



CAMBRIDGE LICENSE COMMISSION

831 Massachusetts Avenue, First Floor, Cambridge, Massachusetts 02139

BOARD OF LICENSE COMMISSIONERS' MEETING MINUTES

For Meeting of September 11, 2019

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

Meeting started at 3:08 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.

Public Testimony Matters

Matters may have been called in a different order than that listed on the agenda. In addition, some matters may have required a second call.

1) Application #52551 Stoked Pizza Cambridge, LLC, d/b/a Stoked Pizza Co., 1611 Massachusetts Avenue, has applied for a new Common Victualler All Alcohol Beverages License. The proposed hours of operation are 11:00 a.m. to 11:00 p.m. Monday through Saturday and 12:00 p.m. to 11:00 p.m. Sunday with seating for 88 inside, and 32 seats outside on a private property. Toirm Miller as Proposed Manager of Record of a premise described as: Restaurant consisting of approx. 2,375 square feet located on first floor of building, including dining room, bar, three (3) restrooms, kitchen, storage, one (1) entrance, three (3) means of egress, seasonal outdoor patio on private property. Entertainment to include background music only. **[Time Stamp: 01:50]**

Present: Attorney Adam Barnosky; Toirm Miller and Doug McGregor, applicants; Denise Jillson, Harvard Square Business Association; Eric Quadrino, business owner; and Peter Boden-Friedman, resident.

Documents Considered: Application and documents attached thereto; and correspondence received in support of application.

Summary: This location went through a large scale rezoning in 2016 through 2017. The building is owned by Harvard and near Harvard Law School. This would be the only retail space on the bottom floor of the building, the upper floors are offices for Harvard. The business will help reactivate the area. The applicants have another location in Brookline. They have had no issues there or with the ABCC. In

this location they will be using electric ovens, not wood burning. The menu will be primarily pizza but will have a diverse operation and other options. The concept arises out of their food truck. The space is an empty shell at this time and the applicants expect a Spring 2020 opening. Eric Quadrino and Denise Jillson spoke in favor of the application. Peter Boden-Friedman also spoke in favor of the application but has concerns about noise on the corner. The applicant explained there would be no open windows. The operation is a sit-down concept, no selling of slices, and the outdoor patio is on the sidewalk towards the street (not the residences in the back) with a sit-down server-oriented operation. The entry to the building is towards the center of the building, away from Everett Street.

Decision: Granted.

2) Application #53290 RichGrahams, LLC d/b/a Richards, 1193 Cambridge Street, has applied for a new Common Victualler Wine, Malt, and Cordials/Liqueurs License. The proposed hours of operation are 5:00 p.m. to 10:00 p.m. Tuesday through Thursday and 5:00 p.m. to 10:30 p.m. Friday and Saturday with seating for 40 and an occupancy of 46. Richard Graham III as Proposed Manager of Record of a premise described as: 2800 square feet. The space is 1.5 levels, dining room and bar on the first level and a waiting area up 3 steps behind it. Through the front door there is a small entry-way, with a second door opening into the dining area. Kitchen is semi- open behind the bar and is only accessible through the bar. The waiting area is on the split level of the restaurant space. There are two bathrooms, a dry storage room and a walk-in cooler. Back hallway leading to cellar and rear exit. **[Time Stamp: 13:06]**

Present: Richard Graham III and Sarah Graham, applicants; Chief Licensing Investigator Andrea Boyer; Jean Graham; Ilger Cakuli; and Dequan Wu.

Documents Considered: Application and documents attached thereto; and correspondence received in support of application.

Summary: This location was previously a restaurant space. It will be an American style, which basically will offer and cook any type of food that came into America. It is a full service restaurant with 34 seats and 6 seats at a bar. They will be closed Sunday and Monday and will have background music only, although may consider adding some live entertainment in the future. The Board pointed out that the applicant may need a variance for live entertainment. Jean Graham and Ilger Cakuli spoke in favor of the application. Dequan Wu spoke in opposition to the application. He stated that he owns the other half of the building and is concerned about noise from a bar. Ms. Graham stated that it will be "food first" and that the bar is secondary. Investigator Boyer stated that the only history of noise at this location was due to a vent, which has been replaced.

Decision: Granted.

3) Application #50668 SUZEQ, LLC d/b/a Mexcito, 350 Kendall Street, has applied for a new Common Victualler Wine, Malt, and Cordials/Liqueurs License. The proposed hours of operation are 11:00 a.m. to 1:00 a.m. all days with no inside seating, and 19 seats outside, an outside occupancy of 21, on a private property. David Zimel as Proposed Manager of Record of a premise described as: 222 sq. ft.

pass through window service. Seasonal outdoor patio seating. No indoor seating. Small service kitchen no cooking on premises. **[Time Stamp: 22:10]**

Present: David Zimel and Eric Quadrino, applicants; Kimberly Courtney; and Xavier Dietrich.

Documents Considered: Application and documents attached thereto.

Summary: The establishment is currently owned by the applicants as a commissary with a window for take-out. The applicants seek to expand the operation by adding a patio in the summer months only for food and alcohol service. There would be continuous planters around the space with full time staff assigned to the patio, as well as owner presence. Food would be picked up and taken to the patio, but alcohol would be delivered. There would be no alcohol service in the winter. There was much consideration given to the patio and the original plan was reduced from 24 to 19 to be able to enclose it and control it. Kim Courtney spoke against the application based on the license type being applied for and for alleged lack of public need. Xavier Dietrich spoke in opposition to the application for alleged lack of public need. The applicants reiterated they have been in the area over 11 years and have seen the boom in population and density which continues to explode in this area. In addition, there is no other restaurant in the immediate area like theirs.

Decision: Vote deferred to September 24, 2019 while the Board considers the application as filed and/or determines if this operation qualifies as a seasonal license and whether that type of license can be issued.

4) Application #52649 President and Fellows of Harvard College, 64 Linnaean Street, has applied for a Lodging House License for 10 rooms with 10 occupants. **[Time Stamp: 32:50]**

Present: Alexandra Offiong and Anthony Pucillo, applicants.

Documents Considered: Application and documents attached thereto.

Summary: The name for this lodging house is Currier House Entry Building and has 10 single rooms on the second floor for undergraduate students. It is a small piece of the larger Currier House.

Decision: Granted.

5) Application #52648 President and Fellows of Harvard College, 391 Harvard Street, has applied for a Lodging House License for 45 rooms with 62 occupants. **[Time Stamp: 35:28]**

Present: Alexandra Offiong and Anthony Pucillo, applicants.

Documents Considered: Application and documents attached thereto.

Summary: This lodging house is named Hurlbut Hall and is a first year dorm containing 45 rooms with 62 beds and 62 occupants. It is outside of Harvard Yard. There is a combination of room types – singles and doubles.

Decision: Granted.

6) Application #51281 BL 27 Brattle MA, LLC d/b/a Bluestone Lane, 27 Brattle Street, for a new Common Victualler License with proposed hours of 7:00 a.m. to 10:00 p.m. all days with seating for 75, and a total occupancy of 98. Thomas Whalen as proposed manager of record of a premise described as: 1,400 sq. ft. rectangular ground floor premises with 800 sq. ft. 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. Background music from iPod playlist through small speakers in ceiling. **[Time Stamp: 37:11]**

Present: Harry Nathan Kalyan, General Counsel for the applicant.

Documents Considered: Application and documents attached thereto.

Summary: Bluestone is an Australian style French café with a full menu. The company is based in New York. There are 24 locations in New York, 20 in California, 5 will be opening in Boston, others across the country, and this would be the first one in Cambridge. They will be occupying the ground floor and mezzanine. They are not applying for alcohol at this time as it is the company's practice to become a member of the community first prior to applying for/implementing alcohol. They are aiming for a November 2019 opening.

Decision: Granted.

7) Application #50491 Transfer of the Common Victualler Wine & Malt License #11538 held by Shanghai Fresh, Inc. d/b/a Shanghai Fresh, 735 Massachusetts Avenue, to 18 Fresh, Inc. d/b/a Shanghai Fresh, at the same location. The proposed hours of operation are 11:00 a.m. to 11:00 p.m. Monday through Thursday, 11:00 a.m. to 11:30 p.m. Friday and Saturday, and 11:00 a.m. to 10:00 p.m. Sunday with seating for 45, occupancy of 48, and 20 seats outside on the public sidewalk. Mimy Wang as Proposed Manager of Record of a premise described as: Ground level restaurant with patio outside (food only). Entrance through Mass. Ave. Another exit at the back of the building. Kitchen located towards the back of the premise. Basement has storage and prep room. **[Time Stamp: 41:55]**

Present: Mimy Wang, applicant.

Documents Considered: Application and documents attached thereto.

Summary: This application was originally heard on July 31, 2019 but had to be reheard as the applicant failed to properly notify abutters. The information and statements made during the July 31, 2019 hearing were incorporated by reference and made a part of the instant hearing.

Decision: Vote affirmed; application granted.

Note: Applications 8, 9 and 10 were considered together:

8) Application #54830 R&D Pub at 32 Vassar Street (MIT), holder of Common Victualler All Alcohol Educational License #11707, has applied for a change of manager to Mark Hayes. **[Time Stamp: 43:10]**

9) Application #53831 The Thirsty Ear Pub, 235 Albany Street (MIT), holder of Common Victualler All Alcohol Educational License #11703, has applied for a change of manager to Mark Hayes.

10) Application #53832 The Muddy Charles Pub, 142 Memorial Drive (MIT), holder of Common Victualler All Alcohol Educational License #11706, has applied for a change of manager to Mark Hayes.

Present: Mark Hayes.

Documents Considered: Applications and documents attached thereto.

Summary: Mr. Hayes is now the head of dining services at MIT. These are all educational licenses. His TIPS certification was uploaded to the records.

Decision: Granted as to all three applications.

11) Application #51289 Teyya & Son, LLC d/b/a Yummy Thai, 2261 Massachusetts Avenue, Common Victualler License #22933, for a Change of Hours from 11:00 a.m. to 11:00 p.m. to 11:00 a.m. to 1:00 a.m. **[Time Stamp: 44:28]**

Present: No one.

Documents Considered: Application and documents attached thereto.

Summary: Second call was at 4:32 p.m. This matter was originally heard on July 31, 2019. The vote was deferred to allow the applicant to submit abutters' notification. The abutter notification was not submitted and numerous calls and emails to applicants were not responded to.

Decision: Denied.

12) Disciplinary D. Muzzioli Associates Leaf Blower Permit #10707, for allegedly operating during a prohibited period. Specifically, it is alleged that employees used leaf blowers on July 31, 2019 at 11:45 a.m. at 36-38 Carver Street in violation of Cambridge Municipal Code 8.16.081.2(a). **[Time Stamp: 45:25]**

Present: Chief Licensing Investigator Andrea Boyer; and Adam Fetherston, D. Muzzioli representative.

Documents Submitted: Hearing notice and documents attached thereto; photos submitted; and file.

Summary: An email complaint was received stating that very loud leaf blowers were observed at 36-38 Carver Street on July 31, 2019 at 11:45 a.m. Mr. Fetherston stated that he was not there but does not deny the blower was used during a prohibited period. He contacted the crews and told them to cease and desist the use of leaf blowers in Cambridge. The company was also noticed for operating without a permit. The company had been applying for and receiving permits since 2016. The company has applied to renew the permit, but the process is not yet completed.

Decision: Violations for operating without a permit and operating leaf blowers during a prohibited period. Board issued a warning for operating without a permit, and a \$300.00 fine for operating during a prohibited period.

13) Disciplinary Casablanca Services Leaf Blower Permit #10727, for allegedly operating during a prohibited period and during a prohibited time. Specifically, it is alleged that employees used leaf blowers on Saturday, June 28, 2019 from 8:05 a.m. to 8:30 a.m. at 1010 Memorial Drive in violation of Cambridge Municipal Code 8.16.081.2(a) & (b). **[Time Stamp: 48:26]**

Present: Chief Licensing Investigator Andrea Boyer; and Yacine Ibrahim, Casablanca Services representative.

Documents Considered: Hearing notice and documents attached thereto; and file.

Summary: A complaint was received through See Click Fix stating that Casablanca Services was operating leaf blowers on June 28, 2019 at 1010 Memorial Drive, at 8:05 a.m. Saturday work cannot start until 9 a.m. Mr. Ibrahim stated that they have a new crew. The property manager asked them to clear debris and they did not know they could not use the leaf blowers. They only have two properties in Cambridge and have never had a violation.

Decision: Board voted to find a violation (3-0) and issued a warning (2-1) (dissent: Chair Murati Ferrer voted to issue a fine and hold it in abeyance).

14) Disciplinary Lopez Landscaping Leaf Blower Permit #34084, for allegedly operating during a prohibited period and during a prohibited time. Specifically, it is alleged that employees used leaf blowers on Saturday, June 22, 2019 at 6:55 a.m. in violation of Cambridge Municipal Code 8.16.081.2(a) & (b), and Thursday, August 15, 2019 at 2:55 p.m. at 243 Lexington Avenue in violation of Cambridge Municipal Code 8.16.081.2(a). **[Time Stamp: 51:50]**

Present: Olzen Rivas and Fredy Lopez, Lopez Landscaping representatives; and Chief Licensing Investigator Andrea Boyer.

Documents Submitted: Hearing notice and documents attached thereto.

Summary: A See Click Fix complaint was received stating that Lopez Landscaping was observed operating leaf blowers on Saturday, June 22, 2019 at 6:55 a.m. This is a prohibited time and date. Another observation was made on August 15, 2019 at 2:55 p.m. Mr. Lopez stated that he does not work in Cambridge on Saturdays but admitted that the picture of the truck submitted was theirs. It was

ascertained that the regulations regarding leaf blowers were emailed to Mr. Lopez in English, Spanish and Portuguese. In addition, the prohibitions are listed on their permit.

Decision: Board voted to find a violation (3-0) and issued a warning (2-1) (dissent: Chair Murati Ferrer voted to issue a fine and hold it in abeyance).

Note: *Chief Mahoney left the meeting (Time Stamp: 1:01:55). From this point until the end of the meeting, all votes were 2-0.*

15) Disciplinary E.C. Hathaway and Associates, for allegedly operating without a permit and during a prohibited period. Specifically, it is alleged that employees used leaf blowers on Saturday, June 22, 2019 at 10:12 a.m. and June 28, 2019 at 8:03 a.m. on Appleton Street and Brewster Street in violation of Cambridge Municipal Code 8.16.081.1(b), 8.16.081.2(a), and 8.16.081.2(c). **[Time Stamp: 1:02:05]**

Present: Chief Licensing Investigator Andrea Boyer; and no representative for E.C. Hathaway.

Documents Considered: Hearing notice and documents attached thereto; and file.

Summary: Second call was at 4:09 p.m. with no one appearing for E.C. Hathaway. A complaint was received through See Click Fix that on June 22 and June 28, 2019 E.C. Hathaway employees were operating on Appleton Street during a prohibited date and time. They are not permitted to operate in the City and have a long history of violating the ordinance.

Decision: Board found a violation and issued a \$300.00 fine for both dates, 2 counts of operating without a permit and 2 counts of operating during a prohibited period, for a total of \$1,200.00.

16) Disciplinary Landscape Collaborative, Inc., Leaf Blower Permit #10704, for allegedly operating during a prohibited period. Specifically, it is alleged that employees used leaf blowers on August 5, 2019 at 11:30 a.m. at 125 Brattle Street in violation of Cambridge Municipal Code 8.16.081.2(a). **[Time Stamp: 1:03:35]**

Present: Chief Licensing Investigator Andrea Boyer.

Documents Considered: Hearing Notice and documents attached thereto; and waiver of hearing filed by Landscape Collaborative.

Summary: Landscape Collaborative field a waiver admitting that on August 5, 2019 at 11:30 a.m. they were operating a leaf blowers at 125 Brattle Street, which is a prohibited period.

Decision: Board found a violation and issued a \$300.00 fine.

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: 1:07:15]

17) Robert Harris, on behalf of NOCA Provisions, has notified the License Commission that they closed the business on June 1, 2019. They are requesting a prorated refund of their licensing fee.

Decision: Board acknowledged closure of business and denied request for refund pursuant to MGL c. 138 § 23 (Paragraphs 6 and 7) and in accordance with Board's votes on similar matters.

18) Application #55469 John Kessen, on behalf of State Park, holder of Common Victualler All Alcohol and Entertainment License #11490 at One Kendall Square, has applied to have live music on their upper patio for Oktoberfest on September 23, 2019 from 5:00 p.m. to 10:00 p.m.

Decision: Granted.

19) **Statement of Reasons:**

Matter heard on August 21, 2019 Loyal Nine, Common Victualler All Alcoholic Beverages License #11514, 660 Cambridge Street, for violations of failing to comply with crowd control manager requirements and overcrowding.

Decision: Approved.

20) Minutes for hearing on August 31, 2019.

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: 1:09:40]

21) Application # 54179 Deanna (Bucciarelli) van Lear, on behalf of the National Kidney Foundation, has applied for an entertainment license to be exercised at North Point Park, on 10/13/19 from 7:00 a.m. – 3:00 p.m. for a fundraising walk with patrons dancing, recorded music, dj and amplification system. Expected attendance – 3000 people.

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

22) Application # 54232 Scott Kendall, on behalf of Pemberton Farms, has applied for a malt with entertainment license to be exercised at 2225 Massachusetts Avenue, on 9/14/19 from 1:30 p.m. – 5:30 p.m. for a beer tasting with live music and amplification system. Expected attendance – 750 people.

Decision: Granted with the conditions that: the event take place in the parking lot; alcohol cannot be donated; there must be a limited number of tastings (12) associated with the admission price, otherwise/thereafter, the tastings must be sold; tasting amounts are limited to 2 oz each; food must be served in conjunction with the tasting; and a police detail is required

23) Application # 53724 Geoffrey Thompson, on behalf of The Sinclair, has applied for a malt and wine license to be exercised at Church Street parking lot, 52 Church Street, on 10/13/19 with rain date of 10/20/19 from 12:00 p.m. – 3:00 p.m. for Oktoberfest. Expected attendance – 1500 people.

Decision: Granted only as to 10/13/19, with the condition that a police detail is required. The rain date was not approved as it was not in the permission letter. If the applicant supplements the supporting documentation with approval for a rain date, it is approved.

24) Application # 53501 Crista Martin, on behalf of Harvard University dining services, has applied for a one day hawker/peddler license for (12) vendors to be exercised at 1 Oxford Street, on 9/28/19 from 10:30 a.m. – 4:00 p.m. for a festival/sampling of food event.

Decision: Granted.

25) Application # 54041 Monica Harnoto has applied for a malt and wine license to be exercised at MIT Museum, 265 Massachusetts Avenue, on 10/11/19 from 5:00 p.m. – 10:00 p.m. for a networking event. Expected attendance – 600 people.

Decision: Granted with amended hours of 6:30 p.m. to 9:30 p.m. per MIT registration, and with the condition that a police detail is required.

26) Application # 54035 Bill Manley, on behalf of Harvard Square Business Association, has applied for an entertainment license to be exercised at Winthrop park, Winthrop Street, Mt. Auburn Street, on 9/15/19 with rain date 9/22/19 from 8:00 a.m. – 8:00 p.m. for a Thai cultural event with patrons dancing, performers/entertainers dancing, recorded music, live music and amplification system. Expected attendance – 150 people.

Decision: Granted.

27) Application # 54053 Paul Clark has applied for a malt with entertainment license to be exercised at 64 Sidney Street, on 9/22/19 with rain date 9/29/19 from 8:00 a.m. – 12noon for a road race with recorded music, dj, live music and amplification system. Expected attendance – 1800 people.

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

28) Application # 53833 Catherine Zusy, on behalf of Magazine Beach Partners, has applied for a malt and wine with entertainment license to be exercised at Riverside Boat Club (Magazine Beach park), 769 Memorial Drive, on 9/14/19 from 5:00 p.m. – 8:00 p.m. for a fundraiser with live music and amplification system. Expected attendance – 150 people. A fee waiver has been requested.

Decision: Granted with the conditions that: a police detail is required; and there must be a limited number of drinks (2) associated with the admission charge, otherwise/thereafter, the alcohol must be sold. Request for a fee waiver granted.

29) Application # 54667 Seungchan Ryu has applied for an all alcohol with entertainment license to be exercised at MIT Lobdell, 84 Massachusetts Avenue, on 9/14/19 from 6:00 p.m. – 11:00 p.m. for a welcoming party with recorded music, live music and amplification system. Expected attendance – 200 people.

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

30) Application # 55028 Azem Dervisevic has applied for a wine with entertainment license to be exercised at 2400 Massachusetts Avenue, on 9/29/19 with rain date 10/6/19 from 12:00 p.m. – 6:00 p.m. for a Bosnian festival with patrons dancing, performers/entertainers dancing, dj, live music and amplification system. Expected attendance – 300 people.

Decision: Granted.

31) Application # 54065 Avi Shemtov has applied for a malt and wine license to be exercised at Third and Binney Street, on 9/12/19 from 4:00 p.m. – 9:00 p.m. for a beer garden. Expected attendance – 200 people.

Decision: Granted with amended end time of 8:00 p.m. per permission letter.

32) Application # 55020 Peter DeVito, on behalf of Cambridgeside, has applied for a malt with entertainment license to be exercised at Cambridgeside – 100 Cambridgeside Pl Upper parking level 6, on 9/28/19 with rain date 10/5/19 from 12:00 p.m. – 6:00 p.m. for a charity fundraiser with dj and live music. Expected attendance – 1500 people.

Decision: None – application withdrawn by the applicant because event was cancelled.

33) Application # 54345 Ruth Allen has applied for a malt with entertainment license to be exercised at Paddy's lunch, 260 Walden Street, on 9/29/19 from 7:00 a.m. – 8:00 p.m. for a 5K and special event with patrons dancing, performers/entertainers dancing, recorded music, dj, live music and amplification system. Expected attendance – 400 people.

Decision: Granted, with the conditions that: a police detail is required; and alcohol cannot be sold prior to 8:00 a.m.

34) Application # 55119 Cristin Martineau, has applied for a malt and wine license to be exercised at Harvard-Memorial Hall Transept, 45 Quincy Street, on 9/27/19 from 4:00 p.m. – 6:00 p.m. for a reception. Expected attendance – 400 people.

Decision: Granted with amended start time of 5:00 p.m. per Harvard registration, and the conditions that: alcohol must be sold; and there must be a system in place to identify persons under 21 years old.

35) Application # 55155 Corban Swain has applied for a malt and wine with entertainment license to be exercised at MIT Bartos Lower Atrium, 70 Amherst Street, on 9/13/19 from 7:00 p.m. – 10:00 p.m. for a dinner party with patrons dancing, recorded music, dj and amplification system. Expected attendance – 90 people.

Decision: Granted with the conditions that: alcohol must be sold; and a police detail is required.

36) Application # 55150 Alexander Maciel has applied for an all alcohol with entertainment license to be exercised at St. Anthony's Church, 400 Cardinal Medeiros Avenue, on 10/5/19 from 6:30 p.m. – 12 midnight for a dinner dance with patrons dancing, recorded music, amplification system and light show. Expected attendance – 300 people.

Decision: Granted with an amended start time of 7:00 p.m. per permission letter, and the condition that a police detail is required.

37) Application # 55271 Shelby Summerfield has applied for an entertainment license to be exercised at Cambridge Common, 1500 Massachusetts Avenue, on 9/16/19 from 6:00 p.m. – 8:00 p.m. for a rally with recorded music and amplification system. Expected attendance – 1500 people.

Decision: Granted.

38) Application # 55405 Tracie Gordon has applied for an entertainment license to be exercised at Winthrop Park, 89 Winthrop Street, on 9/21/19 from 12:00 p.m. – 4:00 p.m. for a party with recorded music. Expected attendance – 200 people.

Decision: Granted with amended hours of 11:00 a.m. to 6:00 p.m. for setup and break down, and in accordance with Park Permit.

39) Application # 55399 Scott Fraser, on behalf of Jose Mateo Ballet Theatre, has applied for a malt and wine with entertainment license to be exercised at 400 Harvard Street, on 9/21/19 from 3:00 p.m. – 9:00 p.m. for an Art auction fundraiser with patrons dancing, recorded music dj, amplification system and dynamic audio/visual show live/recorded. Expected attendance – 100 people.

Decision: Granted with the condition that there must be a limited number of alcoholic drinks (4) associated with the admission charge; otherwise/thereafter, the alcohol must be sold.

40) Application # 55387 Jacob Crawford, on behalf of The Dance Complex, has applied for a malt and wine license to be exercised at 536 Massachusetts Avenue, on 9/13, 9/14, 9/15, 9/27, 9/28, 9/29 & 10/4 from 6:00 p.m. – 11:00 p.m. for a dance performance. Expected attendance – 90 people.

Decision: Granted.

41) Application # 55179 Debbie Bumpus, on behalf of Blueprint Medicines, has applied for a malt and wine with entertainment license to be exercised at 45 Sidney Street, on 9/13/19 from 2:00 p.m. – 5:30 p.m. for a party with live music. Expected attendance – 150 people.

Decision: Granted.

42) Application # 54855 Vicki Leggett has applied for a malt and wine license to be exercised at 2404 Massachusetts Avenue, on 9/19, with rain date of 9/26/19, 10/2, 10/17 & 11/16 from 6:30 p.m. – 8:30 p.m. for an open art studio night. Expected attendance – 20 people.

Summary: The application was actually for events on 9/19, 10/25, 10/17 and 11/4 and just one rain date of 9/26/19.

Decision: Granted as applied for.

43) Application # 53994 Chapman Wright has applied for a malt and wine license to be exercised at Roger Street Park, 71 Rogers Street, on 9/18/19 or 9/20/19 with rain date of 9/27/19 from 12:00 p.m. – 4:00 p.m. for a party. Expected attendance – 35 people.

Summary: This is an application for a one-day alcohol license to be exercised at a City-owned park. The City does not allow alcohol in the parks. The applicant has not submitted a park permit or any other type of permit showing that they have received permission from the City to use the area as applied.

Decision: Denied.

Late Additions/Matters Submitted After Posting of Agenda

44) Review of the Board's August 21, 2019 decision as to Jet-A-Way Noise Ordinance Violation.

Summary: The Board had found the company in violation of Cambridge Municipal Code ("CMC") 8.16.080(E) for loading/unloading during prohibited hours. This was because the evidence presented to the Board was that the dumpsters that was loaded/unloaded was on residential property. However, after the hearing, information was received that showed the location of the dumpster is on property zoned as commercial. Therefore, under G. L. c. 111, § 31A, the loading/unloading can happen at any time and the time provisions of CMC 8.16.080(E) do not apply. The Board discussed it would not amend any other of the votes it took as to the citations issued to Jet-A-Way.

Decision: Board rescinded its vote and fine as to the loading/unloading during a prohibited hour and voted to find no violation. The Board affirmed its vote of no violation for failure to comply with a cease and desist order and of a violation with a warning issued for operating without a hauling license.

45) Application #55453 Chris Richard, on behalf of Turner Construction, has applied for a special noise variance from September 15-16, with an alternate date of September 22-23 from 7-9 a.m. and 6-9 p.m. for disassembly of a tower crane on Main Street with the requirement to obtain a Sunday work permit from CPD.

Decision: Granted, with the conditions that: must obtain Sunday work permit from Cambridge Police Department; and must have a police detail on site.

46) Application #55579 Joseph Shannon, on behalf of Crown Castle, has filed a city wide quarterly application for a special noise variance for emergency work purposes only from September 12 through December 31, 2019 with alternate dates of September 13 through December 31, 2019 weekdays from 7:00 p.m. to 7:00 a.m. and weekends and holidays from 7:00 p.m. to 9:00 a.m., with a CPD work permit required for Sundays and holidays.

Summary: The applicant has not submitted any evidence showing that, other than to comply with its own internal policies of "fixing" an issue reported by a client within a given time period, there is a need for a variance as set forth in 8.16.090. In addition, arguably if there is an "emergency" repair that needs to be made, the Noise Ordinance already provides relief for that pursuant to 8.16.090(A).

Decision: Denied.

47) Application #55621 Zachary Cadman has applied for a one day entertainment license on September 14, 2019 from 1-11 p.m. for a concert at the Wong Auditorium, MIT campus.

Decision: Granted with amended hours of 6:00 p.m. – 8:00 p.m. per MIT registration.

48) Application #55715 Nestor Sepulveda has applied for one day alcohol and entertainment licenses on September 21, 2019 from 11 a.m. to 6 p.m. at Kresge BBQ Pits, MIT campus.

Decision: Granted with amended start time of 11:30 a.m. per MIT registration, and the conditions that a police detail is required, and a system must be implemented to identify persons under 21 years of age.

49) Application #55488 Karoline Kulzer has applied for a one day alcohol license on September 21, 2019 from 11 a.m. to 6 p.m. on Winthrop Street, between JFK and Eliot.

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

50) Application #'s 55654 and 55670 Maryellen Carvello has applied for one day entertainment and amusement licenses on September 14, 2019 from 8 a.m. to 5 p.m. at Danehy Park.

Decision: Granted; no license fee because it is a City event.

51) Application #55791 Katherine Foo has applied for a one day entertainment license on September 22, 2019 from 5-10 p.m. at the Cambridge Zen Center, 199 Mt. Auburn Street.

Decision: Granted.

52) Application #55775 Matt Gruber has applied for a one day alcohol and entertainment license on September 20, 2019 from 3-7 p.m. at 1585 Massachusetts Avenue for a faculty reception.

Decision: Granted with amended hours of 4:00 p.m. – 6:00 p.m. per permission letter.

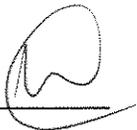
53) Devese Jean's application for renewal of Hackney Driver's License.

Summary: The applicant has an open case with cross complaints. The case and information do not impede the applicant from obtaining a license and the matter is not one that raises public safety issues. The applicant had previously been placed on probation by the Board for a period of one (1) year and no issues arose during that period.

Decision: Renewal granted.

Board's Approval of Minutes:

NMF



Date Minutes Approved: _____

OCT 16 2019

BGB



Date Approved Minutes Posted: _____

OCT 17 2019

GEM