

CAMBRIDGE LICENSE COMMISSION HEARING

CITY OF CAMBRIDGE

IN RE: LICENSE COMMISSION HEARING

LICENSE COMMISSION BOARD MEMBERS:

CHAIR NICOLE MURATI FERRER

POLICE COMMISSIONER CHRISTOPHER BURKE

STAFF: EXECUTIVE DIRECTOR ELIZABETH LINT

AT: Cambridge Senior Center
806 Massachusetts Avenue
Cambridge, Massachusetts 02139

DATE: September 13, 2016

TIME: 4:00 p.m.

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P R O C E E D I N G S

September 13, 2016, 4 p.m.

CHAIR NICOLE MURATI FERRER: While we get started, if you can shut off your cell phones or put them on vibrate or something, that would be great.

Also as soon as Ms. Lint here calls the matter, the people that are speaking on the matter, if it is a petitioner, the petitioner come up, and if someone's gonna speak after the fact, I'll ask for that and then you'll come up as well.

Thank you.

EXECUTIVE DIRECTOR ELIZABETH LINT: This is the License Commission hearing agenda for Tuesday, September 13, 2016. It is 4 p.m.

We are in the Cambridge Senior Center,

806 Mass. Ave. Before you are the Commissioners:
Chair Nicole Murati Ferrer and Commissioner
Christopher Burke.

There are a few matters that have been
continued: Golden Mountain, LLC, doing business
as Squeaky Beaker Cafe.

If anyone is here for that, that has been
continued to September 28.

And the cancellation hearing for
Cantabrigian Hospitality Incorporated doing
business as Prospect has been taken off today's
agenda as a transfer application has been filed.

I think that's it.

This meeting is being audio taped and
videotaped.

APPLICATION: THAI SENSATION, INC.

D/B/A PEPPER SKY'S, A THAI SENSATION

EXECUTIVE DIRECTOR ELIZABETH LINT: First application. Thai Sensation Incorporated doing business as Pepper Sky's, a Thai Sensation, holder of a common victualler license at 20 Pearl Street has applied for a new common victualler wine and malt license to be exercised at 20 Pearl Street with hours of 11:30 a.m. to 10 p.m. seven days per week and seating for 29 inside.

Parkpoom Aree, as proposed manager of record, a premise description described as approximately 1100 square feet first floor containing dining room, kitchen, one bathroom with basement for storage and entrance 1 Pearl Street with egress in the rear off the kitchen.

CHAIR NICOLE MURATI FERRER: Please take a seat and please state and spell your names for

the record.

PARKPOOM AREE: My name is Parkpoom Aree,
P-A-R-K-P-O-O-M. Last name is A-R-E-E.

CHAIR NICOLE MURATI FERRER: Thank you.

ATTY BERNARD GOLDBERG: Madam Chairman,
Attorney Bernard Goldberg representing the
gentleman to my right whose name is -- go ahead
and speak into the microphone.

PARKPOOM AREE: My name is Parkpoom Aree.

CHAIR NICOLE MURATI FERRER: Thank you.

This is an existing common victualler
license, correct? You currently have a
restaurant there.

PARKPOOM AREE: Yes.

CHAIR NICOLE MURATI FERRER: How long
have you been there now.

ATTY BERNARD GOLDBERG: Year and a half.

CHAIR NICOLE MURATI FERRER: There have

been no issues at your premises to date?

PARKPOOM AREE: No.

CHAIR NICOLE MURATI FERRER: What is the public need for this license at this location.

ATTY BERNARD GOLDBERG: Well, the need is that the Thai restaurant is the only Thai restaurant in the Central Square area.

I think we all know that the Central Square area is abundant in licenses of all kinds except that there's no Thai restaurant. And there is a need for Thai restaurant in Central Square. There always was one. And now we're here to ask that the Board grant a beer and wine license to the Thai restaurant.

It is a matter of a combination of cultural aspect concerning the Thai restaurant. It sits right next door to a Tibetan restaurant that has been there for many years and has had a

license from the very beginning of the -- at the inception of their operation.

Mr. Aree is the corporate owner of the restaurant of Thai Sensation, Inc., doing business as Pepper Sky's. He's the original incorporator and he's president and director and officer of the corporation.

And he also is the manager of the corporation at this moment in time.

He's there ten hours a day. He watches over the restaurant and is overseeing -- he oversees as far as the employees are concerned. I left with Mrs. Lint the requested information, many of which are the letters that have been sent to the abutters, and accepted by the abutters, and also in the package were letters received from various individuals in and around the neighborhood.

I think you'll recognize some of the names. Mr. Barrett of Cores Furniture Store (phonetic). There's a letter from Ms. Lapidus of the Cambridge Business Association and two or three other letters.

As a matter of fact, the Tibetan restaurant next door has a beer and wine license and has also given a license -- a recommendation for this operation.

Some of the Thai food is unique as far as Mr. Aree is concerned. He uses authentic Thai food including noodles, rice, sauces and he, as an exception to all the other restaurants in the Square, buys the food from Taiwan -- I'm sorry, Thailand. And he is a cook as well as a cook and bottle washer, if I could use that expression.

CHAIR NICOLE MURATI FERRER: Thank you.
Mr. Aree, you have never been the manager of

record on a liquor license before, is that correct?

PARKPOOM AREE: No, but I'm the server.

CHAIR NICOLE MURATI FERRER: Are you currently familiar with the rules and regulations of this board, the ABCC and the laws of the Commonwealth of Massachusetts with regard to the sale and service of alcohol.

PARKPOOM AREE: Yes.

CHAIR NICOLE MURATI FERRER: Do you understand that we expect you to stay up to date with those rules, laws and regulations?

PARKPOOM AREE: Yes.

CHAIR NICOLE MURATI FERRER: Are you a US citizen?

PARKPOOM AREE: Yes.

CHAIR NICOLE MURATI FERRER: I also note for the record that we did receive a letter of

support for this application from the Central Square Business Association.

Anyone else in support of this application.

(No response.)

Anyone in opposition to this application?

(No response.)

I would vote to grant.

POLICE COMMISSIONER CHRISTOPHER BURKE: I agree.

CHAIR NICOLE MURATI FERRER: Granted.

Oh, Mr. Goldberg, I have something, I think it might be different now with the new system with the ABCC, but I think they might actually request the personal information and the CORI information form or -- I don't want to mispronounce this last name, but it's the person that is loaning you the money.

PARKPOOM AREE: Yes.

CHAIR NICOLE MURATI FERRER: Last name is spelled K-U-R-A-T-C-H-A-V, as in Victor, A-L.

PARKPOOM AREE: Kuratchavaḷ.

CHAIR NICOLE MURATI FERRER: Thank you.

So we can send it up like this but they might ask for the personal information and the CORI information just as an FYI.

ATTY BERNARD GOLDMAN: I understand.

CHAIR NICOLE MURATI FERRER: We also need -- we do -- just confirm for me, Mr. Agee, we do have a floor plan for the basement on your regular CV, is that correct?

PARKPOOM AREE: I have something with the city, so do you want that too?

CHAIR NICOLE MURATI FERRER: We have the one for the first space. But since if you are storing the alcohol in the basement, we need the

floor plan of the basement as well.

ATTY BERNARD GOLDBERG: Thank you.

CHAIR NICOLE MURATI FERRER: I'll have Mr. O'Neil follow up with you on that tomorrow. Thank you.

VIOLATION: CAMBRIDGE MOTOR CAR CO.

D/B/A CAMBRIDGE HONDA

EXECUTIVE DIRECTOR ELIZABETH LINT:

Violation: Cambridge Motor Car Company doing business as Cambridge Honda, holder of car dealer's licenses UCD10007 and UCD10008 and a garage license with additional flammable storage --

CHAIR NICOLE MURATI FERRER: Isn't the second one the transfer license?

EXECUTIVE DIRECTOR ELIZABETH LINT:

Garage license with an additional flammable

storage at 275 Fresh Pond Parkway due to alleged violations of Cambridge Municipal Code 8.16.080(e).

CHAIR NICOLE MURATI FERRER: Thank you.

Are there any residents that are going to speak on this matter, on the Honda?

If you could please come up and take a seat up here. Thank you.

And then, sir if you don't mind, do you mind grabbing this microphone for now so you guys can use it, and we'll over here, share this one for now. Thank you.

We'll start with the residents and then go down the line.

Please state your names and spell them for the record, and for the residents, if you could please give me your address, that would be great, just the street.

DOUG BROWN: Doug Brown.

Standish Street.

THE REPORTER: Doug, you have to spell
your name.

DOUG BROWN: D-O-U-G B-R-O-W-N.

ADAM GLASSMAN: Adam Glassman.

Worthington Street.

THE REPORTER: Adam, spell your first and
last name.

ADAM GLASSMAN: A-D-A-M G-L-A-S-S-M-A-N.

THE REPORTER: And the street?

ADAM GLASSMAN: Worthington,
W-O-R-T-H-I-N-G-T-O-N.

CHAIR NICOLE MURATI FERRER: Thank you.
Joseph Lepore, L-E-P-O-R-E.

ANDREW BELLIZIA: Andrew Bellizia,
B-E-L-L-I-Z-I-A.

CHAIR NICOLE MURATI FERRER: Just for the

record, Ms. Andrea Boyer, who is the chief licensing investigator that has been in communication with some of you on this matter, she is actually covering for us at another meeting.

We do have her report. I believe you got a copy of her report. If you don't, I have a copy for you.

But we're here to discuss the deliveries being made on the weekends and the alarms on the sounds -- the car alarms.

And if you guys can start with what your observations are on that, that would be great.

Thank you.

ADAM GLASSMAN: So I live directly behind the dealership. And since we've lived here, the end of summer of 2012, I think, we've been hearing the delivery trucks at all hours of the

night, middle of the night, early, early morning, and they are at the time when it is really difficult to get yourself out of bed and go deal with it, so we have been living with that for a while.

My wife at one point had enough and she went out at -- I don't know if it was 4:30 in the morning, with a phone and talked to the delivery guys and said "You're not supposed to be here." They said "Go talk to the guys inside." They snickered and laughed. She came back to the house, we reported this to ISD, and other similar late night deliveries we reported to ISD.

ISD, I think, followed up with warnings of some kind to the dealership.

Then right after these weekday/evening or really late night, early morning deliveries stopped, we had a -- we heard the trucks beeping

at 7 on Saturday, and I took pictures, I talked to Ranjit, and here we are.

CHAIR NICOLE MURATI FERRER: Thank you.

Anything else to add?

DOUG BROWN: I don't have anything specific to the noise complaint.

What I wanted to comment on is that the Honda dealership is tight to a residential neighborhood. It directly abuts a residential neighborhood.

And as such, over the years there have been a number of conditions placed on it, and that is through the original deed, through subsequent variances and through subsequent Special Permits.

In fact, there's 27 different requirements that they are supposed to meet.

Noise is just one of those things.

There are a range of other problems.

Examples of those would be lighting, signage, you know, how they operate the business, how they generate noise, et cetera.

In particular, there's also been problems with signage. They asked for additional signage. There's been restrictions placed on what they could have for signage.

And so what I was wanting to comment on is that in some ways the problem with the noise is representative of other places where they may not be entirely in line with what the prior agreements have been and that is true of different examples.

So, for example, they are prohibited from flying banners.

(Showing photo). That's a banner. It's been up for as long as I've lived in the

neighborhood.

They are prohibited from flying balloons.

(Showing photo). Those are balloons.

They are prohibited from doing -- hang
on.

CHAIR NICOLE MURATI FERRER: Sir, I
understand all that.

The thing is, we don't have the power to
do anything with regard to that --

DOUG BROWN: I understand.

CHAIR NICOLE MURATI FERRER: -- those
particular issues. So although I hear you and I
understand your complaints, those particular
ones, they are -- they don't fall under our
purview.

DOUG BROWN: I understand that.

All I want to say is that Andrea
instructed us that other things would be up for

discussion at this hearing, so I came prepared to talk about those other things because they represent places where the Honda dealership has violated their prior agreements under which these operate by Special Permit, et cetera.

I have a lot of photos.

It is a continuing problem.

And the noise is only where they got caught.

We've asked for repeatedly about all these other things: About lighting and signage, about blocking their driveway, about obstructing the road.

There's a pattern here.

Either they don't know what their obligations are or they choose to ignore them.

So that's why I was here to speak.

CHAIR NICOLE MURATI FERRER: Thank you.

ANDREW BELLIZIA: My name is Andrew Bellizia. I'm the owner of the dealership. I have been there for 20 years now since we opened March 1, 1996.

I am aware of my obligations to the City and to the neighbors and I, to the best of my knowledge, fulfill all those obligations unless I am told by someone otherwise in the City.

The lighting was inspected by the City and was shaded many moons ago, has to be 15 years ago or better.

The signage was just approved by this council last year where we dramatically reduced sign and square footage and height to accommodate our neighbors. Specifically Jack McClaren (phonetic) who lives on Lakeview.

The lighting, to the best of my

knowledge, from my Attorney Vincent Panico, it's been approved until 10 p.m. at night.

CHAIR NICOLE MURATI FERRER: Again, I don't mean to cut you off. But again, these are matters that we do not regulate.

I'm concerned about the fact that these deliveries were happening.

I'm concerned about the fact that you were informed by our chief licensing investigator this couldn't happen. I'm happy they stopped happening during the weekdays but then I'm concerned after receiving a letter from the Commissioner of Inspectional Services, then you went ahead and had deliveries on the weekends when his letter specifically mentioned that you couldn't have them at certain hours.

That's what I'm concerned with.

ANDREW BELLIZIA: Okay, I'll address just

that and happy to do it.

We're here because a new employee for Seaver Logistics tried to do a good job.

He made a delivery, to the best of my knowledge, on Monday, the 16th, on Tuesday, the 17th, and it was before 7:00, and to the best of my knowledge one of the times was, unfortunately, at 4 a.m., which can be quite disconcerting (sic).

I received a letter on the 18th about the infractions and addressed them that day with Seaver Logistics.

We had an employee there to verify that on the 18th, which was a Wednesday, and the Thursday -- and Thursday, which was the 19th, that the deliveries were made at 7 a.m. and 7:05.

We also instructed the logistics company that they were not to even have the driver come

to the address and wait prior to 7:00 a.m.

Unfortunately, and the buck stops with me, I did not consider Saturday morning at 9:00.

And that very -- Saturday morning at 9:00. And that very Saturday, unfortunately, the gentleman, following instructions, showed up at 7 a.m. instead of 9 a.m.

So we called on Monday, talked with Seaver Logistics.

By that time, Andrea Boyer had contacted me. I told her what our response was, what we did, and she asked if she could have the name and telephone number of the individual that I spoke with to verify, rightfully so, what I told her was what happened, so I gave her the gentleman's name. That was about 2:00 in the afternoon, I believe, and she called me back later that day and told me that she had spoken with the

gentleman, I have his name here somewhere, and that they got the message and were making the changes.

And to the best of my knowledge, no deliveries after that time were made in an unappropriate hour.

CHAIR NICOLE MURATI FERRER: When you say you didn't consider the weekends, what do you mean?

ANDREW BELLIZIA: In other words, when I talked with Seaver Logistics and said you cannot make deliveries until 7:00, I don't want the truck anywhere near the dealership. If your driver finishes his work earlier, he has to go to Fresh Pond Shopping Mall and park there until it is 7:00.

I did not remember that Saturdays were 9:00. I didn't distinguish between the weekday

and Saturday. We are not open Sunday for service.

CHAIR NICOLE MURATI FERRER: Are you using the car alarms to locate the cars within the premises.

JOSEPH LEPORE: Clicker.

CHAIR NICOLE MURATI FERRER: Yeah. So you turn on the alarm to find the car and then you turn it off?

JOSEPH LEPORE: No, not on the lot.

CHAIR NICOLE MURATI FERRER: And you -- I don't think people can hear you.

JOSEPH LEPORE: I guess there's confusion between an alarm when someone breaks into your car and an alarm goes off and a clicker that beeps the horn once or twice to locate the vehicle.

CHAIR NICOLE MURATI FERRER: You mean the

red button?

JOSEPH LEPORE: On your --

CHAIR NICOLE MURATI FERRER: I'm sorry, sir, that's an alarm. I think there is no way that you can say that that just goes "beep-beep" because it doesn't.

JOSEPH LEPORE: The alarm does go off when customers come in and they open a vehicle. We are not using alarms as I'm determining -- defining alarm. That's when you open a door that's locked and it goes (making noise.)

CHAIR NICOLE MURATI FERRER: Are you using the red button to find the vehicles in the lot?

JOSEPH LEPORE: No.

CHAIR NICOLE MURATI FERRER: What you just said a minute ago that you used that red button what -- do you use the red button at all?

JOSEPH LEPORE: I'm not locating vehicles.

There are occasions when we have to go out when there's snow on the ground or there's too many cars to find a vehicle, we will do click-click. That's not an alarm.

CHAIR NICOLE MURATI FERRER: I'm assuming there wasn't any snow on the ground on August 23 that I missed.

JOSEPH LEPORE: Yes. I agree.

CHAIR NICOLE MURATI FERRER: Anything else?

ANDREW BELLIZIA: Yeah, I would elaborate on that, if you don't mind.

The red button is a panic button, which will set off the alarm.

The lock and unlock on all the newer cars, for the past ten years, is the chirp that

you mentioned that "chirp-chirp" noise. Do we do it as a matter of habit? No, we do not.

We identify what area of the lot a car is parked, both the employees and the owners, when they come to pick it up.

Can I sit here and testify that nobody has ever hit their button, when a customer comes to pick up their car, if they hit the automatic button to open the door, it will give a "chirp-chirp," just as in your own car. It is one chirp when it is armed and two chirps when it is disarmed.

CHAIR NICOLE MURATI FERRER: Not my car. My car is old.

Anything else to add?

ADAM GLASSMAN: Yeah.

You know, I would buy into the it's-a-new-employee-didn't-know-what-he-was-doing

story if it were true.

I would let a lot of things go because I'm not really interested in picking fights with my neighbors and complaining over every little infraction.

But unless a "new employee" is defined as somebody who has been there more than four years or longer, the evening deliveries were happening for a very long time and they preceded our ownership of the house, they have been consistent with our ownership of the house, and the only reason why we are here is because we got tired of waking up in the middle of the night.

The idea it happens in the middle of the night and nobody knows, nobody cares, nobody takes any responsibility is kind of a joke. How can nobody know those deliveries have been happening consistently for years?

It is just a matter of finally somebody complaining. If this is a one-time, two-time, three-time thing, a once a week for years, we probably could have lived with it.

But it was much more than that. And it is inconsiderate, and we have yet to receive an apology.

CHAIR NICOLE MURATI FERRER: Thank you.

DOUG BROWN: I just had a question.

The deliveries in question, where were those vehicles parked?

ADAM GLASSMAN: On the area of the lot at the end of Lexington. And it's the truck doors going up and it's the talking and slamming stuff down and the ramps being pulled off the truck and a lot of slamming around, and yeah, they have stopped. We haven't had an issue since I raised a complaint about the early morning Saturday

delivery, and that was finally the last straw.

This was not a one- or two-time thing.

CHAIR NICOLE MURATI FERRER: Thank you.

DOUG BROWN: The reason I asked that question is because I'm reviewing their Special Permit under which they operate from 1999 and it has restrictions on alarm use.

It also has very specific guidelines about where those trucks can park.

One of those trucks this morning, as I drove my child home from school, was parked on Vassar Lane.

That's not permitted under the terms of their Special Permit under which these operate. So it is a continuing problem.

Whether someone didn't get the message or someone just decided they wanted to do it a little differently, it is an ongoing problem.

There's enough restriction on them that something's always off.

CHAIR NICOLE MURATI FERRER: Thank you sir.

POLICE COMMISSIONER CHRISTOPHER BURKE:
Can you tell me what steps are you going to take to prevent the recurrence?

This is not a new issue.

What are you going to do about it?

ANDREW BELLIZIA: Again, as soon as it came to my attention, I have no prior complaints that I know of, I immediately called the logistics company and told them what the hours of operation were and we also put up signs around the dealership notifying that, just in case somebody did come for some reason, that deliveries were not accepted before 7 a.m. during the week or 9:00 on a Saturday.

And there's nothing else that I can do.

It is my dealership and I'm ultimately responsible. It is an independent trucking company that makes the deliveries and I don't blame the neighbors for being upset if you are awoken at 4:00 in the morning with a diesel truck idling.

As I put in the bottom of my letter, the last paragraph, in response, either myself or one of my senior managers are there six days a week and a simple phone call at 7 a.m. to say somebody was here at a quarter of seven and made a delivery 15 minutes early, I can handle that immediately.

POLICE COMMISSIONER CHRISTOPHER BURKE:

Well, it shouldn't be incumbent upon the residents to get up and go out of their way to notify you of what should already be in place.

I'm concerned that -- have you spoken to the neighbors at all?

Have you apologized to the neighbors?

ANDREW BELLIZIA: Yes. I have had only two conversations.

POLICE COMMISSIONER CHRISTOPHER BURKE:

It shouldn't be turned onto the residents to get up and let you know when your operation is not consistent with the requirements.

ANDREW BELLIZIA: I'm not doing that. Nor do I think it is their responsibility.

I thoroughly agree with you on all the points you mentioned.

POLICE COMMISSIONER CHRISTOPHER BURKE:

How do we correct it?

ANDREW BELLIZIA: I will listen to anything you have to say.

ADAM GLASSMAN: Thank you for the comment

because it gets exasperating to be policing the dealership and it creates an uncomfortable environment for those of us right next to each other.

So, you know, in addition to the noise, I had to police other areas like the signage. There's a certain kind of signage they are allowed to have and certain kind of signage they're not allowed to have.

They have this big used tire rack they push up the sidewalk. It used to have all kinds of signage on it. I had to call ISD. ISD told them they had to remove it. And they did.

The next day there was a big sign on top of the tires that said "Have a nice day" and that was directed at me. And that's the response to the neighborhood.

DOUG BROWN: The tire rack is back this

morning.

ANDREW BELLIZIA: The tire rack is out every day. I have the right to display the tires.

ADAM GLASSMAN: I'm making this point because the sign that "Have a nice day" on the next day was someone's idea of a little joke and I thought it was kind of funny but that's the attitude we are dealing with.

ANDREW BELLIZIA: It was out there to wish everybody to have a nice day. Just like it says "Merry Christmas."

ADAM GLASSMAN: If anyone believes that, I'm sure he got a bridge in Brooklyn to sell you, too.

DOUG BROWN: And because you have the right to do it, doesn't mean it is neighborly.

In the same way that parking two

abandoned cars in front of your lot labeled Democrat and Republic and offer people three swings for \$10 as a charity raiser is probably not something we want in the neighborhood.

So I realize that might have been a little while ago but it's not exactly what you want to see from your neighbor.

ANDREW BELLIZIA: It was a charity event.

DOUG BROWN: Yes, it was and I'm sure it was very successful until ISD asked you to remove it the following day.

ANDREW BELLIZIA: God forbid me for trying to help a charity.

POLICE COMMISSIONER CHRISTOPHER BURKE:
Who was the charity?

ANDREW BELLIZIA: It was Wounded Warriors.

DOUG BROWN: According to the illegal sign, it was Wounded Warriors.

POLICE COMMISSIONER CHRISTOPHER BURKE: I would agree with the point that having the right, and doing what is right, are two different things.

I think the consideration should be more in line with doing what is right.

Just because you have -- just because you can do something doesn't mean you should do something. Clearly this is not the first time these issues have been raised.

ANDREW BELLIZIA: I agree.

And when I was told that I did not have the right to have that signage up, the fact that we sell discount tires, I took the sign down.

According to my attorney, Vincent Panico, we have the right to have the banner up "Thank

you for purchasing a car from us." It is not a sign. It is a thank you.

So I have not done, to my knowledge -- and was actually complimented last year by the previous board when I solicited the right -- the right to put the new sign up, the smaller sign, I was also commented by -- complimented by that board for not running the facility like a new or used car facility with banners up all the time, balloons up all the time, those wavy signs up. Loud numbers of years or messages splattered across all the windows. They complimented me.

CHAIR NICOLE MURATI FERRER: By "board" you mean the Planning Board?

ANDREW BELLIZIA: Yes.

DOUG BROWN: Can I point all these pictures taken this morning of numbers and

messages and advertising on cars that are prohibited by their agreement.

ANDREW BELLIZIA: That's not prohibited.

DOUG BROWN: Yes. It says no signage.

CHAIR NICOLE MURATI FERRER: Please stop.

Have you actually sat down with your neighbors to discuss their gripes with you at all at any point, or is this the first time that we're like together in a room?

DOUG BROWN: We have sat down with a manager --

CHAIR NICOLE MURATI FERRER: I'm sorry. The question was to him.

Thank you.

ANDREW BELLIZIA: No, I have not. I have not been solicited to do such. I would love to.

CHAIR NICOLE MURATI FERRER: I mean, there's a lot of issues being raised here, like

I've said, they are not under our purview. We can not consider them in our decision.

I will not consider them in our decision.

But it is clear that this relationship is broken down. And if you want to remain, you know, a good neighbor, and if you want to remain in this area and actually not have this fight, like, 24/7, I think the best thing for you to do is sit down with your neighbors and talk to them.

And you know they might raise issues that your attorney tells you that you are fine, you can do them, and then it is a matter of a business decision whether you want to do something that you can do or whether you are not going to do because you are just being a good neighbor.

That's neither here nor there right now.

For me, I'm ready to discuss the current issue before us.

And although I understand that those weekday deliveries, whether or not it was a new employee or not a new employee, as we usually do, Ms. Boyer contacted you, it was kind of like the initial warning, I'm concerned about the fact that you received a letter from the Commissioner of Inspectional Services specifically telling you the hours of operation and the hours of deliveries and then, a month later, we have a delivery on Saturday at an inappropriate time.

So I'm ready to vote a violation on that. And I'm ready to vote for a fine.

POLICE COMMISSIONER CHRISTOPHER BURKE: I agree with that.

CHAIR NICOLE MURATI FERRER: So I would

vote violation and a \$300 fine.

I would also vote that it is a violation to use the panic button as a finder of a car or as a go-look-at-that-one and excessive use of that should stop.

Thank you.

APPLICATION: CAMBRIDGE LODGING, LLC

D/B/A HOTEL MARLOWE

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Cambridge Lodging, LLC doing business as Hotel Marlowe, holder of an innholder's all alcohol license at 25 Edwin Land Boulevard has applied for an alteration of licensed premise to add a permanent bar fixture in the hotel lobby.

Proposed premise description is basement for storage. First floor is restaurant,

reception, lobby with bar, lounge. Second floor meeting rooms. Third floor through eighth floor consisting of 265 guest rooms.

CHAIR NICOLE MURATI FERRER: Hotel Marlowe? Second call.

VIOLATION: LOGEE URBAN LANDSCAPE

EXECUTIVE DIRECTOR ELIZABETH LINT:
Violation: Logee Urban Landscape Service for alleged violation of Cambridge Municipal Code 8.16.081(a).

CHAIR NICOLE MURATI FERRER: Good afternoon.

If you could please state and spell your names for the record, that could be great.

ANDREA BOYER: Andrea Boyer B-O-Y-E-R. Investigator for the City of Cambridge License Commission.

VIRGINIA COLEMAN: Virginia Coleman,
C-O-L-E-M-A-N.

BRIAN LOGEE. Brian Logee, B-R-I-A-N
L-O-G-E-E.

CHAIR NICOLE MURATI FERRER: Thank you.

Ms. Boyer?

ANDREA BOYER: We received a complaint
via email on or about August 25, a leaf blower
was being used by Logee Urban Landscape on Park
Street.

The complainant approached the operator
and allegedly he called her an effing bitch and
other profanities.

Logee was sent a letter on February 24,
2016 to apply for a permit if they wanted to use
leaf blowers and did not apply for this year.

The history is Logee has applied and been
approved since 2008 up to 2012.

On August 6, 2010, a complaint was received that Logee used leaf blowers on Follen Street, a verbal warning, a cease and desist was given and letters were sent for them to apply from 2013 to 2016 and they have not applied.

CHAIR NICOLE MURATI FERRER: Ms. Coleman?

VIRGINIA COLEMAN: I am the complainant in this matter. I was on my bicycle going through the intersection at Cragie and Brattle and Sparks, going from Cragie to Sparks, I was actually on my way to see my daughter at Mt. Auburn in intensive care and I saw the Logee truck parked on the opposite side of the road on Sparks Street and saw the man get out and start to blow. I told him it was illegal and he called me the term that Andrea just used except he didn't say effing. He used the full term.

And he kept on in that vein. I wasn't

going to stick around any longer and I continued on my bicycle.

CHAIR NICOLE MURATI FERRER: Thank you.

Mr. Logee?

BRIAN LOGEE: I'm sorry and embarrassed that this situation happened.

My employee was working on the corner of Sparks and Brattle Street using an electric leaf blower to clear organic debris from the walk.

He told me that he was confronted by a passerby who was upset he was using a blower. He thought he was following the rules by using the electric leaf blower instead of a gas-powered leaf blower.

And that's why he got upset by the passerby's reaction.

He actually told me about the incident that day, that we had a problem that afternoon,

and if I knew who you were, I would have called and apologize. I'm sorry again.

So he did discuss that incident with me that day and he said that he got upset and I instructed him how to handle the situation differently in the future and less confrontationally.

His reaction to the situation is not how I expect my employees to react to anybody in the public. He has been reprimanded and he will be fired if it happens again.

And we've had several training sessions with all the employees how to handle these situations in the future, both on the day it occurred and then when I got the letter from the Commission.

I take full responsibility that he was using an electric leaf blower that day. I

thought that the leaf blower ban only applied to gas-powered leaf blowers and specifically two-cycle leaf blowers, and I thought that we were following the rules.

You know, I thought -- I had come up with a legal solution to do the quality work in a safe and efficient manner by using the electric and battery-powered leaf blower we have and those leaf blowers are, the electric ones, are under 65 decibels.

And we have several training sessions each year on how to use leaf blower. And I've used them only to clear clippings, leaves, organic debris. So it doesn't blow the dirt, dust or soil and show them techniques how to do that.

And as far as registering, it is my fault. I don't know -- I know that I have to

register. It is a small company. I'm chief, cook and bottle washer. And I did -- it is my fault on that. I have in the past and I know that it is required.

Again, I would like to apologize to you, and it was on August 26. I know the exact day.

And I would also like to apologize to the Commission, I didn't register. It is my fault.

And I have been working in Cambridge for more than 22 years. And I would like to continue to work in Cambridge for the clients I have now and others in the future.

And I take this very seriously. And I hope you take this under consideration.

CHAIR NICOLE MURATI FERRER: Thank you.

I would vote a violation on both matters.

I would issue a warning for the permit

and a \$300 fine on the prohibited day of use.

Violation warning and \$300 fine. You will receive a decision.

Thank you.

APPLICATION: M&E LIQUORS

D/B/A DANA HILL LIQUORS

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Transfer of all alcoholic beverages store license held by M&E Liquors Incorporated doing business as Dana Hill Liquors at 910 Mass. Ave to Dana Hill Spirits Incorporated doing business as Dana Hill Liquors, Charles Marquardt, proposed manager of record.

The premise is described as a one room storage in the basement, 864 square feet first floor, 5 door walk-in beer cooler, soda cooler, third beer cooler, second wine cooler, wine

shelf, 10 foot wine displays.

CHAIR NICOLE MURATI FERRER: Good
afternoon.

Please state and spell your names for the
record.

ATTY JAMES RAFFERTY: Good evening, Madam
Chair. For the record, my name is James
Rafferty, R-A-F-F-E-R-T-Y. I'm an attorney with
offices at 675 Massachusetts.

I'm appearing today on behalf of the
applicant.

And seated to my right is one of the two
Marquardt brothers. Charles Marquardt, the
licensee, and the spelling on Marquardt is
M-A-R-Q-U-A-R-D-T.

And Mr. Marquardt is the president of the
corporation, the proposed manager of the licensed
establishment. An officer and shareholder of the

operation is his brother seated next to me. And I'm going to blank on your first name.

DANIEL MARQUARDT: Daniel.

ATTY JAMES RAFFERTY: Daniel, Dan Marquardt.

If any of you are in need of flowers, Cody Florist is run by Daniel Marquardt quite successfully.

CHAIR NICOLE MURATI FERRER: Do you have any additional paperwork for me?

ATTY JAMES RAFFERTY: Should I?

CHAIR NICOLE MURATI FERRER: So get ready.

ATTY JAMES RAFFERTY: Okay. I went through this list today. I said "I don't want to be surprised anymore by the Chair."

CHAIR NICOLE MURATI FERRER: The proof of citizenship for the manager application.

I need the CORI and manager application to be typed. They will be returned by the ABCC.

ATTY JAMES RAFFERTY: I have answers on those.

CHAIR NICOLE MURATI FERRER: I need three months of bank statements.

I need a signed lease.

I want you to write it.

ATTY JAMES RAFFERTY: I got that. I brought my own list. I have all this on my list.

CHAIR NICOLE MURATI FERRER: And then I need questions 8, 16, and whichever ones I have tabbed here answered, please.

ATTY JAMES RAFFERTY: So working backwards, with regards to the questions, you will see in my application, I have circled them as well. I am informed by my office that all of those questions have been answered on the on-line

application system at the ABCC.

CHAIR NICOLE MURATI FERRER: So you filed also the on-line one by now?

ATTY JAMES RAFFERTY: Yes. In fact, this was our first -- I think we got No. 1 on this. This is the first.

As far as the questions are concerned, No. 8, you are correct. Didn't have a response, and there were two others that didn't have a response. Did you say 14C1? And there was a third one.

I'm informed all of what you see here we were right on the cusp of the on-line filing system. All of that information is contained correctly, including the ABCC ID number for the license.

CHAIR NICOLE MURATI FERRER: Okay.

ATTY JAMES RAFFERTY: Which I notice was

not on the hard copy but is on the on-line filing version. I understand at the moment the Commission doesn't get to see what is on-line.

CHAIR NICOLE MURATI FERRER: Yeah.

And anyone else that's here, for the record, if you've already filed your ABCC application on-line, unfortunately there's some kind of glitch right now.

We see that there's 67 things in our que. We just can't open them.

So if you filed it on-line, that's fine because you can't submit it without it being complete. As for the questions, that's fine for me. But as to the documents, the system doesn't double check to that. So I need to make sure you have the three months of bank statements.

If you didn't attach those, I need copies of those because we'll have to attach them after

the fact, and then the CORI and manager applications, obviously if you filled that out, that's fine.

And then the lease, I need a signed lease. If you didn't attach that, I also need that now because we'll have to attach it after the fact.

ATTY JAMES RAFFERTY: So what we have --

CHAIR NICOLE MURATI FERRER: And proof of citizenship.

ATTY JAMES RAFFERTY: What we have filed is an assignment of the existing lease.

CHAIR NICOLE MURATI FERRER: Okay, that's fine.

ATTY JAMES RAFFERTY: That's executed and that was in our filing.

There is that -- that assigned lease only runs for the remainder of the calendar year, and

there's actually a new lease with the proposed licensee as the principal tenant, not the assignee of the existing tenant.

That lease is not signed. It will be signed pending the outcome of this process.

But the assignment, executed assignment, has been filed with this application.

CHAIR NICOLE MURATI FERRER: Not in my file.

ATTY JAMES RAFFERTY: Okay. It is right here in our clipped file.

My understanding is what I have here clipped is everything we have filed.

CHAIR NICOLE MURATI FERRER: I think from now on you should give me your copy and I should give you mine.

ATTY JAMES RAFFERTY: The on-line thing, it has a few hiccups.

I don't know what happens with CORIs and things like that on the on-line. I don't know whether we are scanning in leases or --

CHAIR NICOLE MURATI FERRER: So the applicant, and as an education to anyone else here that will be applying, the applicant has to scan it and attach it, which is the reason why in the three terminals, if you have gone to 831 Mass. Ave any time soon, you see one of the terminals has a scanner, we put a scanner out there so people that don't have access to a scanner at home or at their office, can actually scan the document and upload it to your application.

So, yes, it is the responsibility of the applicants to attach those documents with the application when they are submitting the application.

If you have not done so, these applications cannot be edited, so we'll have to have a letter and Form 43 and all of that and it can be attached after the fact, but it will just delay your application that much more.

So make sure that you attach everything that you need to attach to these applications off the bat, especially if they are in our que for weeks.

ATTY JAMES RAFFERTY: Understood.

So I'm informed all of the information that the Chair noted at the outset, including the executed assignment of the lease, which I have a copy, has all been filed on-line.

I made it a point of noting that it is bad for my professional reputation to continuously appear for the Commission and have the Chair correct my work in such a public

fashion and it causes great consternation among my clients.

There are other lawyers out there who are looking to seize upon business, so I can assure you, I have been attentive to that.

CHAIR NICOLE MURATI FERRER: I do not do it on purpose.

ATTY JAMES RAFFERTY: Oh, no, no, no. I don't take it personally.

I have a high respect for the attention to detail that the Commission pays to these applications but I want to assure you I was convinced tonight I would arrive here and get nothing but compliments for the thoroughness of our application.

But once again, I have come up short and I apologize to the Commission and to my clients.

By the way, I was curious, which car got

more smashing? The Republican car or the Democrat car?

CHAIR NICOLE MURATI FERRER: So we are staying at the same location --

ATTY JAMES RAFFERTY: I'm sorry.

CHAIR NICOLE MURATI FERRER: We have a long agenda.

ATTY JAMES RAFFERTY: It is very simple.

It is -- Mr. Marquardt, as you may be aware, is a license holder and operates a package store in the Kendall Square area.

This is a longstanding package store at the corner of Mass. Ave and Hancock Street, just in from the corner of Mass and Hancock.

There's no change in premise. It is a walk-in takeover. Same size.

And the operator is going to be selling the license outright. There's no pledge.

There's no seller financing.

It is a full cash purchase. The details are contained in the application.

And as I said, Mr. Marquardt has been an operator now for three or four years.

CHARLES MARQUARDT: Three years Friday.

ATTY JAMES RAFFERTY: He's been a pioneer in his current location and now they're in Kendall Square, he was new into a new building and a new area where there hasn't been a lot -- there aren't a lot of Section 15 licenses.

He has done very well and has an admirable blemish-free record with the Commission. And we would anticipate the same high level of attention to the operation at this location.

CHAIR NICOLE MURATI FERRER: I do note for the record that you are a manager of record

and you have no disciplinary issues.

Are you up to date with the rules and regulations of this board, the ABCC and the laws of the Commonwealth of Massachusetts of the sale and service of alcohol.

CHARLES MARQUARDT: Yes.

CHAIR NICOLE MURATI FERRER: Do you understand that we expect you to stay up to date with those rules, laws and regulations?

CHARLES MARQUARDT: Yes.

CHAIR NICOLE MURATI FERRER: Just because I didn't confirm it and to get confirmation, you are still a US citizen?

CHARLES MARQUARDT: Yes.

CHAIR NICOLE MURATI FERRER: Anything else?

POLICE COMMISSIONER CHRISTOPHER BURKE:

No questions.

CHAIR NICOLE MURATI FERRER: Anyone in favor of this petition.

(No response.)

Anyone in opposition?

Yes, sir. If you can come up because otherwise we'll never hear you from way back.

Please state your name, and if you are a resident, your address please.

CHARLES TEAGUE: My name is Charles Teague, T-E-A-G-U-E and I want to say I testified in favor of Charlie Marquardt's first license because I have known him for many years.

He's done a lot of community work. He knows how to get along with the people in the neighborhoods and I have visited him in the store.

It is just a great operation and shows a tremendous breath of understanding of both the

product and customers and the neighborhood.

So I just want to say you should grant this.

CHAIR NICOLE MURATI FERRER: Thank you.

Anyone else in support of this petition?

Anyone in opposition to this petition?

(No response.)

And counselor, my last question, only because it is not in the paper application but it is on the on-line application, although I don't have it, hours of operation in accordance to the statute?

ATTY JAMES RAFFERTY: Exactly. You know, Madam Chair, and I went -- the application doesn't provide for a place to address that.

CHAIR NICOLE MURATI FERRER: The paper application did not.

The on-line application does.

ATTY JAMES RAFFERTY: Okay.

CHAIR NICOLE MURATI FERRER: Ready to
vote?

POLICE COMMISSIONER CHRISTOPHER BURKE:
Yes.

CHAIR NICOLE MURATI FERRER: I would
grant this application, but I would hold on
issuing the grant until we get and confirm in the
que that we have all the documents necessary, but
I would vote on the record, since you are both
here, I would grant this application.

POLICE COMMISSIONER CHRISTOPHER BURKE: I
would agree.

CHAIR NICOLE MURATI FERRER: Okay.

ATTY JAMES RAFFERTY: Thank you.

Do you want me to provide you copies of
that or can we somehow get --

CHAIR NICOLE MURATI FERRER: I would like

the hard copies only because if they are not there, we can add them after the fact with our approval.

ATTY JAMES RAFFERTY: Easily done.

CHAIR NICOLE MURATI FERRER: Thank you.

APPLICATION: CAKEWALK BAKERS, LLC

D/B/A FLOUR BAKERY & CAFE

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Cakewalk Bakers, LLC doing business as Flour Bakery and Cafe has applied for a new common victualler license to be exercised at 114 Mt. Auburn Street to be open seven days per week between 7 a.m. and 8 p.m. with a seating capacity of 44 inside, Joanne Chang, proposed manager of record.

Premise description, first floor retail space with approximately 2377 square feet

including kitchen, dining area and storage.

CHAIR NICOLE MURATI FERRER: Please state and spell your name for the record.

JOANNA CHANG: Joanna Chang, J-O-A-N-N-E Chang.

CHAIR NICOLE MURATI FERRER: And Ms. Chang, are you going to have your granola at this location?

JOANNE CHANG: Yes.

CHAIR NICOLE MURATI FERRER: And this space was -- was this space licensed before, do you know?

JOANNE CHANG: It was formerly the Chili's restaurant and the entire building got torn down. From what I understand, they did reapply to make it into a food space.

CHAIR NICOLE MURATI FERRER: Yep. Do you intend to have background music?

JOANNE CHANG: Yes. Just like --

CHAIR NICOLE MURATI FERRER: Just below
conversational level?

JOANNE CHANG: Yes. Background music.

CHAIR NICOLE MURATI FERRER: No TVs?

JOANNE CHANG: No TVs.

POLICE COMMISSIONER CHRISTOPHER BURKE:
No questions.

CHAIR NICOLE MURATI FERRER: Anyone in
favor of this petition?

Please come up.

DENISE JILLSON: Good afternoon. Denise
Jillson, Executive Director of Harvard Square
Business Association here to extend our
overwhelming neighborhood support for Flour
Bakery and not just because of the granola.

CHAIR NICOLE MURATI FERRER: Thank you.

Anyone else in support of this petition?

(No response.)

Anyone in opposition to this petition?

(No response.)

To confirm 7 a.m. to 8 p.m., seven days a week?

JOANNE CHANG: Correct. Just Monday through Friday. Saturday 8 to 6 and then Sunday 9 to 5.

CHAIR NICOLE MURATI FERRER: Saturday are you opening at 7 a.m.?

JOANNE CHANG: 8 a.m.

CHAIR NICOLE MURATI FERRER: So Saturday 8 a.m. and then Sunday?

JOANNE CHANG: 9 a.m. to 5 p.m.

CHAIR NICOLE MURATI FERRER: Okay.

I would vote to grant with the background music below conversational level and the hours.

Granted.

JOANNE CHANG: Thank you.

APPLICATION: BMR-SIDNEY RESEARCH CAMPUS, LLC

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: BMR-Sidney Research Campus, LLC

Company has applied for a flammables license at 40 Erie Street for 1,000 gallons of class 1, 200 gallons of class 2, and 200 gallons of class 3 and 40 pounds of flammable solids.

CHAIR NICOLE MURATI FERRER: BMR-Sidney?

Second call.

APPLICATION: ORANGE BLOSSOM, INC.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application. Orange Blossom Incorporated has applied for an open-air parking lot license at 1280 Cambridge Street for six vehicles.

CHAIR NICOLE MURATI FERRER: Orange

Blossom? Second call.

APPLICATION: AVIS BUDGET CAR RENTAL, LLC

EXECUTIVE DIRECTOR ELIZABETH LINT: Avis Budget Car Rental, LLC has applied for a Letting of Motor Vehicles license at 350 Mass. Ave.

CHAIR NICOLE MURATI FERRER: Good afternoon.

Please state and spell your name for the record?

ROSS WARNE: Sure. My name is Ross Warne, R-O-S-S W-A-R-N-E.

CHAIR NICOLE MURATI FERRER: Warne?

ROSS WARNE: Yes.

CHAIR NICOLE MURATI FERRER: Mr. Warne, is this an existing license already.

ROSS WARNE: Yeah.

So currently we are looking at 20 Sidney

Street. That's where our retail space is.

It is between the Le Meridien Hotel and the Star Market, in the lobby, and then we park cars at 55 Franklin Street.

And we are looking to relocate that approximately 75 yards to 350 Mass.

CHAIR NICOLE MURATI FERRER: Okay.

Did you notify the abutters?

ROSS WARNE: We did.

CHAIR NICOLE MURATI FERRER: Do you have that with you?

Other than relocating 75 yards, is there anything else changing with regard to the operation at all?

ROSS WARNE: No. The operation is remaining the same.

CHAIR NICOLE MURATI FERRER: Anything else?

ROSS WARNE: That's all.

CHAIR NICOLE MURATI FERRER: Anyone in favor of this petition.

(No response.)

Anyone in opposition to this petition?

(No response.)

I would vote to grant.

POLICE COMMISSIONER CHRISTOPHER BURKE:

Agreed.

CHAIR NICOLE MURATI FERRER: Granted.

ROSS WARNE: Thank you.

APPLICATION: RICE BURG, INC.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Rice Burg Incorporated has applied for a vendor/peddler license to operate at a mobile food truck at 40 Erie Street every Wednesday from 11 a.m. to 2 p.m.

The background on this is fine.

CHAIR NICOLE MURATI FERRER: Hi. How are you?

JESSICA SHEN: I'm good.

CHAIR NICOLE MURATI FERRER: Please state and spell your name for the record.

JESSICA SHEN: Jessica Shen,
J-E-S-S-I-C-A S-H-E-N.

CHAIR NICOLE MURATI FERRER: Ms. Shen, can you tell us what Rice Burg is all about? What do you serve?

JESSICA SHEN: Rice Burg is a food truck that serves burgers made of rice buns instead of wheat buns. It is all gluten-free alternative to regular bread buns.

CHAIR NICOLE MURATI FERRER: Is this your first license in Cambridge?

JESSICA SHEN: That's correct.

CHAIR NICOLE MURATI FERRER: And you are scheduled to be every Wednesday from 11 a.m. to 2 p.m.?

JESSICA SHEN: That's correct.

CHAIR NICOLE MURATI FERRER: And you got your truck inspected?

JESSICA SHEN: Yes. Kristen from Cambridge City Department of Health.

CHAIR NICOLE MURATI FERRER: Anyone in favor of this petition.

(No response.)

Anyone in opposition to this petition?

(No response.)

I would vote to grant.

POLICE COMMISSIONER CHRISTOPHER BURKE: I agree.

CHAIR NICOLE MURATI FERRER: Granted.

APPLICATION: 15-17 LANGDON STREET REALTY TRUST

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: 15-17 Langdon Street Realty Trust
has applied for an open-air parking lot license
at 17 Langdon Street for 14 vehicles.

CHAIR NICOLE MURATI FERRER: Please state
and spell your name for the record.

ATTY WALTER SULLIVAN: Walter Sullivan.
S-U-L-L-I-V-A-N. I'm on behalf of the applicant.
With me is Peter Poras, P-O-R-A-S. The president
of Chestnut Hill Realty Investments.

CHAIR NICOLE MURATI FERRER: Thank you.
Is this not already an existing license?

ATTY WALTER SULLIVAN: These are all
renewals. Excuse me, change of ownership.

CHAIR NICOLE MURATI FERRER: But these
are all existing, right? These are not new
parking lots at all, correct?

ATTY WALTER SULLIVAN: No.

CHAIR NICOLE MURATI FERRER: Go ahead,
counselor.

ATTY WALTER SULLIVAN: The first
application, Madam Chair, is for 14 vehicles.

It has been previously licensed under
Millstein, who was the prior owner.

There was an issue changing one owner
from another. As a result of that, we finally
finalized our applications and we submitted \$175
application fee and we also paid \$129.40 for
past years in which there was a question on
licensing.

CHAIR NICOLE MURATI FERRER: So you've
already paid the past due fees?

ATTY WALTER SULLIVAN: Yes.

CHAIR NICOLE MURATI FERRER: Who was the
property owner?

Is it the same - is the 15-17 Langdon Street Realty Trust?

ATTY WALTER SULLIVAN: Wholly owned entity.

CHAIR NICOLE MURATI FERRER: So that's why the last page of the application isn't filled out because you are the owner of the property?

ATTY WALTER SULLIVAN: Yes.

CHAIR NICOLE MURATI FERRER: I know Ms. Lint contacted you about the interdepartmental sign-offs. Did you get those yesterday?

ATTY WALTER SULLIVAN: You have all sign-offs from the Transportation -- Traffic and Transportation, from Cambridge Community Development Department and from Inspectional Services.

EXECUTIVE DIRECTOR ELIZABETH LINT: I'm

probably the only one that didn't sign-off on it because I don't until it is approved.

ATTY WALTER SULLIVAN: So the only sign-off on one of the forms is Ms. Lint after it has been approved.

CHAIR NICOLE MURATI FERRER: Because when I originally looked over at this application, it did not have the interdepartmental sign-offs and I think Ms. Lint contacted you yesterday about that, correct?

ATTY WALTER SULLIVAN: No. All the sign-offs have been -- were submitted.

CHAIR NICOLE MURATI FERRER: Do you have a copy of that, by any chance?

We didn't have it for this application because I wrote it down and I remember asking about it yesterday.

ATTY WALTER SULLIVAN: (Complying).

CHAIR NICOLE MURATI FERRER: I can get a copy.

Anyone in favor of this petition?

(No response.)

Anyone in opposition?

JAMES SHEA: I have a question. How does it affect --

CHAIR NICOLE MURATI FERRER: Sir, you have come up to the microphone, state and spell your name and also your address.

JAMES SHEA: James Shea, 44 Langdon Street.

CHAIR NICOLE MURATI FERRER: And your name again?

JAMES SHEA: James Shea, S-H-E-A.

And just a question about this particular lot and what it means, open-air parking. Is it going to change the neighborhood in any way?

Same parking space? Are you renting them out?

ATTY WALTER SULLIVAN: It is to be used by the residents of the building.

JAMES SHEA: The dentist?

ATTY WALTER SULLIVAN: I apologize.

It is to be used by 1-3 Langdon Street and 15 Langdon Street. All commonly owned by the same entity.

JAMES SHEA: Chestnut Hill Realty?

ATTY WALTER SULLIVAN: Yes.

CHAIR NICOLE MURATI FERRER: Thank you.

Anyone else?

Ma'am?

Again, if you are to speak, please state and spell your name and also your address.

ALI SULLO: My name is Ali Sullo, S-U-L-L-O, and my question has to do whether this license is related to the 123 building on Langdon

Street or is that a different matter?

ATTY WALTER SULLIVAN: You mean Langdon Square or Langdon Street?

ALI SULLO: Langdon Square.

ATTY WALTER SULLIVAN: That will be coming up.

CHAIR NICOLE MURATI FERRER: That will be up later.

Anyone else?

Anyone in opposition to this petition?

I would vote to grant.

POLICE COMMISSIONER CHRISTOPHER BURKE:
Grant.

CHAIR NICOLE MURATI FERRER: Granted.

APPLICATION: CAMBRIDGE CENTRE, LLC

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Cambridge Centre, LLC has applied

for an open-air parking lot license at 1-3
Langdon Square for ten vehicles.

ATTY WALTER SULLIVAN: Walter Sullivan on
behalf of the applicant. With me is Peter Poras,
the president of Chestnut Hill Realty.

CHAIR NICOLE MURATI FERRER: Thank you.
And again, this is an existing parking
lot?

ATTY WALTER SULLIVAN: The next three
applications that are going to come, were all
properties owned by DuPont. And my client
purchased those properties in August of 2011.

These properties, in specific, right now
is 1-3 Langdon Square.

Coming up will be 59-61 Langdon Street
and 65 Langdon Street.

After they purchased them, the tenants
were relocated and there was substantial

renovation done to all the units.

CHAIR NICOLE MURATI FERRER: Okay, not the units, the parking lot, is it the same number of spaces?

ATTY WALTER SULLIVAN: Yes.

CHAIR NICOLE MURATI FERRER: Been in same location?

ATTY WALTER SULLIVAN: Yes. We had to pay \$326.70 for past -- for not registering prior and a \$175 fee.

Madam Chair, we received a number of emails, et cetera from neighbors complaining regarding the property.

I should state that there was Zip cars located at 65 Langdon Street.

As a result of all the renovation taking place, those vehicles were moved to 1-3 Langdon Street.

Those vehicles are now moving back to 65 Langdon Street.

Also as a result -- one of the abutters behind the property, there was an issue between 1-3 Langdon Square and 55 Langdon Street that abuts 1-3 Langdon Square.

As a result of all the construction, the grass at 55 Langdon Street, with the weather we had over the few years, they ended up putting gravel down to keep the trucks from sinking and also all the staging area, and the fences ended up having problems as a result of the snow.

The plan is to put back 55 Langdon Street the way it was. And we plan on putting up the fences again that were there.

CHAIR NICOLE MURATI FERRER: And the number of spots hasn't changed, correct?

It is still 29? For --

ATTY WALTER SULLIVAN: It's ten. I apologize. I went beyond.

CHAIR NICOLE MURATI FERRER: Stop doing that. Ten. Here. Here I am. Yes.

For 1-3 Langdon, it is ten. And those ten are for the residents of 1-3?

ATTY WALTER SULLIVAN: And it should be one -- but it is to cover those commonly-owned properties.

55 has no parking. So 1-3 Langdon Square, 55 Langdon Street. 59-61 Langdon Street and 65 Langdon Street are all commonly owned.

More than likely, given the way they are broken up, 1-3 Langdon will probably just be 55 and 1-3 Langdon Square but it will be any one of those four residences that will --

CHAIR NICOLE MURATI FERRER: But not

commercial use?

ATTY WALTER SULLIVAN: No. They are all ancillary to the business of renting apartments.

CHAIR NICOLE MURATI FERRER: Thank you.

POLICE COMMISSIONER CHRISTOPHER BURKE: Just to be clear, the Zip cars were located at the 1-3 Langdon Square?

ATTY WALTER SULLIVAN: They were originally at 65 but because of all the construction, they ended up being moved to 1-3 Langdon Square temporarily.

As you know, the City of Cambridge is trying to reduce the number of vehicles that they have in the City and really like to see communities have Zip cars located.

That's one of the reasons why the Zip cars were located to 65 Langdon Street.

They had to be moved temporarily because of construction but the plan is -- they are already back there now.

There's still a sign at 1-3 Langdon Square. We just found that out but the properties really are -- the cars are supposed to be at 65 Langdon Street.

POLICE COMMISSIONER CHRISTOPHER BURKE:

So how are those spaces to be utilized now that the Zip cars have been moved.

ATTY WALTER SULLIVAN: Those were of residents of 1-3 Langdon Square, 55 Langdon Street, 59-61 Langdon Street and 65 Langdon Street, any one of those commonly-owned properties.

POLICE COMMISSIONER CHRISTOPHER BURKE:

Are those assigned spaces? Or is it first come, first serve? How does that work with those

particular ten spaces?

ATTY WALTER SULLIVAN: I believe they are assigned but I don't know the answer to that because they do have numbers on them.

As a result of all the renovation, there's a lot of work to be done on fixing the parking lot and fences.

I know one abutter had an issue with the barrels, and we are working on that issue, and the managers in our office spoke to that trying to solve the issue, but -- so I don't know if that answers you. Maybe I gave you more of an answer than you were looking for.

CHAIR NICOLE MURATI FERRER: Anyone in favor of this petition?

Are you in favor, sir?

JAMES SHEA: I have a question about the parking again.

The Zip cars --

CHAIR NICOLE MURATI FERRER: Sir, I'm
sorry, can you state --

JAMES SHEA: Oh. My name is James Shea,
and just a clarity question.

The Zip cars were always at 65.

Never at 1-3 Langdon in the parking lot.

They have never been, as far as I know,
they have always been at 65 Langdon. They have
never been at 1-3 Langdon.

ATTY WALTER SULLIVAN: They were there
temporarily. And I know from the email --

CHAIR NICOLE MURATI FERRER: Sir, we have
multiple emails saying they were there.

I think we have some residents saying
they were there as well.

With all that, you know, as the counselor
very well pointed out, we did confirm with

Traffic and Parking, it is allowed per the zoning.

It is something that was actually supported and approved by the City, a different department, because we don't approve any of that, but yes.

JAMES SHEA: I'm trying to get a clarification.

ATTY WALTER SULLIVAN: Madam Chair, just so -- I mean, the Traffic Department is now beginning to track all of the Zip cars in the City and they -- Zip cars has to report them to the City.

They started registration of those.

And you will be able to find those, I believe, on the City's website.

CHAIR NICOLE MURATI FERRER: Thank you.

Yes, ma'am? Again, if you can please

state your name.

ALI SULLO: Good afternoon.

My name is Ali Sullo S-U-L-L-O.

The reporter: Ali, spell your first name.

ALI SULLO: A-L-I.

I'm the owner of a condominium unit at the 65-69 Walker Street address.

One of the owners of our complex of eight units has been in communication with the City and with the Chestnut Hill Realty about the spaces behind the 1-3 Langdon Square and we have a number of issues about trash.

During the renovation period, and as of today, behind the 1-3 building, there are 21 trash barrels and six recycling barrels all behind the 1-3.

I don't know how many units are in that

building. But there's 21 trash barrels and six recycling bins.

At the back of the 1 through 3 building, there's an exterior staircase and six air conditioning units.

And what we have requested is to have information from the Commission from the Chestnut Hill Realty about what the plan would be for the ten parking spaces that would allow for adequate space behind the building and not have the cars as they are at 55 with their noses facing directly up against the back fence of our next door neighbor who is also here and has had issues with his fence being torn down through the snowstorm.

And I know Chestnut Hill Realty through some verbal conversation has indicated a willingness to work with the neighbors to correct

some of the issues.

But what we would like to see is a plan.

It was green space, as Walter mentioned earlier. It was all gravelled over. So right now across -- it is basically four buildings, all these numbers of 1 through 3 Langdon Square, the 55 building, the 59 building, and the 65 building. It is all one big area that for -- behind the 65 building is all tarred including the driveway, in and behind all of the other buildings, it's all been totally gravelled.

It had been green space. Some green space between the back fence and the areas for parking. That's all been taken away. It is totally gravel.

So the neighbors would like to have some green space returned so that whatever the plan is for the parking of the ten cars, that their noses

are not facing directly to their abutters' fences.

ATTY WALTER SULLIVAN: It is angled parking that's kind of difficult to deal with.

The plan is to replace all the fencing around the facility. That should help address it.

I believe some of the fences are old, plus with the snow we had over the last few years has caused damages to the fence with snow and the construction and so the plan is to fix all the fence which should help deal with the lighting.

The plan is also to put at 55 -- to put it back the way it was.

The trash barrels, they used to be in a shed at 55. As a result of construction, the shed was dilapidated, it had to be taken

down.

But Chestnut Hill is actually dealing with the trash as well.

The trash has always been located at one location for all of those buildings.

I believe it was behind 55, it was the trash for all those buildings to go.

CHAIR NICOLE MURATI FERRER: Just because I feel like we are jumping around, so we're dealing with Cambridge Centre LLC for an open area parking lot at 1-3 Langdon Square for ten vehicles.

ATTY WALTER SULLIVAN: Yes.

APPLICATIONS: 1-3 CHARLES CHAUNCEY, LLC

CAMBRIDGE CENTRE, LLC - 59-61 LANGDON STREET

CAMBRIDGE CENTRE, LLC - 65 LANGDON STREET

CHAIR NICOLE MURATI FERRER: 1-3 Charles
Chauncey, LLC for an open-air parking lot at 1-3
Chauncey Street for 39 vehicles.

ATTY WALTER SULLIVAN: Yes.

CHAIR NICOLE MURATI FERRER: Cambridge
Centre, LLC for an open-air parking lot license
at 59-61 Langdon Street for 11 vehicles.

ATTY WALTER SULLIVAN: Yes.

CHAIR NICOLE MURATI FERRER: Cambridge
Centre, LLC for an open-air parking lot at 65
Langdon Street for 14 vehicles.

ATTY WALTER SULLIVAN: Yes.

CHAIR NICOLE MURATI FERRER: All of this
can be clumped into the record.

ATTY WALTER SULLIVAN: Those properties
were all owned by DuPont and the client purchased
them in August of 2011.

They have all been, especially the Langdon Square, they have all been substantially gutted and renovated and that led to some of the problems that is there now relative to the gravel and trash.

And that is being worked on.

CHAIR NICOLE MURATI FERRER: And the number of vehicles for each of these have remained the same? So this was what was previously licensed?

ATTY WALTER SULLIVAN: This is what was licensed --

CHAIR NICOLE MURATI FERRER: But under DuPont?

ATTY WALTER SULLIVAN: This is what was licensed there unregistered both with the City Traffic Department.

There's some issues on numbers of spots.

I guess when I first started doing this, is that when you look at what is registered in the City and what's licensed, the numbers could be different.

An example would be, so back in the early '90s, as a result of the Federal government coming down on the City, and the City had to go count parking spaces because of the freeze and so forth.

The City went and counted all the parking spaces. For purposes of 59 to 61 and 65, they counted all the parking spaces and gave them to 65.

The reality is they were split between the two. There were 25 spots that were counted totally, and I believe, for example, using 65 -- according to the Traffic Department, there were no parking spaces at 59-61. There were licensed

ten.

For purposes of 65 Langdon Street,
registered were 55 and licensed were 13.

So what it is adding up to, when you add
up both 61 to -- 59-61 and 65 Langdon Street,
they add up to 25 parking spaces. And the
requirement is that each -- the spots have to be
broken up into parcels. You can't put them
altogether.

CHAIR NICOLE MURATI FERRER: Okay. Thank
you.

Yes, ma'am?

ALI SULLO: I would like to ask if
there's a possibility that there be a delay on
approval on the 1-3 building until we can see
some kind of a plan that would deal with the
parking spaces, the 21 trash barrels currently
there and some kind of a buffer between

the fencing and where the cars would actually be parked, we would love to see a drawing.

CHAIR NICOLE MURATI FERRER: We'll still take some more public comment.

Now that we've called them all, anyone else here to speak in support or in opposition with to regard these matters?

Why don't we do support first.

Is anyone here in support of these petitions?

Anyone here in opposition to these petitions?

Then I ask you that you please state your name, please speak to the microphone, and state your name and spell your name and give us the address where you reside at and the basis of your opposition.

I also ask that if all of you have the

same opposition, when you come up to the microphone, if you can say -- say "the same," so we don't hash it out since we have a long agenda, I would appreciate it. Thank you.

Go ahead, sir.

RICHARD MACNAIR: Richard Macnair, M-A-C, small N, A-I-R.

I represent the Emily Macnair 1990 Trust as trustee and Walker Hancock, LLC, who both -- both of which are abutters to Chestnut Hill Realty property.

I endorse what Ali Sullo has said.

I also -- and with communications that Molly Moss has submitted.

I also -- I am also concerned with respect to the entire parking area that it is above grade with our property in many cases, and we have experienced serious run-off of toxic

chemicals, it has destroyed plants in our garden, and they have also destroyed a fence in the process of plowing snow, particularly two years ago when we had so much of it.

That's the gist of my comments.

CHAIR NICOLE MURATI FERRER: Thank you.

Anyone else?

If you can -- ma'am, if you don't mind to kind -- I'm sorry, kind of move along so other people can -- thank you. Sorry.

Please state your name and spell it for the record and your address.

BONNY LAMB: I want to make sure I'm at the right hearing. Bonny Lamb, B-O-N-N-Y L-A-M-B.

I live at 1600 Mass. Ave.

THE REPORTER: Bonny, speak up or use the microphone.

BONNY LAMB: I live at 1600 Mass. Ave in Cambridge, No. 704.

And I live across from 1-3 Chauncey Street and I would be against the parking, whatever it is, because Chauncey is such a dense street already.

It is the densest street in all of Cambridge. It has ten large buildings on it, and every other building that's on it is not -- is probably minimally four units.

Chauncey is a cut through from Garden to Mass. Ave.

Not only that, it is also cut through for Harvard because Harvard gets on at Garden and crosses Mass. Ave, goes down Everett, crosses Oxford and goes right into the garage at the end of the -- at the end of Everett, basically.

In the morning during rush hour, or

whatever, the cars are all the way down the street, three quarters down the street. People blow their horn. It is dreadful.

I think four or five cars get through at one time. My living at 1600 Mass. Ave to try to get out of our parking lot into Chauncey Street with that long line is an impossibility.

The parking exit for 1-3 Chauncey would be right across the street from that and it is just that much more traffic coming into it.

CHAIR NICOLE MURATI FERRER: I'm sorry to interrupt you, ma'am.

How long have you been living at the current address that you are at?

BONNY LAMB: I lived in one condominium since 1991. And in this one for probably the last dozen years. I'm also a real estate broker.

CHAIR NICOLE MURATI FERRER: So -- but

these spaces were here before this time? They have been here, correct?

BONNY LAMB: I don't know. All I saw was I got something from the law firm saying they want 29 spaces.

CHAIR NICOLE MURATI FERRER: Because they have to notice abutters.

BONNY LAMB: So they are not asking for more?

CHAIR NICOLE MURATI FERRER: So these are all existing. I understand that they were under someone else's name. I guess that was my particular question. These are not new parking lots that you are creating?

ATTY WALTER SULLIVAN: No.

Madam Chair, I think the problem is that on a alcohol form you would write new license or a transfer or license so the neighbors would

know.

The problem you have with the license application for open-air parking spaces --

CHAIR NICOLE MURATI FERRER: We are working on.

ATTY WALTER SULLIVAN: -- it always gets listed as new, so when neighbors get a notice, "Oh, my God, there's more parking spaces." So these are all existing parking lots, spaces that existed even before anybody created a parking zoning ordinance.

CHAIR NICOLE MURATI FERRER: Thank you.

BONNY LAMB: Any way of getting fewer?

CHAIR NICOLE MURATI FERRER: Thank you, ma'am.

Anyone else?

Step up and state and spell your name.

Thank you.

JOAN LEMLER: Hi. My name is Joan
Lemler.

THE REPORTER: Joan? Joan? You have to
spell your last name.

JOAN LEMLER: L-E-M-L-E-R.

CHAIR NICOLE MURATI FERRER: L-E?

JOAN LEMLER: L-E-M-L-E-R. And my
written statement has already been sent to
Ms. Lint, and I have copies of the statements if
you would like hard copies that are from my
fellow property owners at the 41-51 Langdon
Street complex.

There are many issues, and I have two of
my fellow owners here who can go into some of the
details, some of which has already been mentioned
about noise and trash.

But this is not an NIMBY issue for us in
terms of the number of parking spaces.

I have been involved with the property since 1983, 47, Unit 2. We have borne the brunt of lack of access and blocked access to our back parking lot with the use of the three parking spaces to the immediate left of our common driveway.

And it happens at all hours of the day and night through the use of Zip cars.

I understand that the City of Cambridge has identified this as a community good, however, there's also an ordinance, 1380 Section 6.43, which says some things about access for off street parking facilities, which does say that "off street parking facilities shall have moving areas and appropriate means of vehicle access to the street and shall be so designated as to not constitute nuisance, hazard or unreasonable impediment to traffic."

I think you have on record from Ed Garrety (phonetic), one of the trustees, some photos which indicate when the Zip cars -- that may well be intentioned but they don't pull all the way up to those fences and because those three spaces, it just makes our egress and our exit very difficult and sometimes impossible.

So this is not just a NIMBY issue. We don't know what protections we have if this license for the Langdon Square, the 1-3, is unconditional.

I mean, I'm not saying this is going to happen, but there could be ten Zip cars out there.

There could be many designations and I echo wonderful comments made by -- Ms. Sulle?

ALI SULLO: Sullo.

JOAN LEMLER: Sullo. I'm sorry. I don't

know you. You are not in our complex. But I welcome your very articulate statement.

We really need to see something more thoughtful and thorough in terms of a plan and I don't know if you can get a continuance.

We have not had an opportunity to seek legal attorney representation here. It was wonderful a couple Saturdays ago to get the mail, the certified letters from your firm. Thank you for your professionalism.

But maybe we are at the beginning of really trying to make sure all parties are, you know, protected here.

But it's -- this is a really serious issue if we can't get in and out of our parking area. It is very serious and in terms of property values and so many other issues --

Jim, would you like to speak a little bit

to some of the day-to-day concerns that you had?
Or, Lou-Lou, I know you had -- we both have been
around for a while.

Jim, would you join me and Lou-Lou,
please give your take a little more on the
issues.

We want to be good neighbors and we
always have.

CHAIR NICOLE MURATI FERRER: Sir, go
ahead.

JAMES POAGE: We have 11 spaces.

THE REPORTER: Sir, you have to --

CHAIR NICOLE MURATI FERRER: I got it.
I got it.

Your name, if you could state it and
spell it for the record.

JAMES POAGE: James Poage P-O-A-G-E.

We have 11 spaces --

CHAIR NICOLE MURATI FERRER: I'm sorry, where do you reside, sir?

JAMES POAGE: I live at 49 Langdon Street, Unit 3, which is the closest unit to the 1-3 Langdon complex, to orient you.

So my parking consists of commonly used -- I don't know what it actually is, but it is not a town maintained road.

It has a fire right of way along one side, a narrow strip of a sidewalk, and nobody parks there without it -- without getting in a lot of trouble mainly because of fire access.

To get to my parking lot, I come up that strip and take a hard right into an area, which is slightly less than -- well, I haven't measured it, but an angled car parked, about nine to ten feet wide, between the rear of their car and the building that we reside in, so a car can pass

unobstructed on this right of way and turn in and find one of 11 slanted parking spaces.

That's the theory.

Unfortunately, the Chestnut Hill folks own the parking spaces to the west of our lot, and in particular they were using spaces 1, 2, 3 during this time with the Zip cars. Now the trouble arises. You can manipulate in and around spaces 1, 2, 3, until you get somebody not familiar with the constraints of the region. And when someone parks a long car in 1, 2, 3, there's a good chance I can't get out.

I have to make two turns. One this way, and one this way and go through a space that's probably nine feet wide. That's under ideal conditions.

Now, my personal experience in that area is that the residents, the people who live there,

know these constraints and they pull their cars up appropriately close to the fence.

But when you take somebody in a Zip car and park in space 1, they don't have any idea of the problems that we have in manipulating our way out from behind the building onto the main streets.

And there have been occasions where people actually have been prohibited from making those turns to get out to the access road. Now, there's an application in there to use 1, 2 and 3 spaces for general public use.

My experience is, put the general public who don't understand how long their car is and don't understand the constraints we have, that we have, in fact, created a danger situation. One or the other of those cars will get dinged.

We have had several proposals. And my

favorite one -- this is not realistic.

But my favorite one is to take the first and second parking space and dismember it. No more parking in that area.

That would be my favorite. It would get rid of all the hazards we have.

CHAIR NICOLE MURATI FERRER: Thank you.

JAMES PAOGE: I'm not done.

I think we have a number of alternatives, and Joan can go into some of those, which can permit parking in those areas if they are redesignated as residential only so that the people then know what is going on and we can twist their arm --

CHAIR NICOLE MURATI FERRER: Go ahead, counsel.

ATTY WALTER SULLIVAN: To respond, so in our application, and this deals with your

question, in our application those parking spaces will now only be used by residents of those four buildings.

None of the apartments -- none of the parking spaces are leased out or rented to anybody other than who is located in those facilities.

You've got to also remember that all these spaces are grandfathered in and that the zoning ordinance relative to traffic does not apply to these spaces. They have been there before. And we're just here changing, moving from DuPont to the different names that the properties are under.

They have been approved by the Cambridge Development -- Community Development Department, and they have been approved by the Traffic Department and they have been approved by the

Inspectional Services department. We are going to work with the neighbors.

The Zip cars were moved. We are going to address the issues of trash.

The issue of run-off that was mentioned, we'll go back and say these are preexisting parking spaces.

These are not new applications before you, so to speak, and we'll deal with the issues of fixing the 55 with the grass area.

To look at these, and people that think this is a brand-new license application, and the regulations apply, wouldn't be correct.

And I think that's important to know what is before you is our applications to rename -- to relist who they are and we probably can work with you on those three spots that are on the front.

We'll work to ensure that they are compact cars that will park there versus, and since they will be residents, they will know enough to pull in.

We'll work to get compact cars there to help reduce that issue. Hopefully that can help.

You have to go down there to understand that this is just one street, a square, it is not even a street, that you enter into their property and you enter into 1-3 Langdon Square, and then you have to come out that same way.

So we truly do understand the issues that they have, those same issues exist for 1-3 Langdon Square as well.

CHAIR NICOLE MURATI FERRER: Anyone else to speak on the matter?

Please state and spell your name for the record.

MARILYN TABOR: Sure. My name is Marilyn
M-A-R-I-L-Y-N T-A-B-O-R.

I've lived at Langdon since 1983. I want
to thank Chestnut Hill for working so closely
with us over the years with these problems and it
has been a delight with the staff and we
definitely look forward to solving these problems
with you guys.

I just have one question.

I'm delighted to hear that the licensing
request is for residential use only, but should
you decide that you want to put Zip cars there,
do you have to come back then to --

CHAIR NICOLE MURATI FERRER: Maybe this
will help.

We do not license Zip cars and we do not
get into the agreements in terms of whether will
be Zip car vehicles in a particular parking

lot.

I note for the record that the City of Cambridge has passed -- and so even if they are going to put Zip cars in there, that would not be something for our consideration.

That would be something that would be heard and dealt with at Traffic and Parking and in that area, over there in those buildings, have nothing to do with this.

And that's why I kept asking, if anyone here, speaking in opposition, is here to tell me that this is a change in the number of parking, then I can see where this is coming.

And I think this is a great dialog, and I'm glad you came because I think it put the licensee or the prospective licensee on notice as to issues and you guys can open lines of communication and speak to each other to deal

with these.

But as has been very well pointed out, this is not a change other than a new ownership.

MARILYN TABOR: I guess I'll add just one thing which I addressed in my email to you, is if there are Zip cars, then it changes the character of the parking in terms of the maneuverability and the egress.

ATTY WALTER SULLIVAN: It's really -- if it becomes an issue with the Traffic Department and what the City is looking to do.

Madam Chair, you need to go out to this neighborhood. It's truly an oasis. And we were talking one day, him and I were out on the sidewalk, I've never been to such a beautiful part of Cambridge, the way the streets are and the neighbors, but the reality of Cambridge today

is that Cambridge is trying to reduce the amount of vehicles that exist.

When you go to this neighborhood, there's no parking at all. When you add up all the units versus the number of parking spaces and parking spaces on the street, there's nothing there.

The Zip cars are the way for residents to be able to -- in the area to be able to go shopping and try to get them.

MARILYN TABOR: But this is not a discussion about Zip cars.

CHAIR NICOLE MURATI FERRER: No, not here.

Anyone else to say anything new and relevant?

ALI SULLO: I would like to ask it to be reconfirmed that indeed that already was approved

for spaces.

I lived on the street for six years now and our property is right over the fence. I have never seen anything like ten cars in the back of 1-3 Langdon Square.

I would like to have an absolute assurance that that was what it had been. There's never been those cars.

ATTY WALTER SULLIVAN: Madam Chair --

CHAIR NICOLE MURATI FERRER: Langdon Street or Langdon Square?

ALI SULLO: 1-3 Langdon Square.

CHAIR NICOLE MURATI FERRER: They have been registered with ten parking spaces since they started with Traffic and Parking. And I know that answer because you guys all gave me such descriptive emails and I went to Traffic and Parking to confirm.

JOAN LEMLER: I have just one question.

One question, you mentioned that some of our concerns under this ordinance of -- hopefully everything, you know, can be worked out in terms where compacts and Zip cars or owners -- I mean, you could have an owner with a big pick-up truck there, and a Zip car might be different. But any issues that continue, we need to go to the Traffic commission about, is that what you are saying?

CHAIR NICOLE MURATI FERRER: It depends on the issue, but literally all we are doing here is licensing whether or not they can have these number of spaces at this location for open parking.

And that's literally the only question before us, and that's literally the only thing that we have purview under this situation.

JOAN LEMLER: Just one more question.

Is there any granting of such renewals with conditions or is it either "yes" or "no" on a renewal?

How does that work?

CHAIR NICOLE MURATI FERRER: Everything is taken on a case-by-case basis.

But I can tell you right now I'm ready to vote on this matter and I'm ready to vote on them as requested because that's how they always have been. There are no changes here.

And, quite frankly, based on what I've read of what has been submitted and based on what I've heard today, I do not feel that there are any conditions that we can lawfully place on these licenses.

That will be my vote at this time.

POLICE COMMISSIONER CHRISTOPHER BURKE: I

agree.

CHAIR NICOLE MURATI FERRER: Granted as
to all.

I'll take the abutter notifications.

APPLICATION: MAINELY BURGERS MA, LLC

D/B/A MAINELY BURGERS

EXECUTIVE DIRECTOR ELIZABETH LINT:

Applications: Mainely Burgers, MA LLC doing
business as Mainely Burgers, holder of a common
victualler license at 704 Mass. Ave has applied
for an entertainment license to include one TV
and audio tape machine, CD, which may play music
below, at or above conversation level.

CHAIR NICOLE MURATI FERRER: Good
afternoon.

Please state and spell your name for the
record.

JACK BARBER: Sure. It's Jack Barber,
B-A-R-B-E-R:

CHAIR NICOLE MURATI FERRER: And this is
literally for background music?

JACK BARBER: Yeah, I forgot to put it on
the CV license.

CHAIR NICOLE MURATI FERRER: I forgot to
ask you about it.

Anyone in favor of this petition?

(No response.)

Anyone in opposition to this petition?

(No response.)

I would vote to grant.

POLICE COMMISSIONER CHRISTOPHER BURKE:
Agreed.

CHAIR NICOLE MURATI FERRER: Granted.

JACK BARBER: Thank you.

APPLICATION: PORTER SQUARE HOTEL, LLC

D/B/A PORTER SQUARE HOTEL

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Porter Square Hotel, LLC, doing business as Porter Square Hotel, 1924 Mass. Ave Cambridge has filed an application for an innholder's license at said address.

Premise is described as six floors including basement, meeting space, housekeeping, storage room, IT closet, mechanical rooms, office, staff locker room, restrooms, parking structure, containing approximately 9,666 square feet. Level one, hotel lobby, foyer, bar, restaurant, kitchen, housekeeping closet, garden approximately 5,066 square feet.

Level 2, 19 guest rooms, IT closet, housekeeping closet, approximately 4,940 square feet.

Level 3, 19 guest rooms, IT closet
housekeeping closet, approximately 4,940 square
feet.

Level 4, 19 guest rooms, IT closet,
housekeeping closet, approximately 4,915 square
feet.

Level 5, 8 guest rooms, IT closet,
housekeeping closet, approximately 3,788 square
feet.

Applicant is also applying for an
exemption from the requirement for a residential
manager.

CHAIR NICOLE MURATI FERRER: Good
afternoon. If you could please state and
spell your names for the record that would be
great.

ATTY LESLEY ST. GERMAIN: Madam Chair,
Lesley St. Germain with McDermott Quilty &

Miller. L-E-S-L-E-Y S-T, G-E-R-M-A-I-N.

And with me is Curtis Butcher, our
general manager.

Nathan Mills, our room operations
manager.

And Kevin Sheehan, a consultant.

And I'll let them each spell their
respective names.

CHAIR NICOLE MURATI FERRER: Thank you.

CURTIS BUTCHER: Curtis Butcher,
C-U-R-T-I-S B-U-T-C-H-E-R.

CHAIR NICOLE MURATI FERRER: Thank you.

NATHAN MILLS: Nathan Mills, N-A-T-H-A-N
M-I-L-L-S.

KEVIN SHEEHAN: Kevin Sheehan, K-E-V-I-N
S-H-E-E-H-A-N.

CHAIR NICOLE MURATI FERRER: Thank you.

Go ahead.

ATTY LESLEY ST. GERMAIN: Madam Chair,
Members of the Commission, I'm reporting today
seeking your approval of an innholder's license
to be operated by the Porter Square Hotel.

At this time we are not seeking alcoholic
beverages at this location. This hotel has
spent some time in the works, as I'm sure you are
aware.

We are seeking to open for operations by
mid-October should we be granted the innholder's
license.

We have brought on a very experienced
management team. Curtis has been with the
Charlesmark Hotel as their director of operations
for eight years managing the 40 rooms there
without incident.

And Mason has been the manager at The
Verb Hotel in Boston which he oversaw the opening

and initial operation of.

This location will have 65 guest rooms. At this time we are seeking a waiver of the resident manager requirement because we will at all times have a staff member of managerial capacity on site actively employed.

CHAIR NICOLE MURATI FERRER: The resident manager, is this because of what is on the application?

ATTY LESLEY ST. GERMAIN: Correct.

CHAIR NICOLE MURATI FERRER: Okay. So I do note the application says that no food will be served, but this is an innholder's license.

ATTY LESLEY ST. GERMAIN: At this time there will no food. There's a restaurant on the premises that we will be seeking to return before the Commission in the future to begin operating.

CHAIR NICOLE MURATI FERRER: But when is the future? Do you intend to open the hotel -- I mean, you are aware of Chapter 140 and the requirements for an innholder.

ATTY LESLEY ST. GERMAIN: Correct.

CHAIR NICOLE MURATI FERRER: So how will --

ATTY LESLEY ST. GERMAIN: We anticipate we'll be able to continue food service very quickly.

At this time we are in the process of transferring the -- applying to the Commission to transfer the existing CV all alcoholic beverages license that was held at the premises by a separate entity.

We are going to be applying to change the license type and transfer that license to remain at the premises but for this entity to exercise.

CHAIR NICOLE MURATI FERRER: So you're going to try and become an innholder on an all alcoholic beverages license?

ATTY LESLEY ST. GERMAIN: Correct.

Because we're aiming -- we know that that process takes significantly more time, and we were hoping that we could secure an innholder license to begin operation.

CHAIR NICOLE MURATI FERRER: Okay.

And you are seeking to open mid-October -- I guess I'm a little confused between when you start to open and when you are going to offer the service, or how you are doing -- how long are we looking at?

Is it just a matter of finalizing negotiations and dealing with that?

ATTY LESLEY ST. GERMAIN: Precisely.

We don't anticipate it will be an

extensive amount of time. The restaurant is completely built out.

CHAIR NICOLE MURATI FERRER: Okay.

I'm sorry, who is going to be the manager again?

CURTIS BUTCHER: I am.

CHAIR NICOLE MURATI FERRER: Your name again? I'm sorry.

CURTIS BUTCHER: Curtis Butcher.

CHAIR NICOLE MURATI FERRER: You were at The Verb.

CURTIS BUTCHER: Charlesmark Hotel in Back Bay.

CHAIR NICOLE MURATI FERRER: Who was The Verb?

MASON MILLS: Me.

CHAIR NICOLE MURATI FERRER: And is anything else changing in terms of the building,

the amount of rooms and all that stuff?

ATTY LESLEY ST. GERMAIN: No. The construction is nearly complete. It will be 65 rooms in the description, as was read into the record is accurate.

CHAIR NICOLE MURATI FERRER: Okay. So the restaurant that's -- it's the Porter House Grill?

ATTY LESLEY ST. GERMAIN: Yes.

CHAIR NICOLE MURATI FERRER: And that's what's gonna go here?

ATTY LESLEY ST. GERMAIN: Correct. Within the hotel.

CHAIR NICOLE MURATI FERRER: And Porter Square Hotel, LLC will be the owner of that?

ATTY LESLEY ST. GERMAIN: Yes. Correct.

CHAIR NICOLE MURATI FERRER: So at some point we'll have to consolidate all these? I'm

so confused I'm like, why are we doing it this way?

ATTY LESLEY ST. GERMAIN: I know it's piecemeal and it is a little confusing.

CHAIR NICOLE MURATI FERRER: It makes me crazy. It's a long agenda.

ATTY LESLEY ST. GERMAIN: Like you don't have other items today. Because we are finalizing negotiations.

CHAIR NICOLE MURATI FERRER: Okay. All right. Okay. Got it.

Any questions?

POLICE COMMISSIONER CHRISTOPHER BURKE: None.

CHAIR NICOLE MURATI FERRER: Anything else?

ATTY LESLEY ST. GERMAIN: No.

Thank you.

CHAIR NICOLE MURATI FERRER: Anyone in favor of this petition?

Yes, sir. Come up.

If you could please state and spell your name for the record.

MICHAEL BRANDON: My name is Michael Brandon, B-R-A-N-D-O-N.

I live at 27 Seven Pines Avenue.

I'm the clerk for the North Cambridge Stabilization Committee, which is the -- one of the neighborhood organizations.

We have been dealing with the developers of the hotel and previous owner of Kya Restaurant (phonetic) about this for more than a decade or two decades maybe.

But the hotel, it's been roughly seven, eight, maybe a ten-year process with a lot of bumps along the way. We just learned of this

hearing this afternoon, so we haven't had a chance to reach out to the new management and invite them to come to a neighborhood forum, which we sponsor monthly, to describe the plans for the actual operations of the hotel, take questions from the neighbors and so forth. I also haven't had a chance to review the application.

My initial concern was whether or not this was the liquor license application. It seems unusual to us also that it is being done kind of piecemeal.

I think what we would prefer is that this license be delayed until all the pieces can come together.

There's been a long history of bumpy starts here.

Are you folks with Hay Creek (phonetic)?

KEVIN SHEEHAN: No. Hay Creek has been dismissed.

MICHAEL BRANDON: Okay, so you're new?

KEVIN SHEEHAN: There's a new management company called StepStone Hospitality. They are out of Providence, Rhode Island.

MICHAEL BRANDON: Okay, that's the reason we would like the chance -- I think it would be useful --

CHAIR NICOLE MURATI FERRER: And I'm sure you can speak with counselor after the hearing and you can set up a meeting and then maybe you guys can show up to a meeting and introduce yourself so that the community knows who you are and also exchange information in case there are any issues.

MICHAEL BRANDON: I think it would be helpful for you, too, to know the history of

what's gone on at the site. I know, Madam Chair, you were familiar with some of the issues regarding the licensing of the electrical service because the garden, which is listed on here, was never completed as it was supposed to be under the zoning.

The electrical service has been provided but there's still questions about whether indeed -- when the work will be available and whether you really will be able to have a completed building. Last time I was by, a lot of work still needed to be done.

CHAIR NICOLE MURATI FERRER: Mr. Brandon, I don't mean to cut you off, but these are all issues you can discuss with them.

MICHAEL BRANDON: As far as what is immediately before you, I realize you have a long day. As far as the lack of a resident manager, I

would say I would oppose that at this time because of the concerns and issues about who is going to control parking problems, loading problems. This is right in a neighborhood.

I won't go into it all. I just think it is premature given the history of what's gone on before, and that's nothing against these folks who are coming in fresh. But there are a lot of issues that could create potential problems, including that they won't be serving food probably when they open -- you know, when they start renting rooms and not really be finished yet. So that's it.

CHAIR NICOLE MURATI FERRER: Thank you.

Anyone else?

Yes, sir. If you could please come up and state and spell your name for the record, that would be great.

CHARLES TEAGUE: My name is Charles Teague, 23 Edmunds Street.

CHAIR NICOLE MURATI FERRER: I'm sorry, how do you spell your last name?

CHARLES TEAGUE: T-E-A-G-U-E. And I would like to say I have attended many community meetings over the past year or so, especially the Porter Square Neighborhood Association, and really has consensus it is time that this issue be finished.

And it is no surprise that this hotel is seeking a hotel license. So I just -- and that's my opinion also. I think it is time for this to go forward.

You know, you can have more community meetings and you can more process, but this has had at least seven years of process.

The illusions to the power issues, it is

an Eversource problem. Eversource surprised them and I've spoken to the City electrician, and this is -- what happened was, is Eversource decided that they needed what they call a switch, and that that made it impossible to put the equipment where it was supposed to be to be buried. And the City won't allow it to be buried on public property.

These are a bunch of issues that have been hashed and rehashed over several years. And I can represent what I've heard in meetings, but my personal opinion is that it should go forward.

CHAIR NICOLE MURATI FERRER: Thank you.

Anyone else?

(No response.)

Anyone in opposition to this petition?

(No response.)

I did have one thing. Counselor, you do have a garage at this location?

ATTY LESLEY ST. GERMAIN: Yes.

CHAIR NICOLE MURATI FERRER: So we need the garage license. That hasn't been submitted yet.

ATTY LESLEY ST. GERMAIN: We'll be filing for that.

CHAIR NICOLE MURATI FERRER: Okay.

POLICE COMMISSIONER CHRISTOPHER BURKE:
No questions.

CHAIR NICOLE MURATI FERRER: With regard to the resident manager, I would say we went through the process of amending our rules.

We never even discussed that with regard to innholders and I think it is mostly because it wasn't in our rules and it's part of the application.

It doesn't even define in our application what that is, although I think it is obvious what a resident manager is. I think having a manager is sufficient and I would actually not only vote to grant the exemption, but I would also vote to change our application and move that as a requirement for an innholder license.

It is not statutorily necessary, and I think having a manager is sufficient.

But if you don't vote on that part, I'm fine. I would vote to grant the application as filed.

POLICE COMMISSIONER CHRISTOPHER BURKE: I agree with your assessment with regards to the resident manager, and I would also vote to approve.

CHAIR NICOLE MURATI FERRER: Okay.

Thank you.

So this application is approved and we'll remove the resident manager from the application.

POLICE COMMISSIONER CHRISTOPHER BURKE:

Agreed.

CHAIR NICOLE MURATI FERRER: Okay.

Granted.

APPLICATION: B. GOOD, LLC

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: B. Good, LLC has applied for a new common victualler license to be exercised at 1 Eliot Street to be open seven days per week between 10 a.m. and 9 p.m. with a seating capacity of 48 inside and 8 seasonal patio seats on private property. Anthony Ackil, proposed manager of record. Premise description, first floor retail space with approximate 1,812 square

feet.

CHAIR NICOLE MURATI FERRER: Good
afternoon.

Could you please state and spell your
name for the record.

CHRIS CONTARINO: Good evening. Chris
Contarino. Last name C-O-N-T-A-R-I-N-O.

CHAIR NICOLE MURATI FERRER: C-O-N-C.

CHRIS CONTARINO: C.

CHAIR NICOLE MURATI FERRER: I got stuck.

CHRIS CONTARINO: Oh. A-R-I-N-O.

CHAIR NICOLE MURATI FERRER: Thank you.

CHRIS CONTARINO: You're welcome.

CHAIR NICOLE MURATI FERRER: Okay.

We all know what B. Good is about.

CHRIS CONTARINO: Awesome.

CHAIR NICOLE MURATI FERRER: Seven days
per week, 10 a.m. to 9 p.m. for seven days.

CHRIS CONTARINO: Yeah, if I could, though, I don't know if we could change to 7 or 8 a.m. We are going to start rolling out breakfast. I don't know if we are going to necessarily do it at this location, but it is in our plans to expand our menu.

CHAIR NICOLE MURATI FERRER: Like breakfast burritos?

CHRIS CONTARINO: We don't do burritos. We do sandwiches and kale bowls for breakfast in two locations right now, Longwood Avenue and Dartmouth Street.

CHAIR NICOLE MURATI FERRER: Okay. So your intent is to open at what time? I'm sorry.

CHRIS CONTARINO: Currently it is going to be 11 a.m., but by -- in 2017 we would like to roll out breakfast. I don't necessarily know if we are going to do it but I would like to at

least put on the application 8 a.m.

CHAIR NICOLE MURATI FERRER: So are you going to open at 8 a.m.?

I'll tell you why.

I mean, I have no issue with it but we have a rule that says if you are asking to be open at 8 a.m., we expect you to be open at 8 a.m., so if you are not, leave it as-is.

In the future, if you are going to change the hours, it is a matter of submitting a one-pager saying I want to change from this hour to this hour.

But I would go with the hours that you are seeking to currently operate right now, which are?

CHRIS CONTARINO 11 a.m. to 9 p.m.

CHAIR NICOLE MURATI FERRER: 11 a.m. to 9 p.m., seven days a week? Because they put 10

a.m. here. Seven days per week?

CHRIS CONTARINO: Yes.

CHAIR NICOLE MURATI FERRER: I need the floor plan for your patio.

It was not submitted with your application, so if you can submit it. You can actually draw it out. I don't need like a --

CHRIS CONTARINO: I thought I gave it to Elizabeth.

EXECUTIVE DIRECTOR ELIZABETH LINT: I thought you did.

CHRIS CONTARINO: I did.

And it's really not much of a patio.

It is actually like brick awning on the side of the building. I forget the name of the cross street. It is a one way.

CHAIR NICOLE MURATI FERRER: This is what I have.

CHRIS CONTARINO: It is right here.

CHAIR NICOLE MURATI FERRER: Is that where the tables are going to be? Draw it out.

CHRIS CONTARINO: (Complying.)

CHAIR NICOLE MURATI FERRER: This is going to be in one room on the first floor, no basement?

CHRIS CONTARINO: There's a basement storage space.

CHAIR NICOLE MURATI FERRER: So can we say in one room on the first floor with basement storage, as a description of the premises?

CHRIS CONTARINO: Yes. And it is in the garage. Parking garage.

CHAIR NICOLE MURATI FERRER: Do you hold any other business or occupational licenses?

CHRIS CONTARINO: Myself? Or B. Good

LLC?

CHAIR NICOLE MURATI FERRER: B. Good,

LLC.

CHRIS CONTARINO: In Cambridge?

CHAIR NICOLE MURATI FERRER: Anywhere.

CHRIS CONTARINO: Yes.

CHAIR NICOLE MURATI FERRER: Because the application is not complete. All right.

That's all I had.

Any other questions?

POLICE COMMISSIONER CHRISTOPHER BURKE:

No questions.

CHAIR NICOLE MURATI FERRER: Anyone in favor of this petition?

(No response.)

Anyone in opposition to this petition?

(No response.)

I would vote to grant.

POLICE COMMISSIONER CHRISTOPHER BURKE:

Agreed.

CHAIR NICOLE MURATI FERRER: Granted.

CHRIS CONTARINO: See you back here for
Kendall Square.

APPLICATION: PRESIDENT AND FELLOWS
OF HARVARD COLLEGE
D/B/A THE PUB AT HARVARD LAW SCHOOL

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: President and Fellows of Harvard
College, doing business as The Pub at Harvard Law
School, holder of a wine and malt educational
license at 1585 Mass. Ave has applied for a
change of hours from Monday through Friday, 4
p.m. to 12 a.m. to seven days per week, 11 a.m.
to 1 a.m.

Applicant is also applying to amend their

entertainment license, not renewed for 2016, to include the live music with and without amplification.

CHAIR NICOLE MURATI FERRER: President of Fellows of Harvard College?

EXECUTIVE DIRECTOR ELIZABETH LINT. The hour amendment, I had spoken with her about. It was Sunday to Saturday. Seven days with those hours. It was the entertainment that we asked her to come in for.

CHAIR NICOLE MURATI FERRER: I would say that we move this to September 28 because even though I would originally give a second call but it is 6:08 or 6:09 and they were scheduled for 4 p.m.

So September 28 is our next meeting?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

EXECUTIVE DIRECTOR ELIZABETH LINT. Move

to September 28.

POLICE COMMISSIONER CHRISTOPHER BURKE:

Agreed.

CHAIR NICOLE MURATI FERRER: September 28

it is.

VIOLATION: COMPLIMENTS FOOD TRUCK

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Compliments Food Truck was originally scheduled for a violation hearing. They came and paid and signed a waiver.

CHAIR NICOLE MURATI FERRER: This was for failure to renew their license.

Is this the first time?

EXECUTIVE DIRECTOR ELIZABETH LINT: I believe so.

I think it is the first year they've been operating.

CHAIR NICOLE MURATI FERRER: This is the one that we had approved to change the location but they failed to renew.

So I would do a violation warning on this.

POLICE COMMISSIONER CHRISTOPHER BURKE:
Agreed.

CHAIR NICOLE MURATI FERRER: Violation warning.

VIOLATION: CAMBRIDGEPARK APARTMENTS

EXECUTIVE DIRECTOR ELIZABETH LINT:
Violation: Cambridgepark Apartments, LP due to alleged violation of Mass General Laws, Chapter 148 Section 56 operating without a license.

CHAIR NICOLE MURATI FERRER:
Cambridgepark Apartments. Ms. Boyer?

No one here for Cambridgepark Apartments?

ANDREA BOYER: Andrea Boyer, B-O-Y-E-R,
investigator of City of Cambridge License
Commission.

I was asked to check to see if
Cambridgepark Apartments still had open-air
parking.

This is for the open-air parking, and
they still exist but never applied -- excuse me,
never renewed their license.

CHAIR NICOLE MURATI FERRER: Okay. So I
would say it is a violation of cease and desist.

POLICE COMMISSIONER CHRISTOPHER BURKE:
Agreed.

CHAIR NICOLE MURATI FERRER: And if they
do come in, I would say that we charge them
administrative fee.

Thank you.

VIOLATION: JERUSALEM FALAFEL & OLIVE'S CAFE

EXECUTIVE DIRECTOR ELIZABETH LINT:

Violation: Jerusalem Falafel & Olive's Cafe for failure to properly renew their peddler's license.

CHAIR NICOLE MURATI FERRER: Jerusalem Cafe?

EXECUTIVE DIRECTOR ELIZABETH LINT:

That's the one that failed to get inspected.

CHAIR NICOLE MURATI FERRER: Okay. So they actually renewed but didn't get inspected?

EXECUTIVE DIRECTOR ELIZABETH LINT:

Uh-huh.

CHAIR NICOLE MURATI FERRER: I would say we suspend their license until they get inspected.

POLICE COMMISSIONER CHRISTOPHER BURKE: I agree.

CHAIR NICOLE MURATI FERRER: License
suspended indefinitely.

VIOLATION: THE WINDSOR INN

EXECUTIVE DIRECTOR ELIZABETH LINT:

Violation: The Windsor Inn for alleged violation
of General Laws Chapter 140, operating without a
license.

They -- Mr. Shulman is here. They did
come in and paid as soon as they received the
notice.

CHAIR NICOLE MURATI FERRER: Good
afternoon.

Please state and spell your name.

MARK SHULMAN: My name is Mark Shulman,
S-H-U-L-M-A-N, 85 Windsor Street. M-A-R-K.

CHAIR NICOLE MURATI FERRER: Mr. Shulman,
I hear that you guys have renewed at this

point?

MARK SHULMAN: We believed we sent in the administration renewal and check on May 21. We checked the ledger but the check was never cashed and there was no evidence of any renewal form, so it was my omission for not checking to see it had been received.

We refilled it immediately as soon as we found out and paid the fee and the penalty as well.

CHAIR NICOLE MURATI FERRER: I think we had -- is 85 Windsor Street the address where you get your mail?

MARK SHULMAN: Yes.

CHAIR NICOLE MURATI FERRER: I would vote violation warning.

POLICE COMMISSIONER CHRISTOPHER BURKE:
Agreed.

CHAIR NICOLE MURATI FERRER: Violation
warning.

EXECUTIVE DIRECTOR ELIZABETH LINT: He
told me he had a copy of the check, so I don't
know.

MARK SHULMAN: I did until the phone
died. I was at 1 percent about 15 minutes ago.
I can send you a copy if you like.

CHAIR NICOLE MURATI FERRER: Violation
warning. Thank you.

VIOLATION: ALL ALCOHOL LICENSEES

EXECUTIVE DIRECTOR ELIZABETH LINT:
Violation: All alcohol licensees that failed to
respond to request of the License Commission on
behalf of Alcoholic Beverages Control
Commission.

CHAIR NICOLE MURATI FERRER: Is Central

Square Theater here?

EXECUTIVE DIRECTOR ELIZABETH LINT: He has been in touch with me. I think that's in the process. He's a new manager.

CHAIR NICOLE MURATI FERRER: I mean, they got notice of the hearing. They are not here. We don't have evidence that they have submitted. I would say violation of one-day suspension.

POLICE COMMISSIONER CHRISTOPHER BURKE:
Agreed.

CHAIR NICOLE MURATI FERRER: Violation of one-day suspension.

JACK BARBER

MAINELY BURGERS

EXECUTIVE DIRECTOR ELIZABETH LINT: Jack Barber has applied for a wine and malt license to be exercised at Mainely Burgers, 704 Mass. Ave,

Cambridge.

CHAIR NICOLE MURATI FERRER: Brad

Brilliant.

EXECUTIVE DIRECTOR ELIZABETH LINT: I

skipped that.

CHAIR NICOLE MURATI FERRER: We have a

few here.

VIOLATION: BRAD BRILLIANT

EXECUTIVE DIRECTOR ELIZABETH LINT: Brad

Brilliant due to alleged violation of Cambridge

Municipal Code 8.16.060B, measured noise

disturbance.

ANDREA BOYER: Andrea Boyer.

CHAIR NICOLE MURATI FERRER: Please state

and spell your names for the record.

ANDREA BOYER: Andrea Boyer B-0-Y-E-R,

investigator of City of Cambridge License

Commission.

BRAD BRILLIANT: Brad Brilliant B-R-A-D
B-R-I-L-L-I-A-N-T.

STEVE RICHMOND: Steve Richmond
R-I-C-H-M-O-N-D.

RITA RICHMOND: Rita Richmond, R-I-T-A
R-I-C-H-M-O-N-D.

CHAIR NICOLE MURATI FERRER: Thank you.
Ms. Boyer, why don't we start with the
background and then we'll go from there.

ANDREA BOYER: Thank you very much.

On July 13, 2016 at approximately 10:05 I
had performed a noise reading from the lot line
from No. 6 of 36 Irving Street. The noise source
address is No. 7 of 36 Irving Street and it is an
HVAC unit.

Those readings showed to be 61.9 to 62.3
DBA, which is a violation of the daytime and

nighttime allowable levels of the Cambridge noise ordinance.

CHAIR NICOLE MURATI FERRER: Just for the record, can you tell us those allowable levels.

ANDREA BOYER: After 6 p.m. it can be -- has to be under 50 decibels.

And during the daytime, from 7 a.m. to 6 p.m., it can be 60 or below.

CHAIR NICOLE MURATI FERRER: Thank you.

ANDREA BOYER: So Mr. Brilliant was notified of the violation. And did add some fencing around the unit which I would like to show.

Once of those were added, I was asked to come back and perform readings again, which I did on August 11 and the same level from the deck and from the ground level.

And from the deck it was 58.6 to 59.3 DBA

and at the ground levels 55.7 to 55.9 DBA, which is still a violation of the nighttime allowable levels.

Mr. Brilliant did drop off some information about how he had the unit checked over all the last years that it has been there, the last 14 years, and he had a gentleman who made sure that it was in compliance of the levels of the manufacturer's specs, which is 57.8, which is still over, which was over 50 decibels.

We are here today because the resident, who is actually the complaining resident, would like the work to be done faster and would like to know when this will be done to get this into compliance with the Cambridge noise ordinance, sooner rather than later.

STEVE RICHMOND: My mother asked me to

speaking on her behalf. Rita is my mother. She lives on Irving Street.

So she's lived there about 25 years. And I think she has good relations with her neighbors. There's no -- we've had many reasonable conversations with Brad. So this is not a personality thing.

It is that the noise from that older AC unit is loud and my mother, who just turned 85 has -- in fact, just retired, and she's trying to enjoy her retirement and she's fixed up her back area to have like an oasis in the back that each of the units have in this townhouse complex.

But the noise from that unit is very loud. And you really can't enjoy being out there when it kicks on.

In the heat, it cycles on and off continuously. We were there this afternoon and

we heard it cycle off and on. It runs for 15 minutes and go off for 15 minutes. It has the noise level of a truck revving its engine for a continuous 15 minutes.

It does not allow her to use her backyard and she's trying to enjoy the free time she has now that she's retired.

We entered into discussions with Brad several months ago and they were, I think, sort of calm conversations, no one is screaming or anything, and we were prodding to get some action on the unit.

It is an old unit.

Brad did agree to take some steps, which was helpful to us, and he put fencing around it and he did have a company come in and tune it up and that drove the noise level down about three decibels.

So now it's just below the 60 decibel limit for the daytime, but it is well above the 50 decibel limit for nighttime.

Again, we were just there -- I was there with my mother at 3:00 and it's quite loud.

You can't sit on the porch and have a conversation.

CHAIR NICOLE MURATI FERRER: Thank you.

Mr. Brilliant?

BRAD BRILLIANT: So indeed I did put in a fence which was supposed to absorb things and tuned it up.

A friend of mine lent me one of his decibel meters and so I have been trying to see if I can weigh other different things. In front of my house is about 60, and window units are on, which is the side where all the bedrooms are on when you go to sleep.

I have looked -- I've talked to you, I've talked to Andrea and she had me call acoustic engineer companies, which usually deal with bigger -- real businesses, and they basically have given me a range of 1 to \$3,000 to do an analysis, but they have said they don't do implementation and can't really say that will solve -- they can't say if you do X, Y and Z that will solve the problem.

CHAIR NICOLE MURATI FERRER: Is this just an AC unit?

BRAD BRILLIANT: Yeah, an AC unit, and according to my guy it is the normal sound that an AC unit makes.

CHAIR NICOLE MURATI FERRER: We're in Cambridge, so we have an ordinance.

BRAD BRILLIANT: I know we have an ordinance.

CHAIR NICOLE MURATI FERRER: I guess my question is: Does this provide AC for the entire house?

BRAD BRILLIANT: My house. These are --

CHAIR NICOLE MURATI FERRER: Why not change it? Isn't it more inexpensive to change it?

BRAD BRILLIANT: To change it? It is a central air system, it is --

CHAIR NICOLE MURATI FERRER: So this is not -- so this is --

BRAD BRILLIANT: It is not a window unit. This is a condenser. I forget what --

ANDREA BOYER: Compressor.

BRAD BRILLIANT: A 3-ton compressor does the whole house.

CHAIR NICOLE MURATI FERRER: Could you change the compressor without changing the

inside --

BRAD BRILLIANT: I can do that. And I have talked to my guy about this and he talked to Goodman, which a good, reputable company and they say that -- that the current ones will be as noisy as this one.

I was hoping there might be, you know, something happened, maybe get a new fan or something that would fix this, but so far they have not been able to do that. Or they said there is -- they haven't been able to do that.

They said that there is not something that will fix that. I've -- so I went around to look and see if other people's were quieter and they are not really that much quieter.

In front of my house I'm over 60 decibels when I was there the other day, so I don't know.

RITA RICHMOND: May I just say something?
This is U-shaped attached townhouses. We are not
condominiums. We are self-built.

And on the other side of me is a family
living with a small baby and they have an air
conditioner.

It's a -- what do you call it? And they
have a -- they have it out in the backyard.

CHAIR NICOLE MURATI FERRER: I'm sorry.
I didn't hear you.

STEVE RICHMOND: They have a central air
unit similar to Brad's.

RITA RICHMOND: Next door.

And I went over there and you could sit
right beside the unit and it just purred.

And then across from me is also a family
that also have the same kind of unit and there
isn't the same amount of noise.

So I think this is just because of the age of the unit and because air conditioners have changed so much in the years. This is 15 years old. That it is possible to get one much quieter.

CHAIR NICOLE MURATI FERRER: How old is your unit?

BRAD BRILLIANT: 14 years.

CHAIR NICOLE MURATI FERRER: I mean, I feel you. But I don't know what to tell you. It is a violation. You know, clearly the wall is not working.

It is not you can completely insulate these compressors because they will break. So I mean --

BRAD BRILLIANT: Here is my situation, I can talk to the acoustical engineers and pay the 1 to \$3,000.

I talked to the companies that implement things afterwards. There are a number of companies that create noise absorbing wall system, they are foam you put inside of the wall, or reflecting stuff, but -- which may be able to drop it below -- we have to go another three decibels or so, and I would rather be able to get something that would be perfect or remove it.

Go ahead. You want to say something.

ANDREA BOYER: So first of all, on the deck, it is almost nine decibels that it has to be brought down.

It is not guaranteed that a new unit will go below that but I don't think it isn't something that shouldn't be looked at. I definitely think the age of the equipment has something to do with this.

I believe you told me on the telephone as

well that you did need to kind of stay with the same equipment because it is fitted to the interior, correct, so you can't just change to a new unit without retro-changing other things at an extra cost.

But with that said, I think there are many units in the City of Cambridge that are in compliance that are closer than the one you have.

So I know there's something out there that can be used.

CHAIR NICOLE MURATI FERRER: This will not be used during the winter months?

BRAD BRILLIANT: I assume not. Right now I have moved to Somerville, four blocks away, and I am renting a place, so I'm not sure.

CHAIR NICOLE MURATI FERRER: Do you currently rent your unit?

BRAD BRILLIANT: Yes. So I did not put

into the lease that they cannot turn on the AC.

I just assumed they wouldn't do that. I can't -- you know ...

CHAIR NICOLE MURATI FERRER: Ms. Boyer, do you have anything else to add? Any of you?

RITA RICHMOND: I feel badly because I've lived there all those years, and sure enough I never complained to Brad but that was because I was working full-time in Central Square.

And it is just a year now that I've been retired and I just feel badly that I can't sit out on a deck that I actually paid for.

CHAIR NICOLE MURATI FERRER: Has the noise been this bad always? Like I know you haven't been at your house like you were working, but when you were at home, was the noise always as bad as it is now or has it gotten worse.

RITA RICHMOND: Well, it was always bad

in back.

I can hear it in the house. And the people on the other side of me with the baby, they can hear it because they came over and wanted to know what the noise was.

So it's just really a hardship that I'm not able to enjoy these later years in life and sit out on the deck.

CHAIR NICOLE MURATI FERRER: Thank you.

I don't know if I -- I want to think about this a little more.

I mean, I understand this is moving pretty quickly in terms of when this was first brought to our attention, which was July, and since this is a unit only used during the heat -- like it is not going to provide heat, that might give some time to Mr. Brilliant to kind of figure out what to do.

POLICE COMMISSIONER CHRISTOPHER BURKE:

Clearly the change in seasons should alleviate the problem seasonally, but it's not gonna go away once the good weather returns. There will have to be some kind of long-term solution.

CHAIR NICOLE MURATI FERRER: Yeah.

Ms. Boyer, are we sure that the noise that you are taking is from this unit and not other units?

ANDREA BOYER: I'm positive.

It's a dominant source of noise. And not the reflective material and everything that he mentioned, the problem with that, there's a brick wall that's actually right across from that.

If he was try to baffle anything or kind of point the noise to another direction, it would just -- someone else would just complain.

CHAIR NICOLE MURATI FERRER: Okay.

ANDREA BOYER: I believe there's probably more acoustical companies out there and/or equipment companies out there that he may be able to get some more information about -- again, as I stated earlier, there's many units out there that are in compliance.

CHAIR NICOLE MURATI FERRER: Do we want to maybe give him some time?

POLICE COMMISSIONER CHRISTOPHER BURKE: We're into September already.

BRAD BRILLIANT: Can I speak? Is there a list of compliant units somewhere?

ANDREA BOYER: People have -- I have about 200 cases I can show you.

CHAIR NICOLE MURATI FERRER: You can talk to Ms. Boyer.

BRAD BRILLIANT: Sorry.

CHAIR NICOLE MURATI FERRER: That's okay.

So we'll not issue -- there's clearly a violation here. No one is disputing that.

We are going to continue this matter for a month to provide Mr. Brilliant additional time to figure out what he's going to do.

This, obviously, needs to be fixed.

What that solution is, we don't know. But it, obviously, needs to be brought into compliance.

So we'll bring you back for a violation hearing in a month, and depending on what we hear then at that time, we may take further action.

POLICE COMMISSIONER CHRISTOPHER BURKE:

Agreed.

CHAIR NICOLE MURATI FERRER: Thank you.

RITA RICHMOND: Could I just say something to that effect?

CHAIR NICOLE MURATI FERRER: No, ma'am.

We voted.

RITA RICHMOND: I'm willing to be more lenient.

CHAIR NICOLE MURATI FERRER: But we are not. Because these pile up, and then months after the fact -- you two can definitely talk and you guys can send us an email and whatnot, but we need to keep on top of this, otherwise it slips through the cracks.

RITA RICHMOND: I just wanted to make sure that come next summer that everything is fixed.

CHAIR NICOLE MURATI FERRER: Which is exactly why we are continuing it just one month.

Thank you.

We are going to take a five-minute break.

(Short Recess Taken.)

CHAIR NICOLE MURATI FERRER: Back on the

record.

The Bacon Truck at 1 Rogers Street?

(No response.)

CLARIFICATION: COFFEESHOP, LLC

D/B/A UPPERWEST

EXECUTIVE DIRECTOR ELIZABETH LINT:

CoffeeShop, LLC, doing business as UpperWest for
a clarification of the Sunday hours.

CHAIR NICOLE MURATI FERRER: Yep, and the
approved common victualler license.

Good evening now.

Could you please state and spell your
names for the record?

KIMBERLY COURTNEY: Kim Courtney.

C-O-U-R-T-N-E-Y.

CHAIR NICOLE MURATI FERRER: Ms.
Courtney, do you mind speaking into the
microphone.

KIMBERLY COURTNEY: Kim Courtney,
C-O-U-R-T-N-E-Y.

CHAIR NICOLE MURATI FERRER: I don't
think it's on. A little louder.

KIMBERLY COURTNEY: Kim Courtney,
C-O-U-R-T-N-E-Y.

XAVIER DIETRICH: Xavier Dietrich,
X-A-V-I-E-R D-I-E-T-R-I-C-H.

CHAIR NICOLE MURATI FERRER: Now, the way
that we had voted on the Sunday with 10:00 a.m.
with service of alcohol with brunch, I
reviewed --

KIMBERLY COURTNEY: I'm sorry, that's not
correct. You didn't vote on that.

CHAIR NICOLE MURATI FERRER: I'm sorry,
Ms. Courtney, I'm not going to get into a fight
about this.

That's how we voted. That's what's on

the papers that tells everything.

XAVIER DIETRICH: That's not --

CHAIR NICOLE MURATI FERRER: If you will let me finish my sentence, that would be great. You will get your chance to speak.

KIMBERLY COURTNEY: Finish.

CHAIR NICOLE MURATI FERRER: I did review when the Commission adopted the law with regard to the earlier service of alcohol. It was discussed how it was to do brunch, and whatnot, but the Commission did not actually attach -- didn't say that they were gonna approve it just as for brunch.

I do understand that at the time the Commission was not granting general on premise licenses, but it was discussed, there was a back and forth, and Commissioner Haas actually brought it up a couple times, but yet, when they voted,

they didn't vote that way.

I also note for the record that I reviewed all other licensees that have the 10 a.m. on Sundays and none of them say with brunch.

So the other thing is, the law actually allows service of alcohol at 8 a.m. on Saturday and -- versus 10 a.m. on Sunday, and I don't see one way or the other, so in a situation, like the one we're in now where the licensee does not want that condition, where the Commission has never placed that condition, and when we had this hearing, we didn't have anyone speak in favor or in opposition as to that particular issue, I think it's perfectly fine if we approve the 10 a.m. as-is and just remove the clause with brunch.

POLICE COMMISSIONER CHRISTOPHER BURKE:

So moved.

CHAIR NICOLE MURATI FERRER: Okay.

Do you want to say anything on that?

KIMBERLY COURTNEY: No. Other than just to correct that the vote did not place any limitation on the license.

CHAIR NICOLE MURATI FERRER: Ms. Courtney, that's your position.

That's not what the record shows, and I am not going to --

KIMBERLY COURTNEY: That's not a position.

XAVIER DIETRICH: That's what the video shows.

KIMBERLY COURTNEY: That's what the video -- yeah, it's not a position.

CHAIR NICOLE MURATI FERRER: I am not going to get into a fight with you two.

KIMBERLY COURTNEY: There's a difference between positions and facts.

CHAIR NICOLE MURATI FERRER: Ms. Courtney, I am not going to get into a fight with you two.

KIMBERLY COURTNEY: I just want to clarify for the record.

CHAIR NICOLE MURATI FERRER: It is not -- well, that's your position, but that's not what the record shows.

KIMBERLY COURTNEY: It's not a position.

CHAIR NICOLE MURATI FERRER: With regard to the common victualler license, we have reviewed the case law, we have consulted with our City solicitor, and our position is that if you are serving food on the premises, regardless of whether it is you that prepares it or whether you get it catered in, you need a CV license.

KIMBERLY COURTNEY: Okay. In that case you'll probably have to shut down 20 to 30 establishments because you require them to have CV licenses that they can't comply with. There is -- I disagree completely. There is no requirement. You are allowing GOP licenses to be issued in Cambridge. You have to allow them to operate.

CHAIR NICOLE MURATI FERRER: If you do not agree with our requirement that your particular establishment have a common victualler license, you can file it at the Superior Court.

That is what our City solicitor has advised us. That is the City's position. If you are serving food on your premises for the consumption therein by your patrons, you will need a CV license.

KIMBERLY COURTNEY: Okay, so that's not

correct. But you also have placed conditions on our CV license that effectually make it not a CV license, so you're already admitting yourselves that --

CHAIR NICOLE MURATI FERRER: No. I am granting -- what we did -- what we did with those conditions was grant your request that you not always operate the CV portion of your business model.

KIMBERLY COURTNEY: A GOP license is just that. So I know you're familiar with how that's supposed to operate, and so basically you're saying that a movie theater can't exist because if a movie theater serves popcorn, now they need a CV, and if they need a CV, they have to have a full restaurant with dining facilities, so you're forcing basically all of these businesses to have to go out of business if you require us to have a

CV for that exact same reason.

CHAIR NICOLE MURATI FERRER: Ms.

Courtney, every business is different.

The way that you explained your business model, you need a CV license if you're gonna be serving that food.

KIMBERLY COURTNEY: I completely disagree.

CHAIR NICOLE MURATI FERRER: Well, then take us to Superior Court.

KIMBERLY COURTNEY: Well, what about a movie theater that serves popcorn?

CHAIR NICOLE MURATI FERRER: I am discussing your case only.

KIMBERLY COURTNEY: Are you going to require them --

CHAIR NICOLE MURATI FERRER: I am discussing your case only.

KIMBERLY COURTNEY: -- to have a restaurant?

CHAIR NICOLE MURATI FERRER: Ms. Courtney, I am discussing your case only.

You are required to have a CV.

KIMBERLY COURTNEY: Okay. Well, in my opinion, the language in the CV that you provided to me makes it not a CV, which means you're charging us for a fee that we're not required to pay, so that's the situation.

CHAIR NICOLE MURATI FERRER: So we can take the condition off and then you have to be open to the public every day and serving food.

KIMBERLY COURTNEY: Nope, because I have a GOP license. I don't have a restaurant license.

CHAIR NICOLE MURATI FERRER: You also have a CV license.

Ms. Courtney, if you are not happy with the requirement of your CV, you can take us to Superior Court.

KIMBERLY COURTNEY: Okay. I'll do that.

CHAIR NICOLE MURATI FERRER: Thank you.

KIMBERLY COURTNEY: Thank you.

CHAIR NICOLE MURATI FERRER: Thank you.

KIMBERLY COURTNEY: Are we going to discuss the reimbursement of the overcharging of the fee for the liquor license?

CHAIR NICOLE MURATI FERRER: No.

The liquor license fee is the newly -- in our fee structure, it says newly granted license. That's the fee that we adopted.

XAVIER DIETRICH: What's a newly granted license? What exactly does that mean?

CHAIR NICOLE MURATI FERRER: A newly granted license, one like yours. A newly granted

license.

KIMBERLY COURTNEY: What does that mean?

CHAIR NICOLE MURATI FERRER: The fee for your license is a newly granted license.

KIMBERLY COURTNEY: What is a newly granted license?

CHAIR NICOLE MURATI FERRER: New.

XAVIER DIETRICH: Does that mean a license granted after a certain date?

KIMBERLY COURTNEY: New according to when? New when?

CHAIR NICOLE MURATI FERRER: Ms. Courtney, your license is new.

You got a prorated fee for the newly licensed -- for the newly granted license fee.

XAVIER DIETRICH: Does a newly granted license mean a license that was granted after a

certain date or does it mean a license that's not a transfer? That's --

CHAIR NICOLE MURATI FERRER: When we discussed the change in rules, the Commission specifically talked about the fees for licenses, and we said that we were going to discuss fees at a later date.

We also said that any license that we granted after that date of the adoption of the rules, a/k any license, would have that newly granted license fee attached to it and that fee may change in 2017 when the Commission discusses what the fees will be for 2017.

Your license is a newly granted license. It was prorated according to the newly license granted and that is that.

XAVIER DIETRICH: So your definition of newly granted doesn't mean it's a non-trans-- it

wasn't transferred, it was issued but not transferred from another entity, is that correct?

CHAIR NICOLE MURATI FERRER: It's a newly license granted.

KIMBERLY COURTNEY: So other newly issued licenses that have half the fee --

CHAIR NICOLE MURATI FERRER: I'm discussing only your case, Ms. Courtney and Mr. Dietrich.

KIMBERLY COURTNEY: I'm discussing my case. We are being --

CHAIR NICOLE MURATI FERRER: That is not your case.

KIMBERLY COURTNEY: -- charged twice the fee of other license holders.

CHAIR NICOLE MURATI FERRER: You are not being charged twice the fee.

KIMBERLY COURTNEY: And I gave you an example and I could give you lots more.

And there are other license holders with all alcohol licenses that pay half the fee that you've charged us, and we paid it so we can get open, but we would like a reimbursement of our overcharging of the fee. And you know it's not legal --

CHAIR NICOLE MURATI FERRER: I vote to deny then.

KIMBERLY COURTNEY: You know it's not legal to charge that.

CHAIR NICOLE MURATI FERRER: Denied.

KIMBERLY COURTNEY: Fine. Fine. Let's violate constitution.

XAVIER DIETRICH: All right, we'll just file it.

KIMBERLY COURTNEY: That's fine. We'll

file that one too.

EXECUTIVE DIRECTOR ELIZABETH LINT: Are you here for something?

AL VELLANTE: Yes.

EXECUTIVE DIRECTOR ELIZABETH LINT: Which one.

AL VELLANTE: I'm Al Vellante from Spartan Management Corporation. I had a notice to appear regarding the three open-air parking lots, 7 Douglas, 455, and 65 Bishop.

EXECUTIVE DIRECTOR ELIZABETH LINT: So the 65 Bishop Allen is scheduled for the 28th.

AL VELLANTE: It is?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes. Based on your representations, 455 Mass. Ave is going -- we are going to call it in a little while and that will be cancelled. And then 7 Douglas I found out who the actual owner of the

property is today.

AL VELLANTE: So Jennifer --

CHAIR NICOLE MURATI FERRER: Why don't we do this. Sir, can you please state and spell your name for the record. We'll actually do this on the record.

AL VELLANTE: My name is Al Vellante. V, as in Victor, E-L-L-A-N-T-E.

CHAIR NICOLE MURATI FERRER: Okay. And again, for the record, you are here for the cases that are on for the 28th?

EXECUTIVE DIRECTOR ELIZABETH LINT: One of them.

AL VELLANTE: I did get a notice to appear in violation that we hadn't renewed the licenses on those three lots.

CHAIR NICOLE MURATI FERRER: For the record, can you give me the addresses of the

three lots?

AL VELLANTE: 7 Douglas, open-air parking lot. 65 Bishop Allen Drive, and 455 Mass. Ave.

CHAIR NICOLE MURATI FERRER: And 455 Mass. Ave?

AL VELLANTE: Correct.

CHAIR NICOLE MURATI FERRER: So 7 Douglas, have you renewed that? Is it still in existence?

EXECUTIVE DIRECTOR ELIZABETH LINT: I can give you the background on that.

So 7 Douglas was owned what Kara and I call the alphabet because it is TPMA whatever and apparently they sold it, and we were under the impression it was sold to Mr. Vellante. It was not Normandy Real Estate owned it and Jennifer Campbell was the contact but Normandy did not renew it, and over the past few weeks I've been

hunting and finally reached somebody and got an email today and -- a phone call and then an email giving me the new owner, the new contact and tomorrow I'm going to send him out an application and notice that they never applied for the new license, which they probably didn't know they needed to do.

AL VELLANTE: Yes. Since the transition of those properties and 15 properties in total in Central Square, goes back to Bioran (phonetic) Medical Labs, Quest Diagnostics, etc. It changed hands from Twinning (phonetic) to Normandy to Watermark and each individual time I have been the facility manager for all three going back to 1990.

So we do not own that and now you have the owners, new owners. Evidently Normandy has either partnered with someone or sold it.

EXECUTIVE DIRECTOR ELIZABETH LINT: They sold it. The new owner is Green Sale (phonetic).

CHAIR NICOLE MURATI FERRER: Do you own Bishop Allen Drive?

AL VELLANTE: I own nothing.

I'm the facility manager for Watermark Central. Which is now -- we got rid of the TMABC. That was gone. So now my company is Spartan Management Corporation.

CHAIR NICOLE MURATI FERRER: Do you have anything to do with 65 Bishop Allen Drive?

AL VELLANTE: Yes. That's the one we applied to renew the license there. I had a technician drop off the checks, the 150 and the 571.

EXECUTIVE DIRECTOR ELIZABETH LINT: The back fees were paid, and then we scheduled the hearing for the 28th.

AL VELLANTE: That's the one that we eventually want to keep active. Right now lights out, the gates are closed, the chains are up. It hasn't functioned since March 31st of this year when the purchase happened.

CHAIR NICOLE MURATI FERRER: But you are applying to renew?

AL VELLANTE: We are going to renew it.

It will eventually become parking for the Mass and Main project that's gonna hit that block hopefully in the spring, so, yes, we want to keep that active most likely as a staging area for the construction and parking and eventually it will be the parking for the housing units.

CHAIR NICOLE MURATI FERRER: This is the one where you've already paid the back fees and submitted everything?

AL VELLANTE: Yes.

CHAIR NICOLE MURATI FERRER: I would vote for a violation warning on this and then you don't have to come on the 28th.

POLICE COMMISSIONER CHRISTOPHER BURKE:
Agreed.

CHAIR NICOLE MURATI FERRER: Violation warning on that.

EXECUTIVE DIRECTOR ELIZABETH LINT: On 65 Bishop Allen. Then we'll just renew it.

AL VELLANTE: That's right.

CHAIR NICOLE MURATI FERRER: And then 455 Mass. Ave?

AL VELLANTE: Yes, that's the parking lot between what was Quest Diagnostics and McDonald's.

Okay, it fronts Mass. Ave, 455, but its only access is through municipal lot 6 in the back.

We don't want to renew that at this time because that's in the footprint of the new 19-story building that's gonna sit there.

CHAIR NICOLE MURATI FERRER: So we're just gonna cancel that?

AL VELLANTE: Yes. And no parking.

CHAIR NICOLE MURATI FERRER: So there it is. You don't have to come the 28.

AL VELLANTE: I'm good to go?

CHAIR NICOLE MURATI FERRER: Good to go.

EXECUTIVE DIRECTOR ELIZABETH LINT: Thank you for all your help uncovering this.

AL VELLANTE: You are very welcome. Thank you.

CHAIR NICOLE MURATI FERRER: Thank you. Have a good night.

What do you have now?

EXECUTIVE DIRECTOR ELIZABETH LINT: Malt

and wine licenses with or without entertainment.

MALT AND WINE LICENSES WITH OR WITHOUT
ENTERTAINMENT

JACK BARBER

EXECUTIVE DIRECTOR ELIZABETH LINT: Jack Barber has applied for a wine and malt to be exercised at Mainely Burgers, 704 Mass. Ave, Cambridge on September 15 from 4 to 10 for a grand opening with 40 expected. He understand his capacity is 40 and there will be no more than 40.

CHAIR NICOLE MURATI FERRER: Thank you.

Granted.

SUCHEOL SHIN

EXECUTIVE DIRECTOR ELIZABETH LINT:
Sucheol Shin has applied for a wine and malt

license to be exercised at MIT Stratton Student Center, 84 Mass. Ave on September 16 from 9 p.m. to 11:59 for a party with 100 expected.

CHAIR NICOLE MURATI FERRER: Granted.

Police detail required.

REV ALEKSANDAR VLAJKOVIC

EXECUTIVE DIRECTOR ELIZABETH LINT:

Reverend Aleksandar Vljakovic has applied for a wine and malt with entertainment for dancing, recorded music and amplification system to be exercised at St. Sava Serbian Orthodox Church, 41 Alewife Brook Parkway on September 17 and 18 from 12 p.m. to 10 p.m. and 12 p.m. to 5 p.m. for a festival with 1,000 expected, this is an annual event that goes through Special Events.

CHAIR NICOLE MURATI FERRER: Granted.

ERIC PROPP

EXECUTIVE DIRECTOR ELIZABETH LINT: Eric Propp has applied for a wine and malt license to be exercised at The Garment District, 200 Broadway, on September 22 from 6 p.m. to 9 p.m. for a vintage clothing sale. 100 expected.

CHAIR NICOLE MURATI FERRER: Granted.

They will also have one for the 27th?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes. For the fashion show.

ENTERTAINMENT LICENSES ONLY

TRINA LORIGAN

EXECUTIVE DIRECTOR ELIZABETH LINT: Trina Lorigan has applied for an entertainment license for recorded or live music for a sampling event at Pemberton Farms, 2225 Mass. Ave on October 1 and October 22 from 12 p.m. to 3 p.m. and then 1

p.m. to 4 p.m. with 700 expected.

CHAIR NICOLE MURATI FERRER: Granted as
to both.

PETER CHANG

EXECUTIVE DIRECTOR ELIZABETH LINT: Peter
Chang has applied for an entertainment license
for performers, patrons, entertainers, dancing,
recorded live music and amplification system for
a competition at the Student Organization Center
at Hilles, 59 Shepard Street on November 5 from 2
to 9 with 60 expected.

CHAIR NICOLE MURATI FERRER: Granted.

IAN HARRINGTON

EXECUTIVE DIRECTOR ELIZABETH LINT: Ian
Harrington has applied for an entertainment
license for patrons and performers, entertainers,

dancing or recorded live music, amplification system for a fair at UN International Day of Peace at Cambridge Common, 1500 Mass. Ave on September 18 from 2 to 4 with 150 expected.

CHAIR NICOLE MURATI FERRER: For the record they have their park permit. Granted.

MARYELLEN CARVELLO

EXECUTIVE DIRECTOR ELIZABETH LINT:

Maryellen Carvello has applied for an entertainment license to provide live music for Danehy Park Family Day at Danehy Park, 99 Sherman Street on September 17, with a rain date of the 18th, from 11 a.m. to 4 p.m. with 4,000 expected.

CHAIR NICOLE MURATI FERRER: Granted.

BILL MANLEY

EXECUTIVE DIRECTOR ELIZABETH LINT: Bill Manley has applied for an entertainment license to provide patrons and performers, entertainers, dancing and recorded live music for a music event at Winthrop Park on September 18 from 5 to 6 with 50 people expected.

CHAIR NICOLE MURATI FERRER: Granted.

GAR10114

EXECUTIVE DIRECTOR ELIZABETH LINT: Cancellation of GAR10114, 35 Cottage Park Avenue. That's a new two-family with no parking space.

CHAIR NICOLE MURATI FERRER: Acknowledged. Cancelled.

GAR10084

EXECUTIVE DIRECTOR ELIZABETH LINT:

Cancellation of GAR10084, 284 Broadway.

That's no longer in service.

CHAIR NICOLE MURATI FERRER:

Acknowledged and cancelled.

FLA10030

EXECUTIVE DIRECTOR ELIZABETH LINT:

Flammable license FLA10030, 295 Concord Ave.

The gas station is out of business. It
is a home.

CHAIR NICOLE MURATI FERRER:

Acknowledged and cancelled.

PED10045

EXECUTIVE DIRECTOR ELIZABETH LINT:

PED10045, Michael's Catering is no longer

operating in the City.

CHAIR NICOLE MURATI FERRER:

Acknowledged and cancelled.

MASS STATE LOTTERY

EXECUTIVE DIRECTOR ELIZABETH LINT: The
Massachusetts State Lottery has sent notification
that Fresh Market will be offering Keno To Go.

CHAIR NICOLE MURATI FERRER:

Acknowledged.

MICHAEL JAY CLARK

EXECUTIVE DIRECTOR ELIZABETH LINT:

Michael Jay Clark on behalf of Lee Kennedy
Company has applied for a special noise variance
to be exercised on Thursday, October 27 through
Sunday, October 30 from 7 a.m. to 7 p.m. at the
Kennedy School of Government, 15 Elliott Street

to dismantle and remove a site tower crane.

CHAIR NICOLE MURATI FERRER: Granted.

PARKSIDE PLACE COMPANY

EXECUTIVE DIRECTOR ELIZABETH LINT:

Parkside Place Company is requesting to change their license GFS10089, change of address from 670 Huron to 700 Huron, change in number of parking spaces from 240 to 231 and change in the flammable storage from 10,000 gallons of class III fuel to natural gas on a direct feed from the street.

That was confirmed with Deputy Donovan of the Fire Department.

CHAIR NICOLE MURATI FERRER: Granted.

CANCELLATION OF VIC10258 DOMENIC'S FORNO

EXECUTIVE DIRECTOR ELIZABETH LINT:

Cancellation of VIC10258 Domenic's Forno at
75-125 Binney Street.

They never opened. Another establishment
is already approved to go in there.

CHAIR NICOLE MURATI FERRER: Cancelled.

DREW WALLACE

EXECUTIVE DIRECTOR ELIZABETH LINT: Drew
Wallace on behalf of Work Bar, has submitted an
application for a one-day wine and malt license
with an entertainment on September 26 from 6 to
10 p.m. at 45 Prospect Street for 99 people.

CHAIR NICOLE MURATI FERRER: Granted.

CATHERINE NELSON

EXECUTIVE DIRECTOR ELIZABETH LINT:
Catherine Nelson on behalf of Reservoir Church
has applied for a one-day entertainment license

to be exercised on September 18, with a rain date of October 2, at 15 Notre Dame Avenue from 1 to 4 p.m. for 800 people.

This has been approved by Special Events.

CHAIR NICOLE MURATI FERRER: Granted.

TRACIE GORDON

EXECUTIVE DIRECTOR ELIZABETH LINT:

Tracie Gordon on behalf of Harvard Extension School has applied for a one-day alcohol license and entertainment license to be exercised on September 24 from 7 p.m. to 1 a.m. at 59 Shepard Street.

CHAIR NICOLE MURATI FERRER: Granted.

Police detail required.

ELISE CURLEY

EXECUTIVE DIRECTOR ELIZABETH LINT: Elise

Curley on behalf of City of Cambridge Department of Public Works has applied for a one-day entertainment to be exercised at Comeau Field on September 22 from 5 to 8 for a community BBQ with 500 expected.

CHAIR NICOLE MURATI FERRER: Granted.

BEN PERTLER

EXECUTIVE DIRECTOR ELIZABETH LINT: Ben Pertler on behalf of Aramark has applied for a one-day alcohol license to be exercised at the MIT Museum, 265 Mass. Ave on September 22 from 6 to 9 for a banquet for 150 people.

This is invitation only.

CHAIR NICOLE MURATI FERRER: Granted.

Police detail required.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Cristobal Pinera on behalf of MIT Chile Club has

applied for a one-day alcohol license to be exercised on September 17.

CHAIR NICOLE MURATI FERRER: The one you did for Ben, was it for the 9-22 or the 9-18?

EXECUTIVE DIRECTOR ELIZABETH LINT: 22.

CHAIR NICOLE MURATI FERRER: Do you have Ben Pertler again for Aramark on the 9-18?

EXECUTIVE DIRECTOR ELIZABETH LINT: No.

CHAIR NICOLE MURATI FERRER: So Ben Pertler for Aramark at 32 Vassar Street has requested a reception, a wine and malt license on 9-18, 66 people from 6 to 7 p.m. at MIT.

Granted.

CRISTOBAL PINERA

EXECUTIVE DIRECTOR ELIZABETH LINT:
Cristobal Pinera on behalf of the MIT Chile Club has applied for a one-day license to be exercised

on September 17 at MIT Walker Lawn from 8 a.m.
to 5 p.m. with 350 expected for a cultural show.

They already have the entertainment
license and MIT PD has been assigned to the
event.

CHAIR NICOLE MURATI FERRER: Is the 17th
a Saturday?

EXECUTIVE DIRECTOR ELIZABETH LINT: It
is.

CHAIR NICOLE MURATI FERRER: Granted.

RUTH ALLEN

EXECUTIVE DIRECTOR ELIZABETH LINT: Ruth
Allen on behalf of Paddy's 5K has applied for a
one-day alcohol, beer only, and entertainment
licence for music and dancing to be exercised on
September 25 from 7 a.m. to 6 p.m. at 260 Walden
Street.

This has been approved by Special Events.

CHAIR NICOLE MURATI FERRER: Granted with the condition that alcohol not be served until 10 a.m.

ADAM AVELAR

EXECUTIVE DIRECTOR ELIZABETH LINT: Adam Avelar on behalf of The Sinclair has applied for a one-day wine and malt license to be exercised on September 17 on Brattle Street from 12 to 9 p.m. for the North America Festival.

This has also been approved by Special Events.

CHAIR NICOLE MURATI FERRER: Granted.

PHOEBE SINCLAIR

EXECUTIVE DIRECTOR ELIZABETH LINT:
Phoebe Sinclair on behalf of Agassiz Baldwin

Community has applied for a one-day license and entertainment license for music and amplification on September 18 from 6:30 to 9:30 for 250 people for a fundraiser.

CHAIR NICOLE MURATI FERRER: Granted.

CAMBRIDGE ARTS COUNCIL

EXECUTIVE DIRECTOR ELIZABETH LINT:

Cambridge Arts Council on behalf of Alex the Jester has applied for a one-day entertainment license to be exercised on September 21 from 5 to 10 p.m. with music, amplification system and performance with 75 people expected.

CHAIR NICOLE MURATI FERRER: Granted.

EXECUTIVE DIRECTOR ELIZABETH LINT:

That's it.

CHAIR NICOLE MURATI FERRER: We are done.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Unless you want to approve minutes.

CHAIR NICOLE MURATI FERRER: Did you read
the minutes?

POLICE COMMISSIONER CHRISTOPHER BURKE:
No.

EXECUTIVE DIRECTOR ELIZABETH LINT:
That's that.

(Hearing was adjourned.)

ERRATA SHEET

INSTRUCTIONS: After reading the transcript, note any change or correction and the reason therefor on this sheet. Sign and date this errata sheet.

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I have read the foregoing transcript, and except for any corrections or changes noted above, I hereby subscribe to the transcript as an accurate record of the statement(s) made by me.

CERTIFICATION

Commonwealth of Massachusetts

Norfolk, ss.

I, Jill Kourafas, a Notary Public in and for the Commonwealth of Massachusetts, do hereby certify:

That the hearing herein before set forth is a true and accurate record of the proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand this 18th day of September, 2016.

Jill Kourafas
Certified Shorthand Reporter
License No. 14903
Notary Public

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