



# CAMBRIDGE LICENSE COMMISSION

831 Massachusetts Avenue, First Floor, Cambridge, Massachusetts 02139

## **BOARD OF LICENSE COMMISSIONER'S MEETING AGENDA**

**Wednesday, December 18, 2019, 3:00 p.m.**

**Michael J. Lombardi Building**

**831 Massachusetts Avenue**

**Carmelia M. Vicente Conference Room (Basement Level)**

**Cambridge, Massachusetts**

### **Applicant/Licensee Testimony Matters**

*The following are matters which the Chair reasonably anticipates will be discussed, and for which public testimony may be taken, as of 3:00 p.m.*

1. Application #59847 Rehearing from November 19, 2019. BL 27 Brattle MA, LLC d/b/a Bluestone Lane, 27 Brattle Street, holder of a Common Victualler License #51281 (not yet issued) has applied to add All Alcoholic Beverages. The currently approved hours are 7:00 a.m. to 10:00 p.m. all days with proposed alcohol hours after 8:00 a.m. Monday through Saturday and 10:00 a.m. Sunday with seating for 75 and an occupancy of 98. Thomas Whalen as Proposed Manager of Record of a premise described as: Approximately 2,200 square feet on two floors. 1,400 square foot ground floor premises with 800 square foot 2nd floor mezzanine. Ground floor is open room with kitchen in front of premises, storage in rear, main entrance/exit facing street with rear emergency exit. 2nd Floor Mezzanine has seating only.
2. Application #46698 Rehearing from July 31, 2019. Transfer of the Common Victualler All Alcohol License held by A.W. Chen, Inc. d/b/a Patty Chen's Dumpling Room, 907 Main Street to Sean Casey, LLC d/b/a 907 Main Street, at the same location. Applications have also been made for a Change of License type to Hotel, and an Alteration of Licensed Premise. Patrick Barrett as Proposed Manager of Record of a premise described as: Total square footage of the Hotel is 28k Sqft. The first floor consists of the lobby (553 SF), Enclosed Outdoor Courtyard (1284 SF), Restaurant and Bar (1495 SF) Storage is in the basement as well as the kitchen for the first floor Restaurant and Bar. The second floor consists of 22 guest room (7,092 SF), Third Floor consists of 22 guest rooms (7,083 SF), Fourth Floor consists of 22 guest rooms (7,083 SF), Fifth Floor consist of a penthouse guest room unit (996 SF) and Restaurant (1794 SF) with roof deck (962 SF). The sound system for the first floor restaurant bar and lobby will have speaker locations within the restaurant bar and private dining room and two speaker locations at the entryway of the lobby. There are no integrated sound systems on floors 2-4. There is a sound system in the rooftop restaurant and bar with two locations just off the elevators and two tucked in underneath the canopy of the entry to the terrace. Entertainment License to include: Recorded music above conversation level; live music with amplification; dancing by patrons; dancing by entertainers; Theatrical exhibition, play, or moving picture show; floor show; light show; DJ; karaoke; comedy show; wrestling; acrobatic show; beauty contest; and 3 TV's.

3. Application #61039 Abodez Acorn New Street, LLC, 77 New Street, has applied for a Garage License for 94 parking spaces and 940 gallons of gasoline in the tanks of vehicles.
4. Application #58206 Ono Poke Bar, Inc. d/b/a Ono Poke Bar, 1923 Massachusetts Avenue, for a new Common Victualler License with proposed hours of 11:00 a.m. to 10:00 p.m. Monday through Thursday, 11:00 a.m. to 11:00 p.m. Friday and Saturday, and 11:00 a.m. to 9:30 p.m. Sunday, with seating for 12. Run Chen as proposed manager of record of a premise described as: 900 square feet of lower level retail space, one dining area, one storage, two exits.
5. Disciplinary Brightview Landscape Services, holder of Leaf Blower Permit # 15106, for alleged violations of Cambridge Municipal Code 8.16 on November 25, 2019 at 19-21 Wendell Street, to wit: 8.16.081.2(e) – operating a leaf blower above the allowable dB(A) level.

#### **Administrative Matters**

*The following are matters which the Chair reasonably anticipates will be discussed without accepting, soliciting or taking public testimony at the hearing. Anyone wishing to comment on any of the below-listed matters, please submit your statement in writing to [License@cambridgema.gov](mailto:License@cambridgema.gov).*

6. Catherine Hanss, on behalf of Landscape Collaborative, Inc., holder of leaf blower permit #10704, has filed a waiver of hearing for violations of Cambridge Municipal Code 8.16.081.2(f), employees using leaf blowers within 10,000 sq. ft. of one another on November 25, 2019 at 94 Foster Street.
7. Amendment from Renewals Whole Foods Market Group, Inc. d/b/a Whole Foods Market, holder of Common Victualler License #12173 at 200 Alewife Brook Parkway, has changed their manager from Jacob Creswell to Michael Sousa.
8. Jacques Hayek, on behalf of WFG, LLC, d/b/a Wrapro Falafel & Grill at 20 Eliot Street, holder of Common Victualler License #12279 has notified the License Commission that they have closed.
9. Amendments submitted through renewal applications:
  - (a) Compass Group USA, LLC d/b/a Bon Appetit Management Company, holder of Common Victualler License #12198 at 29 Belford Street, has changed their manager to Carlos Desades.
  - (b) Juan Carlos Vidal, on behalf of Café Mami, Inc, holder of Common Victualler License #12201, has changed their manager to Oscar Guerra.
  - (c) Aceituna Café, LLC d/b/a Aceituna Café, Common Victualler License #12163, has changed their manager to Pascal Constantine.

10. Application #61643 Common Victualler with Entertainment Licensee Falafel Palace, LLC d/b/a Aleppo Palace (#12412), 25 Central Square, has applied for a corporate name change to Aleppo Palace, Inc. and to add a beneficial interest holder.
11. ZRC Operating Company d/b/a Qdoba Mexican Eats, holder of Common Victualler License #12373 at 1289 Massachusetts Avenue has notified the License Commission that they have closed.
12. Bailey & Sage, LLC d/b/a Bailey & Sage, holder of Common Victualler License #11528 at 355 Main Street has closed.
13. Zambrero NE Operations, LLC d/b/a Zambrero, holder of Common Victualler License #12326 at 71 Mt. Auburn Street has closed.
14. Consideration of Renewal Deferred from December 4, 2019: BBC of Boston, d/b/a Boston Burger Company, 610 Main Street, Common Victualler All Alcohol License #11610.
15. Disciplinary Taken under advisement on December 4, 2019: Fresh Pond Auto Sales, Inc. d/b/a Fresh Pond Auto Sales, 307 Fresh Pond Parkway, holder of Used Car Dealer License #12774, for alleged violations of the conditions of its license, operating without a Certificate of Occupancy, and consideration of license status pursuant to the provisions of G. L. c. 140, §§ 57-69.
16. Premila Mathews, on behalf of Ramen Restaurant Group, LLC, holder of Common Victualler License #12285, has applied to change their corporation to Sebastiaan Inc., of which she is the sole owner.
17. Consideration of Statement of Reasons for Matters heard on September 24, 2019:
  - (a) Broadway Marketplace, LLC d/b/a Broadway Marketplace, 486 Broadway, All Alcohol Package Store License #11421, 2 days suspension for sale, service and/or furnishing alcohol to a minor on August 15, 2019, in violation of G. L. c. 138, §§ 23, 34, 41, 64-64A, and Board's Rules 2 and 5B.6
  - (b) Cambridge Mall Liquor Co., Inc. d/b/a Cambridge Wine & Spirits, 202 Alewife Brook Parkway, All Alcohol Package Store License #11313, 2 days suspension for sale, service and/or furnishing alcohol to a minor on August 6, 2016, in violation of G. L. c. 138, §§ 23, 34, 41, 64-64A, and Board's Rules 2 and 5B.6; and no violation for attempt to and/or hindering/delaying an investigation by warning another of compliance checks on August 6, 2019, in violation of G. L. c. 138, §§ 23 and 64, and Board's Rules 13.4 and 13.5.

18. Consideration of Statement of Reasons for Matters Heard on October 23, 2019:

- (a) Hanarum Corporation d/b/a First United Market, 271 Brookline Street, Wine and Malt Package Store License #11716, 2 days suspension for sale, service and/or furnishing alcohol to a minor on August 29, 2019, in violation of G. L. c. 138, §§ 23, 34, 41, 64-64A, and Board's Rules 2 and 5B.6.
- (b) Harvard Wine Company, Inc. d/b/a Harvard Wine, 1664 Massachusetts Avenue, All Alcohol Package Store License #11318, 2 days suspension for sale, service and/or furnishing alcohol to a minor on August 29, 2019, in violation of G. L. c. 138, §§ 23, 34, 41, 64-64A, and Board's Rules 2 and 5B.6.
- (c) University Wine Shop, Inc. d/b/a University Wine Shop, 1737 Massachusetts Avenue, All Alcohol Package Store License #11307, 2 days suspension for sale, service and/or furnishing alcohol to a minor on August 29, 2019, in violation of G. L. c. 138, §§ 23, 34, 41, 64-64A, and Board's Rules 2 and 5B.6.
- (d) Chowdhery, Inc. d/b/a University Market, 1105 Massachusetts Avenue, Wine and Malt Package Store License #11718, 2 days suspension for sale, service and/or furnishing alcohol to a minor on August 29, 2019, in violation of G. L. c. 138, §§ 23, 34, 41, 64-64A, and Board's Rules 2 and 5B.6.

19. Statement of Reasons for Matters Heard on November 8, 2019:

- (a) James Kelley, on behalf of Cambridge Landscape Co., holder of leaf blower permit #10674, \$300.00 fine for violation of Cambridge Municipal Code 8.16.081.2(b), operating during a prohibited time.
- (b) William Mackinnon, on behalf of Greener Horizon, LLC, holder of leaf blower permit #45116, warning for violation of Cambridge Municipal Code 8.16.081.2(b), operating during a prohibited time.
- (c) Capizzi & Co., Inc., holder of leaf blower permit #10671, \$600.00 fine for violations of Cambridge Municipal Code 8.16.081: operating a non-compliant leaf blower and operating more than one leaf blower within 10,000 feet of each other.
- (d) Yard Works Landscaping \$600.00 fine for violations of Cambridge Municipal Code 8.16.081: operating without a permit and operating during a prohibited period; and referral of matter to City Solicitor for affirmative recovery.
- (e) Eversource, holder of Special Noise Variance #55449, \$300.00 fine for violation of Cambridge Municipal Code 8.16.080, operating outside of allowable construction hours.

20. Statement of Reasons for Matters heard on December 4, 2019:

- (a) Robert Cunniff, on behalf of Cunniff Landscape, Inc., holder of Leaf Blower permit #10063, \$300.00 fine for violation of Cambridge Municipal Code 8.16.081.2(f), using more than one leaf blower within 10,000 feet of each other.
- (b) Donald Boisvert, on behalf of Casella Waste Services of Mass., LLC, holder of Waste Hauler Permit #14070, \$600.00 fine for violations of Cambridge Municipal Code 8.16.080(E), loading/unloading dumpsters before the allowable hour.

21. Amrik Pabla, on behalf of Libby's Market, holder of All Alcohol Package Store License # 11319 at 575 Massachusetts Avenue, is requesting that the two day license suspension imposed by the Board be stayed pending the outcome of the appeal filed at the ABCC.

22. Deuko Enterprises, d/b/a Thistle & Shamrock, holder of Wine & Malt Package Store License #11476 at 62 Walden Street, is requesting that the two day license suspension imposed by the Board be stayed pending the outcome of the appeal filed at the ABCC.

23. Fresh Pond Liquors, Inc. d/b/a Sav-Mor Spirits, holder of All Alcohol Package Store License #11315 at 233 Alewife Brook Parkway, is requesting that the two day license suspension imposed by the Board be stayed pending the outcome of the appeal filed at the ABCC.

24. Surya Binayak, Inc. d/b/a City Liquors, holder of All Alcohol Package Store License #11500 at 620 Cambridge Street, is requesting that the two day license suspension imposed by the Board be stayed pending the outcome of the appeal filed at the ABCC.

25. Kapsco, Inc. d/b/a Cellar Wine & Spirits, , holder of All Alcohol Package Store License #11316 at 991 Massachusetts Avenue, is requesting that the two day license suspension imposed by the Board be stayed pending the outcome of the appeal filed at the ABCC.

26. Cambridge Spirits, LLC d/b/a Cambridge Spirits, holder of All Alcohol Package Store License #11486 at 250 Kendall Street, is requesting that the two day license suspension imposed by the Board be stayed pending the outcome of the appeal filed at the ABCC.

27. Pemberton Fruit Orchards, Inc. d/b/a Pemberton Farms, holder of Wine & Malt Package Store License #11442 at 2225 Massachusetts Avenue, is requesting that the two day license suspension imposed by the Board be stayed pending the outcome of the appeal filed at the ABCC.

28. Inman Cambridge, LLC d/b/a Inman Square Wine & Spirits, holder of All Alcohol Package Store License #11542 at 1226 Cambridge Street, is requesting that the two day license suspension imposed by the Board be stayed pending the outcome of the appeal filed at the ABCC.
29. Application #62282 Michael Pirrello, on behalf of Turner Construction, has applied for a special noise variance from January 2, through April 4, 2010 (alternate date of January 3 through April 6, 2020) from 6:00 a.m. to 7:00 a.m. weekdays, 7:00 a.m. to 9:00 a.m. Saturday and Sunday and 6:00 p.m. to 9:00 p.m. all days at 325 Main Street for construction equipment.
30. Consideration of Renewal Applications.
31. Consideration of requests from licensees to extend hours of operation on New Year's Eve.
32. Consideration of Meeting Minutes for: October 23, 2019, November 8, 2019, and November 19, 2019.

### **One Day Applications**

*The following are matters which the Chair reasonably anticipates will be discussed without accepting, soliciting or taking public testimony at the hearing. Anyone wishing to comment on any of the below-listed matters, please submit your statement in writing to [License@cambridgema.gov](mailto:License@cambridgema.gov).*

33. Application # 61124 (Deferred) Bill Manley, on behalf of Harvard Square Business Association, has applied for an entertainment license to be exercised at Deguglielmo Plaza, on 12/21/19 from 12:00 p.m. – 2:00 p.m. for a Latke Tasting event with live music and amplification system. Expected attendance – 75 people.
34. Application # 61657 Yoseph Boku, has applied for an entertainment license to be exercised at 52 Oxford Street, on 2/8-9/2020 with rain date 2/15/20 from 8:30 a.m. – 5:00 p.m. for a conference. Expected attendance – 150 people.
35. Application # 62003 Josephine Megwa, on behalf of Piattini, has applied for a malt and wine license to be exercised at 650 E Kendall Street, on 12/19/19 from 4:00 p.m. – 8:00 p.m. for an office party. Expected attendance – 40 people.
36. Application # 61669 Kimberly Sturge has applied for a malt and wine with entertainment license to be exercised at Cambridge Masonic Hall, 1950 Massachusetts Avenue, on 12/19/19 from 11:00 a.m. – 5:00 p.m. for a Team building/Party with patrons dancing and recorded music. Expected attendance – 40 people.
37. Application # 61993 Maria Bastardo has applied for a malt and wine with entertainment license to be exercised at Cambridge Masonic Hall, 1950 Massachusetts Avenue, on 12/28/19 from 4:00 p.m. –

12:00 a.m. for a dinner fundraiser with patrons dancing, recorded music, dj, live music and amplification system. Expected attendance – 100 people.

PLEASE NOTE THAT THE ORDER IN WHICH MATTERS ARE LISTED DOES NOT GUARANTEE IT IS THE ORDER WHICH THEY WILL BE CALLED. AS SUCH, PLEASE BE SURE TO ARRIVE AT THE NOTICED TIME OF 3:00 P.M.



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Elizabeth Y. Lint  
*Executive Director*