

# CAMBRIDGE LICENSE COMMISSION

831 MASSACHUSETTS AVE, CAMBRIDGE, MA 02139

NICOLE MURATI FERRER  
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GERARD E. MAHONEY  
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ELIZABETH Y. LINT  
EXECUTIVE DIRECTOR

## BOARD OF LICENSE COMMISSIONERS' MEETING MINUTES For Wednesday, January 29, 2020

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

Meeting started at approximately 3:04 p.m.

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

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

**Note:** All votes, unless otherwise indicated, were 3-0.

### Applicant/Licensee Testimony Matters

1. Application Barry Bros Disposal/JetAWay for a Disposal/Solid Waste Hauler License.

**Decision:** No show/no action [Second call was at 3:57 p.m.] [Time Stamp: 55:10]

2. Application #58187 Young Americans, LLC d/b/a Dear Annie, 1741 Massachusetts Avenue, has applied for a new Common Victualler Wine and Malt Beverages License. The proposed hours of operation are 4:00 p.m. to 1:00 a.m. Monday through Friday and 12:00 p.m. to 1:00 a.m. Saturday and Sunday with proposed seating for 71 and an occupancy of 77. Lauren Friel as Proposed Manager of Record of a premise described as: 1,463 sq/ft on first floor, with two seating/bar areas located in front and rear, two restrooms, kitchen, storage, one entrance and two egresses. Applicant is also applying for an Entertainment License to include Live music without amplification. [Time Stamp: 01:36]

**Present:** Attorney Adam Barnosky; and Lauren Friel, Andrew Brady and Sarah Markey, applicants. Members of the public who spoke in favor of the petition.

**Documents Considered:** Application and documents attached thereto, and documents submitted at the hearing.

**Summary:** This will be a new wine bar in a location that was formerly a retail space, on the first floor. It has been vacant for two years. The team behind it also own Rebel Rebel and Field and Vine in Somerville. They will have bar tables and communal tables. There will also be community space. The back space could be used for book club and other types of gatherings. The menu is pescatarian and will be locally sourced. Applicants appeared before the BZA for parking relief. The BZA granted the parking relief and only approved 65 seats. They did not

discuss occupancy. The BZA decision has not been issued yet. Lauren Friel will be the manager of record. She is 21 Proof certified and provided her certification. She has significant experience in the restaurant industry. There are very few pouring licenses in this stretch of Massachusetts Avenue and this will help to invigorate the area. Numerous individuals spoke in favor of the application and the applicants' good character. There was discussion that the live entertainment being sought is not allowed per zoning.

**Decision:** Granted. The seating capacity and overall occupancy to be set once BZA decision is issued and final floor plan provided. Only background music is approved at this time. Board deferred on taking action on the request for live entertainment pending further information from the attorney and zoning. Bank statements in support of the financial disclosures on the application are to be submitted.

3. Application #62943 Dig Inn MIT One Broadway Bos, LLC, d/b/a Dig Inn, One Broadway, has applied for a new Common Victualer All Alcoholic Beverages License. The proposed hours of operation are 11:00 a.m. to 12:00 a.m. all days with proposed seating for 40 indoors and 14 on a seasonal patio on private property, and an occupancy of 58 plus 14 on the patio. Rajesh Pancholi as Proposed Manager of Record of a premise described as: 2,381 sq/ft on ground floor, with kitchen, storage, two dining areas, one entrance and one exit. **[Time Stamp: 23:28]**

**Present:** Patrick Conte, on behalf of the applicants; and Sammy Grouper and Rajesh Pancholi, applicants. Xavier Dietrich, member of the public, spoke in conditional support of the application.

**Documents Considered:** Application and documents attached thereto; and corrected forms submitted at the hearing.

**Summary:** The correct address for the location is 2 Broad Canal. It is in an area designated for active ground floor usage, particularly restaurants pursuant to the Planning Board's design of the area. The concept is fast casual, but not fast-food, which is different than what is offered by restaurants in the area. The food is locally sourced. The menu changes seasonally. Patrons go down a line and design their bowls. Alcohol will be served from the counter. There will be a designated person making drinks. The intent is to pair bowls with specially designed cocktails, in order to enhance the meal. Mr. Pancholi will be manager of record and has uploaded his ServSafe certificate.

**Decision:** Granted. Updated CORI forms will be provided. The beneficial interest disclosure exemption was approved.

4. Application #63767 261 SRC, LLC d/b/a Source Restaurant, has applied to transfer the All Alcoholic Beverages License currently held by 242 Incorporated d/b/a Cambridge 1 Restaurant at 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. Applicant is also applying for a pledge of license.

**Summary:** Continued to March 2, 2020 prior to the start of the meeting.

5. Application #62027 Dimi's Place, Inc. d/b/a Dimi's Place, 272 Brookline Street, for a new Common Victualler License with proposed hours of 7:00 a.m. to 9:00 p.m. Monday through Friday, and 8:00 a.m. to 8:00 p.m. Saturday and Sunday, with seating for 36 and a total occupancy of 39. Gabi Essber as proposed manager of record of a premise described as: Corner of the building, approximately 1600 SF, It is an open space kitchen, two handicap accessible bathrooms, one entrance and two exits, dining room & kitchen. **[Time Stamp: 35:09]**

**Present:** Gabi Essber and Robert Miller, applicants.

**Documents Considered:** Application and documents attached thereto; and email from abutter.

**Summary:** Applicants will be taking over the space that is currently Dimitrio's. They are slowly changing the menu and bringing in healthier items and still serve pizza and subs. There was discussion of issue with rats raised by an abutter via email. Mr. Miller spoke with her prior to the hearing and explained that they will be vigilant. The area is being kept clean and the dumpster closed. They are aware that there was an issue in the past, but they have not had an issue with rodents per their pest control company.

**Decision:** Granted.

6. Application #65167 San Grill La, Inc. d/b/a Melting Pot, 344 Huron Avenue, Common Victualler Wine & Malt Restaurant, for a Change of d/b/a to Base Crave. **[Time Stamp: 40:03]**

**Present:** Bhola Pandey, licensee.

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

**Summary:** Mr. Pandey is changing the name as he received a letter from The Melting Pot Inc. advising that they will sue him if he did not do so.

**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: 41:25]*

7. Application #63545 Kristen Rummel, on behalf of Honeycomb Creamery, holder of Common Victualler License #12297, has applied to increase the number of seats in the establishment from 8 to 15.

**Decision:** Deferred, matter still pending zoning approval.

8. Application #63936 Becky Marcinkevich, on behalf of Enterprise Rent-A-Car, holder of Letting of Motor Vehicle License #14139, has applied to change their hours of operation on Saturday and Sunday to 8:00 a.m. to 6:00 p.m. Current opening hour is 9:00 a.m.

**Decision:** Granted.

9. Application #63619 HH Trinh Corporation, doing business as AllStar Pizza Bar, has applied for a new Common Victualler License at 1238 Cambridge Street with hours of 10:00 a.m. to 11:00 p.m. all days.

**Summary:** This corporation is taking over the existing space and business. The application is just for a common victualler as the current alcohol license (#11453) at this location is a no value, non-transferable license.

**Decision:** Granted. License # 11453 is to be cancelled and file closed.

10. Application #64341 Harrison Bond, on behalf of Turner Construction, has applied for a special noise variance from January 31, 2020 through February 10, 2020 (alternate dates of February 1, 202 through February 17, 2020), weekdays from 6:00 p.m. to 10:00 p.m. and Saturday and Sunday 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 a crane and power tools.

**Decision:** Granted with the condition that a Sunday work permit is required.

11. Application #64436 Matt Burnham, on behalf of McCourt Construction, has applied for a special noise variance on five Saturdays only between February 1, 2020 and February 29, 2020 (alternate date of February 9, 2020 through March 8, 2020) at 322 Binney Street for dump trucks, excavators, loaders, generators and compressors, as part of the city betterment project.

**Decision:** Granted.

12. Application #64326 Frederick York, on behalf of Phoenix Communications, has applied for a special noise variance weekdays only from January 30 through February 27, 2020 (alternate date of February 3 through March 2, 2020) from 6:00 p.m. until 12:00 a.m. at 4 Canal Park for an idling truck and blower.

**Decision:** Granted.

13. Application #64961 Travis Crowley, on behalf of Phoenix Communications, has applied for a special noise variance from January 31 to February 1, 2020 (alternate date of February 7 to February 8,

2020) from 8:00 p.m. to 2:00 a.m. at 705 Cambridge Street to open a manhole cover to splice fiberoptic cable.

**Decision:** Granted.

14. Application #12251 Susan Kim, on behalf of Paris Baguette America, Inc. d/b/a Paris Baguette at H Mart, has applied to change their manager from William Oh to Mandesh Shrestha.

**Decision:** Granted.

15. Application #64953 Starbuck's Corp. d/b/a Starbucks, holder of Common Victualler license #12197 at 468 Broadway, has applied to open at 5:00 a.m. Current opening hour is 6:00 a.m.

**Decision:** Granted.

16. Application #64969 Starbuck's Corp. d/b/a Starbucks, holder of Common Victualler License #12196 at 1662 Broadway [sic], has applied to open at 5:30 a.m. Current opening hour is 6:00 a.m.

**Decision:** Granted. Correct address of the licensee is 1662 Massachusetts Avenue.

17. Statement of Reasons for Matters Heard on December 18, 2019:

(a) Brightview Landscape Services, holder of Leaf Blower Permit # 15106, \$300.00 fine for violation of Cambridge Municipal Code 8.16 § 8.16.081.2(e), operating a leaf blower above the allowable dB(A) level on November 25, 2019, at 19-21 Wendell Street.

**Decision:** Approved – change letterhead.

(b) Fresh Pond Auto Sales, Inc. d/b/a Fresh Pond Auto Sales, 307 Fresh Pond Parkway, holder of Used Car Dealer License #12774, \$300.00 fine pursuant to G. L. c. 140, § 68, for violations of: G. L. c. 140, §§ 57-69; conditions of its license by having vehicles inside the building without approval of the Board and occupying the building and operating the business without a COO; allowing more than 11 vehicles to park on the parking lot; allowing non-employees or customers to park on the premises; and allowing overnight parking. Also, reinstatement and reissuance of the license with additional conditions placed as voted upon by the Board on December 18, 2019.

**Decision:** Approved.

(C) 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.

**Decision:** Approved – change letterhead.

- (d) BBC of Boston, d/b/a Boston Burger Company, 610 Main Street, Common Victualler All Alcohol License #11610.

**Decision:** Approved.

18. Statement of Reasons for Matter Heard on January 13, 2020:

- (a) Yemesrach Bahiru d/b/a Dudley Street Market, linked to 75 Dudley Street, Wine and Malt Package Store License #11241, cancellation hearing for non-use in six months pursuant to G. L. c. 138, §§ 23, 64, and 77.

**Decision:** Approved – change letterhead and add that it was a 3-0 vote.

19. Notice of ABCC Decisions:

- (a) Applications #31169 and 31170 Coffeeshop, LLC d/b/a UpperWest, One Cedar Street, for a package store license, G.L. c. 138, § 15. ABCC approved the Board's denial of the applications.

**Decision:** Acknowledged.

- (b) Board of License Commissioners' Motion for Summary Judgement relating to applications #43910 and 43911, Coffeeshop, LLC d/b/a UpperWest, One Cedar Street, for a package store license, G.L. c. 138, § 15. The ABCC granted the Motion and dismissed the appeal.

**Decision:** Acknowledged.

20. Implementation of new hackney rules.

**Decision:** Acknowledge, adopt – change date to 1/29/2020.

22. Minutes for December 18, 2019 and January 13, 2020.

**Decision:** Approved.

#### **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: 48:40]*

23. Application # 60299 (Deferred) Elizabeth Mann has applied for an entertainment license to be exercised at Massachusetts Avenue (starting at Harvard Street and ending at Holyoke Street), on 1/31/20 from 2:00 p.m. – 4:00 p.m. for the Woman of the Year parade with live music and performers/entertainers dancing. Expected attendance – 500 people.

**Decision:** Granted, with the conditions that the entertainment can only happen between 2:45 p.m. – 3:15 p.m. per registration, and police detail required. The set-up can begin at 2:00 p.m., and the breakdown can continue until 4:00 p.m.

24. Application # 60298 (Deferred) Elizabeth Mann has applied for a malt and wine license to be exercised at 12 Holyoke Street, on 2/8/20 from 8:00 p.m. – 10:00 p.m. for an alumni reception at the Hasty Pudding Theatrical. Expected attendance – 260 people.

**Decision:** Granted, with the conditions that: there must be a limited number of 3 of alcoholic drinks associated with the admission price, otherwise/thereafter the alcohol must be sold; and police detail required.

25. Application # 60297 (Deferred) Elizabeth Mann has applied for a malt and wine license to be exercised at 12 Holyoke Street, on 2/7/20 from 6:00 p.m. – 11:00 p.m. for the Man of the Year reception at Hasty Pudding Theatrical. Expected attendance – 260 people.

**Decision:** Granted, with amended start time of 8:00 p.m. per registration and the conditions that: there must be a limited number of 3 of alcoholic drinks associated with the admission price, otherwise/thereafter the alcohol must be sold; and police detail required.

26. Application # 64179 Bill Manley, on behalf of Harvard Square Business Association, has applied for an entertainment license to be exercised at Deguglielmo Plaza, on 2/1/20 from 11:00 a.m. – 4:00 p.m. for a tasting event with patrons dancing, performers/entertainers dancing and live music. Expected attendance – 500 people.

**Decision:** Granted.

27. Application # 64039 Nia Talley, on behalf of Harvard Black Students Association, has applied for an entertainment license to be exercised at 59 Shepard Street, on 2/1/20 from 8:30 p.m. – 3:00 a.m. for a party with patrons dancing, recorded music, dj and amplification system. Expected attendance – 499 people.

**Decision:** Granted, with amended hours of 10:00 p.m. – 2:00 a.m. per registration, and with the condition that a police detail is required.

28. Application # 64153 Magdalena Siwek, on behalf of the GSAS Student Center, has applied for a malt and wine with entertainment license to be exercised at Lehman Hall, 7 Harvard Yard, on 2/29/20 from 7:00 p.m. – 12:00 a.m. for a party with patrons dancing, recorded music, dj and amplification system. Expected attendance – 200 people.

**Decision:** Granted with an amended start time of 8:00 p.m., and the condition that a police detail is required.

29. Application # 64234 Jongchan Woo, on behalf of Korean Graduate Student Association, has applied a malt and wine with entertainment license to be exercised at 50 Memorial Drive, on 2/8/20 from 8:00 p.m. – 11:00 p.m. for a party with recorded music and amplification system. Expected attendance – 300 people.

**Decision:** Granted with the condition that a police detail is required.

30. Application # 64250 Katharine Courtemanche has applied for a wine license to be exercised at Agassiz Theatre Horner Room, 5 James Street, on 2/8/20 from 9:00 p.m. – 12:00 a.m. for a gala. Expected attendance – 130 people.

**Decision:** Granted, with amended hours of 9:30 p.m. – 11:30 p.m. and the conditions that: there must be a limited number of 2 of alcoholic drinks associated with the admission price, otherwise/thereafter the alcohol must be sold; and police detail required.

31. Application # 64340 Lauren Schexnayder has applied for an entertainment license to be exercised at MIT Sala de Puerto Rico, 84 Massachusetts Avenue, on 1/31, 2/1, 2/6, 2/7 8:00 p.m. – 10:30 p.m.; 2/2 2:00 p.m. – 4:30 p.m. & 2/8 6:00 p.m. – 8:30 p.m. for a musical with performers/entertainers dancing and theatrical exhibition/play/moving picture show. Expected attendance – 120 people.

**Decision:** Granted.

32. Application # 64337 Poofydude, LLC d/b/a Wits End, Common Victualler All Alcohol license # 11615, has applied for an entertainment license to be exercised at 1248 Cambridge Street, on 2/6/20, 2/27/20, 3/5/20 & 3/19/20 from 7:00 p.m. – 9:30 p.m. for an acoustic/live music event. Expected attendance – 65 people.

**Decision:** Granted only as to 2/6/2020; defer on all other dates pending further information from zoning.

33. Application # 64334 Shelley Neill, on behalf of Multicultural Arts Center, has applied for a wine license to be exercised at 41 Second Street, on 2/14/20 from 6:00 p.m. – 10:00 p.m. for a concert. Expected attendance – 90 people.

**Decision:** Granted.

34. Application # 64353 Russell Marshall, on behalf of Longy School of Music, has applied for a wine license to be exercised at Zabriskie House, 27 Garden Street, on 2/12/20 with rain date of 2/13/20 from 7:00 p.m. – 9:00 p.m. for a reception. Expected attendance – 30 people.

**Decision:** Granted.

35. Application # 64448 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 2/9/20 from 5:00 p.m. – 8:00 p.m. for a spoken word event with story-telling with acoustic amplified. Expected attendance – 75 people.

**Decision:** Granted.

36. Application # 64477 World Music Inc. d/b/a Global Arts Live, has applied for a one day hawker/peddler license to be exercised at 45 Quincy Street, on 2/2/20 from 1:00 p.m. – 5:30 p.m. to sell cd's and t-shirts.

**Decision:** Granted.

37. Application #64522 Eliza Rafferty on behalf of The Catered Affair, has applied for a malt and wine license to be exercised at Harvard Art Museums, 32 Quincy Street, on 2/13/20 with rain date 2/15/20 from 7:00 p.m. – 9:00 p.m. for a reception. Expected attendance – 400 people.

**Decision:** Granted.

38. Application # 64492 Liza Shirazi, on behalf of Revival Café, has applied for a malt and wine license to be exercised at 125 Cambridgepark Drive, on 1/30/20 from 6:00 p.m. – 10:00 p.m. for an awards ceremony. Expected attendance – 65 people.

**Decision:** Granted.

39. Application # 64952 DiDi Ames Street Kendall, LLC d/b/a Dumpling Daughter, Common Victualler license # 14027, has applied for a malt license to be exercised at 73 Ames Street, on 1/30/20 from 6:30 p.m. – 8:30 p.m. for a dinner. Expected attendance – 30 people.

**Decision:** Granted, with the maximum capacity set at 71.

40. Application # 65089 Gabrielle Barroso has applied for an all alcohol with entertainment license to be exercised at Cambridge Masonic Hall, 1950 Massachusetts Avenue, on 2/15/20 from 6:00 p.m. – 12:00 a.m. for a 60th birthday with dj and amplification system. Expected attendance – 100 people.

**Decision:** Granted.

**[Late submissions/additions to the agenda]**

41. Application #65195 Jim Dimaura, on behalf of Parkside Utility Construction, has applied for a special noise variance from February 6 through 7, 2020 (alternate date of February 10 through 11, 2020) at 5 JFK Street from 8:00 p.m. to 1:00 a.m. for repairing and replacing a manhole cover.

**Decision:** Granted, pending confirmation of notice to abutters.

42. Norton Woods, Inc. d/b/a The American Academy of Arts and Sciences, holder Common Victualler All Alcohol License and Entertainment License #11352 to update the capacity on the license to match floor plan, premise description and COI.

**Decision:** Approved and acknowledged.

43. Notice received from ABCC that Surya Binayak, d/b/a City Liquors has withdrawn their appeal of the license suspension as the license has been transferred.

**Decision:** Acknowledged.

44. Richard Graham, on behalf of Rich Grahams, LLC, holder of Common Victualler All Alcohol License #53290 at 1193 Cambridge Street, has applied for a one day entertainment license on February 2, 2020 (rain date of February 10, 2020) from 3:34 to 5:00 p.m. for a concert.

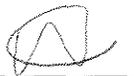
**Decision:** Granted.

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**Board's Approval of Minutes**

NMF



Date Minutes Approved

**FEB 12 2020**

GEM



Date Minutes Posted

**FEB 12 2020**

BGB

