

COMMONWEALTH OF MASSACHUSETTS

CITY OF CAMBRIDGE

IN RE: LICENSE COMMISSION GENERAL HEARING

LICENSE COMMISSION BOARD MEMBERS:

Michael Gardner, Commissioner
Christopher Burke, Police Commissioner
Gerald R. Reardon, Deputy Fire Chief

STAFF: Elizabeth Y. Lint, Executive Officer

AT: Michael J. Lombardi Municipal Building
831 Massachusetts Avenue
Basement Conference Room
Cambridge, Massachusetts 02139

DATE: Tuesday, February 7, 2012

TIME: 6:08 p.m.

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P R O C E E D I N G S

ELIZABETH LINT: Before we get started, if anyone has a cell phone on, we would appreciate it if you would shut it off.

This is the License Commission general hearing Tuesday, January 10, 2012 at 6:08 p.m.

We're in the Michael J. Lombardi Municipal Building, 831 Massachusetts Ave., basement conference room.

Before you are the Commissioners, Chairman Michael Gardner, Chief Gerald Reardon and Superintendent Christopher Burke.

APPLICATION: PRIZE4-LIFE, INC.

MS. LINT: The first matter is application of Prize4-life, Incorporated, a non-profit organization at 10 Cambridge Center has applied for a charity wine license to be exercised at 1585 Massachusetts Avenue, President & Fellows of Harvard College d/b/a The Pub, holder of a wine

and malt beverages license as an educational institute.

CHAIRMAN MICHAEL GARDNER: So if you could, please, just state and spell your name for the record and tell us a little about the plan.

GUADALUPE MARTINEZ: Sure. My name is Guadalupe Martinez, that's G-U-A-D-A-L-U-P-E, my last name is Martinez, M-A-R-T-I-N-E-Z.

There's several student groups that are hosting a wine tasting event, and we're receiving the charity -- of the charity, we're receiving a \$25 donation from each student who attends.

CHAIRMAN MICHAEL GARDNER: Okay. And you're affiliation is with whom, please?

GUADALUPE MARTINEZ: Prize4-life. I'm an employee there.

CHAIRMAN MICHAEL GARDNER: All right. Tell us just very briefly about Prize4-life.

GUADALUPE MARTINEZ: Okay. We're an ALS organization. We have one million dollar prizes

that are open to research teams to, I guess, to open ALS research. It's pretty stagnant, so that's our organization.

CHAIRMAN MICHAEL GARDNER: Okay. And this is going to be a student affair?

GUADALUPE MARTINEZ: Yes.

CHAIRMAN MICHAEL GARDNER: Okay. If you know, who will be administering the program serving the wine, checking IDs, that sort of thing?

GUADALUPE MARTINEZ: So, they're having like bar -- there's going to be bartenders there, and then there's going to be people from the Vineyard, who are donating the wine, and then the Harvard Police will be present for checking IDs.

And then my staff and myself will be doing registration. So we'll also have a point of checking IDs there, too.

CHAIRMAN MICHAEL GARDNER: And the event will be held where?

GUADALUPE MARTINEZ: At the pub which is
at the new building -

ELIZABETH LINT: It's the Law School.

GUADALUPE MARTINEZ: It's the Law School.

CHAIRMAN MICHAEL GARDNER: The Law School
building?

GUADALUPE MARTINEZ: Yeah.

CHAIRMAN MICHAEL GARDNER: Any questions?
Have you any experience with Harvard and
this kind of event yourself in the past?

GUADALUPE MARTINEZ: I did. I worked the
event last year.

CHAIRMAN MICHAEL GARDNER: Okay. Are
there any members of the public who would like to
be heard on this matter?

Seeing none, motion to --

FIRE CHIEF GERALD REARDON: Motion to
approve, subject to all the regulations as set
forth.

SUPERINTENDENT CHRISTOPHER BURKE: I

second the motion.

CHAIRMAN MICHAEL GARDNER: Motion having been made and seconded to approve the event subject to all of the License Commission's regulations and requirements, all those in favor, signify by saying "aye."

SUPERINTENDENT CHRISTOPHER BURKE: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIRMAN MICHAEL GARDNER: Aye.

None opposed.

So good luck with the event.

GUADALUPE MARTINEZ: All right. Thank you.

APPLICATION: SONESTA OF MASSACHUSETTS, INC.

MR. LINT: Application: Sonesta of Massachusetts, Incorporated, Stephanie Sonnabend, Manager, holder of an all alcoholic beverages as a hotel license at 40 Edwin Land Boulevard has applied to transfer said license to Sonesta Acquisition Corporation d/b/a Royal Sonesta

Hotel, Michael Medeiros, Manager, at 40 Edwin Land Boulevard.

Applicant is also applying for an innholder's license and entertainment license to include dancing by patrons, live musical instruments and/or vocalists with amplification, one TV and audio tape machine/CD which may play music below, at or above conversation level.

CHAIRMAN MICHAEL GARDNER: Good evening. If you could, please state and spell your names for the record.

JAMES RAFFERTY: Surely. Good evening, Mr. Chairman, members of the Commission.

For the record, my name is James Rafferty, R-A-F-F-E-R-T-Y. I'm an attorney with the law firm of Adams and Rafferty located at 130 Bishop Allen Drive in Cambridge.

Seated to my left is Mr. Michael Medeiros, M-E-D-E-I-R-O-S. Mr. Medeiros is the general manager of the Royal Sonesta Hotel and

the proposed manager on the new license that we're seeking to transfer.

CHAIRMAN MICHAEL GARDNER: Could you just briefly describe to us what this change is?

JAMES RAFFERTY: Sure. The Sonesta of Massachusetts is the current licensee and they are a wholly-owned subsidiary of a publically-traded company, Sonesta National Hotels.

This is a transaction that involves the sale of all of the stock of Sonesta International Hotels to another publically-traded corporation called Hospitality Trust.

And as is often the case in hotel operations, the owner of the hotel has entered into a management agreement with the proposed operator.

So the applicant tonight is Sonesta Acquisition Corp, which would operate the hotel pursuant to a management agreement with the

ownership of the hotel.

CHAIRMAN MICHAEL GARDNER: The new ownership?

JAMES RAFFERTY: The new ownership, correct.

So the new owner has a -- will own the hotel, but the operations of the hotel will take place pursuant to a management agreement.

As required by the statute, we have provided copies of the management agreement and the background check and financial information is for all of the officers and directors of Sonesta Acquisition Corp as well the publically-traded corporation.

There will be little change in the hotel. It's a 400-room hotel. Full service hotel with a restaurant on the ground floor.

There is no change of premises description, although you will note in the application in preparing the transfer

application, we used the opportunity to make the description more precise than it was historically. Frankly, it was a little less than accurate as we reviewed the documentation.

So, no physical alteration, but the wording on the description now reflects a more accurate layout of the ground floor, where the exits are and the areas that are considered within the licensed premises. There is a separate license of a lessee at the hotel where the Dante Restaurant is operated.

That is not part of this transaction. That operates independent of the hotel.

And that licensee operates pursuant to a lease with the ownership of the hotel. So, that is not a portion or a part of this application.

CHAIRMAN MICHAEL GARDNER: And what will be the change in personnel at the top, if any?

JAMES RAFFERTY: When you say "at the top," in terms of the operation of the hotel?

CHAIRMAN MICHAEL GARDNER: The operation of the hotel and restaurant.

MICHAEL MEDEIROS: Well, I'm Mike Medeiros, I'm the general manager. I'm not going anywhere. I have been with Sonesta for 20 years and at this property for year and a half.

CHAIRMAN MICHAEL GARDNER: So, in other words, the ownership is changing, but under the new management agreement, you will be continuing on doing the work?

MICHAEL MEDEIROS: Yes.

JAMES RAFFERTY: My understanding is that the current employees of the hotel will become employees of the new entity that will be operating the hotel.

So, I don't think much is anticipated in the way of staff changes as a result of the transfer.

CHAIRMAN MICHAEL GARDNER: So, in terms of personnel, operations basically it's the same?

MICHAEL MEDEIROS: Yes.

CHAIRMAN MICHAEL GARDNER: The ultimate bosses are different?

MICHAEL MEDEIROS: Exactly.

CHAIRMAN MICHAEL GARDNER: Other questions?

FIRE CHIEF GERALD REARDON: The only venue in the event is licensed separately would be the Dante --

JAMES RAFFERTY: Correct.

FIRE CHIEF GERALD REARDON: All the other food establishments are under the umbrella of the hotel?

JAMES RAFFERTY: Hotel and keeper license.

MICHAEL MEDEIROS: Yes.

FIRE CHIEF GERALD REARDON: Thank you.

SUPERINTENDENT CHRISTOPHER BURKE: No questions.

CHAIRMAN MICHAEL GARDNER: Are there any

members of the public who would like to be heard on this matter?

Seeing none, can you just tell us a little about the new owner, its hospitality?

JAMES RAFFERTY: Well, the owner of the hotel is a REIT publically-traded company called Hospitality Properties Trust. I believe they own as many as 20 hotels throughout the country.

They actually do not have a financial interest in the licensee. A subsidiary of theirs does called Cambridge TRS, Inc, that is a wholly-owned subsidiary of the publically-traded REIT and the Cambridge TRS ownership also mirrors the officers and shareholders of the publically-traded company, but the current ownership of the hotel, as I noted earlier, is in a separate publically-traded company.

So, as you know, when we're dealing with publically-traded companies, they get the benefit of the safe harbor. No one individual owns more

than ten percent of stock in either the existing publically-traded company that owns the property, in this case, it's the same with the successor entity.

CHAIRMAN MICHAEL GARDNER: Will there be any branding changes? It's still going to be a Sonesta?

MICHAEL MEDEIROS: No, still Royal Sonesta Hotel.

JAMES RAFFERTY: Even though they call themselves Boston, they live in Cambridge. I've spoken with Mr. Medeiros about that. He's not as parochial as some of us are.

CHAIRMAN MICHAEL GARDNER: Pleasure of the Commission?

FIRE CHIEF GERALD REARDON: Make a motion to approve with regulations as set forth.

SUPERINTENDENT CHRISTOPHER BURKE: Second that motion.

CHAIRMAN MICHAEL GARDNER: So there's

been a motion made and seconded to approve a transfer of the license of the Sonesta of Massachusetts organization to Sonesta Acquisition Corp, doing business as the Royal Sonesta Hotel, all those in favor, signify by saying "aye."

SUPERINTENDENT CHRISTOPHER BURKE: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIRMAN MICHAEL GARDNER: Aye.

None opposed.

So good luck with your transfer.

JAMES RAFFERTY: Would the vote also include the appointment of Mr. Medeiros as manager?

FIRE CHIEF GERALD REARDON: Yes, I can make an amendment to include that.

CHAIRMAN MICHAEL GARDNER: He's currently the manager under the existing license?

JAMES RAFFERTY: No. He's the general manager of the hotel, but he's not the manager on the license.

FIRE CHIEF GERALD REARDON: I see.

JAMES RAFFERTY: So the application is a change -- as is nearly always the case in the transfer of new ownership, it's the transfer of the license and the appointment of a new manager on that license.

CHAIRMAN MICHAEL GARDNER: Thank you for clarifying that.

ELIZABETH LINT: And the entertainment.

CHAIRMAN MICHAEL GARDNER: The license with the entertainment, which is the same entertainment license you have now.

JAMES RAFFERTY: Except the entertainment license is nontransferable.

FIRE CHIEF GERALD REARDON: I amend my motion to include Michael Medeiros as the manager of record at 40 Edwin Land Boulevard and to include the live music, dancing by the patrons and/or localists with amplification and one TV, audio tape machine/CD which may play music below

at or above conversation level.

CHAIRMAN MICHAEL GARDNER: And I will second that the proviso that you agree that we'll just call this a new motion as opposed to an amendment since you already voted on it.

FIRE CHIEF GERALD REARDON: Okay.

CHAIRMAN MICHAEL GARDNER: Motion having been made and seconded to approve Mr. Medeiros as the manager and to approve a new entertainment license under the same terms and conditions as the previous one, all those in favor, signify by saying "aye."

SUPERINTENDENT CHRISTOPHER BURKE: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIRMAN MICHAEL GARDNER: None opposed.

So now good luck.

JAMES RAFFERTY: Thank you very much.

APPLICATION: THE LAST RESORT, INC.

MS. LINT: Application: The Last Resort, Inc. d/b/a East Coast Grill, Christopher

Schlesinger, Manager, holder of an all alcoholic beverages as a restaurant license at 1271 Cambridge Street is applying to transfer said license to Three Initials, Inc. d/b/a East Coast Grill. Said license, if transferred, is for 118 seats inside and 35 standing. Operating hours will be from 8:00 a.m. to 1:00 a.m. seven days per week. Applicant is also seeking an entertainment license to include an audio tape machine/CD playing music below, at, or above conversation level.

CHAIRMAN MICHAEL GARDNER: Good evening, again. If you could please state and spell your names for the record.

JAMES RAFFERTY: Thank you. Good evening, Mr. Chairman, James Rafferty, same spelling as the prior case.

Seated today to my left are -- to my immediate left is Robin Greenspan, G-R-E-E-N-S-P-A-N. To my right is Jason Heard,

H-E-A-R-D. To my far right and to my immediate right is James Lozano, L-O-Z-A-N-O.

Mr. Chairman, this is yet another Cambridge institution changing hands much like the earlier case.

The East Coast Grill has been a significant contributor to the dining scene in Inman Square for decades. Its aging proprietor is with us tonight, Mr. Schlesinger. He has decided to allow a younger generation of people who have trained under him, have been working with him for several years, and the objective here is that this transfer be so seamless that the dining public and the License Commission would barely know the fact that the license has transferred.

There's no change in capacity. There is no change in hours. There is no change in the menu. There's no change in employees. There are new owners, but owners who are experienced in not

just restaurant operations, but in this particular restaurant operations. Together they represent probably in excess of 15 years of experience at the East Coast Grill.

Mr. Lozano is the proposed manager. He has been there perhaps the shortest amount of time, but has agreed to take on the role as manager.

The application includes a pledge of the license to the current ownership since there's a promissory note involved with a portion of the funds for acquisition.

So we're also looking for a new entertainment license, but it's a very modest entertainment license. I think it might be a television or two. There's no live entertainment as part of this.

CHAIRMAN MICHAEL GARDNER: This is listed as an audio tape machine/CD playing music below or at conversation level?

JAMES RAFFERTY: So that would be the modest characterization I was referring to.

CHAIRMAN MICHAEL GARDNER: Okay. And, Mr. Lozano, could you tell us a little about your experience in terms of managing or being involved in facilities that serve alcohol both for the East Coast Grill and prior to that?

JAMES LOZANO: Sure. Growing up I have been in the food industry all through high school, all through college, actually paid for most of my college, even out of my college probably to my late twenties, but I did change my career and actually be part of a nonprofit, the YMCA, which is a national organization. I have gone through four different Ys in urban areas and in my, let's say, forte was more financial, fixing YMCAs that were a financial burden and I would help them with fundraising and board.

So I have had experience with the hospitality aspect, but also with the financial

aspect. And I decided that I wanted to do maybe something different than the nonprofit, and I came to the East Coast Grill, where not only they were generous enough to teach me some of the cooking aspects, the culinary aspects of, I have been lucky enough to work on the front of the house floor and also in the financials upstairs.

CHAIRMAN MICHAEL GARDNER: So how long have you been at East Coast Grill?

JAMES LOZANO: A little bit -- probably a little over a year.

CHAIRMAN MICHAEL GARDNER: And just describe what your experience has been in terms of managing alcohol, either within that area or previously.

JAMES LOZANO: Managing alcohol a little bit of inventory, I have been a part in my younger days in Maine and Delaware that I actually was manager of bars that included training of staff, training of bartenders serving

correctly to recognize if someone was intoxicated or not, but nothing in the State of Massachusetts.

CHAIRMAN MICHAEL GARDNER: Have you been through City of Cambridge Alcohol Awareness or Training with TIPS, is it?

ELIZABETH LINT: 21 Proof.

CHAIRMAN MICHAEL GARDNER: I'll get it right one of these days.

JAMES LOZANO: Not as of today I have not, but it's planned already within the next month.

JAMES RAFFERTY: Mr. Greenspan, Mr. Chairman and the Commissioners, has already been in touch with Mr. Connolly about bringing Mr. Connolly in and doing the training for the whole staff as well Mr. Lozano. It has been a few years since they have been in.

And Mr. Greenspan runs the front of the house and he does a lot of interaction with the

staff and the public, so he reached out to Mr. Connolly, and is in the process of setting up that training, which is coincidental since I know requirements with new managers that training is conditioned, so we would put that in place.

CHAIRMAN MICHAEL GARDNER: And your responsibilities, Mr. Heard?

JASON HEARD: I'm a chef.

JAMES RAFFERTY: A very necessary role.

CHAIRMAN MICHAEL GARDNER: Yes.

Does Mr. Schlesinger have any continued involvement in the operation either as a taster or as an advisor?

JAMES RAFFERTY: Mr. Schlesinger's well deserved reputation is to be ongoing. He's going to continue in a consultant capacity, and we hope -- I know the operators hope to see him frequently at the restaurant, and his presence always crates enthusiasm on diners. He's a -- it's anticipated he will participate at a variety

of levels. He also has a pledge interest, so...

CHAIRMAN MICHAEL GARDNER: Other questions?

FIRE CHIEF GERALD REARDON: No.

SUPERINTENDENT CHRISTOPHER BURKE: No.

JAMES RAFFERTY: I have one letter of support that arrived too late to put in the file.

ELIZABETH LINT: From All Star Sandwich Bar?

CHAIRMAN MICHAEL GARDNER: Who is a neighbor?

JAMES RAFFERTY: Yes. A fellow proprietor at Inman Square.

ELIZABETH LINT: Comments on the character of the individuals, they're hard working, talented, honest and caring. I would allocate the hours are different. Right now they're not open for lunch.

JAMES RAFFERTY: You're not open for lunch now? Do you want to be open for lunch?

JASON HEARD: We have to be able to soon.

JAMES RAFFERTY: Are they exempted from the lunch requirement?

ELIZABETH LINT: If those are your hours, you have to be open your hours.

JAMES RAFFERTY: Oh, right. Thank you. I had missed that. I had assumed it was like many restaurants that has the 8:00 a.m. start, but oftentimes that doesn't necessarily mean they're serving breakfast.

But they do intend to be open for lunch, so I stand corrected. There's an increase in hours, but not the direction we typically see it into the daylight hours as opposed to evenings.

CHAIRMAN MICHAEL GARDNER: Are there any members of the public who would like to be heard on this matter?

Please come forward, state and spell your name for the record and tell us your position.

LESLEY BOISSET: Hi, I'm Lesley Boisset,

B-O-I-S-S-E-T. I live on Tremont Street in the neighborhood and I just wanted to voice my support for this transfer.

The East Coast Grill has always been a very solid neighbor for everybody. Jason lives in the neighborhood and cares very much about the quality of life. So I don't anticipate any problems coming from this transfer. I think it's a very positive step in the neighborhood.

CHAIRMAN MICHAEL GARDNER: Thank you very much.

Sir?

ELIZABETH CERRATO: Hello. My name is Elizabeth Cerrato. I am the general manager of the Bukowskii, which is directly next-door to East Coast Grill. We share a wall with them for about seven years now.

In that time I have seen how much East Coast Grill really brings people into the neighborhood. It's really a staple in Inman

Square. I have seen Robin managing. He's there all times of the day, morning, noon and night, all the time. We have never had any kinds of issues with people coming to and from East Coast Grill, come in our bar.

Again, the manager and ownership are very good and they have our full support.

CHAIRMAN MICHAEL GARDNER: Thank you very much.

Sir?

PATRICK HAYDEN: My name is Patrick Hayden, H-A-Y-D-E-N. We're the resident in 1247 and 3. We're the largest residential condo owner in the building.

We're a little concerned about the extended hours being requested here. The Police Commissioner will know about the excessive amount of fire incidents that have been in the building at the East Coast Grill.

CHAIRMAN MICHAEL GARDNER: I'm sorry. I

didn't hear the last thing you said.

PATRICK HAYDEN: Sorry. In the last 24 months there's been, I would say, half a dozen fire incidents at the East Coast Grill, and we're concerned that extended operating hours are going to increase that risk.

CHAIRMAN MICHAEL GARDNER: Thank you.

Any comment on fire incidents and tell us when you're open -- when you're really open for business now and when you expect to be open for business actually serving under the new license.

JAMES RAFFERTY: Well, as reflected in the application, the current licensee does not serve lunch, and it's the expectation here that the request is that they be permitted. The hours will allow them to serve lunch.

CHAIRMAN MICHAEL GARDNER: Currently you open at about what time?

JASON HEARD: 5:30 --

CHAIRMAN MICHAEL GARDNER: 5:30.

JASON HEARD: -- to 10:00; Friday and Saturday till 10:30.

ROBIN GREENSPAN: And then Sunday brunch from 11:00 to 2:30.

CHAIRMAN MICHAEL GARDNER: I understand the answer was the kitchen. It was about when the kitchen is open. When do the doors open?

JAMES RAFFERTY: 5:30.

CHAIRMAN MICHAEL GARDNER: And you're expecting an opening time of 12:30, 11:30, 12:00?

JASON HEARD: We had spoken 11:30 to 2:30 on Saturday for lunch, that single day of the week for lunch, and then brunch on Sunday which we already have.

PATRICK HAYDEN: If I can further add, Chris has been fantastic communicating with the residents and they have been receptive to all the incidents that occurred in the past. However, I do want address it as an issue.

CHAIRMAN MICHAEL GARDNER: All right.

Any other members of the public who would like to be heard?

Yes, please, come forward.

CHRIS SCHLESINGER: Chris Schlesinger, S-C-H-L-E-S-I-N-G-E-R, current owner of the East Coast Grill, resident of Cambridge.

I would like to register my support for the sale, and also in thinking of selling the East Coast Grill in the 28 years I have done business in Cambridge, it was important to me to find a group of people that I thought would be able to continue the business in a manner that's been conducted for the previous 28 years with its quality, professionalism and support of the community, et cetera.

So I think these guys hopefully have found three gentlemen that will be able to do that.

CHAIRMAN MICHAEL GARDNER: Thank you.

I think we heard testimony,

Mr. Schlesinger, about some recent fire incidents at the grill. Do you have any history? You want to comment on any of that?

CHRIS SCHLESINGER: Well, it's true that we have had several incidents. Our numerous incidents in the 28 years that we have been there, there are also other commercial entities in the building. There's a series of false alarms and several occurrences, real occurrences and we have been in touch with Fire Prevention, we have had insurance adjustors in, we've worked with the owner of the building to reinforce the fire alarm system. We exceed code in every area, fire prevention, duct cleaning, et cetera, so -- and these gentlemen also know the importance of being in a restaurant where there's residents above us.

CHAIRMAN MICHAEL GARDNER: Thank you.

Pleasure of the Commission?

FIRE CHIEF GERALD REARDON: Primarily,

the issues that we have had there are related to the building owner as opposed to some of the tenants, but we're aware of them.

CHAIRMAN MICHAEL GARDNER: So, the comment from the Fire Chief was that primarily the concerns they have had relate to the building owner rather than the tenants, and they're aware of them and working on them.

Pleasure of the Commission?

FIRE CHIEF GERALD REARDON: I'd make a motion to approve transfer from Last Resort, Inc to Three Initials, Inc d/b/a East Coast Grill, transfer of 118 seats inside and 35 standing. Operating hours will be -- are we still in dispute over the eight or --

ELIZABETH LINT: We need the exact hours.

JAMES RAFFERTY: I think we would propose the hours as set forth in the application.

CHAIRMAN MICHAEL GARDNER: So the motion to approve the transfer has been made.

Do we also need a motion to approve a new general manager?

ELIZABETH LINT: Yes, and the entertainment.

CHAIRMAN MICHAEL GARDNER: Let's do the sale first. I have a motion. I'll second the motion to approve the transfer of the license. All those in favor, signify by saying "aye."

ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIRMAN MICHAEL GARDNER: Aye.

None opposed.

And the new manager would be Mr. Lozano. I'll make the motion to approve Mr. Lozano whose background check has passed, right?

ELIZABETH LINT: All of them, yes.

CHAIRMAN MICHAEL GARDNER: So the new manager will be Mr. Lozano.

SUPERINTENDENT CHRISTOPHER BURKE: I will second that motion.

CHAIRMAN MICHAEL GARDNER: Motion

having --

FIRE CHIEF GERALD REARDON: Do we need to mention the extended license?

CHAIRMAN MICHAEL GARDNER: I was going to make the third, but I don't have -- (inaudible, simultaneous speech). I'll accept an amendment to my motion to also approve the entertainment license as stated in the application.

FIRE CHIEF GERALD REARDON: Seconded.

CHAIRMAN MICHAEL GARDNER: That motion having been made and seconded, all those in favor, signify by saying "aye."

ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIRMAN MICHAEL GARDNER: None opposed.

So, good luck to you all. It seems like a significant milestone in the history of the dining experience in Cambridge and we wish you well.

CHRIS SCHLESINGER: Thank you very much.

APPLICATION: JASWINDER, INC.

ELIZABETH LINT: Application: Jaswinder, Incorporated d/b/a Cafe of India, Rashpal Singh, Manager, holder of the all alcoholic beverages as a restaurant license at 52A-52B Brattle Street in applying to transfer said license to DJD Restaurant Group, LLC d/b/a Toscano Squared, Richard Cacciagrani, Manager. Said license, if transferred, is for 119 seats inside with an additional 83 seats being banked for possible future use. Operating hours will be from 11:00 a.m. to 1:00 a.m. Sunday through Wednesday and 11:00 a.m. to 2:00 a.m. Thursday through Saturday and the night before a legal holiday. Applicant is also seeking an entertainment license to include an audio tape machine/CD playing music below conversation level and 2TVs.

KEVIN CRANE: Good evening,
Mr. Commissioner and members of the Board. My

name is Attorney Kevin Crane, C-R-A-N-E, and I represent the petitioners. To my left is Andrew Dalessandro, D-A-L-E-S-S-A-N-D-R-O. To my immediate right is Richard Cacciagrani, C-A-C-C-I-A-G-R-A-N-I, and to his right is David Dalessandro, who is also spelled the same way as Andrew, his father. I also have the green cards.

CHAIRMAN MICHAEL GARDNER: So, if you could please describe to us the history of this and where you stand today?

KEVIN CRANE: Mr. Chairman, my clients presently operate a restaurant on Charles Street in Boston called Toscano's. They have operated there for five or six years. They would like to bring the European flavor of Charles Street to Harvard Square. They -- it's a first-class Italian restaurant that they operate on Charles Street.

I might note to you that we're holding this in the form of an LLC and David Dalessandro

is the sole manager and a member of the LLC.

He's also, for the record, a retired CEO of John Hancock Financial Services.

The proposal involves Cafe of India, which the Board is, I think, well familiar with. We're proposing to not only to take over the space with the Cafe of India, but also the adjacent space on the corner of Story Street currently occupied by Clothwear (phonetic).

The present capacity for Cafe of India is 99 and there's 103 bank seats. Quite frankly, this is one of the first applications involving bank seats for a number years, anyway, that I have seen.

We're proposing to increase the capacity to 119 using 20 of those banks seats and leaving 83 bank seats for the future.

I think you have a copy of the floor plan. You need a couple more? (Forwarding copies of floor plan.)

The floor plan calls for 96 seats on the floor. There will be ten seats in a private setting on the side and 13 seats at the bar area.

We have also petitioned for an entertainment license relative to two TV sets and audio tape playing below conversation level.

I also have the menu for the present location, which involves a dinner menu, luncheon menu, the private dining sample menu and also the wine list, and I would note to you that the prices are quite reasonable, and particularly, the quality of the food which I have on one occasion tested.

CHAIRMAN MICHAEL GARDNER: So, you will be continuing to operate the restaurant in Boston and replicate the experience here, is that --

RICHARD CACCIAGRANI: Correct.

CHAIRMAN MICHAEL GARDNER: How long is the restaurant in Boston been open?

RICHARD CACCIAGRANI: We took it over

five years ago, a little over five years ago and remodeled, did renovations and repairs and then reopened four and a half years ago.

ANDREW DALESSANDRO: It was founded in 1984.

CHAIRMAN MICHAEL GARDNER: I'm sorry?

ANDREW DALESSANDRO: The original restaurant was founded in 1984.

CHAIRMAN MICHAEL GARDNER: So your combined experience in dealing with alcohol service is this four and a half years in Boston or is there prior experience?

RICHARD CACCIAGRANI: Mine goes back 20 years in the business.

CHAIRMAN MICHAEL GARDNER: If you could just describe that a little bit.

RICHARD CACCIAGRANI: Yeah. I mean, prior to Toscano, I was with a group, Newport Harbor Corporation out of Newport, Rhode Island, which I was director of restaurant operations,

oversaw six of their operations, seasonal high volume bars and restaurants, so I was the director of that.

Prior to that, I was with Palm Management, Palm Steakhouses for two and a half years, and I managed the Boston Palm.

And then prior to that I was in Florida at a -- with a restaurant group out of Minneapolis, D'Amico & Partners, which is a high volume, 300-seat Italian restaurant concept and it keeps going back.

CHAIRMAN MICHAEL GARDNER: You have been the manager of record where?

RICHARD CACCIAGRANI: Toscano for the last four and a half, five years.

CHAIRMAN MICHAEL GARDNER: Other questions?

FIRE CHIEF GERALD REARDON: Counsel, you're aware of the history of this particular --

KEVIN CRANE: I thought I might have some

fire correction issues from you, Chief.

FIRE CHIEF GERALD REARDON: They haven't been good. So, this is going to be a complete renovation?

RICHARD CACCIAGRANI: Correct.

FIRE CHIEF GERALD REARDON: Are you aware of the hood issues that we have had before on that?

RICHARD CACCIAGRANI: Correct.

FIRE CHIEF GERALD REARDON: Does the additional square footage get you a different route to get that out from the building or do you still have to use that?

RICHARD CACCIAGRANI: You mean for the ventilation?

FIRE CHIEF GERALD REARDON: Yes.

RICHARD CACCIAGRANI: The ventilation will be the same, meaning the same access going up and out off to the back and up to the side. That will be -- the hood system and the fire

suppression will all be new.

FIRE CHIEF GERALD REARDON: Everything downstairs will be --

RICHARD CACCIAGRANI: I've contacted Bob Gorman, he did our insulation here and he's aware of everything and he's kinda researched that.

FIRE CHIEF GERALD REARDON: This being a neighborhood, the number of fires that occurred there have been problematic.

RICHARD CACCIAGRANI: We'll use their duct services to kinda inspect the current ventilation system going up, which I know is new now, but as long as it, you know, meets what we need to do.

FIRE CHIEF GERALD REARDON: In total renovation, are you going to be tied into the same panel or have your own panel?

RICHARD CACCIAGRANI: I would say we'll probably have our own panel because Harvard upstairs has their own right now, I believe.

It's separate now.

ANDREW DALESSANDRO: Chief, we had the same problems on Charles Street when we took it over, there were some issues, and we not only redid everything, we exceeded all of the standards, put in our own suppression systems and separate panels. So that we're well aware of the problems here and we intend to replicate. We have had no incidents in Boston.

FIRE CHIEF GERALD REARDON: Counsel made you aware of this incident. It's nice to see this is going to be a complete renovation, so to speak, with new equipment.

RICHARD CACCIAGRANI: Yeah, it's all new kitchen equipment and everything. All their equipment is going to be gone. We're not using them.

FIRE CHIEF GERALD REARDON: Do you have any idea what your timeline is potentially in terms of --

RICHARD CACCIAGRANI: Depending on.

FIRE CHIEF GERALD REARDON: Assuming --
make some assumptions.

ANDREW DALESSANDRO: April 1. We would
start renovations April 1 or perhaps earlier.

FIRE CHIEF GERALD REARDON: Okay.

ANDREW DALESSANDRO: April 1st. Six
months of renovation. It's not an issue.

RICHARD CACCIAGRANI: Coordinate, they're
doing an elevator project also in the building
that's already been approved so they're just
trying to coordinate renovation times.

CHAIRMAN MICHAEL GARDNER: You're looking
for an October start opening?

ANDREW DALESSANDRO: October, November,
depending on the contractors.

CHAIRMAN MICHAEL GARDNER: The prior
problems with Cafe of India, a lot of them had to
do with cleaning and maintenance?

FIRE CHIEF GERALD REARDON: There was a

number of issues there. It was actually cleaning and maintenance was probably the biggest issue and the type of cooking that was done there and the amount of grease was generated.

Actually, even their cleaning schedule should have exceeded what the state and local ordinances are because of the volume. Obviously, you're in the business, you know the more it's used, the equipment is going to have to be cleaned. A lot of that had to do with maintenance. The other issues were the old duct system, it was convoluted-type horizontal cuts through the building that was difficult to clean.

ANDREW DALESSANDRO: Well, the duct system has been redone.

CHAIRMAN MICHAEL GARDNER: Okay.

RICHARD CACCIAGRANI: We use our current location now, we do our vent cleaning four to five times a year. So, it ranges about five times a year that we do it. We're on an

aggressive schedule just because we have residents upstairs. We want to keep it that way.

FIRE CHIEF GERALD REARDON: Good to know they're doing a renovation there.

CHAIRMAN MICHAEL GARDNER: Any other questions?

SUPERINTENDENT CHRISTOPHER BURKE: No.

CHAIRMAN MICHAEL GARDNER: Are there any members of the public who would like to be heard on this matter?

Please step forward, state and spell your names for the record, and I ask you to speak up because I think we're having some problems with the audience being able to hear.

PHILLIP LEVIN: My name is Phillip Levin, L-E-V-I-N, two Ls in Phillip. I'm here representing Settebello, which is a high-end women's clothing store at 52 Brattle Street. We currently share a wall with Cafe of India. We have been in that location for almost 20 years,

and in Harvard Square, the business has been there for more than 40 years.

In general, I am here to support the application. I welcome new neighbors. I would love to have a new neighbor.

We have been living next to issues of Cafe of India for a long time and it will be great to see someone operate there safely.

I do have two concerns that I would like addressed as part of the licensing process. One is noise and the other is cooking odors.

A little bit of background on noise. On the other side of our store sharing the other wall is LA Burdick, a candy store. They have been there -- they moved in a little bit after us. They have been there -- they moved in a little bit after us. We have been there a little bit longer than -- almost as long as us and we lived side by side with no problems until about 2007. And they're another licensee of course.

At that time they did a renovation of their space, they changed the layout. And shortly thereafter, we began to notice a huge amount of noise coming through the common walls, chairs scraping on floors, banging sounds, but most troubling was conversational -- conversational noise, sounds, that was loud enough to be able to clearly hear the conversation.

Again, it's high-end women's clothing store. We don't expect or have never had pin drop silence. But this was quite disruptive to our sales environment.

We actually started having customers complain about it, and it was a real problem for us for quite while.

So that began a three-year journey to try and rectify the problem.

First, we tried to solve it with the licensee and the landlord. That didn't work out

too well.

Eventually, I brought it to the attention of the Licensing Commission and things sped up quite a bit from there. We involved a sound engineer. I think you call it an acoustical engineer.

And went through a number of different iterations to try and figure out what the problem was, how to fix it, why was it a problem there.

Basically it ended up with a solution that was to install a soundproof wall basically between the two stores.

The problem was you would have to go on one side or the other, and that meant whoever's side it went on, they have to shut down and deal with that whole installation.

So even with the help of the License Commission at that time, we were kinda at an impasse as to who was going to shut down, even though that licensee clearly admitted they were

the source of the noise.

So, we couldn't take it any more.

Frankly, it was really concerning us about our business.

We decided to bite the bullet, we shut down for two weeks or almost two weeks in the middle of the worst recession in 70 years because we had to stop the problem.

They put up the wall, and in short, it seemed to work. We haven't really had significant issues then, the noise went way down. So far so good. That was good.

Now, on the other side we have Cafe of India and we do hear sounds from them. It's like we can hear the phone ringing. We occasionally hear large parties and we can hear noise and voices, and so forth, but it was different than what we had previously.

What we did learn from this whole experience in talking with engineers, acoustic

engineers that for whatever reason the walls in that building seem to transmit noise easily. And it's also apparently dependent on the layout of the floor. Because, as I mentioned after all, we didn't have a problem since 2007 when they did a renovation.

It's a kind of a mysterious science as to where the problem comes from. But they kinda used a sledge hammer solution of putting the wall in place and that seemed to work.

What my concern is here is that this business, as much as I would love to have any business next to us, is asking for two TVs, I believe is the request in the license, plus music, plus they're going to do renovation.

And so, I am very concerned that we may end up with the same exact problem the day that they open that we had before at Burdick's.

And as much as I love to help out the licensing community, we're not interested in

shutting down again to solve someone else's problem. We cannot tolerate another shutdown if that were the solution to put a sound barrier on other side.

We're a small operation, we're a mom and pop store.

So that's my basic concern is that, although I can't say for sure it will cause a problem, boy, all the evidence points to, yeah, it might.

And here is my proposal or my request is that we make -- you make as part of the licensing process, I don't know what the term is, a contingency, whatever, that this business has to submit some sort of plan for sound control, don't know what that is. My guess is it would end up being the same kind of situation we had before we put a wall up.

Now, the opportunity here is that they're going to renovate the space, as they say, so it's

the prime time to do that, whereas before we had a huge stressful expensive fight about it, and we had to tear down finished space and put something back up. Here it would be an incremental expense over the construction if that were the solution.

But I just want to emphasize if you were going to help us, it's got to be something that is signed off by an engineer, by an acoustic expert. They could probably use the same guy they used maybe and the same plan. I don't know.

My guess is it's not a huge deal, but it will be if it's not addressed.

So, that's really the issue with the sound and the noise that I wanted to get across to the Commission. I think it can be fixed. I just don't want it to be overlooked. It has to be an official part of the license because I know from experience, unfortunately, that dealing privately frequently doesn't get you very far, and we had a three-year awful experience trying

to get our solution, and as soon as we involved the License Commission, all of a sudden, people began to come to the table.

The other issue with the food cooking odor, is probably even easier to solve. When the Cafe of India expanded into that space, years and years ago, I remember being here at the hearing and asking, you know, can they do something about cooking odor to make sure it doesn't come into our space because we have high-end women's clothing.

CHAIRMAN MICHAEL GARDNER: Okay. I think I get the point.

PHILLIP LEVIN: So they said, "Yeah, sure," and they put up some kind of barrier, I don't know what it was, Tyvek or something. Whatever it was, it worked. So I would like the same thing to be happening here. That's it.

I welcome them, but I would like those things addressed.

CHAIRMAN MICHAEL GARDNER: Thank you very much, sir.

Mr. Crane, do you have any immediate comment?

KEVIN CRANE: Well, my immediate comment would be regarding the noise. My clients want to be good neighbors. And I don't -- I'm not an acoustical engineer, but I would think that we would cooperate as best we could with addressing the noise issue, and in this instance, in particular, where there's going to be a full-blown renovation, this is the opportunity to address it. Quite frankly, it's -- you would rather have it known now rather than have done something and open for business and then start hearing complaints. So my clients might want to say something about it.

ANDREW DALESSANDRO: Well, I'll make a couple of comments: One, I can't speak to your prior neighbors. I can speak only about us. And

I can suggest that we prefer not to hear this for the first time at a Licensing Board hearing, we prefer to have heard it prior to this. In terms of noise, we're quite familiar with this problem. We have a lot on Beacon Hill, and our neighbors on Beacon Hill are the same -- have had the same concerns and have been eager to share the cost with us.

So, as far as we're concerned, we would certainly like to ameliorate any noise problems and as long as the standards are met by a sound engineer and the cost is shared, I don't think we have a problem at all.

In terms of cooking odors, it's always an issue and we're very, very meticulous about making sure that just like in the vent systems, the cooking odors are exhausted from the building.

But we certainly want to be a good neighbor, but we just don't want an open

checkbook as to what that means.

CHAIRMAN MICHAEL GARDNER: Any there any other public comments?

Please step forward and state and spell your name for the record.

DENISE JILLSON: Good evening, Denise Jillson, J-I-L-L-S-O-N, I'm the executive director for the Harvard Square Business Association, and we're here to offer our full support for this application this evening.

We have had an opportunity to visit Toscano and it's really unlike anything we have in Harvard Square. We have, as you know, over 125 eateries. And this restaurant is really quite beautiful. The food was lovely. The lighting, the furniture, the materials, really, really special. It's very, very nice.

And, you know, I spent a very long Italian style lunch so it was about two and a half hours not long ago, and it was -- you know,

I can't recall really, you know, odors in the air or noise or conversation. So I think that those issues around noise or odors are really -- that they're well taken care of by these operators.

So we're really looking forward to it, and again, I know their concerns with the neighbor next door, but I think they will be addressed effectively.

Thank you.

CHAIRMAN MICHAEL GARDNER: Thank you very much.

Are there any other members of the public who would like to be heard on this matter?

Have we in the past made a condition of the license as general as simply requiring the licensee to work with neighbors to ameliorate any transitional issues to come in, or, I guess I'm not sure how effective that would be, but I also don't want to get too detailed about any conditions either.

ELIZABETH LINT: I don't -- we have never made it a condition of a license. We always expect that licensees want to be good neighbors and cooperate to the extent that they can.

CHAIRMAN MICHAEL GARDNER: Okay.
Anything else to be said on your behalf?

KEVIN CRANE: No, Mr. Chairman.

CHAIRMAN MICHAEL GARDNER: I'll make a motion to -- well, do you have any questions?

FIRE CHIEF GERALD REARDON: No questions.

CHAIRMAN MICHAEL GARDNER: I'll make a motion to approve the transfer with great anticipation of an improvement in the use of the space and also state that reservations or concerns having been expressed that my motion includes the encouragement to the proposed licensee to work out problems, both during the renovation stage and operationally to make sure that you use the renovation as a way to be sure that you are in compliance with all of our noise

regulations, but also, that you work with the neighbor to keep the nature of that business intact.

FIRE CHIEF GERALD REARDON: I second the motion.

CHAIRMAN MICHAEL GARDNER: That's sort of a convoluted motion.

FIRE CHIEF GERALD REARDON: I second the motion.

CHAIRMAN MICHAEL GARDNER: Well, it's subject to the 21 Proof training that we have and the approval of, I'll say Richard Cacciagrani as the manager of record and with the entertainment license as proposed.

That motion has been seconded?

FIRE CHIEF GERALD REARDON: Yes. But I would like an amendment that obviously this is subject to the conditions and regulations in terms of the building and build-out and all the necessary permits that go along with it.

CHAIRMAN MICHAEL GARDNER: You understand there will be plenty of inspections before you open?

RICHARD CACCIAGRANI: Many inspections, correct.

CHAIRMAN MICHAEL GARDNER: Motion having been made and seconded, all those in favor, signify by "aye."

SUPERINTENDENT CHRISTOPHER BURKE: Aye.

CHAIRMAN MICHAEL GARDNER: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIRMAN MICHAEL GARDNER: None opposed.

So, we wish you well and I'm glad you had the opportunity to hear your neighbor's concerns and I hope you take it to heart.

Mr. Crane, good luck to you, sir.

KEVIN CRANE: Thank you.

CHAIRMAN MICHAEL GARDNER: So, Ms. Lint, do we have three more items on the agenda?

ELIZABETH LINT: We do.

APPLICATION: MAGG, LLC

MS. LINT: Application: Magg, LLC d/b/a West Bridge, Alexis Gelburd-Kimler, Manager, has applied for a new all alcoholic beverages as a restaurant license at One Kendall Square, Building No. 300. Applicant is applying to operate from 11:30 a.m. to 1:00 a.m. Monday through Friday and 3:00 p.m. to 1:00 a.m. on Saturdays and Sundays with a seating capacity of 114 inside and 14 seasonal outdoor patio seats.

CHAIRMAN MICHAEL GARDNER: Good evening. If you could please state and spell your name for the record and either have those with you do the same or introduce them yourself.

WILLIAM FERULLO: I'll try to do both. My name is William Ferullo, F-E-R-U-L-L-O. And I'm with the Law Office of McDermott, Quilty & Miller in Boston.

And I have to my left -- Alexis, why don't you spell your --

ALEXIS GELBURD-KIMLER: Alexis

Gelburd-Kimler, G-E-L-B-U-R-D-hyphen-K-I-M-L-E-R.

MATTHEW GAUDET: Matthew Gaudet,

G-A-U-D-E-T.

DAVID HADDEN: David Hadden, H-A-D-D-E-N.

WILLIAM FERULLO: And we have --

TOM CLARK: Tom Clark, National

Construction, Ashland, A-S-H-L-A-N-D --

MS. LINT: Just spell your last name.

TOM CLARK: C-L-A-R-K.

CHAIRMAN MICHAEL GARDNER: So if you could describe the plan here.

WILLIAM FERULLO: Yes. This is an application for new common victualer and all alcoholic beverages license at One Kendall Square, Building 300.

In addition, I should mention the landlord representatives are here in the morning as well if there are any questions about the landlord.

This application, as is indicated in the notice, is for a full service sit-down restaurant operating seven days a week, that would be Monday through Friday, 11:30 a.m. to 1:00 a.m., Saturday and Sunday, 3:00 p.m. to 1:00 a.m. with lunch and dinner service.

We will provide you, when Matt testifies, with copies of the menu and a description that he can do much better than I.

These two individuals have extensive experience in the restaurant business. Alexis has been in the restaurant business for the past ten years, primarily as a restaurant manager in restaurants here in Cambridge and Boston as well, which she will detail for you. She's a TIPS certified manager.

She will, needless to say, undergo the Cambridge training if, in fact, this is approved.

Matt has been in the business for 14 years, having trained here in Cambridge at the

Cambridge School of Culinary Arts and spent his career, the last 14 years in Boston and New York City as a chef for a number of fine restaurants, which he will also give you more detail on.

The space is a complete build-out. Tom Clark, who is the contractor, can give you detail and answer questions about what is within the build-out. It will have a capacity of 180 that's been certified already by the Building Department. Within that there's 111 seats, inclusive of a bar that has 17 seats, and there are 14 additional patio seats directly in front of the entrance to the restaurant.

CHAIRMAN MICHAEL GARDNER: I'm a little confused about the seating. I have an application here that has 114 inside and 14 seasonal outdoors. Maybe I just didn't do the math right, but I didn't --

WILLIAM FERULLO: It appeared in the notice as 114. I'm not sure exactly how the math

got done. I think our submission is -- overall capacity is 180. We show 111 seats, I believe, on that plan.

As I say, inclusive of the 17 that are at the bar, and there are an additional 14 patio seats.

CHAIRMAN MICHAEL GARDNER: I'm sorry to be confused. As I understand it, you've got maybe a zoning or a building capacity of 180 --

WILLIAM FERULLO: Correct.

CHAIRMAN MICHAEL GARDNER: -- but you're seeking seats of 111 plus 17 at the bar?

WILLIAM FERULLO: No, no. It includes the -- the 17 is included in the 111 figure.

CHAIRMAN MICHAEL GARDNER: Okay. All right. So, you're looking for a license for 111 seats, not 114 seats, plus 14 seasonal?

WILLIAM FERULLO: Correct.

CHAIRMAN MICHAEL GARDNER: Okay. Thank you. Sorry to have been so dense.

WILLIAM FERULLO: No, no. We're just trying to make the numbers appear as they are on the records that you have in front of you.

As I say, the Building Department has issued a 180 capacity, which naturally includes your employees and everything else on premises.

As mentioned, it's in the sense of fine dining, but at the same time, it's at a price point that would be more affordable than the traditional white tablecloth fine dining restaurant. We will give you, in a moment, copies of the menus.

We have, as you will see from our submission, raised \$905,000 for the startup cost and build-out and startup of the restaurant that is also included. And the two principals are the member managers of the LLC. They have additional investors who are listed and submitted to you who have provided funds in addition to a loan from Cambridge Trust. There's \$225,000.

The landlord is also participating by providing some of the financing, \$180,000, towards the build-out costs to build-out a completely vanilla box empty space.

Those are what I would say the particulars. I will, as mentioned, just repeat the two individuals as being qualified, starting with Alexis, who will give you her experience next, there's a -- who we believe to be a qualified manager to operate the restaurant with an all alcohol service.

CHAIRMAN MICHAEL GARDNER: Before you begin, just a follow-up question. You're seeking a no value, no transfer license? There's not a license you're applying for?

WILLIAM FERULLO: That's correct.

CHAIRMAN MICHAEL GARDNER: Please go ahead.

ALEXIS GELBURD-KIMLER: Hi, how are you? Let's see. I came to Boston ten years ago, and

worked at the Beacon Hill Hotel and Bistro for a year, helped them design their bar. They did not have a bar at the time. So that was my first experience in Boston.

From there, I went to be the general manager of now Craigie on Main, initially Craigie Street Bistro in the basement, which was not a full liquor license, but definitely kept me extremely busy running that restaurant.

From there, I went to the Blue Room, which is in the same complex that we're at now, and I was there for a little over three years handling all management for Nick and Liz that owned it.

And then from there, I went to be the general manager of Aquitaine in the South End, and I just left there in November after being there for a few years. And there, I handled not only everything I experienced in all the other restaurants, but also renewals, everything. I

was on the license, but I handled everything for Seth Woods from financials to renewals to everything that needed to make the restaurant run.

FIRE CHIEF GERALD REARDON: Have you ever had a liquor license in your neighbor --

ALEXIS GELBURD-KIMLER: No, I have not.

FIRE CHIEF GERALD REARDON: Whose space was the previous space?

ALEXIS GELBURD-KIMLER: It used to be (inaudible) and then it has been empty for --

I printed up some images for you guys. We have a design firm working with us out of New York to help us recreate. We really, Matt and I together, embraced the whole history of the neighborhood being that it was a Boston woven hose factory, we wanted to recreate a factory, but have really good food in that factory space. And then the name is from the West Boston Bridge.

So the concept is to give a really raw

industrial factory feel but still continue on with this level of French inspired food that Matt and I worked with, but without the pretentiousness that you find in a lot of fine dining food. No white tablecloths and suit and tie, but still the level of hospitality and food at a price point that, I think, is much more approachable than other restaurants and I think fits in very well with the Cambridge area.

CHAIRMAN MICHAEL GARDNER: You won't be trying to replicate the industrial noise levels, though?

ALEXIS GELBURD-KIMLER: No, no, I will not, I promise.

(Board reviews pictures.)

CHAIRMAN MICHAEL GARDNER: Go ahead.

MATT GAUDET: Hello. I grew up outside of Boston area, and started cooking out west and came back to the east coast and went to culinary school in Porter Square, Cambridge Culinary, and

at the same time I was working at Chez Henri on Shepard Street for about a year.

After that, I moved to New York City for about eight and a half years, worked extensively in high-end French restaurants, George John 11, Madison, Topono (phonetic), to name a few.

Moved back home to open Gaslight and then worked with the Aquitaine Group for a number of years, last was about two and a half years as a chef at Aquitaine, South End, where Alexis and I met, again concentrating on French food.

This will be roughly about five restaurants I've captained either as a chef or chef cuisine and two I've opened.

My food is very approachable French inspired based off New England upbringing and ingredients and things are indigenous to our area. And Alexis said the price point is definitely approachable for someone to get a lot of snacks or get a nice piece of food and get out

and have a nice evening, and also, we're trying to present a place that you can go a couple times a week get something different each time and not feel like it's sort of an experience. It's always gonna be kind've a fun place to be where you can relax and come and go as you please.

So it's not overly fussy. I worked in a lot of fussy restaurants, so...

CHAIRMAN MICHAEL GARDNER: Anything else to your presentation, sir?

WILLIAM FERULLO: All the resumes are included in the application. As mentioned, we have individuals here who can answer questions about the construction, the complex and we have given you extensive finance, what David had in his financial advisor, he can answer any questions.

CHAIRMAN MICHAEL GARDNER: Ms. Lint, could you go over with us again the requirements for a no value, nontransfer license in a capped

area?

ELIZABETH LINT: Yes. You would have to show that there's a need for another license in that area, that there would be no harm to the area, and overwhelmingly neighborhood support and they have exhausted every avenue to purchase a license.

CHAIRMAN MICHAEL GARDNER: So one way you might address the issue of need is you are committing a large amount of capital, a substantial amount of which seems to be at risk.

Could you talk about your impressions about Kendall Square and why you think it's appropriate to make this level of investment there?

WILLIAM FERULLO: I will start, I will let Alexis join in, but we do have some memory of the East Cambridge Planning Team who were here, we have met with the business community and the residential community, so as part of the public

need process to establish both a desire to have this type of a restaurant located in the Kendall Square area.

Personally myself, I would quickly say if there's any area in our office, there's a lot of licensing work in the City of Boston and adjoining towns, and so forth, Kendall Square is an area that has much to be desired.

Boston, as we know, is trying to kinda replicate Kendall Square over at Seaport by having people who want to live there and work there, dine and enjoy the area.

I will have Alexis, who has done the outreach and made the decision that Kendall Square with Matt would be an appropriate location to pick it up from there.

ALEXIS GELBURD-KIMLER: As I said earlier, I worked in the Blue Room. When I was at Blue Room, there was nobody in Kendall Square, there was no hungry mother, there was no area for

it, and I always -- and I never understood, I never got it. I thought this neighborhood is so close to Boston, but it still has that Cambridge feel that I've always loved and, you know, I've always lived in the neighborhood.

And now, I have seen it start to grow, and what I find interesting is every meeting I go, there's more traffic on the streets, there's more people walking around.

So there is more of a need for something. But I also hoped that what we're bringing is very different that what already exists in this great complex that, as I was told today, it's almost at 90 percent capacity. There's so much need for work in this neighborhood. And you have Tommy Doyle's, you have a pool hall, you have the Blue Room, you have Flattops, you have -- I'm sorry -- you have Friendly Toast. They all bring something different.

We plan on being open, you know, for

lunch, for dinner and not everybody is open for all of those things, so I think we bring a different level of food and a different level of service to a community that I think hands down anybody that walks through there at least walked through there when I did sees the change. I mean, the sheer traffic on Hampshire when you're driving at 5:00, you want to run the other way. So I just I believe in the neighborhood.

CHAIRMAN MICHAEL GARDNER: Thank you.

Questions?

FIRE CHIEF GERALD REARDON: So this is going to be a complete build-out obviously?

ALEXIS GELBURD-KIMLER: Yes.

FIRE CHIEF GERALD REARDON: Have you gotten to a point of clearance of exhaust hoods?

TOM CLARK: The space was --

CHAIRMAN MICHAEL GARDNER: This is Mr. Clark speaking?

ALEXIS GELBURD-KIMLER: Yes, sorry.

TOM CLARK: Yes.

The space was prepped by the landlord. We take it from a vanilla box in and fit out the inside of the space. All that difficult stuff has been done.

FIRE CHIEF GERALD REARDON: That's the hardest part is retrofitting trying to get that all done.

TOM CLARK: Correct.

FIRE CHIEF GERALD REARDON: The end of the day obviously you got to go in and get your codes and permits. All the equipment basically will be new fryolators, hoods?

TOM CLARK: Yes.

FIRE CHIEF GERALD REARDON: Thank you.

CHAIRMAN MICHAEL GARDNER: Are there are there any members of the public who would like to be heard on this matter?

If you could please come and step forward, state and spell your name for the record

and I'd ask you to speak up so people can hear you.

CHARLIE MARQUARDT: Yes, sir.

CHAIRMAN MICHAEL GARDNER: Thank you.

CHARLIE MARQUARDT: Charlie Marquardt,
M-A-R-Q-U-A-R-D-T, 10 Roger Street.

I'm here from the East Cambridge Planning Team. I'm just delivering a letter in support. They came and spoke to us back in the fall when they were first starting, and having eaten at Gaslight and Blue Room and Aquitaine and all the other great places, it's a wonderful type of restaurant to bring in.

If you asked us a couple years if that restaurant like Catalyst would have survived in Technology Square, we would have lasted. Now you have to you get a reservation, you can't get into Abigail's at night without a reservation.

They're in even a better location because they have a thousand-lot parking lot right across

the street. All the people getting out of the movie want a good place to go.

I think it's great place to start up a new restaurant. And I think, as you all mentioned, it's going to fill in an open spot that I think the last tenant was the City. I knew someone was in between there, but it's nice to have a restaurant there. It's a great location. It's a great site. It's a shame to see it empty all the time.

So if someone's willing to take a chance to bring a great restaurant to the neighborhood, we're all for it.

And as you know, without a liquor license, you're not going to survive as a restaurant, so we also support that.

CHAIRMAN MICHAEL GARDNER: All right.
Thank you, sir.

CHARLIE MARQUARDT: Thank you.

CHAIRMAN MICHAEL GARDNER: Are there any

other members of the public who would like to be heard?

Would you tell us if you made efforts to research whether there's a license for sale that would fit in the area so you would not need a no value nontransfer?

WILLIAM FERULLO: Yes. I'll answer in the sense for the group. This has been in the planning stage for six to eight months. At this point inquiry has been made, both by Alexis, our office through brokers and through the office here as well. There are no licenses that we're aware of unless something has developed very recently that we're not aware of.

CHAIRMAN MICHAEL GARDNER: So, have you done any solicitation in the neighborhood to see if there was support within the neighborhood? I understand we have the East Cambridge Planning Team, but I wonder there's -- if you have done any other outreach to the neighbors.

MATT GAUDET: One of our investors is actually within the complex.

ALEXIS GELBURD-KIMLER: Matt features he owns Red Star, which is a company that's located in One Kendall Square.

MATT GAUDET: They're really looking towards have an amenity for their people to have meetings and someplace to go.

WILLIAM FERULLO: Didn't you also meet with the One --

MATT GAUDET: The Kendall Square --

ALEXIS GELBURD-KIMLER: One Kendall Square Association. I met with them throughout the process just to get to know what was going on and get their feedback, and they have been really supportive of introducing me to people and kinda -- I have gone to a lot of their meetings to meet the people in the neighborhood.

CHAIRMAN MICHAEL GARDNER: Remind us what the residential situation around you is.

ALEXIS GELBURD-KIMLER: On Hampshire, on our side there is none. There's on -- you have to go down on Cardinal Medeiros which -- but on our surrounding there isn't anything. Not even across the street.

CHAIRMAN MICHAEL GARDNER: I think at one point I was prepared to say we should defer this to our decision meeting on March the 2nd, but given the pleasure of the Commissioners, I'm happy to vote on it tonight if that's your...

FIRE CHIEF GERALD REARDON: I'll make a motion to approve the application subject to all regulations and outstanding paperwork.

CHAIRMAN MICHAEL GARDNER: So there's the 21 Proof training and background checks. Whatever action we take tonight is also subject to actually being approved by Elizabeth and making sure that all the paperwork is in order.

FIRE CHIEF GERALD REARDON: Similar to the previous applicants, you got building

license, fire, other inspections and build-out that you will need permits prior to it.

So this is for 111 seats.

CHAIRMAN MICHAEL GARDNER: And 17 patio seats?

ALEXIS GELBURD-KIMLER: 14.

CHAIRMAN MICHAEL GARDNER: So the motion having been made to approve a no value, no transfer liquor license and common victualer license for 111 seats, plus 14 patio seats with the hours of operation as stated, and with Ms. Gelburd-Kimmler as the manager of record, is that correct?

ALEXIS GELBURD-KIMLER: That's correct.

FIRE CHIEF GERALD REARDON: I assume I know this answer, the 14 seats are on private property?

ALEXIS GELBURD-KIMLER: Yes.

CHAIRMAN MICHAEL GARDNER: Those 14 seats being on private property, I'll second the

motion.

You understand that you still have to meet all of the requirements, the background check, 21 Proof training and the other requirements of our office?

ALEXIS GELBURD-KIMLER: Yes.

CHAIRMAN MICHAEL GARDNER: And before we take a vote, what is your expected start of construction and projected opening?

ALEXIS GELBURD-KIMLER: February 15 is the planned start date and the opening we're hoping for is May 15th.

CHAIRMAN MICHAEL GARDNER: Motion having been made and seconded, all those in favor, signify by saying "aye."

ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIRMAN MICHAEL GARDNER: Aye. None.

Opposed.

So, welcome to the neighborhood and

welcome to Cambridge.

ALEXIS GELBURD-KIMLER: Thank you.

APPLICATION: CRYSTAL GEORGE

ELIZABETH LINT: The application Crystal George doing business as Porter Square Psychic Studio has applied for a Fortune Tellers license at 1923 Massachusetts Avenue.

CHAIRMAN MICHAEL GARDNER: Good evening. Please, if you could state and spell your name for the record and then tell us about the application.

CRYSTAL GEORGE: C-R-Y-S-T-A-L,
G-E-O-R-G-E. It will be palm readings, crystal readings and tarot card readings. It will \$15 for palm and 20 for a crystal and 35 for tarot reading.

CHAIRMAN MICHAEL GARDNER: And you already have your space, as I understand it, at 123 Mass Ave?

CRYSTAL GEORGE: No.

CHAIRMAN MICHAEL GARDNER: You're not open now?

CRYSTAL GEORGE: I occupied everything. I put all the furniture and remodeled it. I'm just waiting for the license.

CHAIRMAN MICHAEL GARDNER: So you haven't opened?

CRYSTAL GEORGE: Not yet.

CHAIRMAN MICHAEL GARDNER: So, this is my first experience with a license such as this.

CRYSTAL GEORGE: I had a license before in Boston.

CHAIRMAN MICHAEL GARDNER: So I was going to ask you about your experience.

CRYSTAL GEORGE: It was well. It was good. Just the neighbors and everybody like it too much in Boston, but in Cambridge my grandmother had an office there, and people really like it. It's for entertainment purposes only.

CHAIRMAN MICHAEL GARDNER: In this space there was a previous fortune telling business?

CRYSTAL GEORGE: Correct.

CHAIRMAN MICHAEL GARDNER: It was your grandmother?

CRYSTAL GEORGE: Yes.

CHAIRMAN MICHAEL GARDNER: How long ago did that operate?

CRYSTAL GEORGE: She had it for about ten years and she passed away, so then we left the office. She left it. And then there was no order. So we rerented it just to keep the family business.

CHAIRMAN MICHAEL GARDNER: So have you learned the business or the skill from your grandmother?

CRYSTAL GEORGE: I did.

CHAIRMAN MICHAEL GARDNER: I see. Tell us a little bit about what you said, that it's for entertainment purposes only.

CRYSTAL GEORGE: It's just basically for fun. We'll tell you your past, present and future. And people around Cambridge really like it.

CHAIRMAN MICHAEL GARDNER: I think I know what tarot cards are, but I don't know the crystals, could you describe that very briefly.

CRYSTAL GEORGE: It's basically just an energy reading, you would hold it in your hand and it picks up your natural energy.

CHAIRMAN MICHAEL GARDNER: Are you making predictions based on that or you're just giving a reading of what you...?

CRYSTAL GEORGE: I'm giving a reading through what I feel.

CHAIRMAN MICHAEL GARDNER: Okay. Any questions?

SUPERINTENDENT CHRISTOPHER BURKE: Is that \$15 per person for the palm reading or per palm?

CRYSTAL GEORGE: \$15 per person, per palm.

SUPERINTENDENT CHRISTOPHER BURKE: So that could be \$30 for --

CRYSTAL GEORGE: Two palms.

SUPERINTENDENT CHRISTOPHER BURKE: For two palms.

Is it typically -- do you get a different read from a different palm? I'm just curious.

CRYSTAL GEORGE: Oh, yeah. The palm is just like a basic reading. It tells you about yourself. The crystal tells you past, present and future and the tarot cards tell you past, present, and future and love life, marriage and career.

SUPERINTENDENT CHRISTOPHER BURKE: You indicated that the people in Cambridge like that stuff?

CRYSTAL GEORGE: They do.

SUPERINTENDENT CHRISTOPHER BURKE: Tell

me how do you know that?

CRYSTAL GEORGE: Well, a lot of people used to come to my grandmother and they really loved her. She had a lot of clientele there.

SUPERINTENDENT CHRISTOPHER BURKE: What were your experiences in Boston with respect to the neighbors?

CRYSTAL GEORGE: It's just the neighbors didn't really care for it too much. I was getting no business at all. It was really slow, so I had to leave.

CHAIRMAN MICHAEL GARDNER: Where were you located?

CRYSTAL GEORGE: North Station on Causeway Street. It was really slow.

CHAIRMAN MICHAEL GARDNER: So we have had some concerns in the past about some operations that, in fact, some sort of relationship developed between the customer and the business operator which involved at least the potential of

exploitation in terms of, you know, extra money to do this and extra money to do that.

CRYSTAL GEORGE: We never did anything like that.

CHAIRMAN MICHAEL GARDNER: And I think we're just cognizant of that as a possibility, so we're -- would be saying to you that's the kind of thing we can't tolerate and would be looking for no side transactions --

CRYSTAL GEORGE: No, I promise you that.

CHAIRMAN MICHAEL GARDNER: -- or private arrangements for other kinds of money for other kinds of services, nothing like that?

CRYSTAL GEORGE: No, just palm and tarot. We never had no complaints in the past and it worked very well.

CHAIRMAN MICHAEL GARDNER: Any other questions?

FIRE CHIEF GERALD REARDON: No.

SUPERINTENDENT CHRISTOPHER BURKE: No.

CHAIRMAN MICHAEL GARDNER: Are there any members of the public who would like to be heard on this matter?

Seeing none, pleasure of the Commission?

ELIZABETH LINT: Satisfactory background check.

CHAIRMAN MICHAEL GARDNER: There was a satisfactory background check, thank you.

I did know that from before.

FIRE CHIEF GERALD REARDON: Make a motion to approve a fortune telling license at 1923 Mass Ave, Crystal George d/b/a Porter Square Psychic Studio.

CHAIRMAN MICHAEL GARDNER: The motion has been made to approve the application.

I wonder, Ms. George, if you would be amenable if we put a condition on it that you come in sometime within the next year and just report back to us about the business?

CRYSTAL GEORGE: Perfect.

CHAIRMAN MICHAEL GARDNER: So I would propose the amendment of a check-in within a year.

FIRE CHIEF GERALD REARDON: Do we need to have hours on here of operation? I don't know. Have we have had it in the past?

ELIZABETH LINT: I don't think so.

CHAIRMAN MICHAEL GARDNER: So the motion's been made and seconded, but the question has arisen: Do you have a plan for the hours you intent to operate?

CRYSTAL GEORGE: I think from 11:00 to 6:00.

CHAIRMAN MICHAEL GARDNER: How many days a week?

CRYSTAL GEORGE: Monday through Saturday.

CHAIRMAN MICHAEL GARDNER: Okay. Motion having been made and seconded, all those in favor, signify by saying "aye."

ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIRMAN MICHAEL GARDNER: Aye.

None opposed.

So wish you well in your venture.

CRYSTAL GEORGE: Thank you.

CHAIRMAN MICHAEL GARDNER: I hope people
are entertained.

CRYSTAL GEORGE: I appreciate it.

GUADALUPE MARTINEZ: Thank you.

APPLICATION: VEOLIA ENERGY BOSTON, INC.

MS. LINT: Application: Veolia Energy
Boston, Incorporated has applied for a Special
Variance from the requirements of the City of
Cambridge's Noise Control Ordinance, Cambridge
City Code, Chapter 8.16 pursuant to Cambridge
City Code, Section 8.16.080 (Non-measured noise
disturbances) to do work on Land Boulevard and
Charles River Dam Road.

CHAIRMAN MICHAEL GARDNER: Good evening.

If you could please identify yourselves and state

and spell your names for the record and also your affiliations.

SHAUN DYWER: Shaun Dywer, Veolia Energy,
D-W-Y-E-R.

RICHARD LAMPETER: Richard Lampeter from
Epsilon Associates, L-A-M-P-E-T-E-R.

PATRICK HASWELL: Patrick Haswell,
H-A-S-W-E-L-L, for Veolia Energy.

CHAIRMAN MICHAEL GARDNER: Is it
Mr. Lampert?

RICHARD LAMPETER: Lampeter.

CHAIRMAN MICHAEL GARDNER: Lampeter, I'm
sorry.

And your affiliation, sir?

RICAHRD LAMPETER: Epsilon Associates.

CHAIRMAN MICHAEL GARDNER: You will end
up telling us what that's about?

RICAHRD LAMPETER: Yes.

CHAIRMAN MICHAEL GARDNER: Okay.

Mr. Dwyer or Mr. Haswell, do you want to begin?

SHAUN DWYER: Certainly. Based on the response and discussions with the City Council and response from the abutters, what we would like to request is a continuance for two weeks to do a more thorough outreach program in the neighborhood.

CHAIRMAN MICHAEL GARDNER: Okay. I did hear there was a plan for a continuance, but the fact that the hearing was already scheduled and the notices had been out, we can talk about the continuance. I think the idea that you will be doing some more outreach is a very positive development for us. But I think -- can I just have a show of hands of the number of people in the audience who are here this evening for this application?

So it's the last item on agenda, people have been here for a lot of other things, they weren't interested in potentially to hear this.

I think it would be helpful to us if we

heard from you about what the construction is all about, if there's a problem, the problem you're trying to solve, or the nature of the construction, how long you anticipate the construction to take and what some of the major challenges in the construction are.

I'd just let you and other members of the audience know that Owen O'Riordan, who is the City's engineer, who I understand has been in conversations with you, is also here to give a city perspective on this.

After you give your presentation, I would like to call Mr. O'Riordan up to talk a little about the matter from the City's perspective from an engineering and a Public Works' point of view.

We will open the floor for public comment after that, and hopefully, that whole experience then can help inform your both additional planning and your additional conversations.

PATRICK HASWELL: Fantastic.

CHAIRMAN MICHAEL GARDNER: You understand that's how we want to proceed?

PATRICK HASWELL: Yep.

CHAIRMAN MICHAEL GARDNER: So if you could -- well, Mr. Dwyer, go ahead.

SHAUN DYWER: Should I sit with my back to the wall so I can address everybody or just turn my body towards the Board?

CHAIRMAN MICHAEL GARDNER: I think it's important for you to address us and speak loudly enough so people can hear.

If there are a few seats up front, feel free, please, to come up if you like.

SHAUN DWYER: The origins of the project stem from the waste heat currently at the Mirant Station, the power producing station in Cambridge, also known as Kendall Station, it dumps waste heat into the river.

And the EPA demanded that they stopped dumping the waste heat into the river for allergy

bloom, that type of thing.

So, as a result of that, we're approached Mirant and said that we could take that waste heat and instead of them dumping it into the river as waste heat, we would turn it into a steam and make it a commodity that people could use to heat or cool office buildings, houses -- apartments rather. Some facilities use it for industrial uses. Abes Gilles is in the business of district energy, that is our business, we have 22 miles of steam pipe in Boston, so -- and eight, ten --

PATRICK HASWELL: Five miles (inaudible) systems within the City of Cambridge. Between the two, Boston and Cambridge we serve roughly 55 to 65,000 million square feet of diverse population, as Shaun had mentioned, a lot of pharmaceuticals, a lot of biotechs, hospitals, hotels, and so on.

We're looking to construct the steam line

that would essentially take the waste heat out of the river, as Shaun mentioned the ordinance from the EPA, and which, in turn, actually has no CO2 aspect to it from a CO2 standpoint. From a carbon reduction standpoint, it would definitely help the City of Boston and Cambridge in doing that. It also will help us from a business standpoint in terms of being able to serve more capacity, more buildings within the area.

CHAIRMAN MICHAEL GARDNER: Forgive my ignorance, but when you turn the heat into steam, then is the steam used to generate electricity or to just generate heat for heating?

Tell us a little about the conversion process of the steam.

PATRICK HASWELL: Sure. The steam right now that is being put into the district systems, both in Boston and Cambridge, is brought to each individual building and it's converted through heat exchangers.

You don't convert essentially the steam to water. You're actually putting in place that heat exchanger which you're running water through, so it's a transfer of heat essentially and you utilize it for heat, hot water, sterilization, humidification and in a lot of cases, chilled water as well. There's a process through similar dynamics that we can create chilled water.

There's no electricity being utilized from the steam at each individual building at this point.

CHAIRMAN MICHAEL GARDNER: It's all heat exchange?

PATRICK HASWELL: Pretty much, yes.

CHAIRMAN MICHAEL GARDNER: And tell us a little about what the construction involves and what some of the, I guess, scale and challenges of the construction are.

SHAUN DWYER: Some of the challenges have

been coordinating with the City of Cambridge, Binney Street project as well the Alexandria project as well crossing several bridges, coordination with MassDOT, DCR, MBTA. Those are the primary ones. And the City of Boston, PIC, City of Cambridge as well.

In general, it will involve a trench approximately five feet deep, varied steam line encased in concrete to prevent any mishaps should anyone come along after we dig. We do that for protection of the pipe. It's an insulated steam line with condensate return, so that any steam that's generated and sent out will come back as water, so we don't waste any water.

In terms of the construction, it will be basically a trench, inlay the pipe, cover it back up, patch, let it sit for a year, and then mill and pave, so if we get any settling, we can come back the year after, so...

DCR would like us to wait one year or

wait one winter season prior to paving, not finish paving, I should say.

Other than that, that's essentially -- it's fairly straightforward construction. We've minimized the rebar use. There will be manholes installed. The necessity of manholes is to heat the steam line in sections, when you start it up, as well as collecting condensate. The water will form just based on the steam cooling and a natural cleaning when it's buried in the ground.

But we don't expect any excavation any deeper than eight feet and that would be where the manholes are right now.

CHAIRMAN MICHAEL GARDNER: So the trench is five feet deep?

SHAUN DWYER: On average for the steam line.

CHAIRMAN MICHAEL GARDNER: What are the dimensions of --

SHAUN DWYER: The steam line is 18 inches

with 4 inches of insulation you add another 8 and you get 26 overall, and then we would encase it with 6 inches of concrete on either side, so --

CHAIRMAN MICHAEL GARDNER: Top and bottom as well?

SHAUN DWYER: Top and bottom, correct, as well.

FIRE CHIEF GERALD REARDON: You suspend it above the bottom 10 inches and pour the concrete?

PATRICK HASWELL: 20-foot sections is the planned construction phase, and it's done in a catacomb fashion 20 feet, 20 feet, backfill.

FIRE CHIEF GERALD REARDON: What is the pipe material itself?

SHAUN DWYER: CHECK carbon steel 106.

FIRE CHIEF GERALD REARDON: Are you going to weld all the joints?

SHAUN DWYER: All welded with a hundred percent x-ray, buried, it will be a hundred

percent x-rayed.

FIRE CHIEF GERALD REARDON: Before you case it?

SHAUN DWYER: Yes. Actually, we'll go with 40-foot sticks to make it go faster. But our goal would be to put in 40-foot sticks of pipe, weld the ends.

FIRE CHIEF GERALD REARDON: What is your proposed route right now?

SHAUN DWYER: The proposed route originates at Mirant Station which is adjacent to the Longfellow Bridge or GenOn Station, heading north down Land Boulevard to Charles River Dam Road. Take a right there on Charles River Dam Road, in front of the museum on the west -- northbound side would be the outbound side from Boston, inbound to Cambridge, and then we would hit Nashua Street and curve on Nashua Street in front of Suffolk Prison and Spaulding Rehab.

FIRE CHIEF GERALD REARDON: So you have a

route to get across the dam opening?

SHAUN DWYER: We have a route, yes, with the MBTA. We've proposed to MBTA a free-standing structure.

FIRE CHIEF GERALD REARDON: You go up and over.

SHAUN DWYER: You go up and over alongside the MBTA bridge on the Cushing bound side.

FIRE CHIEF GERALD REARDON: They no longer use that opening at all in terms of --

SHAUN DWYER: Correct. That's welded shut. In fact, all the gears -- the gears are not removed, but the motors are removed.

CHAIRMAN MICHAEL GARDNER: So you're going to do this in 40-foot sections and how many feet total is the construction in Cambridge?

SHAUN DWYER: In Cambridge itself, I believe it's 5200. Let me take back. That would be through Nashua Street, so I'd probably say

more about 4800.

CHAIRMAN MICHAEL GARDNER: So a little under a mile, did I get that right?

SHAUN DWYER: Correct.

CHAIRMAN MICHAEL GARDNER: Tell us about the things you have to do during the construction that generate noise and what are the noisiest things and -- so, give us some understanding of whenever this is done what the neighbors can expect in way of noise generation.

SHAUN DWYER: I believe the noisiest thing would be a jackhammer should we have to use that. There's also saws that we could use in cutting the asphalt. If we have the right equipment, then we could break the asphalt with a backhoe-type.

I believe the next noisiest thing, if I were to classify it, would possibly be the excavation and the initial -- the initial dump into a dump truck, the initial scoop into a dump

truck.

Right now, we're looking at ways to mitigate that noise with a lining.

FIRE CHIEF GERALD REARDON: What about the width of the excavation? It's what, about 36?

SHAUN DWYER: Six feet. So, to get to the outside dimensions -- we're trying to hold it to six feet, but there are OSHA required spaces for men to work in there and there's shoring and such (inaudible, simultaneous speech).

FIRE CHIEF GERALD REARDON: Are they going to consider this confined spaced?

SHAUN DWYER: No.

FIRE CHIEF GERALD REARDON: You don't need any confined space permits or special permits, I guess.

SHAUN DWYER: Depending how the construction goes, we may put the manholes in, run the pipe, and in order to keep going, not do

the manhole construction part of it, the valves in the manhole, so later on down the line we may need our typical confined space.

FIRE CHIEF GERALD REARDON: The manholes are going to need confined space.

SHAUN DWYER: Right. So that would be the only ones would be the manholes that we typically get now.

FIRE CHIEF GERALD REARDON: They're talking about doing preform shoring and moving it?

SHAUN DWYER: Correct.

PATRICK HASWELL: Some of the biggest noise concerns you had asked earlier is obviously going to be jackhammering. The saw tooth of the roadway is one level of noise and the jackhammering is going to be the louder noise and we've had, as you know, we've had some outreach to some of the condominium complexes and whatnot and we're working with them in terms of ensuring

that that was done, you know, at the appropriate time.

CHAIRMAN MICHAEL GARDNER: And then do you, what, put plates over the construction as you're going forward to keep the roadway open or tell us a little bit about the traffic management challenges here.

SHAUN DWYER: We have an extreme traffic management challenge that we're constantly revising based on the input from people like Museum of Science or even Mass General in terms of they park people at the Museum of Science.

It would be plated construction that would be during the day, and then, as you know, we proposed nights, we would remove the plates, work, we'd set up a temporary traffic pattern as we remove the plates -- prior to removing the plates. And then when we finish work, put the plates back down and remove the temporary traffic, so during the day there would be nothing

there.

FIRE CHIEF GERALD REARDON: When you go down Land Boulevard and are you planning to go through the intersection and then go up over the viaduct and stay up the whole distance or...?

SHAUN DWYER: Oh, no, no. We're just going up over the viaduct just at Piers 3 and 4 and the channel crossing only.

FIRE CHIEF GERALD REARDON: And you're going to stay on the outside bound of the piers, on the ocean side or are you going to --

SHAUN DWYER: No, we'll be on the ground. We've applied to DCR to be -- there's a trench as well. We only go over the viaduct where the drawbridge opens.

FIRE CHIEF GERALD REARDON: So you will be in the roadway from the intersection all the way to the drawbridge and will jet across up and over and then...?

SHAUN DWYER: Right.

Fire Chief GERALD REARDON: Finding ways for staying off the highway? I supposed you don't have to be aboveground or top and kinda out?

SHAUN DYWER: We had to go through the Mass Historical Commission to do that. That's a -- that's considered -- I guess the state -- it's a historic structure, 1903. So they required that we go in front of them and they approved the design and it's under review right now from MBTA.

PATRICK HASWELL: A lot of landowners along the way.

CHAIRMAN MICHAEL GARDNER: So, besides lining the dump trucks, if I understood it, and potentially not using jackhammers, but using a presumably quieter saw, if I got that right --

PATRICK HASWELL: No. You still have to use the jackhammers. You sawtooth cut the roadway and then you come have to come in with

the jackhammers.

CHAIRMAN MICHAEL GARDNER: Besides the lining the dump truck, what over sort of noise mitigation options are available to you?

PATRICK HASWELL: One of the biggest challenges obviously in construction is the back-up alarms. Folks, including myself, can't stand the back-up alarms.

CHAIRMAN MICHAEL GARDNER: The beeps from the truck?

PATRICK HASWELL: The beeps, yes.

CHAIRMAN MICHAEL GARDNER: That was in my mind. That was, in fact, one of the most irritating noises.

PATRICK HASWELL: There's a white noise alarm system that's actually been approved by OSHA that's out now and has been used already in some of the Charles River basin projects, I believe the BU bridge construction project, some of the State Street projects that have been

utilized in Boston.

Basically it's a creaking noise that's -- it doesn't omit the distances that the beeping does and it's OSHA approved, and we plan to utilize those during the process. So, basically we'll assemble our vehicles with those.

FIRE CHIEF GERALD REARDON: I think the other question, too, is how many contradictions that you have with the utility lines?

SHAUN DWYER: We did a full survey. Epsilon, although it wasn't Richard, Epsilon -- let me take that back -- BSC did a full survey for us of the utility locations, and the utility location -- the existing utility location, as we know them, have been dictating the route. I know one of our neighbors --

FIRE CHIEF GERALD REARDON: The other thing is the known locations.

SHAUN DWYER: Well, yes, that's -- and that's you know, identifying every utility along

the way that will be a challenge. I'm certain we will come across something that wasn't on the map.

FIRE CHIEF GERALD REARDON: But thus far, you haven't seen any giant Achille's heal in terms of a utility line that's going to be a challenge to traverse?

SHAUN DWYER: We haven't, no. Not offhand.

PATRICK HASWELL: Plus once you open up a street, that you have to deal with the...

SHAUN DWYER: I think the biggest ones will probably be some of the MWRA structures, but we have identified those. The good thing about those is that we do know the elevations of those.

FIRE CHIEF GERALD REARDON: Most of that stuff is sewer.

SHAUN DWYER: Yes. And we have to expand those, divide our pipeline, span exactly over it, so if they want to dig it up, they can dig it up

when we met with MWRA.

FIRE CHIEF GERALD REARDON: What is the anticipation of trenches to get traffic back in operation?

SHAUN DWYER: Also, the concrete curing. We would pour and let it -- once we place the concrete, we let it cure. We have to come back the next day and backfill.

FIRE CHIEF GERALD REARDON: So a 6-foot wide trench. Are you going to double plate all these things? I can give you an example. Our truck that's down there, and the ladder truck down there heed 1,000 pounds, it's four and a half tons, so just give you an idea, we're one of the big boys on the block.

So what happens if you don't double plate, what happens is you get deformation, and if cars are adjacent to us at all, those plates will bend and you end up with ripped tires, or we break the berms put around them to cover them for

the night so six feet is a good span. And shoring would be left in place while that cure is going on?

SHAUN DWYER: Yes.

CHAIRMAN MICHAEL GARDNER: So,
Mr. Lampiere --

RICHARD LAMPETER: It's Lampeter.

CHAIRMAN MICHAEL GARDNER: Lampeter,
sorry.

Is there anything else to add or what is your role in this?

RICHARD LAMPETER: Epsilon is an environmental consulting firm. We have been assisting Veolia with permitting aspects. I personally became involved to prepare the application. One of my areas of expertise is acoustics. So we prepared the application and we also handled putting together the letter to the abutters, and as part of the submittal, I have an affidavit saying we did send out the

notifications. Also, a sample letter to the abutters along with a list of the abutters we identified and who we sent the letters to, along with the receipts for the certified mail.

CHAIRMAN MICHAEL GARDNER: Thank you.

So, in terms of a timetable here, I understand you would like to come back in two weeks. We're not sure we can actually fit that schedule. But when it, terms of DCR or any other kinds of approvals that you might need, when is a realistic expectation for you to want to begin construction, and how long a construction season do you expect to cover our 48 to 5200 feet?

SHAUN DWYER: Start of construction will be depending upon permit issuance from a number of different regulatory bodies as well as agencies.

The construction season we would like to be completed at least with the pipe in the ground by November 20, 2012. That would be this year.

PATRICK HASWELL: We need to be out of the way from the construction that's going to take place on the Longfellow Bridge which is anticipated to begin January 1. So we need to get out of the street and have completed all our work no later than the end of this year, obviously, so November is the target.

SHAUN DWYER: Nashua Street being a less necessary route for the diversion of traffic, we'll say, once the Longfellow starts, it could be considered a less necessary route as opposed to Land Boulevard, but we have been told they may be rerouting a certain amount of traffic. So, we put our emphasis on Land Boulevard and Charles River Dam Road to complete those two sections first.

FIRE CHIEF GERALD REARDON: What is your anticipated operating hours that you anticipate on construction?

SHAUN DWYER: We submitted -- I believe,

we submitted with our application a construction schedule, and the construction schedule -- although the application suggested 24 hours construction work, our application, our construction schedule really indicates night work along Charles River Dam Road in front of the Museum of Science where there are no residents and then down Land Boulevard we had day and night work proposed and where the night work was proposed, it was 7:00 p.m. to 6:00 a.m.

I have a copy of that map, I believe. If you -- Elizabeth, was this in the --

ELIZABETH LINT: I printed it off and you really just couldn't read.

CHAIRMAN MICHAEL GARDNER: This is what I got.

ELIZABETH LINT: No.

CHAIRMAN MICHAEL GARDNER: I didn't get it in color, though.

ELIZABETH LINT: Yeah, it's cut off here.

PATRICK HASWELL: You can see how it's blocked off in terms of the sections of time and construction and dates and hours and whatnot. That's --

SHAUN DWYER: Would it be beneficial to submit it?

CHAIRMAN MICHAEL GARDNER: We will need the large one. But this is what has been proposed. I mean, you're going to use some of this time for conversation.

SHAUN DWYER: That is what we proposed to DCR because they wanted to see exactly what we were proposing and what hours, and so we used that and we've made that available to some -- as part of our outreach program, we made that available for discussion. And we, at Veolia, look at the demarcation lines as being the point of discussion as where night work takes place and when day work takes place.

PATRICK HASWELL: Those lines are moving

based on conversations we're have having. We plan on doing some testing with some of the residents in terms of the noise.

A lot of residents have been cooperative in terms of saying "We'll work with you on testing in terms of noise to move that line of demarcation further down so as to mitigate the noise."

CHAIRMAN MICHAEL GARDNER: So before we -- was there anything else you want to add before I turn to Mr. O'Riordan and members of the public?

SHAUN DWYER: I only want to add the reason why we're -- based on the traffic volumes on Land Boulevard for us to work days, it will be a very short workday. A literal workday for us will be a four-hour shift.

I think we have proposed six hours in there because we can't work through morning rush hour or nighttime rush hour.

So understanding the sensitivity of the noise for the neighbors, but also understanding the sensitivity of how long we would be on Land Boulevard and the Longfellow Bridge project, that's why we're proposing night work because we would get a lot longer shifts and get more pipe in the ground than if we just did a regular four-hour shift.

CHAIRMAN MICHAEL GARDNER: All right.
Thank you.

I would like Mr. O'Riordan to come up now, if he would, and I want to extend to him my apologies making him wait so long.

FIRE CHIEF GERALD REARDON: Just the quick thing I'd mention to, just for the record, is that the confined space agreement with either the steam or the power plant is not current, so I know you need sign-offs, and so forth, but there's no present permits from the Fire Department to cover either Mirant or the steam

lines, et cetera, right now.

PATRICK HASWELL: For confined space?

FIRE CHIEF GERALD REARDON: Right. For the purposes of signing, when you have -- when you do your permits and stuff, you're gonna have to sign for a confined space. You can't sign with us because there's no agreement -- it's not a regular scope of service of the Fire Department. It's all contractual. Again, it's over and above. We do do it. We do provide it, but both of those are out of date, so there's no agreement with either one.

PATRICK HASWELL: Thank you.

CHAIRMAN MICHAEL GARDNER: So, Mr. O'Riordan, could you state and spell name for the record and tell us a little bit about your job with the city, your connection with this project and any perspective or information that you have got that you think would be helpful to us.

OWEN O'RIORDAN: Owen, O-W-E-N,
O-apostrophe-R-I-O-R-D-A-N. And I am presently
appointed as the city engineer at the Department
of Public Works.

And my responsibilities include
management of municipal utilities in the public
right-of-way, and oversee the Cambridge
infrastructure primarily, again, in the public
right-of-way, and we get involved in the
permitting of the projects within the City of
Cambridge within the accepted streets and
roadways. In the City, we obviously do a lot of
sewer and drainage work.

In terms of my involvement in this
project, we have been meeting with the steam
company for perhaps over a year at this point in
time discussing this particular project. I think
from an environmental perspective there's
significant benefits that will accrue, both in
terms of the Charles River, and indeed, in terms

of the reuse of steam that would otherwise go to waste. And so it's important to bear that in mind.

And, again, there's a significant constraint in terms of this project construction-wise because of the Longfellow Bridge project proceeding next year and the expected consequent impact on traffic on Land Boulevard and on Memorial Drive.

The other significant challenge that this project bears is that they're required to coordinate with a large project that the City of Cambridge or Department of Public Works is undertaking at the same point in time, the inspection of Land Boulevard and Binney Street, a significant project in terms of reducing flooding in East Cambridge and in the Area 4 neighborhood. And it's one that we expect to receive a permit from DCR in the very near future.

As these gentlemen indicated DCR is yet

to grant them permits and they also have to get permits from MassDOT because of the bridge aspects of the construction project.

We expect to get our project within the next number of weeks. We met with the residents in the area. We understand that the City is going to be impacted especially with our program, but that impact openly increases as a result of their project as well.

It's a tough time to live on Land Boulevard over this year. But from a community perspective, I think both projects are worthy goals in terms of environmental and infrastructure and benefits.

I think it's important, again, that these gentlemen continue to work with the community to minimize the extent they work night, and be cognizant of the fact that there's going to be traffic disruption associated with this.

CHAIRMAN MICHAEL GARDNER: So, is it fair

to say from your experience daytime work creates traffic congestion problems for residents and nighttime work creates noise or is that too simple?

OWEN O'RIORDAN: In summary, DCR'S primary concern is traffic. So they're putting significant constraints on both the city and on the steam company to make sure that traffic disruption is minimized. The areas just experienced traffic disruption in association with the Craigie Bridge project, and, again, we expect significant disruption once the Longfellow Bridge is under construction, which will have a four-year duration associated with it.

So, given the constraints that have been placed on them, the ability to get this project done in the time allotted becomes challenging. And so, they're working under real limitations in that regard. It's unfortunate that the permit was submitted with the expectation of 365 days,

24 hours a day work.

The reality, I think, in terms of the submission they were looking at simply going 12 weeks' worth of work on Land Boulevard at nighttime and perhaps that can be shortened up a bit, but, again, there are time constraints associated with all of this project.

CHAIRMAN MICHAEL GARDNER: Thank you.

So it might be helpful, given Mr. O'Riordan's summary, which I very much appreciate, sir, for you to talk a little more about the -- this issue of the schedule and you're going to be Land Boulevard you hope for 12 weeks or less. Just give us more of a flavor of how long, in fact, you will be disrupting life there.

SHAUN DWYER: If DCR issues a permit, as proposed, our intent was to start at the corner of Charles River Dam Road and Land Boulevard. And the purpose for that choice was the Binney

Street project, they would be working down the other end of Land Boulevard, and two construction zones close is just not going to be a good thing.

So, we rearranged our priorities so that the city would start at Binney Street, we would start down this end and we would approach city project so as they're finishing, we would be coming through where they just finished, so that we wouldn't -- we don't want to dig up or have them patch and pave and then we just come right through and dig right up what they just did.

So, we were trying to coordinate that as well as coordinate traffic plans together so their traffic setup flows naturally into our traffic setup as we approach.

And that will, as the schedule suggests, that's looking somewhere in the range of August -- July and August, it is the summer months.

We're hoping traffic will be lighter because of vacation time. So we're hoping that

works to our benefit.

But if we could start, you know, sometime this spring, really what we're trying to do is time it so that we follow the Binney Street project right away right afterwards and just make it look like as though the flow to the residents, of course, it will look as though it's been a consistent construction zone, if Owen gets his permit and he's able to start in the next month, it would go all the way, say, through October.

CHAIRMAN MICHAEL GARDNER: Any involvement yet with the Police Department in terms of traffic control or they come in later or don't they come in at all?

OWEN O'RIORDAN: State Police will be charge of traffic.

CHAIRMAN MICHAEL GARDNER: This will be State Police?

OWEN O'RIORDAN: Primarily.

CHAIRMAN MICHAEL GARDNER: Conversations

with them so far?

SHAUN DWYER: We have had a conversation with the State Police.

FIRE CHIEF GERALD REARDON: Can you kinda give a ballpark of how long you're going to be in front of the residents, the condos down the end and stuff in terms of just that particular area? I mean, this looks like about 5 or 600 feet. And you maybe give someone an idea of how long you think it takes to traverse that area?

I mean, obviously, traffic issues are going to be throughout, but I would assume many people are kinda concerned about their windows.

SHAUN DWYER: Right. The proposed work zone immediately in front of the residents is the condominiums of River Court or the Esplanade. That's proposed day work.

What we proposed to DCR we did not propose night work in front of these residents, we proposed day work, and, again, you know,

peripheral zones will include night work, and that's really where our outreach program is gonna focus its efforts is to identify how close do we come with the night work before we start the day work?

To answer your question on the duration, because they're shortened hours and we truly get a four-hour workday, that 500 feet could possibly be twice the length it would take us at night. We're not proposing that work to expedite that. We're just suggesting that it will be longer. And I believe that indicates six weeks on the schedule.

FIRE CHIEF GERALD REARDON: That's people -- it gives people a flavor of how long you may potentially be.

PATRICK HASWELL: When we do shift over to nights, you'll see lines that you'll see on there now will move, the buffer zones of noise will move further away.

SHAUN DWYER: As we increase that day work, it could also increase the duration that we would be working in that area. So the six weeks could turn into ten weeks or 11 weeks once we stretch those areas out.

CHAIRMAN MICHAEL GARDNER: The longer the physical distance that you do during the day, the longer it will take to you do it?

PATRICK HASWELL: Being restricted -- I shouldn't say restricted. We cannot be there during rush hour, so we're only working on a 9:00 to 4:00 workday.

CHAIRMAN MICHAEL GARDNER: If I could ask you maybe to give up your seats or at least one or two of you, and so we can let some of the community input come forward.

I think that maybe some members of the community who'd like to be heard and I see Mr. Galluccio in the audience.

Are you the same person, Mr. Galluccio?

ANTHONY GALLUCCIO: I am, Mr. Chairman.

CHAIRMAN MICHAEL GARDNER: Why don't you just come forward, state and spell your name for the record and tell us who you represent?

ANTHONY GALLUCCIO: Thank you, Mr. Chairman. Anthony Galluccio, I'm an attorney with Galluccio, Watson & Webb.

I have been retained to represent the residents of River Court, and I have a letter of opposition with some recommended conditions.

I do want to say, Mr. Chair, that I'm pleased to see many members of the broader East Cambridge Community, including active members of the East Cambridge Planning Team.

The River Court residents would like to continue to work with those residents as well. There's a push-pull effect as you start to protect one area, you may have an unforeseen consequence on another. So we're committed to a process where we work with other East Cambridge

residents.

I think that the -- how this came to such a head of steam, Mr. Chairman, is that the -- while there's no proposed night work directly in front of River Court, there is proposed night work across the street, so as you come down in front of the Marlow and the Galleria, the corner of the Galleria, there's equal concern by especially residents of the North Tower River Court that that will have a direct impact on them. Although it's across the street. And it's in the night hours.

The fire chief brought up a number of issues that are of concern. Certainly, the rattling of plates, the backing up of the trucks, but I do think and I just want to say we had a great conference call with Mr. Dryer and Attorney Glitch with the manager down at River Court and I think we're having a good conversation around conditions that may work is certainly a desire by

those residents to get this project completed in a timely manner. And by that I mean, when air conditioners go off around September or October that becomes sort've the most sensitive time period.

So, there's an interest to get this done prior to that period next year. And we recognize that because of the rush hour restrictions, there's a very short window, although the residents would support some early evening work up till about 10:00. There's probably not that opportunity for efficiency purposes for the contractor to restart work during just that period after rush hour, so there are some challenges, but we agreed to continue to work with Veolia to come up with a set of conditions through some additional noise testing, which we think are necessary to really understand the right buffer zone.

And, again, we want to work with the East

Cambridge Planning Team and members of the community to make sure that whatever conditions we look to don't have an adverse impact on other residents.

CHAIRMAN MICHAEL GARDNER: Thank you.

Are there any other members of the public who would like to be heard?

Please come forward. Mr. Marquardt, if you could state and spell your name, again, if you don't mind.

CHARLIE MARQUARDT: Why, sure. Let me just submit that.

CHAIRMAN MICHAEL GARDNER: And thank you, Mr. Galluccio.

CHARLIE MARQUARDT: Thank you, Mr. Chair.
Charlie Marquardt, 10 Rogers Street,
M-A-R-Q-U-A-R-D-T.

I'm not going to reiterate what Anthony Galluccio said, but I cannot speak to steam. But I want to hit on a couple of the other issues

particularly what Chief Reardon mentioned.

Not only it's important that the plates be able handle your trucks, but this is a state truck route up and down Land Boulevard, taking that corner every single night. So I think it's imperative that we make sure that those plates are double or triple, whatever it takes to take. No offense, I don't want one of your trucks falling through, but I also don't want a tanker truck full of gasoline falling through either.

FIRE CHIEF GERALD REARDON: We agree.

CHARLIE MARQUARDT: I agree. We're all in the same boat there. So I'd just make sure that that's there.

The response that it's a State Police issue is while probably technically correct, Land Boulevard, those trucks will seek alternate routes, such as Second, Third and others. I would like to see something done where our police force is enforcing those, and I know it's a tough

thing to do with the money and budgets, but it if it's happening because of the construction, you may stop some of the folks from going there.

I heard mention that we're not concerned about the -- I take my broader view, we're not concerned about the Charles River Dam Road there. We got two huge towers right on the other side of the viaduct at the museum towers, they're abutters and they're neighbors. I would like to consider them and make sure they're not getting the noise. They got all the noise from the Charles River Dam construction and let's not hit them with another set of night work. I live up on the 11th Floor and I'll tell you, the noise travels.

I can tell you almost anytime someone's coming in for a Medevac into Mass General, doesn't matter which they're flying, you hear those helicopters coming in.

So backing up or any other noise at

night, you may not think it's two blocks down the street, you're not going to hear it, you'll hear it.

The last thing is we haven't mentioned lights yet. Night work means lights, lights coming in your windows, shinning on your surfaces something we generally don't consider, but I think we have to worry about that. I know the folks and the Sonesta and others will talk about potential financial impacts of having all this construction going on during the 4th of July weekend the Bio 2012 weekend and all the other city events that we have going on around there, but it's important to get it done, but it would've been nice if we could have met before this week in terms of doing it.

I know they met with us last Wednesday, but wasn't able to make it on two days' notice.

Hopefully, we'll be able to do a little bit more outreach and get to a successful

conclusion.

Thank you very much.

CHAIRMAN MICHAEL GARDNER: Are there any other members who would like to be heard?

Please, just state and spell your name for the record.

THOMAS CONCILIO: Thomas Concilio, C-O-N-C-I-L-I-O. I'm representing the Hotel Marlow.

I just got notification of this process the last couple days and I'm quite anxious about this impact.

We have been a big supporter of the community for the last nine years we've been there. Ultimately we have gone through some financial challenges and this will greatly impact how our business is going forward.

The vibration, it sounded like it was a little sugar coated, the amount of noise. If you were to imagine a bucket dragging sand and gravel

and vibration and banging of those buckets and back up, it just -- it would be a nightmare for us. We have weddings and guests that are long-term guests, members of the Cambridge community that are in the biotech business that use our meeting space for offsite meetings. With no construction clauses in those contracts, it would crush our business. We'll try to cooperate, but the overnight thing, it will kill us. People will be walking out of the building. We sit right on the street. We're probably eight feet away from Land Boulevard. Everything would just reverb off the building.

So I would hope we can get some consideration with that as a part of the permitting process and not do overnight work.

CHAIRMAN MICHAEL GARDNER: I guess I'm not sure in terms of the concerns you raise the extent to which those are concerns generally about the fact that the construction is planned

or that some of the work would be done at night.

Maybe you can just elaborate on that a little.

THOMAS CONCILIO: The work on the overnight would create -- of course, our guests are staying there and sleeping in rooms that face right onto the street, so all of the noise associated to that would -- we couldn't block that noise. It would reverb off the building. The glass would vibrate. The building would vibrate. I have experienced that before with just truck traffic going by.

And those guests would again be looking at other locations stay as a result of that which would impact our business greatly.

CHAIRMAN MICHAEL GARDNER: Okay. Thank you very much.

Are there any other members of the public who would like to be heard?

We have a couple of chairs, come on up.

MINKA VANBEUZEKOM: My name is Minka,
M-I-N-K-A. My last name is
V-A-N-B-E-U-Z-E-K-O-M. And I am a Cambridge City
Councilor. And I'm very glad that there's going
to be a continuance to this. There are quite a
number of people that contacted me because they
know that noise is one of the things that I
really hope that we can keep to a minimum in the
city.

I am here to ask the outreach to be more
comprehensive so that more people get a chance to
comment here in this forum and also to say that
in general I think many people are opposed to
around-the-clock construction, and I know that it
will lead to a longer construction period, but I
think will you hear comments to say that's
preferable to having overnight construction.

CHAIRMAN MICHAEL GARDNER: Thank you very
much.

MINKA VANBEUZEKOM: You're welcome.

MAYA SILVIS: My name is my Maya,
M-A-Y-A, Silvis, S-I-L-V-I-S. I'm a resident of
River Court and my unit faces the Binney Street
side basically Binney and Land. I'm concerned
also with the overnight hours. I'm not sure they
were discussed. They were on the other side
closer to the plant, which in the bridge area and
that side of our building there's really nothing
between us. It's just open land. Because there
was a slightly late addition all the way down the
street. So I was concerned.

Nighttime construction, according to a
letter from their scientist, it includes
excavation using a backhoe, removal of asphalt
using backhoe, dump trucks, generators, pipe
installation, paving, the installation of pipes
and jackhammers during the early daytime hours or
evening hours, which according to their timeline,
might be 6:00 a.m. I think, so I'm concerned
about the noise, and then also the other side of

our building where all the, I guess, junction boxes are that would be the other 24-hour noise space.

I'm also concerned about rodent control between the three projects going along. I feel like it's a big opportunity with the residential buildings, other hotels, a mall and all of this in the area, it's just -- there's got to be some sort of addressing of rodents and pests.

CHAIRMAN MICHAEL GARDNER: Thank you very much.

Are there any other members of the public who would like to be heard?

MARK JAQUITH: Mark Jaquith, J-A-Q-U-I-T-H. I'm a board member of the East Cambridge Planning Team. It's been known and looking forward to this steam project for a year or so. It will reduce the heat dump into the Charles River by the electric plant there by about 95 percent, which is a great thing.

It's all part of formerly Mirant now GenOn EPA permitting, and I was surprised to learn it's now planned to go down Land Boulevard because their permitting documents say it's going along the Longfellow Bridge to coincide with the reconstruction of that, and I heard absolutely no explanation of why the change.

Also, as far as I have been able to learn, it's the steam that's going to be carried by this pipe is by -- to be generated by equipment that hasn't even been ordered yet by the producer GenOn over there. And there's just a whole a lot of explanation that hasn't happened. And we would like to see some of that.

Thank you.

CHAIRMAN MICHAEL GARDNER: Thank you.

Are there any other members of the public who would like to be heard?

MICHAEL MEDERIOS: Thank you,

Mr. Chairman. Michael Medeiros, general manager

of the Royal Sonesta Hotel.

JOE O'TOOLE: Joe O'Toole,
O-apostrophe-T-O-O-L-E, director of engineering.

MICHAEL MEDEIROS: I understand and appreciate everything that was said tonight, but I am very concerned about, one, overnight construction would cripple my business, it would be a general manager's nightmare in the morning dealing with every single guest who wants rebates because they couldn't sleep at night.

In addition to that, I'm very concerned about the traffic control to getting my guests in and out as a gentleman spoke from the Sonesta Hotel, same thing with us, we have businesses that have meetings there all day long, we have weddings, and we're right in that circle already with the traffic light, and I can't imagine the nightmare it will create for us. It's going to cripple my business and I need all of that to be considered especially the overnight. We have

already been be inconvenienced in the past with steam line.

JOE O'TOOLE: We were a customer of Veolia Energy at one point in time, our contract was severed of January 2011 due to a pipe leak on Land Boulevard that was not repaired for eight months. So we ended up severing our contract and purchasing new equipment to replace what was employed by the steam by Veolia Energy originally, so a lot of concerns with the construction. I wonder what alternative methods have been researched. Alternative to running a steam line connecting to the -- Boston City Steam because this is really not even connecting to the Cambridge District, it's moving through Cambridge connecting to the Boston City Steam. So it's really a benefit for Boston versus Cambridge, but it's gonna affect Cambridge and not really Boston.

CHAIRMAN MICHAEL GARDNER: So, in terms

of hotel business, I think perhaps you have been here to hear the trade-offs with respect to time and traffic congestion and overnight. Just tell us some of your comments specifically to nighttime, but I wonder whether --

MICHAEL MEDEIROS: My concerns are I've lived in the hotel for the first ten months of being the general manager at the property. So, I felt like a resident. And I have to tell you the noise level outside, everything carries. And living there, having construction outside at nighttime is definitely going to hurt the business because I know my guests are going to complain. And I'm concerned about the traffic issue as well. Going in and out. What times they come in and out. I have guests who check in and guests who check out. And it's going to be a concern especially also for meetings for people to attend their meeting at a certain time are going to really have to come a lot earlier to

plan to get to my hotel in order to get to the meeting on time and also to leave.

JOE O'TOOLE: The exits and entrances to the hotel is in the intersection between Land Boulevard and Cambridgeside Place where they're planning on intersecting that intersection.

So, at some point access is going to have to be redirected where people will have come out Land Boulevard and go to the Craigie Dam Bridge Road and then find their way to go where they can go versus going straight across versus taking a left on Memorial Drive.

MICHAEL MEDERIOS: I mean, was there when they did construction in front of Museum of Science when they did the bridge and that hurt my business in a way because people were complaining that they couldn't get to the hotel, it took them a lot longer.

I can't imagine what's going to happen when they tear up Land Boulevard. I think it's a

huge issue for the city as well. It's a huge financial responsibility.

Thank you for listening.

CHAIRMAN MICHAEL GARDNER: Thank you.

Please come forward.

NANCY STIENING: Nancy Stiening, 75 Cambridge Parkway. And I have to say I echo all of the concerns of all these other people.

But we live in no-man's-land over on our side of Land Boulevard and we haven't even seen -- I have read the letter of January 6 from Epsilon which details the route of that pipe, it's going right down the northbound side of Land Boulevard. Now, I don't know if that's been changed, but that's the only thing I know.

And if that is the case, that is the riverside lane going towards the Gilmore Bridge and however they work it, that's a problem.

But one of our concerns is the location of the manholes, regardless of where the pipe is

placed, but I have heard rumors and I think our manager, who is the only one in the building and who happens to live in Quincy, and did not tell any of the residents and owners in the building about this project at all, that it might go down the median strip in the center of the street. It doesn't matter.

We can hear the snowplows when they're plowing the Athenian parking lot in the middle of the night, and not just the beeping, we can hear the scraping. Noise really carries and I'm on the ninth floor and actually our unit goes through the building, so we get the Longfellow lights when they were working on that and we get anything that's going on on the other side in Cambridge.

But these manholes should not be located anywhere along the length of the Esplanade building since that's where the steam erupts. Pedestrians and anyone exiting the emergency or

vehicle entrance on Land Boulevard would be at risk, depending on where they're located. So we really want to know where they're located before they start this project.

And, as I say, all I have is this very vague statement in here. I haven't seen a map.

I have to say that until such time as the residents of the building are shown a map of a location of the pipe and the manholes, and given both a more precise timetable for the work to be done and contact phone numbers for someone responsible who can issue a stop work order if noise becomes unbearable, whenever -- I mean, during the daytime nobody will probably complain, but at night if you grant them a variance for overnight, people will complain because they will be awake. And I think -- when we call the City of Cambridge, actually, when I call the City of Cambridge to say that the overpass -- the underpass for the bridge was flooding in that

really heavy rainstorm, the policeman on duty at the nonemergency desk, I said, "Can someone come and direct traffic because there were cars floating all the way up and down Land Boulevard and First Street and all over?"

He said, "No, that's not my responsibility."

And I said, "Well, then could you give me a number that I could call?"

And he said, "No," and hung up.

And, you know, we really are in no-man's-land over there. We don't know who to call. Cambridge gives fire protection and ambulance protection and they're great. They always come. And that's not a problem.

But for anything else, we don't know who to call. We need to have a contact person who has the gumption to say no, stop work and stick to it if there's something that's violating whatever variance you do grant them. And we

would like that. But we also need to talk to the Veolia because they have never been to the residents of the building. And I have to say we're still recovering from having the city come to tell us what they're going to do on Binney Street. I know it all has to be done. I mean, these people are out of compliance with EPA for 20 years and it's time that they rectified it. I'm not saying it shouldn't be done. But please do it with as little confusion as possible and with as much outreach to all of us.

I'm glad to hear from the hotels because I was worried that they hadn't been contacted at all.

CHAIRMAN MICHAEL GARDNER: Thank you very much.

Are there any other members of the public who would like to be heard?

Please.

NANCY STIENING: The other Esplanade

resident.

SANFORD AUTOR: I apologize for being the last one.

My name is Stanford, S-A-N-F-O-R-D. My last name is spelled A-U-T-O-R. And I'm at 75 Cambridge Parkway.

I just have a couple questions and I bring no expertise to any of this. I would be interested in wondering if tonight we could hear just a little more about what your outreach program is going to be.

You said you planned to amplify it and need a couple more weeks to do that.

Do you have a plan for outreach?

SHAUN DWYER: You want me to outline it for you?

SANFORD AUTOR: Yeah, just a very broad outline.

CHAIRMAN MICHAEL GARDNER: Why don't you finish your remarks. We'll give them a chance.

SANFORD AUTOR: Fine. This is just a factual question, but what in night work of the kind being discussed, what is the decibel level to which that reaches, or might reach? Is that known -- I'll pass -- is that a known fact among engineers or is that a variable contingent upon events?

The third question I have -- I guess it's a question is: Do these two projects, the ones we've talked about here with Binney and Land Boulevard and the steam works, do these really have to go on at this time concurrently? Is there something crucial about this given the delays that have occurred in both of these projects that both projects -- that both activities that are out of compliance with existing regulations, as I understand it, although the regulations may be different, why together? What is the difference if one is done in 2012 and another is done in 2013 and what is

the issues of interaction, you know, with yet a third project at the Longfellow Bridge?

It seems to me -- I think as a layperson, I think that's really worth looking at, although you may -- an engineer might discard it in a moment.

I'd just make another point. A lot of us who live at the Esplanade, and I think at River Court are older people, and we spend some energy trying to protect our ears so they continue to work without amplification or whatever, and I'm very concerned about the impact of this project, and would like to know about both projects, in fact, but the one tonight but -- noise means one thing to an engineer, it means another thing to someone who's trying to sleep.

Thank you.

CHAIRMAN MICHAEL GARDNER: Thank you very much.

I wonder, Mr. Dwyer, if you would be so

kind as to sort've respond generally on this issue?

Well, I'm sorry, are there any other members of the public who would like to be heard before -- all right. So I apologize, Mr. Dwyer, I'd just ask you to wait. We have a couple more people that would like to be heard.

So please come forward, state and spell your name for the record.

ROBERTA GOTO: Roberta Goto, G-O-T-O. I live across from the Middlesex courthouse and I had the fortune last month to be -- listen for six days to two semi-trailer boiler systems that were put in to provide emergency heat to the prison as well as their accompanying generators. I was the one person who actually asked for -- for you to continue to work 24/7 because the sooner your work would be done, the sooner the generators and the boiler systems could be removed.

I contacted the city. I contacted your company to ask for a construction schedule and for someone to tell me what was going on with respect to the noise.

The noise was so bad that I had earplugs in my ears and I could still hear it.

And no one responded. So I'm glad to hear that you're doing outreach now before your construction project begins, but what is it that you're going to do during construction project, will you have someone that will be available 24/7 during the construction project to respond to residents' issues regarding noise? Because you never responded to me and I had to live with it, and I can tell you after five days, if I had found you, I probably would have killed you. The noise was that bad.

I have two sons. They're a bunch of little kids, they all go to school and we all go to work, but we had to listen to your noise. And

no one responded. Not a phone call. Nothing. No one came to my door and said, "We're sorry, this is an emergency." I knew it was an emergency that's why I didn't complain about the repair work, but you could have come and said, "This is what is going on. We're sorry about the noise. We're working as fast as we can."

I actually got one of the City Councilors to find the city manager on Saturday so that you could do the repair work, and what happened? You shut down. You shut down on Saturday night. You shut down all day Sunday. So there was another day and a half that we had to listen to all that noise. And you still didn't respond to me.

So I'm glad you're doing out the outreach, but I'm concerned that you're not going to follow through once construction begins, and that the noise issues escalate and you're just like "Well, we're in construction so we don't have to respond. It's too bad."

And based upon my experience, I can't think that you would do otherwise and that's a great concern.

CHAIRMAN MICHAEL GARDNER: Thank you very much.

We have one more comment. Please come forward.

Is there anybody else who wants to be heard after this gentleman?

All right. Why don't you just please state and spell your name for the record.

JAY WASSERMAN: I am Jay Wasserman, W-A-S-S-E-R-M-A-N, on Second Street in Cambridge. I will try to be brief. I know we've been here long.

I'm not against the steam. I think this is a good thing to finally divert the heat. I always found it weird that they have been generating steam in addition to (inaudible).

Two comments and then I'm going to

actually continue with Roberta's comments.

One is you should think about generators as she was hinting at. Heavy generators are not a huge noise source, they're just a vibrating source we're talking about here.

A second thing that wasn't brought up, you talked about the pipes going up and over the bridge, will that be day or night work? I'm several blocks away, and when they were working on the T there, I didn't hear the bridge work much, but when I heard the T, once it gets high, it drifts farther distances.

And then the final point I have to say that I have over a decade of continuous illegal construction outside my house by a steam company.

Mr. O'Riordan has met me multiple times to finally trying to address these. And they cracked down once and they had to crack down a second time. There must some policy put into watch this carefully.

They have a long reputation of just not following the rules, extending the permits, et cetera. I really don't trust them and their work. I hate to say that even though I think this is a good project, I think it should go forward.

CHAIRMAN MICHAEL GARDNER: Thank you very much.

Mr. Dryer, you've heard a number of comments tonight. Do you have any general remarks or any other specific things? We had a question about the permit was to go over the Longfellow Bridge, what happened to that and other specific items.

SHAUN DWYER: First, I would say, I apologize to any of your inconveniences. But I would like to add to who Veolia is and I understand the history behind a lot of the complaints and how they can be decades old.

You know, first, Roberta's comments don't

necessarily reflect well on Veolia itself. I will say Veolia has come to Boston and as a new company. We did acquire Trident Assets here in Boston and that we are here to stay and we're trying to make a positive impact for the community.

And I know you may not -- that may not appease Cambridge residents. We have started some programs in Boston replacing expansion joints, and we have allocated a significant amount of money and efforts to replacing these expansion joints in Boston to eliminate failures in the construction that he was speaking about, it was a successful project and we have more to do. We have more to do in Cambridge as well.

I guess what I could ask is your patience as we grow and we build our asset base a little bit better and more reliable.

That said, I understand, you know it's tough to come back and believe when your

experiences are such.

After that, I would like to address a couple of your comments. The Longfellow Bridge, we can start with that.

The Longfellow Bridge is a MassDOT project as one may or may know. It does have a four- or five-year time frame for the reconstruction. Any steam pipe that was put on the Longfellow Bridge would have been done at the very last stages, so that could -- should the construction happen in the schedule that they have planned, we wouldn't see the steam line for five or six years.

MassDOT could not also commit to a construction schedule for Veolia nor could they commit to allowing us to any control of that construction schedule, essentially be at their mercy and then just from a business sense, it didn't -- we couldn't put ourselves at that risk to be at Mass.DOT's mercy knowing their schedules

and what can occur on the Longfellow Bridge.

The EPA and Mirant Station, they would like to see that resolved sooner than later.

As for the steam equipment, right now they do have three steam turbines over there. They have extraction turbines which it takes steam from a higher pressure and puts it at a lower pressure. We also have a condensing turbine that takes steam from high pressure and bring it all the way down into water and extracts power from it.

They will provide us the steam equipment or the steam from that equipment up to when they put in the new turbine.

In addition to that, we also have boilers over there as back-up boilers because that steam line does serve MGH. There's an existing 14-inch steam line across the Longfellow Bridge already that serves Mass General Hospital. It's owned by Mass General Hospital. We also have a commitment

to Mass General to provide back-up steam when that station is generating steam.

So we also have generating equipment alongside that Mirant Station. We lease space for them for our boilers. So there is, indeed, steam equipment there to provide steam through the new 18th-inch pipe.

In regards to not supplying Cambridge businesses and all the steam going to Boston, right now we're in the midst of talking to the Museum of Science, possibly securing a deal with them. We're looking towards North Point as a potential customer.

We would invite talks with Sonesta again. We understand that steam line was abandoned, it may very well have been from the previous owners that it got so run down. It's in the sidewalk. It may have caused more inconvenience. I don't necessarily want to talk to it, but with the number of manholes, and I understand the position

about manholes that was brought up. We'll certainly look at that. The position of the manholes are based on an engineering design and how much steam line you can heat up. So there's a reason for where the manholes are.

But, again, manholes offer the opportunity for customers as well, so if they're near your building, although maybe not desirable right out front, they would provide a service line that we could put into your building if, indeed, it presents a benefit to you.

So we do look forward to having more customers in Cambridge.

In addition, there's future plans to tie this into the already six miles of steam line we have that Patrick mentioned early on.

So we do have an existing steam system in Cambridge already that we would like to tie also into this line eventually.

That would be down Main Street and feel

it's not an appropriate time to do all that.

One thing I would like to say -- I did understand the motor control, I did hear about the lights, I did hear about the reverberation of the plates as well as the load capacity of the plates.

In terms of the outreach program, what we would like to do is -- what hasn't been presented is the management plans. So, our outreach program we would like to sit down with each -- a group of residents or the hotel management, upper management, and work with them in terms of the hours that they think would be less desirable and how the traffic management planning works.

We do have a traffic management plan that we did submit to DCR, we did not submit it here, but that would be part of our outreach program. It talks about the traffic management, how it impacts you, as well as the work hours, what is acceptable and what's not acceptable. We look

forward to doing the project.

From some of the comments I heard, obviously it doesn't sound as though day work or night work will be convenient and I understand that.

And as Owen brought up, DCR is saying no day work and we understand residents are saying no night work. We're going to try to walk that tightrope.

And once we come to an agreement and we move forward with the project, we will have dedicated contacts. We'll have dedicated contacts. The gentleman is not here tonight. We have one point person. You will have his card. The gentleman's name is Tom Herlihy. He has stepped up and ready to take that position and talk to you and we urge -- our goal with is it urge you to call us first. Because if we can hear you first and we can work with you, then we don't have to necessarily bother the city

officials and draw on their resources. And then in the end, if we don't respond to you, then you can run to your city official.

But we just urge you through the process that you contact us first and see if we can help you and address your issues immediately.

The project interaction, wanting to know why these projects occurred, well, the Charles River Dam Road project was something that took up traffic, I think it was Craigie Dam Bridge Road and we had been looking at that Longfellow Bridge route during that time.

Knowing that was going to be five years out, as I said, they were having a hard time telling us when they were going to start and they have committed to this January, January 20 -- starting some process this late fall or late winter and really starting next year is my understanding of the Longfellow Bridge project.

Prior to that we didn't have that kind of

commitment from MassDOT. Binney Street, I can't really speak to how that developed, but when we found out about it, we immediately started working, as I mentioned.

When we reached out to the City of Cambridge, we immediately understood about the Binney Street project and we got together and started discussing our plans. Do they have to have it happen simultaneously? If we don't get this project done this year, we obviously won't be able to do it for another six years.

CHAIRMAN MICHAEL GARDNER: Did you say "for another six years"?

SHAUN DWYER: I would venture a guess on six years based on the Longfellow Bridge and the diversion of traffic.

PATRICK HASWELL: When they start in January.

CHAIRMAN MICHAEL GARDNER: When they start in January of 2013.

SHAUN DWYER: Assuming they do, yes.

CHAIRMAN MICHAEL GARDNER: Assuming they do?

SHAUN DWYER: Correct.

CHAIRMAN MICHAEL GARDNER: Thank you.

It's getting late in the evening, I think we have to deal with scheduling things. Mr. Galluccio asked to be recognized.

ANTHONY GALLUCCIO: Just to add because I think one of the members of the community made an excellent point. There are a number issues I think are potentially resolvable and I appreciate your willingness to work on the traffic issues, but in terms of noise, especially in the evening hours, I think it would be helpful, Mr. Chair, if we could try to establish over the next couple weeks a quantifiable decibel level, because at the end of the day, residents are going to need some mechanism to be able to call the city and get them out there when they think there may be a

violation, assuming we get to some conditions and some support.

So I just want to ask you, Mr. Chair, to be vigilant about setting some quantifiable level that we can have a measure of policing.

And I appreciate the members of the public who brought that specific issue up.

CHAIRMAN MICHAEL GARDNER: Thank you.

Let's talk about schedules for a minute. The next scheduled meeting of the License Commission is February 21st. That's during the vacation week. I expect to be returning from attending the 86th birthday of my mother-in-law in Ohio and I will not be able to be here for that meeting. I feel like I want to be -- to participate in the meeting and the process. But we don't have another meeting scheduled until March the 6th, another evening meeting.

We do have a meeting at 10:00 on March the 1st, which we could potentially take

testimony again, but I want to know both in terms from you, Mr. Dwyer, in terms of your anticipated schedule of trying to start and your -- the timeline you need to do your community outreach if it would be all right to put this on the -- as the first item on the agenda on March the 6th and that's in the evening.

We're holding a hearing on March the 6th, that's the scheduled date for the hearing and we'll be holding a hearing at 6:00 p.m. I don't know the hours of the polls, if they're 7:00 a.m. to 8:00 p.m. or what they're.

ANTHONY GALLUCCIO: Charlie is the only Republican in Cambridge, so...

CHAIRMAN MICHAEL GARDNER: I didn't even think about the fact that there's only one presidential -- I don't know.

We're scheduled to go forward on March 6. Does that work with your schedule?

SHAUN DWYER: If the Board would grant a

continuance, we would be more than happy to come back on March 6th hopefully with a more cohesive presentation on the decibels as well as hopefully a satisfactory outreach program.

PATRICK HASWELL: The 6th is fine.

CHAIRMAN MICHAEL GARDNER: I just wonder, Ms. Lint, can we put it on as the first item on the agenda?

ELIZABETH LINT: We can do whatever you like.

CHAIRMAN MICHAEL GARDNER: And can both you engage our staff member, Andrea Boyer, for conversations of both with you and me and also with the company?

ELIZABETH LINT: Absolutely.

CHAIRMAN MICHAEL GARDNER: Well, I appreciate all of the attendance of all of the people this evening who sat through a lot of things -- other things, but this was on the agenda last. And so I want to thank all of you

for your contributions and patience.

I think one of the things that, at least initially strikes me is that the construction has to happen, the construction is going to happen, that there are substantial constraints around scheduling and trade-offs in the calendar and on the clock, and that it's going to take goodwill, spirit of cooperation and compromise both from the company and from the community, and as Owen O'Riordan said, it's not going to be a great experience for anybody over the coming months, and I hope that everyone will enter into those conversations with the willingness to be flexible and responsive. The comments that you can't find anybody to contact, I'm sure is not what we want to hear and I'm sure it's not what you want to be said about you.

Having said that, I would entertain a motion to continue this matter to the first item on the agenda on March the 6th.

FIRE CHIEF GERALD REARDON: Make a motion to continue to March the 6th.

SUPERINTENDENT CHRISTOPHER BURKE: I second that motion.

CHAIRMAN MICHAEL GARDNER: Motion having been made and seconded to continue the matter until March the 6th, all those in favor, signify by saying "aye."

SUPERINTENDENT CHRISTOPHER BURKE: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIRMAN MICHAEL GARDNER: Aye.

Motion carries. None opposed.

So thank you very much for your time and patience. Good luck this evening.

PATRICK HASWELL: Thank you.

CHAIRMAN MICHAEL GARDNER: Could I please have the attention of everybody? Don't leave yet. We have not adjourned the meeting and we have a scheduling issue we just realized. So we're -- we'll ask you to just stay for a few

moments.

It turns out March the 6th doesn't work for one of our commissioners. It's so far out we actually had to check the calendar because they're using electronics and not paper. So the -- I'm troubled by the 6th. I don't think we'll have an opportunity to do the 6th. We can do the 1st. Normally, we like to hold these meetings in the evening, but we could do the 1st much more easily during the day at 10:00 a.m. One of the advantages is there wouldn't be anything else on the agenda to back us up. And for -- I'm sure from the company, they'll be here when we need them. I just wonder if I can get any sense from a show of hands from the residents if 10:00 on March the 1st is doable as opposed to the evening. That's a Thursday.

(Audience members discuss.)

CHAIRMAN MICHAEL GARDNER: The tough negotiating has resulted in yet another

Commission member agreeing to be flexible and schedule himself for 6:00. We can all do 6:00 on March the 1st.

FIRE CHIEF GERALD REARDON: 6:00.

CHAIRMAN MICHAEL GARDNER: So I am going to make it a substitute motion that we continue this matter until March the 1st at 6:00 p.m. where it will be the only item on the agenda.

ELIZABETH LINT: What if we have other decisions?

CHAIRMAN MICHAEL GARDNER: It may not be the only item, but it will be the first item.

FIRE CHIEF GERALD REARDON: We'll be expedient.

CHAIRMAN MICHAEL GARDNER: Can I have a second for that motion?

FIRE CHIEF GERALD REARDON: Seconded.

CHAIRMAN MICHAEL GARDNER: Motion having been made and seconded, signify by saying "aye."

SUPERINTENDENT CHRISTOPHER BURKE: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIRMAN MICHAEL GARDNER: This matter will be continued to 6:00 p.m. on March the 1st. I apologize for the inconvenience and confusion.

We're still on ratifications.

ELIZABETH LINT: Medallions 110, 71, 43, 240, 187 and 221 are all refinances. And Medallion 20 was a sale.

CHAIRMAN MICHAEL GARDNER: Are there any particular issues or is there anything unusual?

I make a motion to approve the action -- accept the action of the executive director.

SUPERINTENDENT CHRISTOPHER BURKE:
Second that motion.

CHAIRMAN MICHAEL GARDNER: Motion having been made and seconded, all those in favor, signify by saying "aye."

SUPERINTENDENT CHRISTOPHER BURKE: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIRMAN MICHAEL GARDNER: None opposed.

So the motion is carried.

(The License Commission Hearing was
adjourned for the evening.)

CERTIFICATE

Commonwealth of Massachusetts

Suffolk, ss.

I, Jill M. Kourafas, a Notary Public in
and for the Commonwealth of Massachusetts, do
hereby certify:

This transcript of the Cambridge License
Commission proceedings of 2/7/2012 is a true and
accurate record of the proceedings to the best of
my ability.

IN WITNESS WHEREOF, I have hereunto set
my hand this 14th day of February 2012.

Jill Kourafas
Notary Public
Certified Shorthand Reporter
License No. 149308

My Commission expires:
February 2, 2017

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