



# CAMBRIDGE LICENSE COMMISSION

831 Massachusetts Avenue, First Floor, Cambridge, Massachusetts 02139

## **BOARD OF LICENSE COMMISSIONERS' MEETING MINUTES**

**For Tuesday, November 19, 2019 at 3:00 p.m.**

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

**Meeting started at approximately 3:03 p.m.**

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

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

**Note:** *All votes, unless otherwise indicated, were 2-0.*

### **Applicant Testimony Matters**

1. Disciplinary C'est Bon Market & Liquors, Inc. d/b/a C'est Bon Market & Liquors, 1436 Massachusetts Avenue, All Alcohol Package Store License # 11423, for allegations of 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. [Time Stamp: 00:48]

**Present:** George Sarkis, owner and License Investigator Tyler Bubenik.

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

**Summary:** Investigator Bubenik testified that while conducting a field investigation, an underage operative working with the Cambridge Police Department and License Commission, was able to purchase a 6-pack of beer at C'est Bon Market, 1436 Massachusetts Avenue, on August 29, 2019. The cashier did not ask the individual for identification and the sale was completed. Mr. Bubenik testified that he could see the operative leave the establishment with a 6-pack of beer. Mr. Sarkis testified that he was the one who made the sale. The store had just reopened after having been closed for two months. He believed that the operative looked to be 25 years of age. Mr. Sarkis stated that he never works the register, but his two cashiers were on vacation. C'est Bon has been in operation since 2009 with no violations. The Board stated that this is a huge public safety issue, especially as this store is in Harvard Square, right by the University.

**Decision:** Violation, 2 days license suspension.

2. Application Abdinasir Ahmed, for a Cambridge Hackney Driver's License. **Time Stamp: 05:46]**

**Present:** Abdinasir Ahmed, applicant.

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

**Summary:** Mr. Ahmed currently drives in Medford. He would like to buy a medallion. He has no disciplinary history.

**Decision:** Granted.

3. Application Tesfaye Belachew d/b/a Zakaria Lemo, 364 Rindge Avenue, has applied for a Livery/Limousine License. [Second call at 3:50 p.m.]

**Present:** No show

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

**Decision:** No show/no action.

4. Application #50503 DW Propco JK, LLC, 222 Jacobs Street, has applied for a Garage and Flammables License for 336 parking spaces, 3,360 gallons of gasoline in the tanks of vehicles, 3,360 gallons of Class 1, and 1,320 gallons of Class II. **[Time Stamp: 07:30]**

**Present:** Jordan Senerth and Michael Deluga, applicants.

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

**Summary:** The building is a commercial lab space. The parking spaces are for a fee and the fuel storage is diesel fuel for a generator are not for direct consumption. Applicants are aware that they will have to apply to amend their fire permit and license once tenants move in.

**Decision:** Granted.

**Note:** Application # 5 and 6 were considered together. [Time Stamp: 09:16]

5. Application #55764 The Residences at Alewife Station, LLP, 201 Concord Turnpike, has applied for a Garage License for 80 parking spaces and 800 gallons of gasoline in the tanks of vehicles.
6. Application #55764 [sic] The Residences at Alewife Station, LLP, 203 Concord Turnpike, has applied for a Garage License for 119 parking spaces and 1,190 gallons of gasoline in the tanks of vehicles.

**Present:** Michael Wynkoop and Al Ziedens, applicants.

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

**Summary:** Both garage spaces are for a fee. No other flammables are being stored. 203 Concord Turnpike has 133 spaces (it is shown on the plot plan submitted). Applicant will check fire permit to make sure it is correct.

**Decision:** Granted as to both and with the amendment on #55765 of a total of 133 spaces.

7. Application #57647 Transfer of All Alcoholic Beverages Package Store License #11500 held by Surya Binayak, Inc. d/b/a City Liquors, 620 Cambridge Street to 616 City Liquor, LLC d/b/a City Liquors, at the same location. Krupa Patel as Proposed Manager of Record of a premise described as: Retail store consisting of approximately 3,201 square feet of retail space. Main entrance/exit on Cambridge Street and entrance/exit at rear of building. [Time Stamp: 12:00]

**Present:** Attorney John Mooradian and Krupa Patel, applicant.

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

**Summary:** Ms. Patel stated she has never been manager of record before but has experience in the business. She is TIPS certified. There is a pledge of the license to South Shore Bank. Opening hour on Sunday will be 10:00 a.m. and all other days at 8:00 a.m. with closing hours of 11:00 p.m. all days. There are no other changes to the operation. Attorney Mooradian advised Ms. Patel to install a point of sale ID machine.

**Decision:** Granted the transfer as well as the pledge to the bank.

8. Application #57438 Transfer of the Common Victualler All Alcohol License #11379 held by Helmand Boston, Inc. d/b/a The Helmand, 143 First Street to Helmand Cambridge, Inc. d/b/a The Helmand, at the same location. The proposed hours of operation are 10:30 a.m. to 10:00 p.m. Sunday through Thursday and 10:30 a.m. to 11:00 p.m. Friday and Saturday with seating for 119. Ali Ahmad Tokhi as Proposed Manager of Record of a premise described as: On one (1) floor, main entrance on First Street and two exits, +/- 2,100 sq. ft. [Time Stamp: 15:45]

**Present:** Attorney Meaghen Smith; Ali Tokhi and Zarmin Tokhi.

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

**Summary:** The application was treated as one for a new license as the original license had a non-transferable condition. The operation is meant to stay the same with some updates to the menu for some other traditional dishes. In terms of the space, only cosmetic upgrades will be made.

**Decision:** Granted as a new license.

9. Application #59479 Sapporo Japanese Steakhouse, LLC, d/b/a Sapporo Japanese Steakhouse 174 Alewife Brook Parkway, has applied for a new Common Victualler All Alcoholic Beverages and Entertainment License. The proposed hours of operation are 11:00 a.m. to 10:00 p.m. Sunday through Thursday and 11:00 a.m. to 11:00 p.m. Friday and Saturday with proposed seating for 204 and an occupancy of 214. Guihua Zheng as Proposed Manager of Record of a premise described as: 5,100 SF, on the first floor of Fresh Pond Mall shopping center with a main dining area, as well as one party room in the back. One entrance in front, and two exits in the back. Kitchen and storage will be located in the back half of the building. Background music below conversation level and three (3) TV's. [Time Stamp: 20:13]

**Present:** Lina Song, applicant's daughter and Guihua Zheng, applicant.

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

**Summary:** Ms. Zheng has been in the business since 2007. She was in food service and has been a sushi chef. She is TIPS certified and will have all servers, managers and bar tenders certified. She will card everyone. Her husband will be the chef. They plan to open in April or May. There will be two TV's at the bar and one in a meeting room. There are many residents in the area, including new ones. They are taking over the Panera space and this would be the only restaurant in the mall as well as the only Japanese steak house in the area.

**Decision:** Granted.

10. Application #59847 BL 27 Brattle MA, LLC d/b/a Bluestone Lane, 27 Brattle Street, holder of Common Victualler License #51281 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. [Time Stamp: 26:27]

**Present:** Attorney David Rubin; Harry Kalyan, General Counsel and Thomas Whalen, operations manager; and Denise Jillson of the Harvard Square Business Association.

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

**Summary:** The information presented at the hearing for the common victualler license was incorporated and referenced. This is an Australian Café and the only one in Cambridge. They are the self-proclaimed pioneers of the avocado toast in the US. They operate many locations across the US and presently have 14 liquor licenses: 7 are all alcohol and 7 are wine and malt. This is an amenity for brunch and early dinners. Mr. Whalen has been in the industry for 20 years and has been a manager of record in the past, without issues. He is TIPS certified. Denise Jillson, on behalf of the Harvard Square Business Association, spoke in favor of the application and that it is important to have them at this location in the plaza.

**Decision:** Granted. The application will be sent up to the ABCC for final approval but the license will not issue without the final floor plan with the architect's numbers on it (and the capacity will be confirmed based on those).

#### **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: 37:15]*

11. Application #60346 Kathleen McCaney, on behalf of Sunoco Retail, LLC, has applied to amend their existing license #14321 at 266 Massachusetts Avenue, by adding 2,000 gallons of fuel storage to their approved 18,000 gallons, for a total of 20,000 gallons of fuel storage.

**Decision:** Granted.

12. Application #60365 Charlie Christopher, on behalf of Golden Toad, Inc., holder of All Alcohol Restaurant and Common Victualler license #11683 at 1920 Massachusetts Avenue, has applied to add one T.V. to their license for their second floor dining room.

**Decision:** Granted.

13. Application #60135 Delio Susi, on behalf of Sulmona Restaurant Group, LLC, holder of All Alcohol Restaurant and Common Victualler license #11572 at 608 Main Street, has applied to change their hours Saturday and Sunday to open at 10:30 a.m. instead of 11:00 a.m.

**Decision:** Granted.

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14. Application #60291 Bill Wilbur, on behalf of John Moriarty & Assoc., has applied for a special noise variance from November 29 through 30, 2019 (alternate date of 12/1/19) from 6:00 a.m. to 9:00 a.m. for a crane pick at 350 Water Street.

**Decision:** Granted with the requirement that a Sunday work permit is obtained from Cambridge Police.

15. Application #60021 Phil Murphy, on behalf of Phoenix Communications, has applied for a special noise variance from November 20 through 21, 2019 (alternate date of November 27 through 28, 2019) from 10:00 pm. to 6:00 a., for fiber optic splicing at 231 Third Street.

**Decision:** Granted.

16. Application #60029 Phil Murphy, on behalf of Phoenix Communications, has applied for a special noise variance from November 20 through 21, 2019 (alternate date of November 27 through 28, 2019) from 10:00 pm. to 6:00 a., for fiber optic splicing at 139 Charles Street.

**Decision:** Granted.

17. Application #60423 Edward Breed, on behalf of Skanska, has applied for a special noise variance Saturdays only, November 23, 2019 through March 28, 2020 (alternate dates of December 27, 2019 through April 11, 2020) for a crane and excavator at 38 Bishop Allen Drive.

**Decision:** Granted.

18. Consideration of renewal applications filed and completed to date.

**Decision:** Common Victualler, Alcohol and/or Entertainment acknowledge as received and issue all that are complete, except for those that are scheduled for consideration of renewal; Innholder/ lodging house with and without alcohol acknowledge as received and issue those that are complete except those scheduled for consideration of renewal; Used Car Dealer acknowledge as received and issue those that are complete and not scheduled for consideration of renewal.

19. Application #60518 Michael Feeney, on behalf of Bon Me Foods, holder of common victualler mal license # 12327 at 60 Binney Street, has applied to extend their hours on December 7, 2019 to 11:00 p.m. from 9:00 p.m.

**Decision:** Granted.

20. Kline & Sanders, on behalf of Radius Bank, has notified the License Commission that Cabbies Cab, Inc. has purchased medallion #116.

**Decision:** Acknowledged.

21. Application #60562 Justin Pronovost, on behalf of Curio Coffee, LLC, holder of malt and wine common victualler license #12282 at 441 Cambridge Street, has applied to extend their food and entertainment hours to 12:00 a.m. to coordinate with their alcohol hours.

**Decision:** Granted.

#### **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: 40:06 ]*

22. Application # 59253 Jess Cherofsky, on behalf of Cultural Survival, has applied for an entertainment license to be exercised at Cambridge Rindge and Latin School, 459 Broadway, on 12/14/19 & 12/15/19 from 12:00 p.m. – 4:00 p.m. for a cultural fair with recorded music, live music and amplification system. Expected attendance – 300 people.

**Decision:** Granted.

23. Application # 59449 Paul Clark has applied for a malt and wine with entertainment license to be exercised at 64 Sidney Street, on 12/8/19 rain date 12/15/19 from 9:00 a.m. – 12:00 noon for a road race with recorded music, live music and amplification system. Expected attendance – 1,875 people.

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

24. Application # 59482 & 60245 Jason Alves, on behalf of East Cambridge Business Association, has applied for an entertainment and hawker/peddler license (for 15 vendors to sell handmade crafts and food), to be exercised at 350 Kendall Street on South Plaza, on 12/5/19 from 12:00 p.m. – 8:00 p.m. for a winter market with recorded music, dj, live music and amplification system. Expected attendance – 3,000 people.

**Decision:** Granted as to both.

25. Application # 59911 Liza Shirazi, on behalf of Revival Café and Kitchen, has applied for a malt and wine license to be exercised at 125 Cambridgepark Drive, on 11/26/19 from 4:00 p.m. – 10:00 p.m. for a party. Expected attendance – 65 people.

**Decision [as amended]:** Granted as applied with a maximum of 65 people in the space.

26. Application # 59357 Magdalena Siwek, on behalf of GSAS Student Center, has applied for a wine with entertainment license to be exercised at Lehman Hall, 7 Harvard Yard, on 12/7/19 from 8:00 p.m. – 12:30 a.m. for a dance party with patrons dancing, recorded music, dj, live music and amplification system. Expected attendance – 150 people.

**Decision:** Granted with hours of 8:00 p.m. to 12:30 p.m. per Harvard permission and the condition that a police detail is required.

27. Application # 60513 Shannon Canavin, on behalf of Cambridgeport PTO, has applied for a one day hawker/peddler license to be exercised at Sennott Park, 310 Broadway, on 11/27/19 from 11:00 a.m. – 3:00 p.m. to sell pies and cookies.

**Decision:** Granted, with the condition that the point of sale is as specified on DPW's Sidewalk Obstruction Permit.

28. Application #60064 Jennifer Sur, on behalf of Revels, Inc., has applied for a hawker/peddler license on 12/12/19 through 12/29/19 (rain date of 12/26) from 12:00 p.m. to 10:00 p.m. at 45 Quincy Street.

**Decision:** Granted.

29. Application #57747 Christine Aufiero has applied for a one day hawker/peddler license on December 1, 2019 from 12:00 p.m. to 5:00 p.m. at Sacred Heart Church.

**Decision:** Granted.

30. Application #60341 Linda Zhao, on behalf of Café Gato Rojo, has applied for a one day wine and entertainment license on November 22, 2019 from 6:30-8:30 p.m. at Café Gato Rojo, basement of Lehman Hall.

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

31. Application #59450 Linda Zhao, on behalf of Café Gato Rojo, has applied for a one day wine and entertainment license on December 6, 2019 from 3:00 -8:00 p.m. at Café Gato Rojo, basement of Lehman Hall.

**Decision:** Granted.

32. Application #60561 Linda Zhao, on behalf of Café Gato Rojo, has applied for a one day hawker peddler license on December 6, 2019 from 3:00-8:00 p.m., basement of Lehman Hall.

**Decision:** Granted.



**Late submissions/additions to the agenda.**

33. Application #60631 Russell Marshall, on behalf of the Longy School of Music, has applied for a one day wine license for a reception on December 4, 2019 (rain date of December 5), from 8:00 p.m. to 10:00 p.m. at 27 Garden Street.

**Summary:** The application had conflicting responses. When the applicant was contacted, the responses continued to change and there was no clear response. The applicant did not reach back with clarifying answers.

**Decision:** Denied; the Board may reconsider once the applicant submits an application with clear responses.

34. Application #60603 Nadia Spellman, on behalf of Dumpling Daughter, at 73 Ames Street, has applied for a one day wine & malt license on December 3, 2019 from 6:00 p.m. to 8:00 p.m. for a meeting.

**Decision:** Granted.

35. Application #60533 Justin Yu has applied for a one day entertainment license for December 11 and 12, 2019 at 84 Massachusetts Avenue from 9:00 p.m. to 11:00 p.m. (12/11); 6:00 p.m. to 8:00 p.m. (12/12; 9:00 p.m. to 11:00 p.m.(12/12) for dance performances.

**Decision:** Granted pending submission of permission letter and subject to any conditions therein.

36. Application #60768 Tamara Allen de Martinez, on behalf of Kokiri, Inc., holder of common victualler license #12317 at 89 2nd Street, is requesting to open for breakfast on Saturdays once construction starts at the courthouse.

**Summary:** With the submission of the renewal application the licensee requested to open on Saturdays (presently they are closed). The licensee explained that there is construction in the area and she would like to be open to provide service to them. The hours sought are 7:00 a.m. – 3:00 p.m., which are the same hours the business is opened during the week. They would remain closed on Sundays.

**Decision:** Granted.

37. Application #60734 Joe Toomey, on behalf of Walsh Bros., Inc., has applied for a special noise variance Saturday and Sunday, November 30 – December 1, 2019 (alt. date of 12/7-12/8) from 12:00 a.m. to 9:00 a.m. and 6:00 p.m. to 11:59 p.m. at 189 Vassar Street, for crane dismantling.

**Decision:** Granted with the condition that a Sunday work permit must be obtained from Cambridge Police.

38. Application #60665 Jen Fields, on behalf of HK Foodgroup, LLC d/b/a Waypoint, holder of all alcohol common victualler license #11547 at 1030 Massachusetts Avenue, has applied to change their opening hour on Saturday and Sunday to 10:00 a.m., from 10:30 a.m.

**Decision:** Granted.

39. Application William Twohig, on behalf of Northeast recycling, LLC, has applied for a new Disposal/Solid Waste Hauler License.

**Decision:** Granted subject to submitting the application through Viewpoint and paying the application fee.

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**Board's Approval of Minutes:**

NMF 

Date Minutes Approved: DEC 18 2019

BGB 

Date Approved Minutes Posted: DEC 18 2019

GEM 