visual show live/recoded. Expected attendance – 2500 people. [Approved by Special Events Committee]

Decision: Granted (3-0), with the condition that, if after the police site meeting Sgt. Lopes asks the applicant to get a police detail, the police detail will be required.

38) Gopal Vashishtha, has applied for an entertainment license to be exercised at 26 Plympton Street, on 9/30/17 from 9:00 p.m. – 1:00 a.m. for a cultural event with patrons dancing, recorded/live music and amplification system. Expected attendance – 250 people.

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

39) Shuck Truck LLC d/b/a Shuck Food Truck, has applied for a peddler’s permit to be exercised at Central Flea Market, 95 Prospect Street, on 9/24/17 from 11:00 a.m. – 5:00 p.m. to sell food.

Decision: Granted (3-0).

40) Morro Aarons has applied for a one-day wine license at 45 prospect Street on October 5, 20217 from 6 to 8 PM for a networking event.

Decision: Granted (3-0).

Board’s Approval of Minutes:

NMF_____

Date Minutes Approved:_____

BGB_____

GEM_____

Date Approved Minutes Were Posted:_____