

CAMBRIDGE LICENSE COMMISSION HEARING

CITY OF CAMBRIDGE

IN RE: LICENSE COMMISSION HEARING

LICENSE COMMISSION BOARD MEMBERS:

CHAIR NICOLE MURATI FERRER

INTERIM POLICE COMMISSIONER BRENT B. LARRABEE

ACTING FIRE CHIEF GERARD MAHONEY

STAFF: EXECUTIVE DIRECTOR ELIZABETH LINT

AT: Michael J. Lombardi Building
Carmelia M. Vicente Conference Room
831 Massachusetts Avenue
Cambridge, Massachusetts 02139

DATE: August 9, 2017

TIME: 3:05 p.m.

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INDEX OF AGENDA

AGENDA MATTERS-----PAGEVIOLATIONS:

JOHN' S LANDSCAPE SERVICE, INC.	13
CARBONE LANDSCAPE COMPANY	124
BLACK DIAMOND LANDSCAPERS, INC.	106
CAMBRIDGE LANDSCAPE COMPANY	
BRIGHTVIEW LANDSCAPE SERVICES	129

APPLICATIONS:

SAMUEL BEYENE	
MAURICE DAUPHIN	24
HOUSEPITCHIAN	9
PORTER SQUARE HOTEL, LLC	26
D2J RESTAURANT GROUP D/B/A HOPS 'N SCOTCH	46
AUROR, LLC D/B/A FLAT PATTIES	57
TOMOLLY, INC. D/B/A CHARLIE'S KITCHEN/THE RED HOUSE	64
ANKANG CORPORATION D/B/A QING DAO GARDEN	86
UNO RESTAURANTS, LLC	103

INDEX OF AGENDA

<u>AGENDA MATTERS</u> _____	<u>PAGE</u>
COFFEE CO. , LLC D/B/A INTREPID CAFE	120
<u>INFORMATIONAL:</u> CLASSIC RESTAURANT CONCEPTS, LLC D/B/A EN BOCA	86
<u>ADMINISTRATIVE MATTERS</u> BTNM ASSOCIATES D/B/A AL'S CAFE	133
KIMBERLY COURTNEY	133
SATER REALTY, LLC	134
BOARD CV LICENSE DISCUSSION	136
PRESIDENT AND FELLOWS OF HARVARD COLLEGE D/B/A LITTAUER CENTER FOR PUBLIC ADMINISTRATION	137
THE OXFORD SPA	138
KYQUAN LY	139
FABOLA, LLC	140
HAVIGIL CORP D/B/A SANTE MOBILE CAFE	140
SAIGON ALLEY, LLC	141
JAMAICA MI HUNGRY, LLC	141

I N D E X O F A G E N D A

<u>AGENDA MATTERS</u> _____	<u>PAGE</u>
ALPINE RESTAURANT GROUP, INC. D/B/A POSTO MOBILE	141
EMILIOS LOULUORGAS D/B/A SAM'S AUTO ELECTRIC SERVICE	142
SUSAN KENNEDY LANDSCAPE COLLABORATIVE OF NEW ENGLAND	142
COFFEESHOP, LLC D/B/A UPPERWEST	144
ARLYN DEPAGTER	145
PHOBE SINCLAIR	146
SETH TAYLOR	146
MICHAEL MONESTIME	147/150
BILL MANLEY	147
KALINA SCHLONEGER	149
MONA TOUSIAN	150
TANISHA TATE	150
MEDALLION 81	151



P R O C E E D I N G S

August 9, 2017, 3:05 p.m

EXECUTIVE DIRECTOR ELIZABETH LINT: The meeting is being audio taped and videotaped.

Good afternoon. This is the meeting of the Cambridge License Commission. It is Wednesday, August 9, 2017, it is 3:05 p.m. and we are in the Michael J. Lombardi Building, 831 Mass. Ave, Basement Conference Room.

Before you are the Commissioners:

Chair Nicole Murati Ferrer, Fire Chief Gerard Mahoney, Police Commissioner Brent Larrabee.

APPLICATION: SAMUEL BEYENE

EXECUTIVE DIRECTOR ELIZABETH LINT: The first matter is an application. Samuel Beyene has applied for a new Cambridge hackney driver's license.

CHAIR NICOLE MURATI FERRER: Samuel ?

Second call.

APPLICATION: MAURICE DAUPHIN

EXECUTIVE DIRECTOR ELIZABETH LINT: Application:

Maurice Dauphin has applied for a new Cambridge
hackney driver's license.

CHAIR NICOLE MURATI FERRER: Please come
up, sir. Please take a seat. Thank you. Good
afternoon. Please state and spell your name for
the record.

MAURICE DAUPHINE: My name is Maurice
M-A-U-R-I-C-E. D-A-U-P-H-I-N is my last name.

CHAIR NICOLE MURATI FERRER: Thank you,
Mr. Dauphine.

Have you ever been a driver, a hackney
driver?

MAURICE DAUPHINE: I have been a driver
26 years.

CHAIR NICOLE MURATI FERRER: How many years?

MAURICE DAUPHINE: 26 years.

CHAIR NICOLE MURATI FERRER: Where?

MAURICE DAUPHINE: Boston, Newton and Watertown.

CHAIR NICOLE MURATI FERRER: Has your license there ever been suspended?

MAURICE DAUPHINE: Not at all.

CHAIR NICOLE MURATI FERRER: Has your Massachusetts driver's license ever been suspended?

MAURICE DAUPHINE: Never.

CHAIR NICOLE MURATI FERRER: And do you currently have a job with a company here in Cambridge?

MAURICE DAUPHINE: Not yet.

CHAIR NICOLE MURATI FERRER: And why exactly are you seeking a driver's license from

us?

MAURICE DAUPHINE: Well, I believe Cambridge is a better market right now. I'm driving in Brookline.

CHAIR NICOLE MURATI FERRER: You are driving... I'm sorry, it is really loud.

MAURICE DAUPHINE: Right now I'm currently driving in Brookline but we have lost 80 percent of our work. I'm seeking a better market and I think Cambridge is bigger and hopefully I do better here.

CHAIR NICOLE MURATI FERRER: Is Benny here? No? I can ask him to come.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: Sir, you never had your license suspended or revoked?

MAURICE DAUPHINE: Not that I can recall. Maybe suspended 20-something years ago, but not recently.

I N T E R I M P O L I C E C O M M I S S I O N E R B R E N T

LARRABEE: Can we put this on for a second call?

CHAIR NICOLE MURATI FERRER: We are going to put this on for a second call. We'll have the officer come down. Don't leave please.

MAURICE DAUPHINE: I won't.

A P P L I C A T I O N : H O U S E P T C H I N C H I A N

E X E C U T I V E D I R E C T O R E L I Z A B E T H L I N T :

Housep Tchinchi an has applied for a new Cambridge hackney driver's license.

CHAIR NICOLE MURATI FERRER: Good afternoon. Could you please state and spell your name for the record.

H O U S E P T C H I N C H I A N : My name is Housep
H-O-U-S-E-P T-C-H-I-N-C-H-I-A-N.

CHAIR NICOLE MURATI FERRER: Thank you.
Good afternoon.

Have you ever been a hackney driver's

License -- have you ever had a hackney driver's license before?

HOUSEP TCHINCHI AN: In Boston.

CHAIR NICOLE MURATI FERRER: Has that license ever been suspended?

HOUSEP TCHINCHI AN: Regular license, driver's license, yeah.

CHAIR NICOLE MURATI FERRER: Your driving license has been suspended?

HOUSEP TCHINCHI AN: Yes.

CHAIR NICOLE MURATI FERRER: What for?

HOUSEP TCHINCHI AN: Violation, moving violation.

CHAIR NICOLE MURATI FERRER: Moving violations?

HOUSEP TCHINCHI AN: Yes.

CHAIR NICOLE MURATI FERRER: Do you still hold your Boston taxi license?

HOUSEP TCHINCHI AN: No.

CHAIR NICOLE MURATI FERRER: So in the past four years, you've had five moving violations.

One of them includes obstructing an emergency vehicle as recently as 2016.

I'm quite concerned about that type of record here.

HOUSEP TCHINCHI AN: Accident?

CHAIR NICOLE MURATI FERRER: Well, you have a surchargeable accident and you have, from what I counted, and the Commissioner has your record in front of him right now, but I have five moving violations in the last four years.

HOUSEP TCHINCHI AN: I don't remember.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: Do you have your license on you?

HOUSEP TCHINCHI AN: Oh yeah.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: May I see it, please?

HOUSEP TCHI NCHI AN: Sure. (Compl yi ng.)

I NTERI M POLI CE COMMI SSI ONER BRENT

LARRABEE: Your dri vi ng record i s not good.

HOUSEP TCHI NCHI AN: I know.

I NTERI M POLI CE COMMI SSI ONER BRENT

LARRABEE: I know, but you are asking to get a
hackney l i cense here and your dri vi ng record i s
not good.

I mean, the offi cer who di d the
i nvesti gati on i s recommendi ng you get i t wi th a
one-year probati onary l i cense, hackney l i cense.

CHAI R NI COLE MURATI FERRER: Si t back
down.

HOUSEP TCHI NCHI AN: (Compl i es.)

I NTERI M POLI CE COMMI SSI ONER BRENT

LARRABEE: I mean --

CHAI R NI COLE MURATI FERRER: I ' m a "no"
on thi s. Our rule i s four movi ng vi ol ati ons i n
the l ast four years. You have fi ve. And even

though we put people on probationary, it is people that have driven in Cambridge before, and quite frankly, some of these violations, including obstructing an emergency vehicle, are just too big for me to overlook.

I would vote to deny.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Deny.

ACTING FIRE CHIEF GERARD MAHONEY: Deny.

CHAIR NICOLE MURATI FERRER: Denied.

Sorry.

HOUSEP TCHINCHIAN: Thank you.

VIOLATION: JOHN'S LANDSCAPING SERVICE, INC.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Violation, John's Landscape Service, Inc., holder of a leaf blower permit 10013 for alleged violation of Cambridge Municipal Ordinance

8.16.081.2(a), operating during a prohibited period on June 21, 2017 at 56 Concord Avenue.

CHRISTOPHER YOUNG: I made that complaint. Should I come up here?

CHAIR NICOLE MURATI FERRER: Yes, please. Thank you.

And, sir, if you could state and if you could stand up, both of you, and if you could raise your right hands, please.

(Parties sworn)

CHAIR NICOLE MURATI FERRER: Thank you. Take a seat.

Just for the record, we did receive an email from the owner of John's Landscape a few minutes ago basically, or an hour ago, with a response with regard to this matter, so...

Ms. Boyer, you can start.

ANDREA BOYER: Thank you. One moment.

So we had received an email from a Mr. Christopher Young that on Wednesday, 22nd of June, that John's Landscaping, out of Arlington, was utilizing a leaf blower in the back of his apartment, which is located at 56 Concord Avenue at approximately 12:55 until 1:10 p.m.

And Mr. Young actually sent two videos. One was showing the gentleman in the back using a leaf blower. And the second video was John's Landscaping truck pulling out of the driveway of 17 Illey Street (phonetic).

Once we received that complaint, we did a follow-up and scheduled it for a hearing to be heard before the Board, notified the complainant, who is here to testify today.

CHAIR NICOLE MURATI FERRER: Mr. Young?

CHRISTOPHER YOUNG: Yes. I'm trying to check that date but I can get that video again if

you need it.

This has been going on, I think, four times in the past year, couple years, something like that, that John's Landscaping is right outside of my building, you know, using the leaf blower in the banned periods. And the noise is -- let me just say one thing quickly, the noise is nothing like 50 decibels. I had a meter out there and it is accurate within five decibels. And it is 80 decibels. So, you know, this stamp don't mean too much.

And anyway, you are trying to catch up on sleep or just trying to do your work, I work at home, this is an incredibly disruptive noise and we've got have to enforce this law to give us some respite here because of the noise burden in west Cambridge now with the jet noise, helicopters all night long, you don't have -- you are always sleep deprived, you try to catch up on

your sleep and you can't with this level of noise.

CHAIR NICOLE MURATI FERRER: Mr. Young, question: Were you able to -- I did get the videos, I know that you forwarded or Ms. Boyer forwarded them to the Board, were you able to -- it looks like you're taking the video of the gentleman using the leaf blower from a window, is that correct?

CHRISTOPHER YOUNG: I went down there too.

CHAIR NICOLE MURATI FERRER: Okay, were you able -- and then I did notice that you took the video -- I can tell you that Mr. Tig -- Tye. Mr. Tye or Tig.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: Tig or Tye.

CHAIR NICOLE MURATI FERRER: Yeah. He has admitted that the truck was his. He's

denying that the gentleman using the blower is his employee.

Now my question is: Are you able to see whether the gentleman using the leaf blower -- because from the video you can't really tell.

CHRISTOPHER YOUNG: If you check all the videos. Yes, I went down there and they got back into the truck and he was using the leaf blower. You know, no doubt at all. I think I saw him put a leaf blower in the truck.

At any rate, they all went off, the leaf blower and the truck, you know, went away at the same time. You know, this is crazy. Obviously, it was an employee. They are -- there were no other landscapers there at the time. The truck was parked in the driveway of my building. I can't believe this.

There were no other trucks that it could have come from, okay? I looked around. I always

have to get out and go down three flights, walk around the back of the building and I look around to see if there are any other landscapers. I did a thorough check. There were no other landscapers it could have been with.

You know, they didn't use it long but the noise, I was tired, trying to catch up on sleep and it blasted me out of my sleep.

CHAIR NICOLE MURATI FERRER: Ms. Boyer, is this address one of the addresses that is serviced by John's Landscaping?

ANDREA BOYER: 56 Concord Avenue and 17 Illey Street (phonetic) is not listed on the properties maintained, which is filled out by the owner of John's Landscaping.

CHAIR NICOLE MURATI FERRER: And then there was something else that Mr. Tig or Tye --

ANDREA BOYER: Stating about wearing the safety yellow shirts.

CHAIR NICOLE MURATI FERRER: He mentioned that there's another company.

Did you look into whether or not it was the other company?

ANDREA BOYER: I apologize. You mean, John's Landscape Design of Arlington?

CHAIR NICOLE MURATI FERRER: Yes.

ANDREA BOYER: Yes.

They actually don't have a permit with us but they also stated that they did not service any properties in Cambridge.

CHRISTOPHER YOUNG: Now, hold on.

John's Landscaping, as I remember, was the truck -- it was on the truck.

ANDREA BOYER: Correct. We are not asking that question.

CHAIR NICOLE MURATI FERRER: No, it's just that he had raised in -- in your email that you mentioned John's Landscaping Design of

Arlington and this gentleman's company is John's Landscape Service, Inc. also in Arlington but it is a different company.

CHRISTOPHER YOUNG: You know, I just saw John's in the fine print. It is on the video, if you want to check it out. I got a close shot. I'll go dig those up.

I mean, it seems awfully obvious to me. I don't think you can get out of the fact it is one of those, John's Design or -- I don't know. I have to look at the fine print on the truck. Same one we have had the problem with the same logo. I know that truck, the white truck, and I know that logo, he has been something like four times in the past few years using leaf blowers in the banned period and I called him up and he's just blowing me off. Total disrespect.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Any other complaints on this

particular John's Landscaping Service, Inc.?

ANDREA BOYER: He has been fined.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Similar violations?

ANDREA BOYER: Yes. I believe it is in the file. I apologize. I don't have that with me.

CHAIR NICOLE MURATI FERRER: He had a fine in 2016 for using two leaf blowers side by side.

And then two in December. And then operating during a prohibited time, but that's -- yeah, we have the operating side-by-side leaf blowers.

(Indicating): Was this the logo you saw?

CHRISTOPHER YOUNG: Yeah, that's the one. Can I take a look? Landscape service, yup that's the truck, I remember. Another one that says "Landscape design," I don't know. I remember

that truck. I would like him to observe the law.

CHAIR NICOLE MURATI FERRER: Thoughts?

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: You ready?

CHAIR NICOLE MURATI FERRER: Yeah.

Questions?

ACTING FIRE CHIEF GERARD MAHONEY: No.

CHAIR NICOLE MURATI FERRER: So, I mean,
I think -- he does have here that he does service
some address on Concord. It may not be 56
Concord Avenue, but I think with Mr. Young's
testimony it is sufficient to find a violation
and I would issue a violation with \$300 fine.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: I concur.

CHAIR NICOLE MURATI FERRER: Violation
\$300.

CHRISTOPHER YOUNG: It might make a
difference, I think.

I N T E R I M P O L I C E C O M M I S S I O N E R B R E N T

LARRABEE: If I may, and Officer Szeto is here,
can we go back to Mr. Dauphi n?

Mr. Dauphi n?

I N T E R I M P O L I C E C O M M I S S I O N E R B R E N T

LARRABEE: I had a question on this. He said he
never had a suspended license.

So what I asked him was some questions
about your suspension of your license and it
being reinstated. I guess, apparently, it has
been reinstated.

MAURICE DAUPHINE: It may have happened
so long I forgot. For the past 15 years, I don't
think I had anything like that.

I N T E R I M P O L I C E C O M M I S S I O N E R B R E N T

LARRABEE: So that was my question to him.

My other question is: What is his
recommendation on the record?

OFFICER BENNY SZETO: I recommend give

him -- I don't think I found any --

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: You did not?

OFFICER BENNY SZETO: Yeah. Any moving violations in the last four years, it was all administrative.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: That's good. Thank you very much.

I would vote to grant.

CHAIR NICOLE MURATI FERRER: Granted.

MAURICE DAUPHINE: Thank you. Have a good day.

CHAIR NICOLE MURATI FERRER: And Officer Szeto will be contacting you to come in and go over some stuff.

Just in case, is Mr. Samuel Beyene?

(No response.)

CHAIR NICOLE MURATI FERRER: Thank you, Officer.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Thank you.

APPLICATION: PORTER SQUARE HOTEL, LLC

D/B/A PORTER SQUARE HOTEL

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Continued from July 26, 2017,
Porter Square Hotel, LLC, doing business as
Porter Square Hotel, holder of an innholder's
license and garage license at 1924 Mass Ave has
applied to transfer the common victualer and
alcohol license at 1924 Mass Ave held by Kaya-Ka,
Incorporated, doing business as Kaya Restaurant.

Curtis Butcher as proposed manager of
record of a premise described as six floors
including basement, meeting room, housekeeping,
storage room, IT closet, mechanical rooms,
office, staff locker room, restrooms, parking
structure containing approximately 9,666 square

feet, level 1, hotel lobby, foyer, bar,
 restaurant, kitchen, housekeeping closet, garden
 approximately 5,066 square feet, level 2, 19
 guest rooms, IT closet, housekeeping closet,
 approximately 4,940 square feet, level 3, 19
 guest rooms, IT closet, housekeeping closet,
 approximately 4,940 square feet, level 4, 19
 guest rooms, IT closet, housekeeping closet,
 approximately 4,915 square feet, level 5, 8 guest
 rooms, IT closet, housekeeping closet,
 approximately 3,783 square feet.

Applications have been made for change of
 license type to hotel/innkeeper, alteration of
 premise description, pledge of license and pledge
 of inventory.

CHAIR NICOLE MURATI FERRER: Good
 afternoon. Please state and spell your names for
 the record.

ATTY SIMAO: Good afternoon, Madam Chair.

Karen Simao, S-I-M-A-O, with McDermott Quilty & Miller.

ATTY CELIA MARKUM: Celia Markum
M-A-R-K-U-M. McDermott Quilty & Miller.

CURTIS BUTCHER: Curtis Butcher,
B-U-T-C-H-E-R. Porter Square Hotel.

TED SHEEHAN: Ted Sheehan S-H-E-E-H-A-N.
Porter Square Hotel.

CHAIR NICOLE MURATI FERRER: Mr.
Rafferty, are you going to speak on this?

ATTY JAMES RAFFERTY: Hopefully not, but
I'm James Rafferty and I represent the transferor
in Kaya-Ka, Inc, as well as individually, Gim
G-I-M, pronounced Kim, who is a 50 percent member
of the LLC.

CHAIR NICOLE MURATI FERRER: Okay. Thank
you.

Now, I think I figured out one of the
things that happened here because you guys filed

different applications because of the ABCC system, the actual description of what we are adding never made it into the system, so my question, my first question is: Is the description of what was Kaya-Ka going to be the same description that you are inserting?

Because I didn't receive -- I don't know if you just gave it to us. I didn't receive an updated premise description for this application.

ATTY SIMAO: The answer to your question is "no."

And what I have done is, actually Celia worked into the description that Director Lint just read into the record, some specific seating, so specifically the description read in, in reference to the restaurant, I don't believe that it referenced the seating, the 134 seats at the restaurant, 16 at the bar, and 30 outdoor patio

seats, so you don't have that yet, but that's based -- to try to keep it as streamlined as possible, we worked off of the description that was in the agenda.

CHAIR NICOLE MURATI FERRER: Okay, so the hotel lobby, the foyer, the bar, restaurant, kitchen, that's all together?

ATTY SIMAO: That's correct.

CHAIR NICOLE MURATI FERRER: Okay. So it is not a separate bar at the lobby?

ATTY SIMAO: Correct. It is within the restaurant floor plan.

CHAIR NICOLE MURATI FERRER: I'm sorry, I didn't write down the numbers that you just gave us.

ATTY SIMAO: Just to highlight it, it is -- within the restaurant portion of the premises, 134 dining seats, 16 bar seats, and then the seasonal outdoor front patio, which is

i m p o r t a n t t o d i s t i n g u i s h , i t i s o n l y t h e f r o n t
p a t i o , f o r 30 s e a t s .

C H A I R N I C O L E M U R A T I F E R R E R : A n d t h e n
t h i s p a t i o i s o n p r i v a t e p r o p e r t y , c o r r e c t ?

A T T Y S I M A O : P r i v a t e p r o p e r t y , c o r r e c t .

C H A I R N I C O L E M U R A T I F E R R E R : S o t h i s i s
g o i n g t o b e s i g n i f i c a n t l y s m a l l e r t h a n w h a t w a s
t h e r e i n t e r m s o f t h e s e a t i n g c a p a c i t y a n d s t u f f
l i k e t h a t .

A T T Y S I M A O : O f t h e p r i o r r e s t a u r a n t
o p e r a t i o n , y e s .

C H A I R N I C O L E M U R A T I F E R R E R : O k a y . A n d
t h e n t h e s t o r a g e -- w e l l , i t d o e s n ' t m a t t e r ,
b e c a u s e t h e a l c o h o l s e r v i c e w i l l b e t h r o u g h o u t
t h e h o t e l .

A T T Y S I M A O : T h r o u g h o u t t h e h o t e l ,
c o r r e c t .

C H A I R N I C O L E M U R A T I F E R R E R : W h a t a r e w e
d o i n g w i t h t h e h o u r s o f o p e r a t i o n ?

Is it 8 a.m. to 2 a.m. on every day you legally can and 10 a.m. to 2 a.m. on Sunday?

ATTY SIMAO: That's correct.

For the alcohol service, that's correct.

CHAIR NICOLE MURATI FERRER: That would be 10 a.m. (sic) to 2 a.m. Monday through Saturday and then 10 a.m. to 2 a.m. on Sunday?

ATTY SIMAO: Correct.

CHAIR NICOLE MURATI FERRER: Now, I'm assuming, based on an email that I received from Mr. Brandon late today, that the back patio, you completely have taken off based on the Planning Board decision and in agreement with the neighborhood, is that correct?

ATTY SIMAO: That's correct. That's correct.

CHAIR NICOLE MURATI FERRER: And then this back patio, I guess, I'm interested, is it just going to be something that is open to the

public? Because I read the Planning Board decision, and quite frankly, I know it doesn't really define these terms, but is this patio meant to be an influx of people regardless of whether or not they are hotel patrons or not?

ATTY SIMAO: That's correct. That was the intent and the agreement with the neighborhood as we understand it.

CHAIR NICOLE MURATI FERRER: Do you guys have questions?

INTERIM POLICE COMMISSIONER BRENT LARRABEE: I do not.

CHAIR NICOLE MURATI FERRER: Do you have anything else?

ATTY SIMAO: Yes. So that covered a couple of the things from our last hearing.

The one item that the Commission also requested, and I spoke with Attorney Rafferty about before coming in today, dealt with a

timeline for the kitchen build-out.

So we have discussed it and also discussed it, I think, with the community, but we are looking at a period of 90 to 120 days for the build-out following ABCC approval.

This is the build-out of the kitchen, which did come up at the last hearing.

CHAIR NICOLE MURATI FERRER: And Mr. Rafferty, I know that you represent the transferor, but do we foresee any DUA or any other type of issues that may slow down the approval process if --

ATTY JAMES RAFFERTY: We do not foresee that.

CHAIR NICOLE MURATI FERRER: I believe your client, being a partner of this hotel, is helpful in making sure this goes through?

ATTY JAMES RAFFERTY: Oh, by all means. He has a beneficial interest, as disclosed in the

application. He's a 50 percent owner of the hotel and consequently the license as well.

CHAIR NICOLE MURATI FERRER: I did notice, Ms. Simao, in the letter -- it didn't make it in the letter in regard to today's hearing but just a reminder your manager needs to be --

ATTY SIMAO: That was the other thing I wanted to add for the record. I know the last time we were here that came up about Mr. Butcher is now TIPS trained and certified.

CHAIR NICOLE MURATI FERRER: Okay. Am I missing anything? Do you guys have any more questions?

INTERIM POLICE COMMISSIONER BRENT LARRABEE: I'm fine.

CHAIR NICOLE MURATI FERRER: Anyone else want to speak on this?

Mr. Brandon, do you want to be heard?

MI CHAEL BRANDON: Please.

CHAIR NICOLE MURATI FERRER: For the record, if anyone is in favor of this petition?

MI CHAEL BRANDON: Conditionally.

CHAIR NICOLE MURATI FERRER: So why don't we take your conditionally now.

Why don't you stand over here on this side.

MI CHAEL BRANDON: Thank you. For the stenographer, my name is Michael Brandon, B-R-A-N-D-O-N. And I live at No. 27 Seven Pines Avenue and I am speaking as the clerk for the neighborhood association, The North Cambridge Stabilization Committee.

So just a few things: I did send the Commissioners the letter that we sent to the proponents representing the hotel.

We appreciated their coming out and airing the issues with the neighbors, which

included some of the abutters, and there was universal opposition from neighborhood folks against the idea of opening the rear portion of the property, anything behind the hotel, which is entirely in the residential zone, which, from the start, the developers have -- and I know there's been some changes in who represents who, but, you know, this would be a passive green space to serve as a buffer zone between the commercial activity at the front of the site, which is in a business zone, and the small-scale residential community that surrounds the rear park garden, is how it has been described.

And that's in the process. We were assured of being completed, finally, planted, furniture, lighting, by the end of this month.

So they are currently operating the hotel under a temporary occupancy certificate.

So we look forward to that happening, and

we're just concerned that once they are open there be no future attempt to introduce the sort of live entertainment, service of food and alcohol in this part of the property.

So we would ask that the Commission consider imposing a specific condition that that is not allowed. And I know the premises description, and your question just now puts that on the record, but you may want to explicitly indicate that so down the line people don't think "well, let's take another bite at the apple" and folks have to come out again.

Also, in the premises description, it was explained to us that it must include the entire hotel, and obviously, even though linen closets and maid closets and the garage are all described, we presume that there would be no alcohol service there, and it was indicated that they will not have room service delivering food

or alcohol but there will be mini fridges in the rooms where alcohol will be -- wine and beer will be offered.

Just a couple of final points.

At the original hearing I pointed out, and I think, Madam Chair, you may have misunderstood what I was saying, again, in the advertisement for this continued hearing, the Kaya Inc's d/b/a is described as Kaya Restaurant and, in fact, the Commission, a couple years ago, I think it was, changed the d/b/a to Porter House Grill, so I wouldn't want that to introduce any sort of a snag at ABCC, depending on what their records may say, so that might be something you want to make sure is squared away.

Oh, in terms of the capacities that were just read, those are seating capacities.

I am wondering, is there an overall capacity or is that just set, for instance,

standing room at the bar? Or people waiting for tables? Or parties in the function room? And whether that would be specified.

Also, I know that the Commission used to require a specific diagram of the seating plans that were signed off by Inspectional Services, and perhaps the Fire Department, so we would just want to be sure, there are sufficient aisles, including the 30-person front patio where the neighbors support the outdoor service, that that meets all the codes, including handicap access and I don't know if they are required to have a certain number of wheel chair-accessible chairs and tables, and if that's within your purview, but that's the other item that we wanted to get cleared away and that's it.

We really appreciate the proponents coming and reaching out to the community to discuss what is going on and we appreciate the

Board continuing to help us.

I know you delayed licensing some of the electrical equipment that we hadn't expected to turn up in the park and that will now be screened, but so thank you to all of you and thank you for allowing me to address you.

CHAIR NICOLE MURATI FERRER: Just for the record, there are floor plans that are filed with the application; however, in a case like this where the build-out has not been completed, the floor plans don't get officially approved until they submit them once and in accordance with what was expressed here.

MICHAEL BRANDON: Okay, that's good. Just, there used to be, I don't know if it is still the case, actually diagrams of the kitchen equipment where the stoves will be, where the fire suppressants will be.

CHAIR NICOLE MURATI FERRER: They will

need building permits and they will need to submit stuff to ISD and be approved and have Fire and ISD and all the inspectors that need to review them.

MICHAEL BRANDON: I just hope nothing falls through the cracks because it has for a couple years.

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

Yes, sir, if you can please come up.

WALTER WEDLOCK: I'm Walter Wedlock. I'm the director of the Masonic Hall Association.

Last name is W-E-D-L-O-C-K. Like holy matrimony. I have been on the Hall Association for well over 15 years and have seen the construction and build-out and been involved with some of the things that have been going on with Kaya or Porter Square Hotel.

The back area, which I know, I guess, is

not -- the garden is not being passed or put onto this liquor license, which I think is appropriate, but some of the seating and other things they have for the area, I would really like to see those diagrams and plans because the uplighting and noise and also what separates the back of the hotel from the garden, and there are plans on the website by the architect but it does not reflect what is there now for space and design.

CHAIR NICOLE MURATI FERRER: Thank you.

Anyone else?

(No response.)

CHAIR NICOLE MURATI FERRER: Anyone in opposition to this petition?

(No response.)

CHAIR NICOLE MURATI FERRER: I will note for the record we did receive an email on August 7 from a Candessa (phonetic) Eggers E-G-G-R-S,

property owner near the Porter Road, and they were concerned with regard to the publicly-accessible garden in the back and so they just wanted to make sure there would be no spillover with the restaurant activities onto the garden.

Ms. Simao, do you have anything else for the Board?

ATTY SIMAO: I have nothing further to add at this point, unless there are any other specific questions.

CHAIR NICOLE MURATI FERRER: Thank you. Questions?

INTERIM POLICE COMMISSIONER BRENT LARRABEE: I do not.

ACTING FIRE CHIEF GERARD MAHONEY: All set?

CHAIR NICOLE MURATI FERRER: So I think based on everything we heard on the multiple

hearings on this matter and the documents submitted, I would vote to approve this transfer. So I would vote to grant.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Granted.

ACTING FIRE CHIEF GERARD MAHONEY:

Granted.

CHAIR NICOLE MURATI FERRER: Granted.

And, Ms. Lint, if you can make a notation there to Mr. O'Neil to double check that the ABCC never changed the d/b/a to Porter House, and if they did, to make sure we did that, so it doesn't get confused.

ATTY SIMAO: Do we need a second vote for the second application because of the way it was bifurcated in this case?

CHAIR NICOLE MURATI FERRER: Yeah, I think we rolled it over on everything and we just signed both with regard to the alteration and

pledge and pledge of inventory and change of license type. It would be, for me, a vote to grant all of those.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: Granted.

ACTING FIRE CHIEF GERARD MAHONEY:
Granted.

CHAIR NICOLE MURATI FERRER: Granted.
Thank you.

ATTY SIMAO: Thank you.

APPLICATION: D2J RESTAURANT GROUP, LLC, D/B/A
HOPS 'N SCOTCH

EXECUTIVE DIRECTOR ELIZABETH LINT:
Application: Transfer of common victualer all alcohol license from D2J Restaurant Group, LLC, doing business as Hops 'n Scotch at 1248 Cambridge Street to Poofydude, LLC, doing business as Wits End at the same location with

premises described as approximately 2,300 square feet consisting of dining room, kitchen and bar on the first floor, storage in the basement, one entrance, two exits.

Application has also been made for an entertainment license for trivia, one day per week, two radios, three TVs, audio tape machine, CD, computerized media playing music below or at conversation level.

Hours of operation, 11 a.m. to 1 a.m. seven days per week, seating for 81 with total occupancy of 99. Peter Stein, proposed manager of record.

CHAIR NICOLE MURATI FERRER: Mr. Barnosky, good afternoon.

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

ATTY ADAM BARNOSKY: Good afternoon, Madam Chair and Members of the Board.

I 'm Adam Barnosky, B-A-R-N-O-S-K-Y.

PETER STEIN: Peter Stein, S-T-E-I-N.

CHAIR NICOLE MURATI FERRER: Thank you.

ATTY ADAM BARNOSKY: We are here before the Board on a transfer of a Section 12, all alcohol license, a CV license, and entertainment license.

The proposed location is at 1248 Cambridge Street in Inman Square, the southwest corner of Prospect and Cambridge Streets.

It is currently the location of Hops Test Kitchen who took over the space in 2014 from a Haveli Indian Cuisine.

The proposed restaurant will be called Wits End. It will have similar beverages, fare, and entertainment and hours of operation of Hops Test Kitchen.

The property was substantially renovated back in 2014 when Hops Test Kitchen took over for

Haveli (phonetic).

The licensee anticipates making cosmetic changes, some changes to the seating arrangements, which were shown on the floor plans but no material construction or alteration of the premises is anticipated.

As a result, we are really seeking from the board the same permits that are currently exercised on the premises, closing hour of 1 a.m., seven days a week, and 81 seats, which is a combination of tables, booth and a bar, and we did provide a floor plan by LLM Design detailing the seating with entertainment.

We are looking for standard entertainment: Radio, TV, audio tape and DJ one day a week -- I'm sorry. Rather, trivia one day a week.

As for the proposed manager of record, Peter Stein he's a graduate of Princeton and MIT

Sloan School of Management. He previously worked in commercial real estate and project management in Boston. He does have experience in the restaurant industry. He is TIPS certified and he's scheduled for a 21 Proof training on August 24. We'll provide documentation after that training has been completed.

As the owner/operator, he does intend to be on site full-time at the restaurant. We discussed the rules -- local rules and regulations as well as the state ABCC regulations and his duties as manager of record.

As to a clarification, I want it on the record, for the application that was submitted to the ePortal of the ABCC, at the time that the LLC was filed -- or at the time the application was filed, the LLC had been formed but the proposed partnership agreement and funding was still being worked out.

Since that time, Mr. Stein decided to fund and develop the project on his own, a decision which was made with the consent of his proposed partner that was included in that application.

At the request of the Commission, we have provided two affidavits explaining the -- that the ownership is now solely in Peter Stein's name, and if approved, he will have the sole beneficial interest in the license.

As part of this neighborhood outreach, we have been in touch with the City's Economic Development Division and Inman Square Neighborhood Association about the change of ownership.

Peter met last month with representatives of the neighborhood association. They were supportive of the proposal. It is my understanding that they may have provided a

Letter of recommendation to the Board today.

We also provided to Executive Director Lint now financial documents for both the LLC and Mr. Stein.

Happy to answer any questions the Board may have.

CHAIR NICOLE MURATI FERRER: Okay, breathe.

PETER STEIN: Are you previously from Framingham? I'm also friends with your son. We graduated high school together, Ian.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: Really?

PETER STEIN: Yeah, I was president of Framingham North High.

The name "Larrabee" called out and I had to get that out. I apologize for the delay.

CHAIR NICOLE MURATI FERRER: Mr. Stein, you just got TIPS certified?

PETER STEIN: Yes.

CHAIR NICOLE MURATI FERRER: You don't need to do 21 Proof and TIPS. You can do either/or. You are more than welcome to do it again. It will be exactly the same training, just as an FYI.

PETER STEIN: That's good to know.

I will ensure that all the employees who work with me, will either be one or the other. It is my understanding that they need 21 Proof as well in Cambridge. Just TIPS is sufficient?

CHAIR NICOLE MURATI FERRER: One or the other, yes.

I did have a question with regard to the entertainment application.

You say that you will have "one other device described as follows" and I don't have the "other device." I'm wondering -- I have right now music below conversation level, two radios,

and three TVs.

Do you have anything else?

PETER STEIN: We have like a microphone.

CHAIR NICOLE MURATI FERRER: I'm assuming that's for the trivia?

PETER STEIN: Yeah.

CHAIR NICOLE MURATI FERRER: Okay.

And then you are requesting 11 a.m. to 1 a.m., I'm assuming you will serve dinner as well?

PETER STEIN: Uh-huh.

CHAIR NICOLE MURATI FERRER: Because your CV application only checks off that you are going to serve only lunch.

PETER STEIN: It would be dinner.

CHAIR NICOLE MURATI FERRER: Lunch and dinner?

PETER STEIN: Yes.

Some people maybe eat a late lunch.

CHAIR NICOLE MURATI FERRER: Do you mind

checking off here "yes. "

PETER STEIN: (Compl yi ng.)

CHAIR NI COLE MURATI FERRER: Thank you.

PETER STEIN: You' re wel come.

CHAIR NI COLE MURATI FERRER: You never
have been the manager of record on a liquor
license before?

PETER STEIN: I' ve not.

CHAIR NI COLE MURATI FERRER: And are you
fami li ar wi th the rul es and regul ati ons of thi s
Board and the ABCC and the laws of the
Commonweal th of Mass wi th regard to the sale and
servi ce of al cohol ?

PETER STEIN: I am.

CHAIR NI COLE MURATI FERRER: And do you
understand that we expect you to stay up to date
wi th those rul es, laws and regul ati ons?

PETER STEIN: I do.

CHAIR NI COLE MURATI FERRER: And I do

note for the record that we do have a letter in support from the Inman Square Neighborhood Association.

Any questions?

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: I do not.

ACTING FIRE CHIEF GERARD MAHONEY: None.

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

(No response.)

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

(No response.)

CHAIR NICOLE MURATI FERRER: What kind of food is Wits End going to have?

PETER STEIN: Small plates, like American/California fusion cuisine. Comfort bar food, I guess.

CHAIR NICOLE MURATI FERRER: Oh,

Ameri can/Cal i forni a fusi on. I sn' t Cal i forni a a
part of Ameri ca?

PETER STEIN: Cal i forni a fusi on. Some
Mexi can i nfl uence and French i nfl uence.

CHAI R NI COLE MURATI FERRER: I see.
Okay, anythi ng el se?

ATTY ADAM BARNOSKY: That' s al l .

CHAI R NI COLE MURATI FERRER: Thank you
for the affi davi t.

I woul d vote to grant.

I NTERI M POLI CE COMMI SSI ONER BRENT
LARRABEE: I vote to grant.

ACTI NG FI RE CHI EF GERARD MAHONEY: Grant.

CHAI R NI COLE MURATI FERRER: Granted.

ATTY ADAM BARNOSKY: Thank you.

APPLI CATI ON: AUROR, LLC

D/B/A FLAT PATTI ES

EXECUTI VE DI RECTOR ELI ZABETH LI NT:

Application: Auror, LLC doing business as Flat Patties, holder of a common victualer malt only license at 33 Brattle Street has applied for a change of occupancy from 22 seats inside and 15 seasonal patio seats to 11 seats on the first floor with standing for 19 for a total first floor occupancy of 30, existing mezzanine seating for 19 and 15 seasonal seats on the patio.

CHAIR NICOLE MURATI FERRER: Thank you.
Good afternoon. Could you please state and spell your names for the record.

ATTY KEVIN CRANE: Kevin Crane,
C-R-A-N-E, for the petitioner.

TOM BRUSH: Tom Brush, B-R-U-S-H from
Flat Patties.

CHAIR NICOLE MURATI FERRER: Thank you.
Mr. Crane, I reviewed the floor plan and per the floor plan, it would only be 16 standing room on the first floor.

Is that the floor plan that you also have?

ATTY KEVIN CRANE: Yes, it is.

As far as occupancy goes where it says standing 16, then the kitchen, there's a figure of occupancy load 3 there that would bring it to the 19.

CHAIR NICOLE MURATI FERRER: Except that's in the kitchen. That's not a public -- is the public going to the kitchen?

ATTY KEVIN CRANE: No, they are not.

CHAIR NICOLE MURATI FERRER: Okay.

ATTY KEVIN CRANE: I thought the occupancy loads had to include the employees as well.

CHAIR NICOLE MURATI FERRER: The areas for -- in your plan, absolutely. In terms of your liquor license, the occupancy relates to the public accessible areas.

ATTY KEVIN CRANE: I follow you.

CHAIR NICOLE MURATI FERRER: And there be no standing room on the mezzanine?

ATTY KEVIN CRANE: No.

CHAIR NICOLE MURATI FERRER: You are not really changing that capacity or the patio capacity, right, we are just adding the standing room to the first floor?

ATTY KEVIN CRANE: That's correct.

CHAIR NICOLE MURATI FERRER: Any questions?

INTERIM POLICE COMMISSIONER BRENT LARRABEE: I do not.

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

(No response.)

CHAIR NICOLE MURATI FERRER: Anyone in opposition to this petition?

(No response.)

CHAIR NICOLE MURATI FERRER: I would vote to grant.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: Vote to grant.

ACTING FIRE CHIEF GERARD MAHONEY:
Granted.

CHAIR NICOLE MURATI FERRER: Granted.

ATTY KEVIN CRANE: Thank you very much.

CHAIR NICOLE MURATI FERRER: I'm sorry, I do have a question since I have you here.

What are your actual hours of operation right now?

TOM BRUSH: Currently we have done breakfast on occasions and on certain weekends but normally it is 11 a.m. in the morning until 10 p.m. at night.

CHAIR NICOLE MURATI FERRER: Okay. I know that your license grants you more hours. Right now you have an 11 a.m. to 1 a.m., and

actually, when I looked back, it was a 2 a.m.

So 11 a.m. to 2 a.m.

I am fine with you not operating those hours. I know that there have been past Commissioners that have said the hours you are given are the hours you have to operate.

My big thing is that the hours that you are operating, you need to tell the public, and right now, I know it is on your website, but when you go into your premises, there's nothing there that alerts the public of those hours of operation.

And if you do not intend to operate anywhere near the 2 a.m., I think we need to address that, like, I know that I've sat on this Board now for a little over a year, and the consensus has been you need to operate the hours that you are given, and if you are not, then we need to corral those hours.

We're not here to discuss that now, but I wanted to tell you that at least until, whatever happens, you need to put on your premise door the hours that you are operating so the public knows. Thank you.

ATTY KEVIN CRANE: The actual hours they are operating?

CHAIR NICOLE MURATI FERRER: Yes, the actual hours that you are operating.

ATTY KEVIN CRANE: Okay, the license, you said, goes to 2 a.m.?

CHAIR NICOLE MURATI FERRER: No. The liquor license currently that you have is 11 a.m. to 1 a.m., seven days a week. When I went back, because -- so the only reason I know this is because our inspectors went to inspect your premises and we had given them the hours of operation and they went at midnight and they are like "oh, no, they are closed" and then they went

on-line and they saw that you have different hours and so I pulled out the record of when your license was granted, and that is where I saw the hours.

ATTY KEVIN CRANE: The website should say 1 a.m.?

CHAIR NICOLE MURATI FERRER: No. The website should say the hours he's operating and it does. It goes and complies to what Mr. Brush testified to.

I'm saying at the door, not everybody goes on a website and looks up your hours, so the public needs to know the hours you are operating. Thank you.

APPLICATION: TOMOLLY, INC.

D/B/A CHARLIE'S KITCHEN/THE RED HOUSE

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Tomolly, Inc., doing business as

Charlie's Kitchen/The Red House, holder of a common victualler all alcohol license at 10 Eliot Street has applied for a change of beneficial interests and alteration of premise to change the front entrance of The Red House, removal of a hallway, removal of one bathroom on the first floor, removal of the second floor dining rooms.

CHAIR NICOLE MURATI FERRER: Good afternoon. Please --

PAUL OVERGAAG: Good afternoon, Commission.

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

PAUL OVERGAAG: My name is Paul Overgaag O-V-E-R-G-A-A-G. I'm the owner of Charlie's Kitchen and The Red House Restaurant in Cambridge.

CHAIR NICOLE MURATI FERRER: Thank you.

PAUL OVERGAAG: I have some larger prints

for you folks, if you would like to take a look at the floor plan.

CHAIR NICOLE MURATI FERRER: Why not.

Thank you.

PAUL OVERGAAG: So just to start with a little bit of history. Paul Overgaag has been a license holder in Cambridge for over 30 years. People used to know me in the Charles Hotel at Giani no's (phonetic). After that, I took over Charlie's Kitchen and then we developed The Red House Restaurant.

Four years ago I got involved with medical marijuana, and we currently have a grow facility and dispensary open in Georgetown, and last summer, I petitioned the City Council in Cambridge to rezone the medical marijuana to include Harvard Square, and they asked me to please not take over the whole building for the dispensary but try to keep a small restaurant to

maintain the restaurant-feel on Winthrop Street.

So we redesigned everything, made the dispensary a little smaller and came up with a design for the restaurant to co-locate in the same building, as two separate units, a dispensary and a restaurant.

There's no way to access the dispensary from the restaurant or vice-versa.

With me, I have my attorney from -- who does the medical marijuana, if there's any questions that the Board has about that particular part of the operation.

In the meantime, it has been ten years since I have been in front of the Commission, and so a lot of the rules and regulations have changed, and so we went to the Fire Department and worked with Fire Prevention to recalculate the occupancy and seating and came up with different numbers that are reflected in these

plans here today.

CHAIR NICOLE MURATI FERRER: Okay, so that was actually one of my questions.

So what hallway are you removing?

I mean -- and you are removing that first floor bathroom, so when The Red House people want to go to the bathroom, which bathroom are they going to use?

PAUL OVERGAAG: If you go to plan A13, I highlighted the dispensary part in yellow.

CHAIR NICOLE MURATI FERRER: Okay.

PAUL OVERGAAG: So the hallway to the back dispensary is the hallway we are removing from The Red House.

The back room is the dining room that we are removing from The Red House.

We are removing one bathroom from The Red House and that becomes the bathroom to the restaurant. That's uni sex, handicapped

accessi bl e.

Then on the second floor, there will be a bathroom for The Red House that is not handicap accessi bl e and we've applied for a variance.

CHAIR NICOLE MURATI FERRER: Now, let me see if I can envision this in my head.

When I walk into The Red House, the hostess stand is a little bit to the right, and there's a bathroom there and then there's the back room.

PAUL OVERGAAG: Yep.

CHAIR NICOLE MURATI FERRER: All that is stayi ng Red House?

PAUL OVERGAAG: The hallway, there's two bathrooms there, we're changing the door entrance to have the door entrance be where the podium currently is, that whole wall will be blocked off and the main entrance for The Red House will be on the patio side.

CHAIR NICOLE MURATI FERRER: So you would be entering the other -- okay, I see.

PAUL OVERGAAG: You would be entering into the bar area through the patio. We made the patio handicapped accessible to follow that route to get into the smaller restaurant.

CHAIR NICOLE MURATI FERRER: Okay, and then the entire second floor of The Red House is now gone?

PAUL OVERGAAG: No.

The second story of The Red House consists of three rooms and a bathroom.

CHAIR NICOLE MURATI FERRER: Okay.

PAUL OVERGAAG: The two front rooms will be taken over by the Healthy Pharms' tenant.

One of the rooms will be an office.

One will be a security server room.

The third room will be a storage room that is publicly accessible to the second

bathroom on the third floor -- or second floor.

I'm sorry.

I don't think there's any third floor plans in there.

ACTING FIRE CHIEF GERARD MAHONEY:

Drawing A13 is the first floor?

PAUL OVERGAAG: First floor of The Red House.

ACTING FIRE CHIEF GERARD MAHONEY: So your separate tenant will have space on floor 1 as well as floor 2?

PAUL OVERGAAG: Yes, sir.

ACTING FIRE CHIEF GERARD MAHONEY: So you have a --

PAUL OVERGAAG: Unfortunately, there's no --

ACTING FIRE CHIEF GERARD MAHONEY: There's no drawing for floor 2.

PAUL OVERGAAG: I'm sorry about that.

ACTING FIRE CHIEF GERARD MAHONEY: I think -- well, there's a drawing just for upstairs at Charlie's.

PAUL OVERGAAG: Upstairs at Charlie's is the same license but a different building.

CHAIR NICOLE MURATI FERRER: But Charlie's is not -- you are not changing Charlie's description at all, this is just happening at The Red House?

PAUL OVERGAAG: Right. We are changing the occupancy count at Charlie's.

ACTING FIRE CHIEF GERARD MAHONEY: You cannot go between Charlie's and Red House?

PAUL OVERGAAG: As a customer, no. As employees, yes.

ACTING FIRE CHIEF GERARD MAHONEY: Within -- without going out of doors.

PAUL OVERGAAG: Yes.

CHAIR NICOLE MURATI FERRER: Through the

back stairs.

ACTING FIRE CHIEF GERARD MAHONEY: Okay.

PAUL OVERGAAG: You are very well aware of the building.

ACTING FIRE CHIEF GERARD MAHONEY: That's her job.

CHAIR NICOLE MURATI FERRER: So, right now, your premise, right now is described as three dining rooms, bar lounge, bar, kitchen, garden patio, terrace patio on first floor, so your first floor is now becoming two rooms basically? Yes?

PAUL OVERGAAG: Yes. Two rooms and an outdoor patio.

CHAIR NICOLE MURATI FERRER: And then the second floor from three dining rooms, you are going to one room but that one room is not a dining room?

PAUL OVERGAAG: Not a dining room.

CHAIR NICOLE MURATI FERRER: Just storage.

PAUL OVERGAAG: Liquor storage in a cage and a bathroom.

CHAIR NICOLE MURATI FERRER: Oh, I see. And that's why you say it is accessible to the public because they can use the bathroom.

PAUL OVERGAAG: I needed that bathroom count for the plumbing code.

CHAIR NICOLE MURATI FERRER: And your patio, which you also changed to make handicapped accessible, what will be the capacity on that patio now?

PAUL OVERGAAG: The patio, we're looking for 50 seats -- 44 seats. That's A1, 3A.

CHAIR NICOLE MURATI FERRER: This is the one in front of The Red House?

PAUL OVERGAAG: Yes, ma'am.

CHAIR NICOLE MURATI FERRER: Then you

said that the Charlie's is also changing the capacity, the occupancy?

PAUL OVERGAAG: Because the calculation of the occupancy ten years ago was just how many tables you can put in. We recalculated everything with the 15-square-foot-per-seating customer and 7 square feet for standing customer, so we came up with a different occupancy loads than what is actually happening right now.

CHAIR NICOLE MURATI FERRER: Okay, so what is going to be the change in Charlie's?

PAUL OVERGAAG: That's where we had the difficulties because we could never identify what the occupancy was before we did this.

There was no occupancy load on the beer garden. It was always -- it was a number.

Now, with the calculations, it is clarified that the beer garden is proposed to hold 124 people, if I have that number correct.

Yes.

CHAIR NICOLE MURATI FERRER: Which one is that?

PAUL OVERGAAG: A10.

ACTING FIRE CHIEF GERARD MAHONEY: On the front sheet.

CHAIR NICOLE MURATI FERRER: Oh.

PAUL OVERGAAG: So we have tables, we have fixed tables and backbar staff, which, as I just found out from you right now, should not be counted into that. Stools and standing coming out to 124.

CHAIR NICOLE MURATI FERRER: Okay.

PAUL OVERGAAG: Not to start a whole other discussion, but because of the ever-changing need of the restaurant space at lunchtime, it is all seated that people want to sit. At dinnertime until 8:00 at night, it is people that want to have dinner. At 9:00, 10:00,

it is people that want to stand around and hang around and have drinks.

There was some discussion with the Fire Prevention officer that I should question if we take tables away at that particular time and properly store these tables, would we then have a floating capacity because if you take away two chairs, you can increase your standing capacity by four people.

ACTING FIRE CHIEF GERARD MAHONEY: I don't --

PAUL OVERGAAG: I'm saying -- I'm underlying "properly stored." So not just stack them in the egress.

ACTING FIRE CHIEF GERARD MAHONEY: Properly stored where?

PAUL OVERGAAG: On the third floor that we have available.

And vice-versa on the inside of

Charlie's, especially on the second floor.

ACTING FIRE CHIEF GERARD MAHONEY: So my concern would be that you have X people in the establishment based on more square footage available for standing and then you bring tables and chairs in, now you reduced your available -- your allowable floor limit and what happens to the people that are already there?

PAUL OVERGAAG: At 8:00 at night, there's a bunch of empty tables, that you then take away and create standing room.

ACTING FIRE CHIEF GERARD MAHONEY: So let me ask you something: So while your restaurant is occupied, conducting business, you are going to have people, workers pack up tables and chairs and maneuver them to the third floor --

PAUL OVERGAAG: Yeah.

ACTING FIRE CHIEF GERARD MAHONEY:
-- while you have guests in the restaurant?

PAUL OVERGAAG: The second floor of Charlie's is a perfect example where the staircase is at the -- in the room itself and we can designate four tables to disappear every night.

So we stop seating there at 8:00 at night, take those four tables away, and those are four tables that seat six people, so you are talking technically an increase of 24 standing people.

And the reason I bring this up because there's always this capacity issue that happens at that particular time at night where you don't -- people don't want to sit.

ACTING FIRE CHIEF GERARD MAHONEY: Right.

PAUL OVERGAAG: You have a ton of people standing but nobody is sitting at the table.

ACTING FIRE CHIEF GERARD MAHONEY: I understand.

PAUL OVERGAAG: And I know it is a much bigger discussion and I think we should not cloud the issue today, but I would definitely like to discuss this in a future discussion to see if there's a possibility to say, okay, you have -- this is your plan, if you have -- instead of 80 people sitting, you have 60 people sitting and you can have 70 people standing and have a chart and have the chart be the chart we live by.

ACTING FIRE CHIEF GERARD MAHONEY: Okay.

PAUL OVERGAAG: Just --

ACTING FIRE CHIEF GERARD MAHONEY: I think it is worthy of a discussion.

PAUL OVERGAAG: Thank you.

ACTING FIRE CHIEF GERARD MAHONEY: I suggest that you contact us.

PAUL OVERGAAG: Okay.

ACTING FIRE CHIEF GERARD MAHONEY: And we'll look into it.

PAUL OVERGAAG: I appreciate that.

CHAIR NICOLE MURATI FERRER: By "us" you mean Fire Prevention.

ACTING FIRE CHIEF GERARD MAHONEY: Fire Prevention officer.

CHAIR NICOLE MURATI FERRER: With that said, any other questions with regard to what is in front of us?

ACTING FIRE CHIEF GERARD MAHONEY: No.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: No.

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

(No response.)

CHAIR NICOLE MURATI FERRER: Anyone in opposition to this petition?

MICHAEL BRANDON: Can I ask a question about it. It is again Michael Brandon, 27 Seven Pines Avenue.

There was going to be some changes to the front entrance, is that correct, and would those be visible from the street?

PAUL OVERGAAG: So the whole project was in front of the Historic Commission.

The front of the building and front entrances and what is visible from the street, nothing is changing.

MICHAEL BRANDON: So this plan was reviewed by the Historical Commission and received a certificate of appropriateness?

PAUL OVERGAAG: Yes.

MICHAEL BRANDON: Another follow-up question.

There's a fairly new neighborhood association in Harvard Square calling themselves the Harvard Square Neighborhood Association. I wonder if you visited them and whether that might be something, if you haven't, that you would want

to do just to make sure that there aren't any concerns.

CHAIR NICOLE MURATI FERRER: Why don't you guys talk after this.

PAUL OVERGAAG: Well, we did have a presentation in front of the Harvard Square Economic Advisory Commission, which is like what the Harvard Defense Fund turned into, and they were in support of this project unanimously.

CHAIR NICOLE MURATI FERRER: I do have, for the record, I do have a letter from the Harvard Business Association in support of this application.

MICHAEL BRANDON: Was it the Advisory Committee?

CHAIR NICOLE MURATI FERRER: It's The Harvard Square Business Association.

MICHAEL BRANDON: That's different from the Harvard Square Advisory Committee, which is

an official body.

PAUL OVERGAAG: It's the Harvard Economic Advisory Committee, which we had a presentation in front and they unanimously approved the project. John Di Giovanni is the president of that committee.

MICHAEL BRANDON: I -- I don't think "economy" is part of it, but just to correct what was said, the Harvard Square Defense Fund has now morphed into the Harvard Square Neighborhood Association and I suspect that you haven't been before them. I just recommend that you think about maybe doing so.

CHAIR NICOLE MURATI FERRER: Anyone else in support of this petition?

(No response.)

CHAIR NICOLE MURATI FERRER: Anyone in opposition to this petition?

(No response.)

CHAIR NICOLE MURATI FERRER:

Mr. Overgaag, I do have one question.

The only change in beneficial interest is that we are removing the three directors that were there but nothing else is changing?

PAUL OVERGAAG: (Nodding.)

CHAIR NICOLE MURATI FERRER: With that said, I would vote to grant the application.

ACTING FIRE CHIEF GERARD MAHONEY: Do you have a timeline?

PAUL OVERGAAG: The restaurant is going to close as soon as I have a building permit, which is going to happen in the next couple days.

ACTING FIRE CHIEF GERARD MAHONEY: Do you have an estimate how long for the conversion?

PAUL OVERGAAG: So the dispensary, which is a whole different approval process, hopefully will be open in two months, and then the restaurant will be ready and done by the time I

get the ABCC approval .

ACTING FIRE CHIEF GERARD MAHONEY: Okay.

CHAIR NICOLE MURATI FERRER: Okay. I
would vote to grant.

ACTING FIRE CHIEF GERARD MAHONEY: Grant.

INTERIM POLICE COMMISSIONER BRENT
LARRABEE: Second.

CHAIR NICOLE MURATI FERRER: Granted.

PAUL OVERGAAG: Thank you.

CHAIR NICOLE MURATI FERRER: Thank you.

INFORMATIONAL: CLASSIC RESTAURANT CONCEPTS, LLC
D/B/A EN BOCA

EXECUTIVE DIRECTOR ELIZABETH LINT:

Informational: Classic Restaurant Concepts, LLC,
doing business as En Boca, holder of a common
victualier all alcohol license at 8 Holyoke
Street for nonuse of license pursuant to Mass
General Laws Chapter 138, Section 77.

CHAIR NICOLE MURATI FERRER: Good afternoon. Could you please state and spell your name for the record.

BILL GOODWIN: Bill Goodwin
G-O-O-D-W-I-N.

PETER SARMANIAN: Peter Sarmanian,
S-A-R-M-A-N-I-A-N.

CHAIR NICOLE MURATI FERRER: Peter, you were too fast for me.

PETER SARMANIAN: S-A-R-M-A-N-I-A-N.

CHAIR NICOLE MURATI FERRER: Thank you.
And, Mr. Goodwin, why don't you tell us what is going on?

BILL GOODWIN: Well, we closed our restaurant, En Boca, 8 Holyoke Street, Harvard Square.

In advance of closing, I alerted Executive Director Lint that we were going to close and I was informed that I should turn the

license in, which we did, and pursuant to that, this hearing was scheduled, and you and I had a conversation yesterday and emails about falling into that category and the necessary -- how necessary it was, or was not, and I am clear now, and we are in the midst of negotiations with Harvard via attorneys about the issue -- the reason we closed, which it wasn't disclosed to us that they were closing the street until August of 2018 which hampered our business.

We appreciate the accolades we received from all the media, The Globe, the Boston Magazine, the endorsement by the City Council of Cambridge, as well as our customers, but our business just never continued to grow where we needed it to grow and we were alerted in February of this year that Harvard is keeping the street closed until August of 2018, which we got an attorney involved and found out that they legally

had to disclose it to us that they were going to close the street, and therefore, the attorneys are trying to hash this out. If not, we'll be filing a complaint and litigation. And at which point, when we file the complaint, we'll pursue other opportunities with the license throughout the city to try to find a home for it.

CHAIR NICOLE MURATI FERRER: To clarify, for the record, what Mr. Goodwin is referring to in terms of our conversation of yesterday, was I was reviewing the file and I observed that his liquor license was in the file, and I was asking him why it was here and whether he had relinquished the license, and his response was "no" that he was informed he had to turn in the license, which is a practice for the hackney licenses, not the liquor licenses.

And I provided him the rules and regulations just saying that he needed to inform

the Board that he had closed, not that he needed to provide the license to the Board and I just want clarification on that.

So with that said -- and then my question, I think, you just answered is, if you don't really see an end in sight in terms of this, you are thinking of moving the license somewhere else and putting it into use?

BILL GOODWIN: Yes.

CHAIR NICOLE MURATI FERRER: You have just started your conversations with Harvard and whatnot?

BILL GOODWIN: It has been ongoing now for several months. As I said, we have been trying to work it out, and it has had some glimmer of hope but attorneys have to do their jobs, I guess.

CHAIR NICOLE MURATI FERRER: Questions?

ACTING FIRE CHIEF GERARD MAHONEY: You

know how they work.

I N T E R I M P O L I C E C O M M I S S I O N E R B R E N T

LARRABEE: None.

C H A I R N I C O L E M U R A T I F E R R E R : Any

questi ons?

A C T I N G F I R E C H I E F G E R A R D M A H O N E Y : No

questi ons.

C H A I R N I C O L E M U R A T I F E R R E R : Wi th that

said, I would say that we have a hearing in nine months on this to provide the attorneys some time to hash it out and Mr. Goodwin some time to figure out what he's going to do, whether he's going to move it or keep it there or whatnot.

I N T E R I M P O L I C E C O M M I S S I O N E R B R E N T

LARRABEE: Please do.

C H A I R N I C O L E M U R A T I F E R R E R : Ni ne months?

A C T I N G F I R E C H I E F G E R A R D M A H O N E Y : Sounds

good.

E X E C U T I V E D I R E C T O R E L I Z A B E T H L I N T : I s

that for further information?

CHAIR NICOLE MURATI FERRER: At this point, I would just say a hearing pursuant to 138, Section 77 in nine months.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: Fine by me.

CHAIR NICOLE MURATI FERRER: Thank you.

BILL GOODWIN: Should I take the license back from you or --

CHAIR NICOLE MURATI FERRER: If you want it, yeah, if you want to take a look at it, if I have it.

BILL GOODWIN: Thank you very much.

Good to see you, Commissioner Larrabee.

APPLICATION: ANKANG CORPORATION

D/B/A QING DAO GARDEN

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Ankang Corporation doing business

as Qing Dao Garden, holder of a common victualer license at 2382 Mass Ave has applied for a new common victualer wine and malt license.

Premise is described as approximately 1,200 square feet with two dining rooms, kitchen and hostess station on the first floor, one entrance and two exits.

Hours of operation 10 a.m. to 11 p.m., seven days per week, seating for 34 with a total occupancy of 42. Wen Ji Xiang as proposed manager of record.

CHAIR NICOLE MURATI FERRER: Good afternoon.

Could you state and spell your name for the record.

WEN JI XIANG: My name is Wen Ji Xiang, W-E-N J-I X-I-A-N-G.

CHAIR NICOLE MURATI FERRER: Thank you. And Mr. Xiang, you have been operating here since

2007, correct?

WEN JI XIANG: Yes.

CHAIR NICOLE MURATI FERRER: And you've had no disciplinary issues, correct?

WEN JI XIANG: Yes.

CHAIR NICOLE MURATI FERRER: Can you tell us what's the public need for this license at this location.

WEN JI XIANG: It is on Massachusetts Avenue, 2382 Mass. Ave.

CHAIR NICOLE MURATI FERRER: And why do you need malt and wine?

WEN JI XIANG: Right now, it is very hard to do the business. We apply for the license, the -- make a little more, you know, business of.

CHAIR NICOLE MURATI FERRER: Have your clients requested the service of alcohol?

WEN JI XIANG: Yes.

CHAIR NICOLE MURATI FERRER: What kind of

food do you provide?

WEN JI XIANG: We do traditional Chinese authentic and American Chinese and something like dumpling, and northern Chinese and Chinese style.

CHAIR NICOLE MURATI FERRER: Would you say there are any places near you that provide the same type of services that you do, the same type of food?

WEN JI XIANG: No, I don't think so.

CHAIR NICOLE MURATI FERRER: Have you ever managed a liquor license before?

WEN JI XIANG: No.

CHAIR NICOLE MURATI FERRER: And other than operating this restaurant, have you had any other experience in the food and beverage industry?

WEN JI XIANG: Yeah, I have a lot of experience in the kitchen and management in bar,

everythi ng.

CHAIR NICOLE MURATI FERRER: And are you currently aware and know the rules and regulations with regard to the sale and service of alcohol ?

WEN JI XIANG: Yes.

CHAIR NICOLE MURATI FERRER: Have you been TIPS certi fied?

WEN JI XIANG: (Pause.)

CHAIR NICOLE MURATI FERRER: Or 21 Proof?

WEN JI XIANG: I thi nk maybe the 21 Proof for us. I don' t l ike the hard l iquor l i cense.

CHAIR NICOLE MURATI FERRER: No, I know you are applyi ng j ust for mal t and wi ne.

I meant have you gone to any traini ngs wi th regard to over service of al cohol or how to check I Ds?

WEN JI XIANG: Uh-huh.

CHAIR NICOLE MURATI FERRER: You have

gone to that kind of training? Or no?

WEN JI XIANG: A long time ago, I worked with the hotel. Right now, it is Courtyard on Memorial Drive, yeah.

CHAIR NICOLE MURATI FERRER: If you are approved, you will have to be TIPS certified or you have to go to 21 Proof before you can be given a license to make sure.

WEN JI XIANG: Yup. I will go training at the end.

CHAIR NICOLE MURATI FERRER: Absolutely. And we expect you to stay up to date with those rules, laws and regulations if you do become licensed, okay?

WEN JI XIANG: All right.

CHAIR NICOLE MURATI FERRER: Questions?

ACTING FIRE CHIEF GERARD MAHONEY:
Nothing.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: No.

CHAIR NICOLE MURATI FERRER: Anyone in favor -- these are the -- is that your wife?

WEN JI XIANG: Yes.

CHAIR NICOLE MURATI FERRER: I think she's helping you out. She's doing a good job.

Ma'am, can you come up, please, and could you please state your name for the record.

GE WANG: My name is, first name G-E. Last name spelled W-A-N-G.

CHAIR NICOLE MURATI FERRER: And, Ms. Wang, for the record, can you tell us what you just handed us.

GE WANG: Yeah.

CHAIR NICOLE MURATI FERRER: Can you tell us what these are?

GE WANG: The customer support for the -- applied beer license and customer coming in and always asking why you are not serving, and that's

why we -- when we starting the restaurant, we didn't thinking the license of a beer and wine but a lot of customer, especially for the neighborhood, and they asking "why you not serving" and I said "maybe too hard." And they said "we'll support you." And they start send -- they help us.

CHAIR NICOLE MURATI FERRER: Aside from just -- aside from adding the malt and wine, you guys are not changing your operations or hours or anything?

GE WANG: Everything the same.

CHAIR NICOLE MURATI FERRER: Everything is the same?

GE WANG: Uh-huh.

CHAIR NICOLE MURATI FERRER: Questions?

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: No questions.

CHAIR NICOLE MURATI FERRER: Anyone in

favor of this petition?

MICHAEL BRANDON: Conditionally.

I'm Michael Brandon, 27 Seven Pines Avenue. I'm the clerk for the North Cambridge Stabilization Committee. I'm not speaking technically on the committee's behalf because we just got wind of this hearing and didn't have an opportunity to invite the proponents to come before us at one of our monthly neighborhood forums.

I would just say since -- I think none of the current members of this Board are familiar with, in the past, problems that have arisen with the several similar small restaurants along this section or avenue.

There's the corner restaurant, the Greek restaurant at the corner of Dudley in the same block of buildings, or immediately next door, Hana Sushi, a Japanese restaurant, the

proponent's restaurant Joe Sent Me cafe, bar, restaurant, so at one point when the Greek restaurant wanted to open -- add wine and beer, there was a controversy over the dumpsters behind this venue and the adjacent one, which were not very well kept up, and they weren't locked.

Subsequently, within the last year, there was bad -- there was a bad outbreak of rat infestations, largely emanating from these dumpsters, which spread to the residences on Dudley Street, immediately behind them.

Inspectional Services did do a lot of work trying to crack down and exterminating.

I think the city even brought in and paid for exterminators of the residential property.

So it's -- from what I've heard, the problem is pretty much alleviated. Although I, once in a while, will see a rodent when I walk down Dudley Street.

I would just caution that the proponents be sure to regularly make sure that those dumpsters are kept covered at night, regularly serviced and emptied and sanitized and that the alleyway is always kept locked so we don't develop any problems.

Other than that, I'm really glad. I've had dim sum there more than once and hope that you would grant this permit.

CHAIR NICOLE MURATI FERRER: Thank you.
Anyone else in support?

(No response.)

CHAIR NICOLE MURATI FERRER: For the record, the applicants have given us 20 pages, all of them with 20 signatures, except for one, in what, in a very cursory and quick look, appear to be different people from multiple areas in support of this application.

Anyone in opposition to this application?

(No response.)

CHAIR NICOLE MURATI FERRER: With that said, I would vote to grant.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: Granted.

ACTING FIRE CHIEF GERARD MAHONEY:
Granted.

CHAIR NICOLE MURATI FERRER: Granted.

WEN JI XIANG: Thank you very much. Good night.

CHAIR NICOLE MURATI FERRER: Good night.

APPLICATION: UNO RESTAURANTS, LLC

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Uno Restaurants, LLC, holder of a common victualer all alcohol license at 22 JFK has applied for a change of beneficial interests.

CHAIR NICOLE MURATI FERRER: Good afternoon. Please state and spell your name for

the record.

ATTY GEORGE HERZ: I'm George Herz
H-E-R-Z. I'm here on behalf of Uno's Restaurant,
LLC.

CHAIR NICOLE MURATI FERRER: Mr. Herz,
for the record, this is a --

ATTY GEORGE HERZ: Beneficial interest
application updating --

CHAIR NICOLE MURATI FERRER: At the
parent company level, correct?

ATTY GEORGE HERZ: Actually, above that.
It's levels above the parent company.

This is an update, as I was -- as I can
explain of the parent company's ownership
interest, which is a level above, or two levels
above the licensee. In this particular case a
private equity -- existing private equity
company, through its funds, which currently owns
approximately 16 percent of Uno Restaurants

Hol di ngs Corporati on wi l l now hol d 85 percent of Uno Restaurants Hol di ngs Corporati on and another publ i c company by the name of Fi del i ty National Ti tle Insurance Company wi l l own the other 15 percent.

There are no change of officers or di rectors of the l i censee i tsel f.

CHAI R NI COLE MURATI FERRER: Okay. Thank you.

Wi th that sai d, I woul d vote to grant.

I NTERI M POLI CE COMMI SSI ONER BRENT LARRABEE: Granted.

ACTI NG FI RE CHI EF GERARD MAHONEY: Granted.

CHAI R NI COLE MURATI FERRER: Granted.

ATTY GEORGE HERZ: Have a pl easant afternoon.

ACTI NG FI RE CHI EF GERARD MAHONEY: You too.

VIOLATION: CARBONE LANDSCAPE COMPANY

EXECUTIVE DIRECTOR ELIZABETH LINT:

Violation: Carbone Landscape Company for alleged violations of Cambridge Municipal Ordinances 8.16.081.2(a), operating during a prohibited period and 8.16.081.2(c), operating without a permit on July 1, 2017, at 725 Concord Avenue and July 7, 2017, at 700 Huron Avenue.

CHAIR NICOLE MURATI FERRER: Carbone?

(No response.)

CHAIR NICOLE MURATI FERRER: Second call.

VIOLATION: BLACK DIAMOND LANDSCAPERS, INC.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Violation: Black Diamond Landscapers, Inc., holder of leaf blower permit 10040 for alleged violations of Cambridge Municipal Ordinances 8.16.081.2(a), operating during a prohibited period and 8.16.081.2(b), operating before

permitted time on July 7, 2017, at approximately 7:57 a.m. on Trowbridge Street.

CHAIR NICOLE MURATI FERRER: Good afternoon. Please stand up and raise your right hand.

(Party sworn)

CHAIR NICOLE MURATI FERRER: Thank you.

Would you please state and spell your name for the record?

JOSEPH KUSCE: Joseph Kusce, J-O-S-E-P-H K-U-S-C-E. I'm the owner of the company.

CHAIR NICOLE MURATI FERRER: Thank you, Mr. Kusce.

Ms. Boyer?

ANDREA BOYER: Thank you.

I had received a telephone call and they did give me their name, they stated they wanted

to remain anonymous that leaf blowers were being used by Black Diamond Landscapers on July 7 at approximately 7:57 a.m., and using the leaf blowers on Trowbridge Street, address is not an on home but is on between, they stated between Harvard Street and Broadway. They stated that the phone number on the vehicle was 781-648-2918. The complainant was notified there would be a hearing --

CHAIR NICOLE MURATI FERRER: Thank you.

ANDREA BOYER: -- by phone.

CHAIR NICOLE MURATI FERRER: Mr. Kusce?

JOSEPH KUSCE: We do have a property that we take care of at 52 and 54 Trowbridge Street, which is a double condo with a courtyard in the middle, brick courtyard in the middle.

We do have a license for using the leaf blowers in the correct season and we do have the appropriate blowers for such. I would say that

i f the guys were using thei r own blowers --
because we only do a few towns (si c) i n
Cambri dge.

Comi ng from Bel mont and goi ng to
Watertown or Arl ington then they probab ly were
using some blowers to clean up the debris on the
street or the si dewal k. I di d tell them not to
use them thi s year after June 15 and before
September 15. Si mi lar rules apply i n Arl ington
as wel l , and you know, they j ust may have done i t
wi thout my noti ce. I 'm not at every j ob because
I have 125 homes that I run and I have 12 -- 11
to 12 men that work for me.

CHAI R NI COLE MURATI FERRER: Answer me
thi s questi on: Di d you tal k to your empl oyees
after you got noti ce of thi s heari ng?

JOSEPH KUSCE: Di d I speak to them
afterwards?

CHAI R NI COLE MURATI FERRER: Yeah. Di d

you speak to them -- once you learned about this -- hold on. You weren't there on July 7. Correct?

JOSEPH KUSCE: No.

CHAIR NICOLE MURATI FERRER: So did you speak to your employees?

JOSEPH KUSCE: Right.

CHAIR NICOLE MURATI FERRER: And were they there -- were they at the location that you serviced on Trowbridge Street on July 7?

JOSEPH KUSCE: They were there on the 7th but I don't think they were there that early because to get from Arlington to outside of Harvard Square at that time of day, I wouldn't have them go that route.

CHAIR NICOLE MURATI FERRER: Did you ask them whether they were there?

JOSEPH KUSCE: Yes.

CHAIR NICOLE MURATI FERRER: What did

they say?

JOSEPH KUSCE: They said they were there that day but not in the morning.

CHAIR NICOLE MURATI FERRER: Did you ask them whether they used leaf blowers?

JOSEPH KUSCE: I did, and they said they did use one leaf blower to clean up the debris in the street and gutters and sidewalk.

CHAIR NICOLE MURATI FERRER: I see. From your record that you became permitted in 2016, that you renewed in 2017 and you have received our communications with regard to proper service.

JOSEPH KUSCE: Yes.

CHAIR NICOLE MURATI FERRER: Questions?

INTERIM POLICE COMMISSIONER BRENT LARRABEE: Just clarification. This is an anonymous phone tip?

ANDREA BOYER: Yes, it was.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: And there's no complainant?

ANDREA BOYER: No complainant, no, that gave me a name.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Okay.

CHAIR NICOLE MURATI FERRER: I would vote a violation and I would issue a fine.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: I would not find a violation.

CHAIR NICOLE MURATI FERRER: Even though he admitted they used a leaf blower?

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: I would not find a violation.

ACTING FIRE CHIEF GERARD MAHONEY: No.

CHAIR NICOLE MURATI FERRER: No violation.

So two to one. The consensus is no violation. You will receive a statement of reasons.

JOSEPH KUSCE: Thank you very much.

VIOLATION: CAMBRIDGE LANDSCAPE COMPANY

EXECUTIVE DIRECTOR ELIZABETH LINT:

Violation Cambridge Landscape Company, holder of
leaf blower permit 10009 for alleged violation of
Cambridge Municipal Ordinance 8.16.081.2(a),
operating during a prohibited period on July 10,
2017 on Brattle Street.

CHAIR NICOLE MURATI FERRER: Cambridge
Landscape Company?

(No response.)

CHAIR NICOLE MURATI FERRER: Cambridge
Landscape submitted a very detailed response to
this, so I was not expecting them. I'm not sure,
Ms. Boyer, did they tell you that they were going
to appear because it appears this is their
response to the complaint.

ANDREA BOYER: That's what he stated to

me. He didn't want to seem as if he was disinterested but that he issued a statement and he would pretty much say the exact same thing that was in his statement along with the picture of --

CHAIR NICOLE MURATI FERRER: Is the complainant here?

ANDREA BOYER: The complainant is City Councillor Jan Devereux and she submitted a written statement to be read into the record.

CHAIR NICOLE MURATI FERRER: Could you please read it?

ANDREA BOYER: Yes, I will. "On July 10 shortly before 10 a.m., I was on my way to a meeting in Harvard Square when I heard and observed a leaf blower being used to sweep dirt from a sidewalk in front of Harvard's Greenleaf House on 76 Brattle Street.

A Cambridge Landscape truck was parked

there and workers were loading equipment into it.

As they appeared to be finished with their job, except for the clean up that involved blowing dirt on the sidewalk, I politely informed one of them that leaf blowers are not to be used this time of year and never to blow dirt on the sidewalk. He made a face and waved me away and said something under his breath, which I couldn't understand.

The person operating the blower was a far distance away on the sidewalk and I didn't want to chase after him so I continued on my way in the other direction."

CHAIR NICOLE MURATI FERRER: And then do you have the Cambridge Landscape response there?

ANDREA BOYER: I do.

CHAIR NICOLE MURATI FERRER: If you could read it into the record, please.

ANDREA BOYER: "Dear Ms. Boyer: I'm in

receipt of your letter regarding the leaf blower ordinance violation on July 10 via a Cambridge Landscape Company employee.

I have interviewed the employees who were on the site that day and have been made aware that our on-site ground person at the Radcliffe (inaudible) did, in fact, operate a blower that he had stored on campus that day.

Our employee readily admitted to using the blower fully knowing it was illegal to do so.

He was -- he had written a letter apologizing for his bad judgment and is empathetic, however, that no one approached him to discuss his use of the blower.

I understand that as the owner/operator of Cambridge Landscape, I'm responsible for the actions of my employees and that this is a clear violation of the ordinance.

This incident has caused us to reexamine

our approach to conforming to the ordinance. We have removed all blowers stored on site at Cambridge properties, the presence of which were oversight on my part.

We are setting up Cambridge-only mowing routes whose crew will not be allowed to have leaf blowers on their vehicles in addition to our regular practices, reiterating the effective dates of the ordinance at weekly company meetings, placing notices, listing municipalities that have instituted blower bans next to our time clock and at the entrance to our offices and monitoring our crews daily to ensure compliance.

Upon receipt of your letter, I called a company meeting to address the complaint.

Since 2018 our summer uniformed shirt, which all of our field employees are required to wear, has -- sorry, I didn't mean that. Sorry about the "no leaf blower" shirt, which we have.

CHAIR NICOLE MURATI FERRER: For the record, they did --

ANDREA BOYER: "No leaf blower is used from June 15 to September 15 logo and has text on the back of the shirt stating that the employee is trained in all aspects of the Cambridge leaf blower ordinance.

Each year shirts are distributed to our employees and training sessions just prior to June 15."

CHAIR NICOLE MURATI FERRER: So based on the response from Cambridge Landscape Company, in addition -- I don't think Ms. Boyer read this, but the employee that -- actually, the grounds foreman also submitted a statement taking responsibility for doing that, for using the leaf blower knowingly against the ordinance, and I would issue a violation with a warning.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: One more time? Violation --

CHAIR NICOLE MURATI FERRER: Warning.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: I concur.

CHAIR NICOLE MURATI FERRER: You are
recusing yourself?

ACTING FIRE CHIEF GERARD MAHONEY: I'm
recusing myself.

CHAIR NICOLE MURATI FERRER: So violation
warning.

VIOLATION: BRIGHTVIEW LANDSCAPE SERVICES

EXECUTIVE DIRECTOR ELIZABETH LINT:

Violation: Brightview Landscape Services, holder
of leaf blower permit 10043 for alleged violation
of Cambridge Municipal Ordinance 8.16.081.2(a),
operating during a prohibited period on July 10,
2017 at 18-26 Chauncy Court Apartments.

CHAIR NICOLE MURATI FERRER: Brightview?

(No response.)

CHAIR NICOLE MURATI FERRER: Second call.

APPLICATION: COFFEE COMPANY, LLC

D/B/A INTREPID CAFE

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Coffee Company, LLC, doing business as Intrepid Cafe has applied for a common victualler license at 150 First Street with a seating capacity of 12, a proposed occupancy of 60 and proposed hours of 9 a.m. to 3 p.m., Saturday and Sunday 7 a.m. to 4 p.m., Monday through Friday.

Ryan Woolley as proposed manager of record of a premise described as approximately 1,200 square feet, first floor, with one entrance. Exit on First Street.

CHAIR NICOLE MURATI FERRER: Good afternoon. State and spell your name for the

record.

RYAN WOOLLEY: Ryan Woolley

W-O-O-L-L-E-Y.

CHAIR NICOLE MURATI FERRER: Thank you.

And Mr. Woolley can you tell us a little about Intrepid Cafe.

RYAN WOOLLEY: Small space, 12 seats, coffee through various brewing methods including cold brew and nitro. Small food menu includes toast and chocolate.

CHAIR NICOLE MURATI FERRER: Okay. 7 a.m. to 4 p.m.

RYAN WOOLLEY: Changed recently to 8:00 to 4:00.

CHAIR NICOLE MURATI FERRER: 8 a.m. to 4 p.m.?

RYAN WOOLLEY: Yes. And closed on Sundays.

CHAIR NICOLE MURATI FERRER: 8 a.m. to 4

p.m. Monday through Saturday, or are you having -- are you still having the 9 a.m. to 3:00 on Saturday?

RYAN WOOLLEY: Monday to Friday it will be 8:00 to 4:00 and Saturday will be 9:00 to 4:00. Sunday closed.

CHAIR NICOLE MURATI FERRER: Questions?

INTERIM POLICE COMMISSIONER BRENT LARRABEE: No questions.

CHAIR NICOLE MURATI FERRER: Questions?

ACTING FIRE CHIEF GERARD MAHONEY: No.

CHAIR NICOLE MURATI FERRER: Okay. I would vote to grant.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: Granted.

ACTING FIRE CHIEF GERARD MAHONEY: Granted.

CHAIR NICOLE MURATI FERRER: Granted with the new hours of 8 a.m. to 4 p.m., Monday through

Fri day and 9 a.m. to 4 Saturday.

EXECUTIVE DIRECTOR ELIZABETH LINT: Did you submit the entertainment application?

RYAN WOOLLEY: I have it here.

CHAIR NICOLE MURATI FERRER: Huh?

EXECUTIVE DIRECTOR ELIZABETH LINT: He has an entertainment application and -- I will take the abutter notification.

CHAIR NICOLE MURATI FERRER: What kind of entertainment are you seeking?

RYAN WOOLLEY: Below conversational level.

CHAIR NICOLE MURATI FERRER: I have no issue with that. I would vote to grant that as well.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: Granted.

ACTING FIRE CHIEF GERARD MAHONEY: Granted.

CHAIR NICOLE MURATI FERRER: Granted.

RYAN WOOLLEY: Thank you for your time.

CHAIR NICOLE MURATI FERRER: Is the
complainant for Brightview Landscape here?

ANDREA BOYER: No. The complainant for
Carbone.

CHAIR NICOLE MURATI FERRER: I would do
the second call on this since it is 4:45 and we
scheduled them for 3:00.

VIOLATION: CARBONE LANDSCAPE COMPANY

EXECUTIVE DIRECTOR ELIZABETH LINT:
Mr. Carbone? Do you want to stand and raise your
right hand?

(Party sworn)

CHAIR NICOLE MURATI FERRER: Good
afternoon. Please state and spell your name for

the record.

EDWIN ABRAMS: First name is Edwin
E-D-W-I-N. I go by Ed. Abrams A-B-R-A-M-S.

CHAIR NICOLE MURATI FERRER: Thank you.
Go ahead, Ms. Boyer.

ANDREA BOYER: Thank you.

Ed Abrams had emailed stating that leaf
blower usage by employees of Carbone Landscaping
on Huron Ave on July 6 and 725 Concord Ave on
July 1, which is in violation of 8.16.081.2(a)
operating during prohibited period of time and
operating without a permit.

CHAIR NICOLE MURATI FERRER: Mr. Abrams,
can you tell us what you observed.

ED ABRAMS: Sure. I like to go jogging
around Fresh Pond, Huron Ave and Concord Avenue
and the leaf blower is such a nuisance on many
properties and I'm surprised how many
companies -- how often I hear leaf blower usage

during the prohibited times.

So on July 1, 2017, I was jogging along Concord Avenue in the vicinity of 725 Concord Avenue and I witnessed a truck, it says Carbone and Son Landscaping and there was several people cleaning up the parking lot and one of them was using a leaf blower.

And then on July 6, 2017, I was jogging in -- by 700 Huron Avenue, which is the large -- it is a large apartment building and this has happened for years.

I have seen this company, Ciro Carbone doing landscaping work with very loud leaf blowers at this complex.

I informed the property manager by going up to the front desk.

On this date I did that and I made a complaint to the front desk, so hopefully they wrote it down and informed them that their

Landscaping crew should not be using a leaf blower. However, the person using it just continued to use it even after I spoke with the landscaper that was using the leaf blower.

CHAIR NICOLE MURATI FERRER: Thank you.

Ms. Boyer, where did we get the address?

Because Mr. Abrams just said Ci ro Carbone but this is Carbone Landscape Company. Did we confirm it is the same company?

ANDREA BOYER: If it was, like, a search, would have used a search engine to see.

CHAIR NICOLE MURATI FERRER: Did we hear back from this company?

ANDREA BOYER: We did not.

CHAIR NICOLE MURATI FERRER: This is not a permitted company?

ANDREA BOYER: Correct.

CHAIR NICOLE MURATI FERRER: Mr. Abhams, you don't happen to have a phone number for this

company, do you?

ED ABRAMS: No.

CHAIR NICOLE MURATI FERRER: You said the management company of 700?

ED ABRAMS: Yes.

CHAIR NICOLE MURATI FERRER: Do you have the name of that management company?

ED ABRAMS: No. I just went up to the front desk and informed them of the ordinance and that their landscaper was out of compliance.

CHAIR NICOLE MURATI FERRER: Okay. So I would actually like to table this to confirm that we have the right landscaping company and have Ms. Boyer go to Huron Avenue and get the name of of the landscaping company just to make sure we have the right one before we do anything.

I would like to defer a vote on this.

ACTING FIRE CHIEF GERARD MAHONEY: I would agree.

CHAIR NICOLE MURATI FERRER: Thank you.

ED ABRAMS: You're welcome.

CHAIR NICOLE MURATI FERRER: We'll

incorporate by reference your testimony,

Mr. Abrams.

And then I would just do a second call on everything since this is 4:50.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Second call -- third call. Samuel Beyene?

(No response.)

CHAIR NICOLE MURATI FERRER: No show.

EXECUTIVE DIRECTOR ELIZABETH LINT: And

Brightview Landscape.

CHAIR NICOLE MURATI FERRER: Ms. Boyer?

ANDREA BOYER: Uh-huh.

So the complainant, Mr. Najame

(phonetic), he called the Cambridge police --

actually, the CAD number report 17051624 alleging

that Brightview Landscaping employees were using

leaf blowers on July 10 at 8:53 at 1824 Chauncy Street this is a violation of the Municipal Code 8.16.081.2(a).

The complainant was notified and he said he may be unable to attend the hearing so he included an email statement to be read into the record.

Brightview Landscaping was heard on July 26 at the last hearing and found in violation and fined \$300.

And would you like me to read his statement?

CHAIR NICOLE MURATI FERRER: Sure. I don't have it with me, so, yes.

ANDREA BOYER: "Our friends at Brightview were at it again today, 7:10, 8:45 a.m. at Chauncy Court Apartments, 18-26 Chauncy Street. I walked down there, saw the truck with Brightview on the side. One of them was actually

blowing crap around the courtyard with a leaf blower.

I called the police and asked them to come over, talk to these guys and write them a ticket.

I also called your office and left a message on your voicemail. Please add this information for the hearing. Let me know if you need any more information."

Also the Chauncy Court Apartment management company was notified of Brightview being called in for a hearing as well.

CHAIR NICOLE MURATI FERRER: Thank you.

We actually heard another violation on this at the last hearing and we issued a \$300 fine, and at that point, and for that violation, the employees were also informed by the police that they could not use the blowers at that time or until September 15, so I would find a

violation and issue another \$300 fine on this.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: I agree.

CHAIR NICOLE MURATI FERRER: Chief?

ACTING FIRE CHIEF GERARD MAHONEY: I

agree.

CHAIR NICOLE MURATI FERRER: Violation,

\$300 fine.

Thank you, Ms. Boyer.

ANDREA BOYER: Thank you.

CHAIR NICOLE MURATI FERRER: We can take

a three-minute break.

(Short Recess Taken.)

CHAIR NICOLE MURATI FERRER: Back on the

agenda.

ADMINISTRATIVE MATTERS

EXECUTIVE DIRECTOR ELIZABETH LINT:

Administrative matters. First matter is off the

agenda.

BTNM ASSOCIATES

D/B/A AL'S CAFE

EXECUTIVE DIRECTOR ELIZABETH LINT: BTNM

Associates, d/b/a Al's Cafe, holder of a common victualer license at 600 Technology Square has applied for an entertainment license for one TV and media playing music below conversation level.

CHAIR NICOLE MURATI FERRER: Granted.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Granted.

KIMBERLY COURTNEY

EXECUTIVE DIRECTOR ELIZABETH LINT:

Kimberly Courtney, as attorney for T.T. The Bear's requests that Attorney Shawdry's request to have the Board reconsider sua sponte its vote of May 24, 2017 regarding the cancellation

hearing held pursuant to General Laws Chapter 138, Section 77 as to all alcohol license number ACH01615 a/k/a T.T. The Bear's be removed from the agenda.

CHAIR NICOLE MURATI FERRER: I would actually like to call 3 and 4 together.

SATER REALTY, LLC

EXECUTIVE DIRECTOR ELIZABETH LINT: Sater Realty, LLC requests the Board to reconsider sua sponte its vote of May 24, 2017 regarding the cancellation hearing held pursuant to General Law Chapter 138, Section 77 as to all alcohol license number ACH01615 a/k/a T.T. The Bear's.

CHAIR NICOLE MURATI FERRER: Okay. So I really don't think it is incumbent upon the public or anybody else to tell us what we can and cannot discuss in an opening meeting.

Considering we are a public body made up

of three people, and if we want to discuss something that relates to anything that we license, I think it needs to be on the agenda and we need to be able to openly discuss it in an open meeting.

So I would acknowledge Ms. Courtney's request but I would deny it.

And with regard to the Sater Realty request, even though I know this does not relate to my vote, I think sua sponte -- or I know "sua sponte" means without prompting, and I think this was quite the opposite, and again, I would say that we acknowledge but take no action on the request.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Acknowledged.

ACTING FIRE CHIEF GERARD MAHONEY:

Agreed.

CHAIR NICOLE MURATI FERRER: Okay.

BOARD DISCUSSION OF CV LICENSES

EXECUTIVE DIRECTOR ELIZABETH LINT: The Board will discuss whether a CV license taking over an existing space, without any changes, needs a hearing as a matter of course or if they can be placed on the Administrative agenda.

CHAIR NICOLE MURATI FERRER: Okay, seeing how it goes here in terms of CV licensing, I think we have enough turnover that, for me, I think particularly it makes no sense to have people come in that are just taking over a CV space to put another CV in it with the same type of hours and seats to bring in for a hearing.

I think if the capacity changes, obviously, if they are adding alcohol, or some other type of amenity that was not there before, I would say we bring them in for a hearing, but otherwise, we basically decided these on the papers, and therefore, we can have on the

Administrative agenda and then bring them in for a hearing, if need be, but that would be my vote on that.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Okay, I think I would -- you have expressed that opinion before, and I concur.

CHAIR NICOLE MURATI FERRER: Is that okay?

ACTING FIRE CHIEF GERARD MAHONEY: Yes.

CHAIR NICOLE MURATI FERRER: We'll make that change.

PRESIDENT AND FELLOWS OF HARVARD COLLEGE.

D/B/A LITTAUER CENTER

EXECUTIVE DIRECTOR ELIZABETH LINT:

President and Fellows of Harvard College d/b/a
Littauer Center for Public Administration, holder
of malt and wine educational license number
ACH02602 at 79 JFK Street has applied for an

alteration of premise due to the additions made to the building.

CHAIR NICOLE MURATI FERRER: Granted.

OXFORD SPA

EXECUTIVE DIRECTOR ELIZABETH LINT: The Oxford Spa, 102 Oxford Street, holder of license number VIC10069 has ceased operating.

CHAIR NICOLE MURATI FERRER: So we had the investigator go over and we had received information they closed.

They have a "closed remodeling under new management" and so I would just acknowledge and cancel license and close the file at this time.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: Concur.

ACTING FIRE CHIEF GERARD MAHONEY:
Concur.

KYQUAN LY

EXECUTIVE DIRECTOR ELIZABETH LINT:

Kyquan Ly, on behalf of Parsnip Restaurant, holder of a common victualler all alcohol license at 91 Winthrop Street, has applied for a one-day extension to their license on August 27, 2017 from 8 a.m. to 6 p.m. for ten tables and 22 seats in front of the restaurant.

CHAIR NICOLE MURATI FERRER: This is actually not a one-day extension.

This is actually an amendment to their approved floor plan for a day so they can actually put the pig roast within their already-licensed patio. So, with that in mind, I would vote to grant.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: Vote to grant.

ACTING FIRE CHIEF GERARD MAHONEY:
Granted.

CHAIR NICOLE MURATI FERRER: Granted.

FABOLA, LLC

EXECUTIVE DIRECTOR ELIZABETH LINT:

Fabola, LLC, holder of a secondhand dealer antique store license at 2302 Mass Ave, has ceased operating the business.

CHAIR NICOLE MURATI FERRER: I would acknowledge and cancel their license and close the file.

HAVIGIL CORP

EXECUTIVE DIRECTOR ELIZABETH LINT:

Havigil Corp d/b/a Sante Mobile Cafe, holder of a hawk and peddlers license has ceased operating in Cambridge.

CHAIR NICOLE MURATI FERRER: Acknowledge.
Cancel license and close file.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Concur.

SAI GON ALLEY, LLC

EXECUTIVE DIRECTOR ELIZABETH LINT:

Sai gon Al ley, LLC, holder of a hawk and peddlers
License has ceased operating in Cambridge.

CHAIR NICOLE MURATI FERRER: Acknowledge.

Cancel License and close file.

JAMAI CA MI HUNGRY, LLC

EXECUTIVE DIRECTOR ELIZABETH LINT:

Jamai ca Mi Hungry, LLC, of a hawk and peddlers
License has ceased operating in Cambridge.

CHAIR NICOLE MURATI FERRER: Acknowledge.

Cancel License and close file.

ALPINE RESTAURANT GROUP, INC.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Al pine Restaurant Group, Inc., d/b/a Posto

Mobile, of a hawk and peddlers license has ceased operating in Cambridge.

CHAIR NICOLE MURATI FERRER:

Acknowledged. Cancel license and closed file.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Concur.

EMILIOS LOULUORGAS

EXECUTIVE DIRECTOR ELIZABETH LINT:

Emilios Loulorgas, d/b/a Sam's Auto Electric Service, holder of a junk and secondhand dealers license has ceased operating the business.

CHAIR NICOLE MURATI FERRER:

Acknowledged. Cancel license and close file.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Concur.

SUSAN KENNEDY

EXECUTIVE DIRECTOR ELIZABETH LINT: Susan

Kennedy on behalf of Landscape Collaborative of New England has filed a waiver of disciplinary hearing for violation of Cambridge Municipal Code 8.16.081.2(a) operating during a prohibited period.

ACTING FIRE CHIEF GERARD MAHONEY: Does it relate to one particular incident?

CHAIR NICOLE MURATI FERRER: Yes, they have admitted to the violation. I would issue -- I would find a violation and issue a \$300 fine, suspended until September 15.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: Explanation?

CHAIR NICOLE MURATI FERRER: Well, they admitted to the violation. They did it. But in consideration of their waiver and acknowledging the violation and their current record, that's why I would vote that way.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Okay. I concur.

CHAIR NICOLE MURATI FERRER: Since you don't like to fine, I figured that's a good happy medium.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: You know my feelings on the leaf blowers.

CHAIR NICOLE MURATI FERRER: Chief?

ACTING FIRE CHIEF GERARD MAHONEY: Agree.

CHAIR NICOLE MURATI FERRER: Okay. So violation \$300 fine, which will not need to be paid as long as no other violations between now and September 15, 2017.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Good by me.

COFFEESHOP, LLC

EXECUTIVE DIRECTOR ELIZABETH LINT:

CoffeeShop, LLC, d/b/a Upperwest, has applied for

one-day extensions to their license on August 12, 26, September 9, 16, and 30, 2017, for food and alcohol in the outdoor patio area.

CHAIR NICOLE MURATI FERRER: These will actually be granted as a malt and wine license pursuant to General Law Chapter 138, Section 14 and under Mr. Xavier Dietrich's name. I would vote to grant.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: Granted.

ACTING FIRE CHIEF GERARD MAHONEY: Grant.

CHAIR NICOLE MURATI FERRER: Granted.

ARLYN DEPAGTER

EXECUTIVE DIRECTOR ELIZABETH LINT: Arlyn dePagter has applied for a malt and wine license to be exercised at MIT, 100 Main Street on August 10 from 5:30 to 8:30 for a reception. 50 expected.

CHAIR NICOLE MURATI FERRER: Granted.

PHOEBE SINCLAIR

EXECUTIVE DIRECTOR ELIZABETH LINT:

Phoebe Sinclair, on behalf of Agassiz Baldwin Community, has applied for a malt license to be exercised at Agassiz Baldwin, 20 Sacramento Street on August 24 with rain date of August 31 from 6 to 8 p.m. for a fundraiser. 50 expected.

CHAIR NICOLE MURATI FERRER: She also did it for the 24th. Granted as to both.

EXECUTIVE DIRECTOR ELIZABETH LINT: I'm trying to find a way to bring them shorter.

SETH TAYLOR

EXECUTIVE DIRECTOR ELIZABETH LINT: Seth Taylor, on behalf of Mass Innovation Labs, has applied for a malt and wine license with entertainment to be exercised at North Plaza

adjacent to 300 Athenaeum and 675 West Kendall Street on August 15 from 5 to 9 for a networking event with recorded, live music. 200 expected.

CHAIR NICOLE MURATI FERRER: He actually has three. Did you read all three?

EXECUTIVE DIRECTOR ELIZABETH LINT: No. 8-27, 9-24 and 10-29.

CHAIR NICOLE MURATI FERRER: Granted to all.

EXECUTIVE DIRECTOR ELIZABETH LINT: Wait a minute. That was Michael Monestime. The one before, there's only one date.

CHAIR NICOLE MURATI FERRER: Seth Taylor, yes, that was granted.

MICHAEL MONESTIME

EXECUTIVE DIRECTOR ELIZABETH LINT:
Michael Monestime, on behalf of CSBA, d/b/a Central Square Business Association, has applied

for an entertainment license to be exercised at the parking lot of 95 Prospect Street on August 27, September 24 and October 29 from 11 to 5 for a market with recorded, live music and amplification system. 3,000 expected.

CHAIR NICOLE MURATI FERRER: Granted as to all. Police detail required.

BILL MANLEY

EXECUTIVE DIRECTOR ELIZABETH LINT: Bill Manley, on behalf of HSBA, d/b/a Harvard Square Business Association, has applied for an entertainment license to be exercised at Palmer Street on August 11 from 8 to 10 p.m. for a movie screening with theatrical exhibition, play, moving picture show. 50 expected.

CHAIR NICOLE MURATI FERRER: Granted.

KALI NA SCHLONEGER

EXECUTIVE DIRECTOR ELIZABETH LINT:

Kalina Schloneger has applied for an entertainment license to be exercised at MIT Kresge Auditorium, 48 Mass Ave on August 12 from 8 to 10 p.m. for a concert with recorded, live music. 550 expected.

CHAIR NICOLE MURATI FERRER: Granted.

MONA TOUSIAN

EXECUTIVE DIRECTOR ELIZABETH LINT: Mona

Tousian has applied for an entertainment license to be exercised at The Democracy Center, 45 Mt. Auburn Street on August 20 and 21 from 10 a.m. to 10 p.m. for a fundraiser with recorded, live music and amplification system. 80 expected.

CHAIR NICOLE MURATI FERRER: Granted.

MI CHAEL MONESTI ME

EXECUTIVE DIRECTOR ELI ZABETH LINT:

Michael Monestime, on behalf of CSBA, d/b/a Central Square Business Association, has applied for an all alcohol with entertainment license to be exercised at University Park Commons, 65 Sidney Street on September 15 from 5:30 to 9 for a fundraiser with recorded, live music and amplification system. 1,100 expected.

CHAIR NICOLE MURATI FERRER: Granted, with the condition that there's a limited number of drinks with a ticket purchase, otherwise alcohol must be sold.

TANI SHA TATE

EXECUTIVE DIRECTOR ELI ZABETH LINT:

Tani sha Tate has applied for an entertainment license to be exercised at Roger Street Park, 71 Rogers Street on September 15 from 11 a.m. to

11:30 a.m. for a scavenger hunt with amplification system. 175 expected.

CHAIR NICOLE MURATI FERRER: Granted.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Minutes July 12, have you had an opportunity?

CHAIR NICOLE MURATI FERRER: Yes. I would vote to approve.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: Minutes approved.

CHAIR NICOLE MURATI FERRER: Approved.

I do have something that was not on the agenda. We got a request from the holder of a medallion No. 81, he's currently not in Massachusetts, but he is living in Florida and he's authorizing another driver, who is licensed and in good standing, to manage his cab and his medallion and they have a lease with another driver, who is also licensed and in good standing, and they are requesting that we provide

them the medallion back.

There was nothing in the file in terms of a foreclosure or anything.

I would vote to grant this request.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Granted.

CHAIR NICOLE MURATI FERRER: Chief, for the medallion?

ACTING FIRE CHIEF GERARD MAHONEY:

Granted.

CHAIR NICOLE MURATI FERRER: Granted.

Thank you.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Anything else?

CHAIR NICOLE MURATI FERRER: Nope, that's it.

(Meeting adjourned)

ERRATA SHEET

INSTRUCTIONS: After reading the transcript, note any change or correction and the reason therefor on this sheet. Sign and date this errata sheet.

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I have read the foregoing transcript, and except for any corrections or changes noted above, I hereby subscribe to the transcript as an accurate record of the statement(s) made by me.

CERTIFICATION

Commonwealth of Massachusetts

Norfolk, ss.

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

That the hearing herein before set forth
is a true and accurate record of the proceedings.

IN WITNESS WHEREOF, I have hereunto set
my hand this 13th day of August 2017.

Jill Kourafas
Certified Shorthand Reporter
License No. 14903
Notary Public

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DIRECTION OF THE CERTIFYING REPORTER

\$	<u>138</u> [6] - 3:13, 87:19, 93:4, 135:2, 135:13, 146:6
<u>\$300</u> [8] - 24:13, 24:17, 131:10, 132:15, 133:1, 133:8, 144:10, 145:11	<u>139</u> [1] - 3:14 <u>13th</u> [1] - 155:11 <u>14</u> [1] - 146:6
0	<u>140</u> [2] - 3:15, 3:17
<u>02139</u> [1] - 1:13	<u>141</u> [3] - 3:18, 3:19, 4:3 <u>142</u> [2] - 4:4, 4:6
1	<u>144</u> [1] - 4:7
<u>1</u> [11] - 28:1, 48:10, 50:9, 55:8, 62:19, 64:14, 65:6, 72:10, 107:7, 126:10, 127:2	<u>145</u> [1] - 4:8 <u>146</u> [2] - 4:9, 4:10 <u>147</u> [1] - 4:12
<u>1,100</u> [1] - 151:9	<u>147/150</u> [1] - 4:11
<u>1,200</u> [2] - 94:5, 121:16	<u>149</u> [1] - 4:13
<u>10</u> [17] - 33:2, 33:6, 33:7, 62:16, 66:2, 94:8, 114:8, 115:13, 115:14, 117:2, 120:17, 131:1, 146:18, 149:14, 150:6, 150:14, 150:15	<u>14903</u> [1] - 155:14 <u>15</u> [16] - 25:13, 43:15, 59:4, 59:8, 106:4, 110:8, 110:9, 119:4, 119:10, 132:19, 144:11, 145:13, 148:2, 151:7, 151:19
<u>10-29</u> [1] - 148:7	<u>15-square-foot-per-seating</u> [1] - 76:6
<u>100</u> [1] - 146:17	<u>150</u> [3] - 4:14, 4:15, 121:9
<u>10009</u> [1] - 114:6	<u>151</u> [1] - 4:16
<u>10013</u> [1] - 14:18	<u>16</u> [6] - 30:19, 31:18, 59:18, 60:5, 105:19, 146:2
<u>10040</u> [1] - 107:16	<u>17</u> [2] - 16:12, 20:12
<u>10043</u> [1] - 120:15	<u>17051624</u> [1] - 130:18
<u>102</u> [1] - 139:7	<u>175</u> [1] - 152:2
<u>103</u> [1] - 2:18	<u>18-26</u> [2] - 120:18, 131:17
<u>106</u> [1] - 2:5	<u>1824</u> [1] - 131:1
<u>10:00</u> [1] - 77:19	<u>19</u> [6] - 28:3, 28:5, 28:7, 59:6, 59:8, 60:7
<u>11</u> [12] - 48:10, 55:8, 59:5, 62:15, 62:19, 63:2, 64:13, 94:8, 110:12, 149:3, 149:14, 151:19	<u>1924</u> [2] - 27:10, 27:12 <u>1:10</u> [1] - 16:7
<u>11:30</u> [1] - 152:1	2
<u>12</u> [8] - 49:5, 110:12, 110:13, 121:10, 122:7, 146:1, 150:5, 152:5	<u>2</u> [11] - 28:3, 33:1, 33:2, 33:6, 33:7, 63:1, 63:2, 63:14, 64:11, 72:11, 72:18
<u>120</u> [2] - 3:3, 35:4	<u>2,300</u> [1] - 48:1
<u>124</u> [3] - 2:4, 76:19, 77:12	<u>20</u> [4] - 103:14, 103:15, 147:7, 150:14
<u>1248</u> [2] - 47:17, 49:8	<u>20-something</u> [1] - 9:18
<u>125</u> [1] - 110:12	<u>200</u> [1] - 148:3
<u>129</u> [1] - 2:7	<u>2007</u> [1] - 95:1
<u>12:55</u> [1] - 16:7	
<u>13</u> [1] - 2:3	
<u>133</u> [2] - 3:7, 3:8	
<u>134</u> [3] - 3:9, 30:18, 31:18	
<u>136</u> [1] - 3:10	
<u>137</u> [1] - 3:12	

<p><u>2014</u> [2] - 49:12, 49:19</p> <p><u>2016</u> [3] - 12:5, 23:9, 112:10</p> <p><u>2017</u> [19] - 1:14, 6:2, 6:8, 15:2, 27:7, 107:7, 107:8, 108:1, 112:11, 114:9, 120:18, 127:2, 127:8, 134:19, 135:11, 140:6, 145:13, 146:2, 155:11</p> <p><u>2018</u> [3] - 89:10, 89:18, 118:16</p> <p><u>21</u> [8] - 15:2, 51:5, 54:3, 54:10, 97:10, 97:11, 98:7, 150:14</p> <p><u>22</u> [3] - 59:4, 104:16, 140:7</p> <p><u>22nd</u> [1] - 16:3</p> <p><u>2302</u> [1] - 141:6</p> <p><u>2382</u> [2] - 94:2, 95:10</p> <p><u>24</u> [7] - 2:9, 51:6, 80:9, 134:19, 135:11, 147:8, 149:3</p> <p><u>24th</u> [1] - 147:11</p> <p><u>26</u> [6] - 2:11, 7:19, 8:3, 27:7, 131:9, 146:2</p> <p><u>27</u> [5] - 37:11, 82:18, 101:3, 140:6, 149:3</p> <p><u>29</u> [1] - 149:3</p>	<p><u>45</u> [1] - 150:13</p> <p><u>46</u> [1] - 2:13</p> <p><u>48</u> [1] - 150:5</p> <p><u>4:00</u> [3] - 122:14, 123:5, 123:6</p> <p><u>4:45</u> [1] - 125:8</p> <p><u>4:50</u> [1] - 130:7</p>
3	5
<p><u>3</u> [4] - 28:5, 60:6, 121:11, 135:6</p> <p><u>3,000</u> [1] - 149:5</p> <p><u>3,783</u> [1] - 28:11</p> <p><u>30</u> [5] - 30:19, 32:2, 59:7, 67:7, 146:2</p> <p><u>30-person</u> [1] - 41:9</p> <p><u>300</u> [1] - 148:1</p> <p><u>31</u> [1] - 147:8</p> <p><u>33</u> [1] - 59:3</p> <p><u>34</u> [1] - 94:9</p> <p><u>3:00</u> [2] - 123:2, 125:9</p> <p><u>3:05</u> [3] - 1:15, 6:2, 6:8</p> <p><u>3A</u> [1] - 75:15</p>	<p><u>5</u> [3] - 28:9, 148:2, 149:3</p> <p><u>5,066</u> [1] - 28:3</p> <p><u>50</u> [7] - 17:8, 29:14, 36:1, 75:15, 146:18, 147:9, 149:16</p> <p><u>52</u> [1] - 109:14</p> <p><u>54</u> [1] - 109:14</p> <p><u>550</u> [1] - 150:7</p> <p><u>56</u> [4] - 15:2, 16:6, 20:12, 24:10</p> <p><u>57</u> [1] - 2:14</p> <p><u>5:30</u> [2] - 146:18, 151:7</p>
4	6
<p><u>4</u> [8] - 28:7, 121:12, 122:12, 122:15, 122:19, 123:19, 124:1, 135:6</p> <p><u>4,915</u> [1] - 28:9</p> <p><u>4,940</u> [2] - 28:5, 28:7</p> <p><u>42</u> [1] - 94:10</p> <p><u>44</u> [1] - 75:15</p>	<p><u>6</u> [4] - 126:9, 127:8, 140:7, 147:9</p> <p><u>60</u> [2] - 81:7, 121:11</p> <p><u>600</u> [1] - 134:7</p> <p><u>617.786.7783</u> [1] - 1:18</p> <p><u>64</u> [1] - 2:16</p> <p><u>65</u> [1] - 151:6</p> <p><u>675</u> [1] - 148:1</p>
	7
	<p><u>7</u> [9] - 44:19, 76:7, 107:8, 108:1, 109:2, 111:2, 111:10, 121:12, 122:11</p> <p><u>70</u> [1] - 81:8</p> <p><u>700</u> [3] - 107:8, 127:9, 129:4</p> <p><u>71</u> [1] - 151:19</p> <p><u>725</u> [3] - 107:7, 126:9, 127:3</p> <p><u>76</u> [1] - 115:18</p> <p><u>77</u> [4] - 87:19, 93:4, 135:2, 135:13</p> <p><u>781-648-2918</u> [1] - 109:7</p> <p><u>79</u> [1] - 138:19</p> <p><u>7:10</u> [1] - 131:16</p> <p><u>7:57</u> [2] - 108:2, 109:3</p> <p><u>7th</u> [1] - 111:11</p>

<p style="text-align: center;">8</p> <p>8 [11] - 28:9, 33:1, 87:17, 88:15, 122:15, 122:19, 123:19, 140:7, 147:9, 149:14, 150:6</p> <p>8-27 [1] - 148:7</p> <p>8.16.081.2(a) [7] - 15:1, 107:5, 107:18, 114:7, 120:16, 126:10, 144:4</p> <p>8.16.081.2(a) [1] - 131:3</p> <p>8.16.081.2(b) [1] - 107:19</p> <p>8.16.081.2(c) [1] - 107:6</p> <p>80 [4] - 9:9, 17:10, 81:6, 150:16</p> <p>81 [4] - 4:16, 48:11, 50:10, 152:13</p> <p>831 [2] - 1:13, 6:9</p> <p>85 [1] - 106:1</p> <p>86 [2] - 2:17, 3:5</p> <p>8:00 [5] - 77:18, 79:9, 80:6, 122:13, 123:5</p> <p>8:30 [1] - 146:18</p> <p>8:45 [1] - 131:16</p> <p>8:53 [1] - 131:1</p>	<p>A10 [1] - 77:4</p> <p>A13 [2] - 69:9, 72:6</p> <p>ABCC [8] - 30:1, 35:5, 40:13, 46:10, 51:11, 51:15, 56:11, 87:1</p> <p>abhams [1] - 128:18</p> <p>able [5] - 18:4, 18:6, 18:13, 19:3, 136:4</p> <p>ABRAMS [6] - 126:2, 126:15, 129:2, 129:5, 129:8, 130:2</p> <p>Abrams [5] - 126:3, 126:7, 126:13, 128:7, 130:5</p> <p>absolutely [2] - 60:17, 98:11</p> <p>abutter [1] - 124:8</p> <p>abutters [1] - 38:1</p> <p>access [2] - 41:11, 68:7</p> <p>accessible [9] - 41:13, 45:3, 60:19, 70:1, 70:4, 71:5, 71:19, 75:6, 75:12</p> <p>accident [2] - 12:8, 12:10</p> <p>accolades [1] - 89:11</p> <p>accordance [1] - 42:12</p> <p>accurate [3] - 17:9, 154:12, 155:9</p> <p>ACH01615 [2] - 135:3, 135:14</p> <p>ACH02602 [1] - 138:19</p> <p>acknowledge [7] - 136:6, 136:13, 139:13, 141:9, 141:17, 142:7, 142:14</p> <p>acknowledged [3] - 136:16, 143:4, 143:14</p> <p>acknowledging [1] - 144:16</p> <p>ACTING [58] - 1:9, 14:9, 24:7, 45:16, 46:6, 47:6, 57:7, 58:13, 62:5, 72:5, 72:9, 72:13, 72:17, 73:1, 73:12, 73:16, 74:2, 74:5, 77:5, 78:10, 78:15, 79:2, 79:12, 79:18, 80:15, 80:18, 81:10, 81:12, 81:15, 81:18, 82:4, 82:9, 86:9, 86:14, 87:2, 87:5, 91:19, 92:6, 92:17, 98:17, 104:6, 106:13, 106:18, 113:14, 120:7, 123:11, 123:16, 124:18, 129:18, 133:5, 136:17, 138:9, 139:17, 140:18, 144:6, 145:9, 146:11, 153:9</p> <p>action [1] - 136:13</p> <p>actions [1] - 117:17</p> <p>activities [1] - 45:5</p>
<p style="text-align: center;">9</p> <p>9 [10] - 1:14, 2:10, 6:2, 6:8, 121:11, 123:2, 124:1, 146:2, 148:2, 151:7</p> <p>9,666 [1] - 27:19</p> <p>9-24 [1] - 148:7</p> <p>90 [1] - 35:4</p> <p>91 [1] - 140:5</p> <p>95 [1] - 149:2</p> <p>99 [1] - 48:12</p> <p>9:00 [2] - 77:19, 123:5</p>	
<p style="text-align: center;">A</p> <p>A-B-R-A-M-S [1] - 126:3</p> <p>a.m [41] - 33:1, 33:2, 33:6, 33:7, 48:10, 50:10, 55:8, 55:9, 62:15, 62:19, 63:1, 63:2, 63:14, 64:11, 64:13, 64:14, 65:6, 94:8, 108:2, 109:3, 115:14, 121:11, 121:12, 122:12, 122:15, 122:19, 123:2, 123:19, 124:1, 131:16, 140:7, 150:14, 151:19, 152:1</p> <p>a/k/a [2] - 135:3, 135:14</p> <p>A1 [1] - 75:15</p>	

activity [1] - 38:10
actual [4] - 30:2, 62:11, 64:6, 64:9
ADAM [4] - 48:18, 49:4, 58:7, 58:15
Adam [1] - 49:1
add [4] - 36:9, 45:10, 102:3, 132:7
adding [4] - 30:3, 61:7, 100:9, 137:15
addition [2] - 118:7, 119:13
additions [1] - 139:1
address [7] - 20:10, 24:10, 42:6, 63:15, 109:4, 118:15, 128:6
addresses [1] - 20:10
adjacent [2] - 102:5, 148:1
adjourned [1] - 153:17
ADMINISTRATION [1] - 3:12
Administration [1] - 138:17
ADMINISTRATIVE [2] - 3:6, 133:17
Administrative [2] - 137:6, 138:1
administrative [2] - 26:6, 133:19
admitted [5] - 18:19, 113:11, 117:9, 144:9, 144:15
advance [1] - 88:17
advertisement [1] - 40:8
Advisory [4] - 84:7, 84:14, 84:19, 85:3
affidavit [1] - 58:9
affidavits [1] - 52:7
afternoon [18] - 6:6, 7:10, 10:13, 10:18, 28:17, 28:19, 48:15, 48:18, 59:10, 66:9, 66:10, 88:2, 94:13, 104:19, 106:17, 108:4, 121:19, 125:19
afterwards [1] - 110:18
Agassiz [2] - 147:5, 147:7
AGENDA [6] - 2:1, 2:1, 3:1, 3:2, 4:1, 4:1
agenda [8] - 31:4, 133:15, 134:1, 135:4, 136:3, 137:6, 138:1, 152:12
ago [7] - 9:18, 15:17, 40:10, 67:12, 76:4, 98:2
agree [4] - 129:19, 133:3, 133:6, 145:9
agreed [1] - 136:18
agreement [3] - 33:13, 34:7, 51:18
ahead [1] - 126:5

airing [1] - 37:19
aisles [1] - 41:8
Al's [1] - 134:6
AL'S [2] - 3:7, 134:4
alcohol [23] - 27:12, 32:14, 33:4, 39:4, 39:18, 40:1, 40:2, 47:16, 49:6, 56:13, 66:2, 87:17, 95:17, 97:5, 97:16, 104:16, 135:2, 135:13, 137:15, 140:4, 146:3, 151:5, 151:13
alerted [2] - 88:17, 89:16
alerts [1] - 63:11
alleged [5] - 14:18, 107:3, 107:16, 114:6, 120:15
alleging [1] - 130:18
alleviated [1] - 102:17
Alley [1] - 142:5
ALLEY [2] - 3:18, 142:3
alleyway [1] - 103:5
allowable [1] - 79:7
allowed [2] - 39:7, 118:6
allowing [1] - 42:6
ALPINE [2] - 4:2, 142:17
Alpine [1] - 142:19
already-licensed [1] - 140:14
alteration [5] - 28:13, 46:19, 50:5, 66:4, 139:1
amendment [1] - 140:11
amenity [1] - 137:16
America [1] - 58:2
American [1] - 96:3
American/California [2] - 57:17, 58:1
amplification [4] - 149:5, 150:16, 151:9, 152:2
AND [2] - 3:11, 138:13
AND/OR [1] - 155:17
ANDREA [26] - 16:1, 20:12, 20:18, 21:5, 21:8, 21:15, 23:2, 23:5, 108:17, 109:11, 112:18, 113:2, 114:19, 115:8, 115:13, 116:16, 116:19, 119:3, 125:5, 126:6, 128:10, 128:14, 128:17, 130:15, 131:15, 133:10
ANKANG [2] - 2:17, 93:16
Ankang [1] - 93:19

anonymous [2] - 109:1, 112:17
answer [3] - 30:11, 53:5, 110:14
answered [1] - 91:5
anticipated [1] - 50:6
anticipates [1] - 50:2
antique [1] - 141:6
ANY [2] - 155:17, 155:17
anyway [1] - 17:12
Apartment [1] - 132:10
apartment [2] - 16:6, 127:10
Apartments [2] - 120:18, 131:17
apologize [3] - 21:5, 23:6, 53:17
apologizing [1] - 117:12
appear [2] - 103:16, 114:17
appeared [1] - 116:2
apple [1] - 39:11
applicants [1] - 103:14
application [27] - 6:15, 6:17, 7:5, 27:7, 30:10, 36:1, 42:9, 46:15, 47:15, 48:5, 51:14, 51:16, 52:5, 54:15, 55:12, 59:1, 65:19, 84:13, 86:8, 93:19, 103:18, 103:19, 104:15, 105:8, 121:7, 124:3, 124:7
APPLICATION [9] - 7:4, 10:8, 27:4, 47:12, 58:17, 65:16, 93:16, 104:13, 121:4
APPLICATIONS [1] - 2:8
applications [2] - 28:12, 30:1
applied [24] - 6:18, 7:6, 10:10, 27:11, 59:3, 66:3, 70:4, 94:2, 99:18, 104:17, 121:8, 134:8, 138:19, 140:5, 145:19, 146:16, 147:6, 147:18, 148:19, 149:12, 150:3, 150:12, 151:4, 151:17
apply [2] - 95:14, 110:9
APPLY [1] - 155:17
applying [1] - 97:14
appreciate [4] - 41:17, 41:19, 82:1, 89:11
appreciated [1] - 37:18
approach [1] - 118:1
approached [1] - 117:13
appropriate [2] - 44:3, 109:19
appropriateness [1] - 83:11
approval [4] - 35:5, 35:12, 86:17,

87:1
approve [2] - 46:2, 152:7
approved [8] - 42:11, 43:2, 52:9, 85:4, 98:6, 140:12, 152:9, 152:10
architect [1] - 44:8
area [4] - 43:19, 44:4, 71:4, 146:3
areas [3] - 60:16, 60:19, 103:17
arisen [1] - 101:13
Arlington [7] - 16:4, 21:6, 22:1, 22:2, 110:5, 110:9, 111:13
ARLYN [2] - 4:8, 146:14
Arlyn [1] - 146:15
arrangements [1] - 50:4
aside [2] - 100:8, 100:9
aspects [1] - 119:6
Associates [1] - 134:6
ASSOCIATES [2] - 3:7, 134:3
association [3] - 37:13, 52:17, 83:16
Association [11] - 43:12, 43:14, 52:14, 57:3, 83:17, 84:12, 84:17, 85:11, 148:19, 149:12, 151:4
assuming [3] - 33:10, 55:4, 55:9
assured [1] - 38:15
AT [1] - 1:12
Athenaeum [1] - 148:1
attempt [1] - 39:2
attend [1] - 131:5
Attorney [2] - 34:18, 134:17
attorney [3] - 68:9, 89:19, 134:16
attorneys [4] - 89:7, 90:2, 91:16, 92:10
ATTY [40] - 28:19, 29:3, 29:11, 30:11, 31:8, 31:11, 31:16, 32:5, 32:10, 32:16, 33:3, 33:8, 33:15, 34:6, 34:15, 35:13, 35:18, 36:8, 45:9, 46:14, 47:10, 48:18, 49:4, 58:7, 58:15, 59:12, 60:3, 60:11, 60:13, 61:1, 61:4, 61:9, 62:8, 64:6, 64:10, 65:5, 105:2, 105:7, 105:11, 106:16
Auburn [1] - 150:14
audio [3] - 6:5, 48:7, 50:15
Auditorium [1] - 150:5
August [16] - 6:8, 44:18, 51:5, 89:9, 89:18, 140:6, 146:1, 146:17,

<p>147:8, 148:2, 149:2, 149:14, 150:5, 150:14, 155:11</p> <p><u>august</u> [2] - 1:14, 6:2</p> <p><u>Auror</u> [1] - 59:1</p> <p><u>AUROR</u> [2] - 2:14, 58:17</p> <p><u>authentic</u> [1] - 96:3</p> <p><u>authorizing</u> [1] - 152:15</p> <p><u>AUTO</u> [1] - 4:4</p> <p><u>Auto</u> [1] - 143:10</p> <p><u>available</u> [3] - 78:18, 79:5, 79:6</p> <p><u>Ave</u> [10] - 6:10, 27:10, 27:12, 94:2, 95:10, 126:9, 126:16, 141:6, 150:5</p> <p><u>avenue</u> [1] - 101:15</p> <p><u>Avenue</u> [16] - 1:13, 15:2, 16:6, 20:12, 24:11, 37:12, 82:19, 95:10, 101:4, 107:7, 107:8, 126:16, 127:3, 127:4, 127:9, 129:14</p> <p><u>aware</u> [3] - 74:3, 97:3, 117:5</p> <p><u>awfully</u> [1] - 22:8</p>	<p><u>becomes</u> [1] - 69:18</p> <p><u>becoming</u> [1] - 74:11</p> <p><u>beer</u> [6] - 40:2, 76:15, 76:18, 99:18, 100:2, 102:3</p> <p><u>behalf</u> [9] - 101:6, 105:3, 140:3, 144:1, 147:5, 147:17, 148:18, 149:11, 151:3</p> <p><u>behind</u> [3] - 38:4, 102:4, 102:11</p> <p><u>Belmont</u> [1] - 110:4</p> <p><u>below</u> [4] - 48:8, 54:19, 124:11, 134:9</p> <p><u>beneficial</u> [6] - 35:19, 52:10, 66:3, 86:3, 104:17, 105:7</p> <p><u>Benny</u> [1] - 9:12</p> <p><u>BENNY</u> [2] - 25:19, 26:4</p> <p><u>better</u> [3] - 9:3, 9:9, 9:11</p> <p><u>between</u> [5] - 38:9, 73:13, 109:5, 145:12</p> <p><u>beverage</u> [1] - 96:16</p> <p><u>beverages</u> [1] - 49:15</p> <p><u>Beyene</u> [3] - 6:17, 26:16, 130:9</p> <p><u>BEYENE</u> [2] - 2:8, 6:15</p> <p><u>bifurcated</u> [1] - 46:16</p> <p><u>big</u> [2] - 14:5, 63:7</p> <p><u>bigger</u> [2] - 9:10, 81:2</p> <p><u>Bill</u> [1] - 149:10</p> <p><u>bill</u> [1] - 88:4</p> <p><u>BILL</u> [8] - 4:12, 88:4, 88:14, 91:9, 91:13, 93:8, 93:13, 149:9</p> <p><u>bit</u> [2] - 67:6, 70:8</p> <p><u>bite</u> [1] - 39:11</p> <p><u>BLACK</u> [2] - 2:5, 107:13</p> <p><u>Black</u> [2] - 107:15, 109:2</p> <p><u>blasted</u> [1] - 20:8</p> <p><u>block</u> [1] - 101:18</p> <p><u>blocked</u> [1] - 70:17</p> <p><u>blow</u> [1] - 116:6</p> <p><u>blower</u> [33] - 14:18, 16:5, 16:10, 17:6, 18:8, 19:1, 19:4, 19:8, 19:10, 19:12, 107:16, 112:7, 113:11, 114:6, 115:16, 116:10, 117:1, 117:7, 117:10, 117:14, 118:11, 118:19, 119:3, 119:7, 119:17, 120:15, 126:8, 126:17, 126:19, 127:7, 128:2, 128:4, 132:2</p>
B	
<p><u>B-A-R-N-O-S-K-Y</u> [1] - 49:1</p> <p><u>B-R-A-N-D-O-N</u> [1] - 37:11</p> <p><u>B-U-T-C-H-E-R</u> [1] - 29:6</p> <p><u>backbar</u> [1] - 77:9</p> <p><u>bad</u> [3] - 102:8, 117:12</p> <p><u>Baldwin</u> [2] - 147:5, 147:7</p> <p><u>banned</u> [2] - 17:6, 22:16</p> <p><u>bans</u> [1] - 118:11</p> <p><u>bar</u> [14] - 28:1, 30:19, 31:6, 31:10, 31:18, 41:1, 48:2, 50:11, 57:17, 71:4, 74:9, 96:19, 102:1</p> <p><u>Barnosky</u> [2] - 48:15, 49:1</p> <p><u>BARNOSKY</u> [4] - 48:18, 49:4, 58:7, 58:15</p> <p><u>based</u> [6] - 31:2, 33:10, 33:12, 45:19, 79:4, 119:11</p> <p><u>Basement</u> [1] - 6:10</p> <p><u>basement</u> [2] - 27:16, 48:3</p> <p><u>bathroom</u> [13] - 66:6, 69:6, 69:7, 69:17, 69:18, 70:3, 70:9, 71:12, 72:1, 75:4, 75:7, 75:8</p> <p><u>bathrooms</u> [1] - 70:15</p> <p><u>Bear's</u> [3] - 134:17, 135:3, 135:14</p> <p><u>became</u> [1] - 112:10</p> <p><u>become</u> [1] - 98:13</p>	

blowers [17] - 22:15, 23:9, 23:14, 109:1, 109:4, 109:18, 109:19, 110:1, 110:6, 112:5, 116:5, 118:2, 118:7, 127:14, 131:1, 132:18, 145:7
blowing [3] - 22:17, 116:4, 132:1
board [1] - 50:8
Board [19] - 16:15, 18:6, 33:13, 34:1, 42:1, 45:8, 48:19, 49:5, 53:1, 53:5, 56:11, 63:16, 68:11, 91:1, 91:2, 101:12, 134:18, 135:10, 137:3
BOARD [3] - 1:6, 3:10, 137:1
BOCA [2] - 3:5, 87:13
Boca [2] - 87:16, 88:15
body [2] - 85:1, 135:19
booth [1] - 50:11
Boston [5] - 8:5, 11:3, 11:18, 51:3, 89:12
Boyer [12] - 15:19, 18:5, 20:9, 108:16, 114:16, 116:19, 119:13, 126:5, 128:6, 129:14, 130:14, 133:9
BOYER [26] - 16:1, 20:12, 20:18, 21:5, 21:8, 21:15, 23:2, 23:5, 108:17, 109:11, 112:18, 113:2, 114:19, 115:8, 115:13, 116:16, 116:19, 119:3, 125:5, 126:6, 128:10, 128:14, 128:17, 130:15, 131:15, 133:10
Brandon [5] - 33:11, 36:19, 37:10, 82:18, 101:3
BRANDON [12] - 37:1, 37:4, 37:9, 42:14, 43:5, 82:17, 83:9, 83:13, 84:14, 84:18, 85:7, 101:2
Brattle [3] - 59:3, 114:9, 115:18
break [1] - 133:12
breakfast [1] - 62:14
breath [1] - 116:8
breathe [1] - 53:8
BRENT [65] - 1:8, 9:14, 10:1, 12:15, 12:18, 13:2, 13:5, 13:15, 14:7, 18:16, 22:18, 23:3, 24:3, 24:14, 25:1, 25:5, 25:15, 26:2, 26:7, 27:1, 34:11, 36:15, 45:14, 46:4, 47:4, 53:12, 57:5, 58:11, 61:12, 62:3, 82:10, 87:6, 92:2, 92:14, 93:5, 98:19, 100:17, 104:4, 106:11,

112:15, 112:19, 113:4, 113:8, 113:12, 119:19, 120:3, 123:8, 123:14, 124:16, 133:2, 134:11, 136:15, 138:4, 139:15, 140:16, 141:19, 143:5, 143:15, 144:12, 144:19, 145:5, 145:14, 146:9, 152:8, 153:5
Brent [1] - 6:13
brew [1] - 122:9
brewing [1] - 122:8
brick [1] - 109:16
BRIGHTVIEW [2] - 2:7, 120:12
brightview [3] - 120:14, 120:19, 131:8
Brightview [6] - 125:4, 130:13, 130:19, 131:15, 131:19, 132:11
bring [7] - 60:6, 79:5, 80:11, 137:13, 137:17, 138:1, 147:13
Broadway [1] - 109:6
Brookline [2] - 9:4, 9:8
brought [1] - 102:14
brush [1] - 65:9
BRUSH [3] - 59:14, 62:13
Brush [1] - 59:14
BTNM [3] - 3:7, 134:3, 134:5
buffer [1] - 38:9
build [5] - 35:1, 35:5, 35:6, 42:10, 43:16
build-out [5] - 35:1, 35:5, 35:6, 42:10, 43:16
Building [2] - 1:12, 6:9
building [12] - 17:5, 19:16, 20:2, 43:1, 67:18, 68:5, 73:5, 74:4, 83:6, 86:12, 127:10, 139:2
buildings [1] - 101:18
bunch [1] - 79:10
burden [1] - 17:16
business [17] - 27:8, 27:13, 38:11, 47:17, 47:19, 59:1, 65:19, 79:14, 87:16, 89:10, 89:15, 93:19, 95:14, 95:15, 121:7, 141:7, 143:12
Business [5] - 84:12, 84:17, 148:19, 149:12, 151:4
BUTCHER [1] - 29:5
Butcher [3] - 27:14, 29:5, 36:10

c	
<p><u>cab</u> [1] - 152:16</p> <p><u>CAD</u> [1] - 130:18</p> <p><u>CAFE</u> [5] - 3:3, 3:7, 3:17, 121:5, 134:4</p> <p><u>Cafe</u> [4] - 121:8, 122:6, 134:6, 141:14</p> <p><u>cafe</u> [1] - 102:1</p> <p><u>cage</u> [1] - 75:3</p> <p><u>calculation</u> [1] - 76:3</p> <p><u>calculations</u> [1] - 76:17</p> <p><u>California</u> [2] - 58:1, 58:3</p> <p><u>CAMBRIDGE</u> [4] - 1:2, 1:3, 2:6, 114:3</p> <p><u>Cambridge</u> [44] - 1:13, 6:7, 6:18, 7:6, 8:16, 9:3, 9:10, 10:10, 14:2, 14:19, 17:17, 21:11, 37:13, 47:18, 49:9, 49:10, 54:11, 66:17, 67:7, 67:16, 89:14, 101:4, 107:4, 107:17, 110:3, 114:5, 114:7, 114:10, 114:13, 115:19, 116:15, 117:2, 117:16, 118:3, 118:5, 119:6, 119:12, 120:16, 130:17, 141:16, 142:6, 142:13, 143:2, 144:3</p> <p><u>Cambridge-only</u> [1] - 118:5</p> <p><u>campus</u> [1] - 117:8</p> <p><u>cancel</u> [7] - 139:14, 141:9, 141:18, 142:8, 142:15, 143:4, 143:14</p> <p><u>cancellation</u> [2] - 134:19, 135:12</p> <p><u>Candessa</u> [1] - 44:19</p> <p><u>cannot</u> [2] - 73:13, 135:18</p> <p><u>capacities</u> [2] - 40:16, 40:17</p> <p><u>capacity</u> [11] - 32:8, 40:19, 61:6, 61:7, 75:12, 76:2, 78:7, 78:8, 80:12, 121:10, 137:14</p> <p><u>CAPTURING</u> [1] - 1:17</p> <p><u>Carbone</u> [9] - 107:3, 107:9, 125:6, 125:13, 126:8, 127:5, 127:12, 128:7, 128:8</p> <p><u>CARBONE</u> [3] - 2:4, 107:1, 125:11</p> <p><u>care</u> [1] - 109:14</p> <p><u>Carmelia</u> [1] - 1:12</p> <p><u>case</u> [5] - 26:16, 42:9, 42:16, 46:16, 105:16</p> <p><u>catch</u> [3] - 17:12, 17:19, 20:7</p> <p><u>category</u> [1] - 89:4</p>	<p><u>caused</u> [1] - 117:19</p> <p><u>caution</u> [1] - 103:1</p> <p><u>CD</u> [1] - 48:8</p> <p><u>ceased</u> [7] - 139:8, 141:7, 141:15, 142:6, 142:13, 143:1, 143:12</p> <p><u>celia</u> [1] - 29:3</p> <p><u>CELIA</u> [1] - 29:3</p> <p><u>Celia</u> [1] - 30:13</p> <p><u>Center</u> [2] - 138:17, 150:13</p> <p><u>CENTER</u> [2] - 3:12, 138:14</p> <p><u>Central</u> [2] - 148:19, 151:4</p> <p><u>certain</u> [2] - 41:13, 62:14</p> <p><u>certificate</u> [2] - 38:18, 83:11</p> <p><u>CERTIFICATION</u> [2] - 155:1, 155:16</p> <p><u>certified</u> [5] - 36:11, 51:4, 53:19, 97:8, 98:6</p> <p><u>Certified</u> [1] - 155:14</p> <p><u>certify</u> [1] - 155:7</p> <p><u>CERTIFYING</u> [1] - 155:18</p> <p><u>Chair</u> [4] - 6:12, 28:19, 40:6, 48:19</p> <p><u>CHAIR</u> [310] - 1:7, 7:1, 7:8, 7:14, 8:1, 8:4, 8:7, 8:10, 8:14, 8:18, 9:5, 9:12, 10:3, 10:12, 10:17, 11:4, 11:8, 11:11, 11:14, 11:17, 12:1, 12:9, 13:12, 13:17, 14:10, 15:5, 15:13, 16:17, 18:3, 18:12, 18:18, 20:9, 20:16, 21:1, 21:7, 21:17, 23:8, 24:2, 24:5, 24:8, 24:16, 26:10, 26:13, 26:18, 28:16, 29:9, 29:16, 31:5, 31:9, 31:13, 32:3, 32:6, 32:12, 32:18, 33:5, 33:9, 33:17, 34:9, 34:13, 35:8, 35:15, 36:3, 36:12, 36:17, 37:2, 37:5, 42:7, 42:19, 43:8, 44:11, 44:14, 44:17, 45:12, 45:18, 46:8, 46:17, 47:8, 48:14, 49:3, 53:7, 53:18, 54:2, 54:12, 55:4, 55:7, 55:11, 55:15, 55:19, 56:3, 56:5, 56:9, 56:15, 56:19, 57:8, 57:11, 57:14, 57:19, 58:5, 58:8, 58:14, 59:9, 59:16, 60:8, 60:12, 60:16, 61:2, 61:5, 61:10, 61:14, 61:17, 62:1, 62:7, 62:9, 62:17, 64:8, 64:12, 65:7, 66:8, 66:12, 66:18, 67:3, 69:2, 69:11, 70:5, 70:12, 71:1, 71:7, 71:13, 73:6, 73:19,</p>

74:7, 74:15, 75:1, 75:5, 75:10,
 75:16, 75:19, 76:10, 77:2, 77:7,
 77:13, 82:2, 82:6, 82:12, 82:15,
 84:3, 84:10, 84:16, 85:14, 85:17,
 86:1, 86:7, 87:3, 87:8, 87:10,
 88:1, 88:8, 88:11, 90:8, 91:10,
 91:18, 92:4, 92:8, 92:16, 93:2,
 93:7, 93:10, 94:12, 94:18, 95:3,
 95:6, 95:11, 95:16, 95:19, 96:6,
 96:11, 96:14, 97:2, 97:7, 97:10,
 97:13, 97:19, 98:5, 98:11, 98:16,
 99:2, 99:5, 99:11, 99:15, 100:8,
 100:13, 100:16, 100:19, 103:10,
 103:13, 104:2, 104:8, 104:11,
 104:18, 105:5, 105:9, 106:8,
 106:15, 107:9, 107:11, 108:3,
 108:9, 108:14, 109:10, 109:12,
 110:14, 110:19, 111:5, 111:8,
 111:16, 111:19, 112:4, 112:9,
 112:14, 113:6, 113:10, 113:15,
 114:10, 114:13, 115:6, 115:11,
 116:14, 116:17, 119:1, 119:11,
 120:2, 120:5, 120:9, 120:19, 121:2,
 121:18, 122:4, 122:11, 122:15,
 122:19, 123:7, 123:10, 123:12,
 123:18, 124:5, 124:9, 124:13,
 125:1, 125:3, 125:7, 125:18, 126:4,
 126:13, 128:5, 128:12, 128:15,
 128:18, 129:3, 129:6, 129:11,
 130:1, 130:3, 130:11, 130:14,
 131:13, 132:13, 133:4, 133:7,
 133:11, 133:14, 134:10, 135:5,
 135:15, 136:19, 137:7, 138:7,
 138:10, 139:3, 139:9, 140:9, 141:1,
 141:8, 141:17, 142:7, 142:14,
 143:3, 143:13, 144:8, 144:14,
 145:2, 145:8, 145:10, 146:4,
 146:12, 147:1, 147:10, 148:4,
 148:8, 148:13, 149:6, 149:17,
 150:8, 150:17, 151:10, 152:3,
 152:6, 152:10, 153:7, 153:11,
 153:15

chairs [4] - 41:13, 78:8, 79:6,
 79:15

CHANGE [6] - 154:4, 154:5, 154:6,
 154:7, 154:8, 154:9

change [12] - 28:12, 47:1, 52:14,

59:4, 66:3, 66:4, 76:11, 86:3,
 104:17, 106:6, 138:11, 154:2

changed [5] - 40:11, 46:11, 68:16,
 75:11, 122:13

changes [7] - 38:7, 50:3, 83:1,
 137:4, 137:14, 154:11

changing [9] - 61:6, 70:15, 73:7,
 73:10, 76:1, 77:16, 83:8, 86:5,
 100:10

Chapter [4] - 87:19, 135:1, 135:13,
 146:6

Charles [1] - 67:8

CHARLIE'S [2] - 2:16, 65:17

Charlie's [13] - 66:1, 66:15, 67:10,
 73:3, 73:4, 73:7, 73:8, 73:11,
 73:13, 76:1, 76:11, 79:1, 80:2

chart [3] - 81:8, 81:9

chase [1] - 116:12

Chauncy [5] - 120:18, 131:1, 131:17,
 132:10

check [6] - 16:19, 19:6, 20:4, 22:6,
 46:10, 97:17

checking [1] - 56:1

checks [1] - 55:12

chief [3] - 133:4, 145:8, 153:7

Chief [1] - 6:12

CHIEF [58] - 1:9, 14:9, 24:7, 45:16,
 46:6, 47:6, 57:7, 58:13, 62:5,
 72:5, 72:9, 72:13, 72:17, 73:1,
 73:12, 73:16, 74:2, 74:5, 77:5,
 78:10, 78:15, 79:2, 79:12, 79:18,
 80:15, 80:18, 81:10, 81:12, 81:15,
 81:18, 82:4, 82:9, 86:9, 86:14,
 87:2, 87:5, 91:19, 92:6, 92:17,
 98:17, 104:6, 106:13, 106:18,
 113:14, 120:7, 123:11, 123:16,
 124:18, 129:18, 133:5, 136:17,
 138:9, 139:17, 140:18, 144:6,
 145:9, 146:11, 153:9

Chinese [4] - 96:2, 96:3, 96:4

chocolate [1] - 122:10

CHRISTOPHER [8] - 15:3, 16:18,
 18:10, 19:6, 21:12, 22:4, 23:16,
 24:18

Christopher [1] - 16:3

Ciro [2] - 127:12, 128:7

CITY [1] - 1:3
city [2] - 90:7, 102:14
City [3] - 67:15, 89:13, 115:8
City's [1] - 52:12
clarification [3] - 51:13, 91:3, 112:16
clarified [1] - 76:18
clarify [1] - 90:8
Classic [1] - 87:15
CLASSIC [2] - 3:5, 87:12
clean [3] - 110:6, 112:7, 116:3
cleaning [1] - 127:6
clear [2] - 89:5, 117:17
cleared [1] - 41:16
clerk [2] - 37:12, 101:4
client [1] - 35:16
clients [1] - 95:17
clock [1] - 118:12
close [10] - 22:6, 86:12, 88:19, 90:2, 139:14, 141:9, 141:18, 142:8, 142:15, 143:14
closed [10] - 64:19, 88:14, 89:8, 89:18, 91:1, 122:17, 123:6, 139:11, 139:12, 143:4
closet [10] - 27:17, 28:2, 28:4, 28:6, 28:8, 28:10
closets [2] - 39:15, 39:16
closing [3] - 50:9, 88:17, 89:9
cloud [1] - 81:2
CO [1] - 3:3
co [1] - 68:4
co-locate [1] - 68:4
Code [2] - 131:2, 144:3
code [1] - 75:9
codes [1] - 41:11
coffee [2] - 121:7, 122:8
COFFEE [2] - 3:3, 121:4
CoffeeShop [1] - 145:19
COFFEESHOP [2] - 4:7, 145:17
cold [1] - 122:9
Collaborative [1] - 144:1
COLLABORATIVE [1] - 4:6
College [1] - 138:16
COLLEGE [2] - 3:11, 138:13
combination [1] - 50:11

comfort [1] - 57:17
coming [6] - 34:19, 37:18, 41:18, 77:11, 99:18, 110:4
commercial [2] - 38:9, 51:2
Commission [11] - 6:7, 34:17, 39:5, 40:10, 41:4, 52:6, 66:11, 68:14, 83:5, 83:10, 84:7
COMMISSION [3] - 1:2, 1:4, 1:6
Commissioner [3] - 6:13, 12:11, 93:14
COMMISSIONER [65] - 1:8, 9:14, 10:1, 12:15, 12:18, 13:2, 13:5, 13:15, 14:7, 18:16, 22:18, 23:3, 24:3, 24:14, 25:1, 25:5, 25:15, 26:2, 26:7, 27:1, 34:11, 36:15, 45:14, 46:4, 47:4, 53:12, 57:5, 58:11, 61:12, 62:3, 82:10, 87:6, 92:2, 92:14, 93:5, 98:19, 100:17, 104:4, 106:11, 112:15, 112:19, 113:4, 113:8, 113:12, 119:19, 120:3, 123:8, 123:14, 124:16, 133:2, 134:11, 136:15, 138:4, 139:15, 140:16, 141:19, 143:5, 143:15, 144:12, 144:19, 145:5, 145:14, 146:9, 152:8, 153:5
Commissioners [3] - 6:11, 37:16, 63:5
Committee [5] - 37:14, 84:15, 84:19, 85:3, 101:5
committee [1] - 85:6
committee's [1] - 101:6
common [11] - 27:11, 47:15, 59:2, 66:2, 87:16, 94:1, 94:3, 104:16, 121:8, 134:6, 140:4
Commons [1] - 151:6
Commonwealth [3] - 56:12, 155:3, 155:6
communications [1] - 112:12
community [3] - 35:3, 38:12, 41:18
Community [1] - 147:6
companies [1] - 126:19
company [22] - 8:15, 21:2, 21:4, 22:1, 22:3, 105:10, 105:12, 105:18, 106:3, 108:13, 118:9, 118:15, 127:12, 128:9, 128:13, 128:16, 129:1, 129:4, 129:7, 129:13,

129:15, 132:11
COMPANY [6] - 2:4, 2:6, 107:1, 114:3, 121:4, 125:11
Company [8] - 106:4, 107:3, 114:5, 114:11, 117:3, 119:12, 121:7, 128:8
company's [1] - 105:14
complainant [10] - 16:15, 109:8, 113:1, 113:2, 115:7, 115:8, 125:4, 125:5, 130:16, 131:4
complaint [7] - 15:4, 16:13, 90:4, 90:5, 114:18, 118:15, 127:18
complaints [1] - 22:19
completed [3] - 38:15, 42:10, 51:7
completely [1] - 33:12
complex [1] - 127:14
compliance [2] - 118:13, 129:10
complies [2] - 13:14, 65:9
complying [2] - 13:1, 56:2
computerized [1] - 48:8
Concepts [1] - 87:15
CONCEPTS [2] - 3:5, 87:12
concern [1] - 79:3
concerned [3] - 12:6, 39:1, 45:2
concerns [1] - 84:2
concert [1] - 150:6
Concord [10] - 15:2, 16:6, 20:12, 24:10, 24:11, 107:7, 126:9, 126:16, 127:3
concur [9] - 24:15, 120:4, 138:6, 139:16, 139:18, 142:1, 143:6, 143:16, 145:1
condition [2] - 39:6, 151:11
conditionally [3] - 37:4, 37:6, 101:2
condo [1] - 109:15
conducting [1] - 79:14
Conference [2] - 1:12, 6:10
confirm [2] - 128:9, 129:12
conforming [1] - 118:1
confused [1] - 46:13
consensus [2] - 63:17, 113:17
consent [1] - 52:3
consequently [1] - 36:2
consider [1] - 39:6
consideration [1] - 144:16

considering [1] - 135:19
consisting [1] - 48:2
consists [1] - 71:12
construction [2] - 43:16, 50:5
contact [1] - 81:16
contacting [1] - 26:14
containing [1] - 27:19
continued [5] - 27:7, 40:8, 89:15, 116:12, 128:3
continuing [1] - 42:1
CONTROL [1] - 155:17
controversy [1] - 102:4
conversation [5] - 48:9, 54:19, 89:3, 90:10, 134:9
conversational [1] - 124:11
conversations [1] - 91:11
conversion [1] - 86:15
corner [3] - 49:10, 101:16, 101:17
CORP [2] - 3:16, 141:12
Corp [1] - 141:14
CORPORATION [2] - 2:17, 93:16
Corporation [3] - 93:19, 106:1, 106:2
corral [1] - 63:19
correct [24] - 18:9, 21:15, 31:8, 31:11, 32:4, 32:5, 32:17, 33:3, 33:4, 33:8, 33:14, 33:15, 33:16, 34:6, 61:9, 76:19, 83:2, 85:8, 95:1, 95:4, 105:10, 109:18, 111:3, 128:17
correction [1] - 154:2
corrections [1] - 154:11
cosmetic [1] - 50:2
Council [2] - 67:15, 89:13
Councillor [1] - 115:9
count [2] - 73:11, 75:9
counted [2] - 12:11, 77:11
couple [6] - 17:3, 34:16, 40:4, 40:10, 43:7, 86:13
course [1] - 137:5
Court [3] - 120:18, 131:17, 132:10
Courtney [1] - 134:16
COURTNEY [2] - 3:8, 134:14
Courtney's [1] - 136:6
Courtyard [1] - 98:3

courtyard [3] - 109:15, 109:16, 132:1
covered [2] - 34:15, 103:3
crack [1] - 102:13
cracks [1] - 43:6
CRANE [12] - 59:12, 59:13, 60:3, 60:11, 60:13, 61:1, 61:4, 61:9, 62:8, 64:6, 64:10, 65:5
Crane [1] - 59:12
crane [1] - 59:17
crap [1] - 132:1
crazy [1] - 19:13
create [1] - 79:11
crew [2] - 118:6, 128:1
crews [1] - 118:13
CSBA [2] - 148:18, 151:3
Cuisine [1] - 49:13
cuisine [1] - 57:17
current [2] - 101:12, 144:17
cursor [1] - 103:16
CURTIS [1] - 29:5
Curtis [2] - 27:14, 29:5
customer [6] - 73:14, 76:7, 99:17, 99:18, 100:3
customers [1] - 89:14
CV [8] - 3:10, 49:6, 55:12, 137:1, 137:3, 137:8, 137:11, 137:12

D

D/B/A [21] - 2:13, 2:14, 2:16, 2:17, 3:3, 3:5, 3:7, 3:12, 3:17, 4:3, 4:4, 4:7, 27:5, 47:12, 58:18, 65:17, 87:13, 93:17, 121:5, 134:4, 138:14
d/b/a [12] - 40:9, 40:11, 46:11, 134:6, 138:16, 141:14, 142:19, 143:10, 145:19, 148:18, 149:11, 151:3
D2J [3] - 2:12, 47:12, 47:16
daily [1] - 118:13
Dao [1] - 94:1
DAO [2] - 2:17, 93:17
DATE [1] - 1:14
date [7] - 16:19, 56:16, 98:12, 127:17, 147:8, 148:12, 154:3
dates [1] - 118:9

Dauphin [3] - 7:6, 25:3, 25:4
DAUPHIN [3] - 2:9, 7:4, 7:13
Dauphine [1] - 7:15
DAUPHINE [13] - 7:12, 7:18, 8:3, 8:5, 8:9, 8:13, 8:17, 9:2, 9:7, 9:17, 10:6, 25:12, 26:11
days [6] - 35:4, 48:11, 50:10, 64:14, 86:13, 94:9
dealer [1] - 141:5
dealers [1] - 143:11
dealt [1] - 34:19
dear [1] - 116:19
debris [2] - 110:6, 112:7
December [1] - 23:11
decibels [3] - 17:8, 17:9, 17:10
decided [2] - 52:1, 137:18
decision [3] - 33:13, 34:2, 52:3
Defense [2] - 84:8, 85:9
defer [1] - 129:17
define [1] - 34:3
definitely [1] - 81:3
delay [1] - 53:17
delayed [1] - 42:2
delivering [1] - 39:19
Democracy [1] - 150:13
denied [1] - 14:10
deny [4] - 14:6, 14:8, 14:9, 136:7
denying [1] - 19:1
dePagter [1] - 146:16
DEPAGTER [2] - 4:8, 146:14
Department [2] - 41:7, 68:16
deprived [1] - 17:19
described [9] - 27:15, 38:13, 39:17, 40:9, 48:1, 54:17, 74:8, 94:4, 121:15
description [11] - 28:14, 30:2, 30:5, 30:6, 30:9, 30:14, 30:16, 31:3, 39:8, 39:13, 73:8
design [3] - 23:19, 44:10, 68:4
Design [4] - 21:6, 21:19, 22:10, 50:12
designate [1] - 80:4
desk [3] - 127:16, 127:18, 129:9
detail [1] - 149:7
detailed [1] - 114:14

<p><u>detailing</u> [1] - 50:12</p> <p><u>develop</u> [2] - 52:2, 103:6</p> <p><u>developed</u> [1] - 67:10</p> <p><u>developers</u> [1] - 38:6</p> <p><u>Development</u> [1] - 52:13</p> <p><u>Devereux</u> [1] - 115:9</p> <p><u>device</u> [2] - 54:17, 54:18</p> <p><u>diagram</u> [1] - 41:5</p> <p><u>diagrams</u> [2] - 42:16, 44:5</p> <p><u>DIAMOND</u> [2] - 2:5, 107:13</p> <p><u>Diamond</u> [2] - 107:15, 109:2</p> <p><u>Dietrich's</u> [1] - 146:7</p> <p><u>difference</u> [1] - 24:19</p> <p><u>different</u> [9] - 22:3, 30:1, 65:1, 68:19, 73:5, 76:8, 84:18, 86:17, 103:17</p> <p><u>difficulties</u> [1] - 76:13</p> <p><u>dig</u> [1] - 22:7</p> <p><u>DiGiovanni</u> [1] - 85:5</p> <p><u>dim</u> [1] - 103:8</p> <p><u>dining</u> [9] - 31:18, 48:2, 66:7, 69:15, 74:9, 74:16, 74:18, 74:19, 94:5</p> <p><u>dinner</u> [4] - 55:9, 55:14, 55:16, 77:19</p> <p><u>dinnertime</u> [1] - 77:18</p> <p><u>DIRECT</u> [1] - 155:17</p> <p><u>direction</u> [1] - 116:13</p> <p><u>DIRECTION</u> [1] - 155:18</p> <p><u>director</u> [1] - 43:12</p> <p><u>DIRECTOR</u> [54] - 1:10, 6:4, 6:16, 7:5, 10:9, 14:16, 27:6, 47:14, 58:19, 65:18, 87:14, 92:19, 93:18, 104:14, 107:2, 107:14, 114:4, 120:13, 121:6, 124:2, 124:6, 125:12, 130:8, 130:12, 133:18, 134:5, 134:15, 135:9, 137:2, 138:15, 139:6, 140:2, 141:4, 141:13, 142:4, 142:11, 142:18, 143:9, 143:19, 145:18, 146:15, 147:4, 147:12, 147:16, 148:6, 148:10, 148:17, 149:10, 150:2, 150:11, 151:2, 151:16, 152:4, 153:13</p> <p><u>Director</u> [3] - 30:14, 53:2, 88:18</p> <p><u>directors</u> [2] - 86:4, 106:7</p>	<p><u>dirt</u> [3] - 115:16, 116:4, 116:6</p> <p><u>disappear</u> [1] - 80:4</p> <p><u>disciplinary</u> [2] - 95:4, 144:2</p> <p><u>disclose</u> [1] - 90:1</p> <p><u>disclosed</u> [2] - 35:19, 89:8</p> <p><u>discuss</u> [8] - 41:19, 64:1, 81:4, 117:14, 135:18, 136:1, 136:4, 137:3</p> <p><u>discussed</u> [3] - 35:2, 35:3, 51:10</p> <p><u>discussion</u> [5] - 77:15, 78:3, 81:2, 81:4, 81:13</p> <p><u>DISCUSSION</u> [2] - 3:10, 137:1</p> <p><u>disinterested</u> [1] - 115:2</p> <p><u>dispensary</u> [8] - 67:14, 67:19, 68:3, 68:6, 68:7, 69:10, 69:13, 86:16</p> <p><u>disrespect</u> [1] - 22:17</p> <p><u>disruptive</u> [1] - 17:14</p> <p><u>distance</u> [1] - 116:11</p> <p><u>distinguish</u> [1] - 32:1</p> <p><u>distributed</u> [1] - 119:8</p> <p><u>Division</u> [1] - 52:13</p> <p><u>DJ</u> [1] - 50:15</p> <p><u>documentation</u> [1] - 51:6</p> <p><u>documents</u> [2] - 46:1, 53:3</p> <p><u>DOES</u> [1] - 155:17</p> <p><u>done</u> [4] - 30:13, 62:13, 86:19, 110:10</p> <p><u>door</u> [5] - 64:3, 65:11, 70:15, 70:16, 101:18</p> <p><u>doors</u> [1] - 73:17</p> <p><u>double</u> [2] - 46:10, 109:15</p> <p><u>doubt</u> [1] - 19:9</p> <p><u>down</u> [12] - 10:5, 13:13, 18:10, 19:7, 20:1, 31:14, 35:11, 39:10, 102:13, 102:19, 127:19, 131:18</p> <p><u>drawing</u> [3] - 72:6, 72:18, 73:2</p> <p><u>drinks</u> [2] - 78:2, 151:12</p> <p><u>Drive</u> [1] - 98:4</p> <p><u>driven</u> [1] - 14:2</p> <p><u>driver</u> [5] - 7:16, 7:17, 7:18, 152:15, 152:18</p> <p><u>driver's</u> [8] - 6:18, 7:7, 8:11, 8:19, 10:11, 10:19, 11:1, 11:7</p> <p><u>driveway</u> [2] - 16:11, 19:16</p> <p><u>driving</u> [5] - 9:4, 9:8, 11:8, 13:3, 13:7</p>
---	--

<p><u>driving..</u> [1] - 9:6</p> <p><u>DUA</u> [1] - 35:10</p> <p><u>Dudley</u> [3] - 101:17, 102:11, 102:19</p> <p><u>due</u> [1] - 139:1</p> <p><u>dumping</u> [1] - 96:4</p> <p><u>dumpsters</u> [3] - 102:4, 102:10, 103:3</p> <p><u>during</u> [9] - 15:1, 23:12, 107:5, 107:18, 114:8, 120:17, 126:11, 127:1, 144:4</p> <p><u>duties</u> [1] - 51:12</p>	<p>153:13</p> <p><u>email</u> [6] - 15:16, 16:2, 21:18, 33:10, 44:18, 131:6</p> <p><u>emailed</u> [1] - 126:7</p> <p><u>emails</u> [1] - 89:3</p> <p><u>emanating</u> [1] - 102:9</p> <p><u>emergency</u> [2] - 12:5, 14:4</p> <p><u>EMILIOS</u> [2] - 4:4, 143:8</p> <p><u>Emilios</u> [1] - 143:10</p> <p><u>empathetic</u> [1] - 117:13</p> <p><u>employee</u> [6] - 19:2, 19:14, 117:3, 117:9, 119:5, 119:14</p> <p><u>employees</u> [12] - 54:8, 60:14, 73:15, 110:15, 111:6, 117:4, 117:17, 118:17, 119:9, 126:8, 130:19, 132:17</p> <p><u>emptied</u> [1] - 103:4</p> <p><u>empty</u> [1] - 79:10</p> <p><u>EN</u> [2] - 3:5, 87:13</p> <p><u>En</u> [2] - 87:16, 88:15</p> <p><u>end</u> [3] - 38:16, 91:6, 98:10</p> <p><u>End</u> [3] - 47:19, 49:15, 57:15</p> <p><u>endorsement</u> [1] - 89:13</p> <p><u>enforce</u> [1] - 17:15</p> <p><u>engine</u> [1] - 128:11</p> <p><u>England</u> [1] - 144:2</p> <p><u>ENGLAND</u> [1] - 4:6</p> <p><u>ensure</u> [2] - 54:8, 118:13</p> <p><u>entering</u> [2] - 71:2, 71:3</p> <p><u>entertainment</u> [18] - 39:3, 48:6, 49:6, 49:16, 50:13, 50:15, 54:15, 124:3, 124:7, 124:10, 134:8, 147:19, 149:1, 149:13, 150:4, 150:12, 151:5, 151:17</p> <p><u>entire</u> [2] - 39:14, 71:8</p> <p><u>entirely</u> [1] - 38:5</p> <p><u>entrance</u> [9] - 48:4, 66:5, 70:15, 70:16, 70:18, 83:2, 94:7, 118:12, 121:17</p> <p><u>entrances</u> [1] - 83:7</p> <p><u>envision</u> [1] - 70:6</p> <p><u>ePortal</u> [1] - 51:15</p> <p><u>equipment</u> [3] - 42:3, 42:17, 116:1</p> <p><u>equity</u> [2] - 105:17</p> <p><u>ERRATA</u> [1] - 154:1</p>
E	
<p><u>E-D-W-I-N</u> [1] - 126:3</p> <p><u>early</u> [1] - 111:12</p> <p><u>eat</u> [1] - 55:18</p> <p><u>Economic</u> [3] - 52:12, 84:7, 85:2</p> <p><u>economy</u> [1] - 85:8</p> <p><u>Ed</u> [2] - 126:3, 126:7</p> <p><u>ED</u> [5] - 126:15, 129:2, 129:5, 129:8, 130:2</p> <p><u>educational</u> [1] - 138:18</p> <p><u>EDWIN</u> [1] - 126:2</p> <p><u>Edwin</u> [1] - 126:2</p> <p><u>effective</u> [1] - 118:8</p> <p><u>Eggrs</u> [1] - 44:19</p> <p><u>EGGRS</u> [1] - 44:19</p> <p><u>egress</u> [1] - 78:14</p> <p><u>either</u> [1] - 54:9</p> <p><u>either/or</u> [1] - 54:4</p> <p><u>ELECTRIC</u> [1] - 4:4</p> <p><u>Electric</u> [1] - 143:10</p> <p><u>electrical</u> [1] - 42:3</p> <p><u>Eliot</u> [1] - 66:2</p> <p><u>ELIZABETH</u> [54] - 1:10, 6:4, 6:16, 7:5, 10:9, 14:16, 27:6, 47:14, 58:19, 65:18, 87:14, 92:19, 93:18, 104:14, 107:2, 107:14, 114:4, 120:13, 121:6, 124:2, 124:6, 125:12, 130:8, 130:12, 133:18, 134:5, 134:15, 135:9, 137:2, 138:15, 139:6, 140:2, 141:4, 141:13, 142:4, 142:11, 142:18, 143:9, 143:19, 145:18, 146:15, 147:4, 147:12, 147:16, 148:6, 148:10, 148:17, 149:10, 150:2, 150:11, 151:2, 151:16, 152:4,</p>	

errata [1] - 154:3
especially [2] - 79:1, 100:3
establishment [1] - 79:4
estate [1] - 51:2
estimate [1] - 86:15
event [1] - 148:3
ever-changing [1] - 77:16
exact [1] - 115:3
exactly [2] - 8:19, 54:5
example [1] - 80:2
except [4] - 60:8, 103:15, 116:3, 154:11
Executive [2] - 53:2, 88:18
EXECUTIVE [54] - 1:10, 6:4, 6:16, 7:5, 10:9, 14:16, 27:6, 47:14, 58:19, 65:18, 87:14, 92:19, 93:18, 104:14, 107:2, 107:14, 114:4, 120:13, 121:6, 124:2, 124:6, 125:12, 130:8, 130:12, 133:18, 134:5, 134:15, 135:9, 137:2, 138:15, 139:6, 140:2, 141:4, 141:13, 142:4, 142:11, 142:18, 143:9, 143:19, 145:18, 146:15, 147:4, 147:12, 147:16, 148:6, 148:10, 148:17, 149:10, 150:2, 150:11, 151:2, 151:16, 152:4, 153:13
exercised [10] - 50:9, 146:17, 147:7, 147:19, 149:1, 149:13, 150:4, 150:13, 151:6, 151:18
exhibition [1] - 149:15
existing [3] - 59:7, 105:17, 137:4
exit [1] - 121:17
exits [2] - 48:4, 94:7
expect [2] - 56:16, 98:12
expected [10] - 42:3, 146:19, 147:9, 148:3, 149:5, 149:16, 150:7, 150:16, 151:9, 152:2
expecting [1] - 114:15
experience [3] - 51:3, 96:16, 96:19
explain [1] - 105:14
explained [1] - 39:14
explaining [1] - 52:7
explanation [1] - 144:13
explicitly [1] - 39:9
expressed [2] - 42:13, 138:6

extension [2] - 140:6, 140:10
extensions [1] - 146:1
exterminating [1] - 102:13
exterminators [1] - 102:15

F

FABOLA [1] - 3:15
fABOLA [1] - 141:3
Fabola [1] - 141:5
face [1] - 116:7
facility [1] - 67:14
fact [3] - 22:9, 40:10, 117:7
fairly [1] - 83:15
falling [1] - 89:3
falls [1] - 43:6
familiar [2] - 56:10, 101:12
far [2] - 60:4, 116:10
fare [1] - 49:15
fast [1] - 88:9
favor [7] - 37:3, 43:9, 57:9, 61:15, 82:13, 99:3, 101:1
February [1] - 89:16
feelings [1] - 145:6
feet [10] - 28:1, 28:3, 28:5, 28:7, 28:9, 28:11, 48:2, 76:7, 94:5, 121:16
FELLOWS [2] - 3:11, 138:13
Fellows [1] - 138:16
Ferrer [1] - 6:12
FERRER [310] - 1:7, 7:1, 7:8, 7:14, 8:1, 8:4, 8:7, 8:10, 8:14, 8:18, 9:5, 9:12, 10:3, 10:12, 10:17, 11:4, 11:8, 11:11, 11:14, 11:17, 12:1, 12:9, 13:12, 13:17, 14:10, 15:5, 15:13, 16:17, 18:3, 18:12, 18:18, 20:9, 20:16, 21:1, 21:7, 21:17, 23:8, 24:2, 24:5, 24:8, 24:16, 26:10, 26:13, 26:18, 28:16, 29:9, 29:16, 31:5, 31:9, 31:13, 32:3, 32:6, 32:12, 32:18, 33:5, 33:9, 33:17, 34:9, 34:13, 35:8, 35:15, 36:3, 36:12, 36:17, 37:2, 37:5, 42:7, 42:19, 43:8, 44:11, 44:14, 44:17, 45:12, 45:18, 46:8, 46:17, 47:8, 48:14, 49:3, 53:7, 53:18, 54:2, 54:12, 55:4, 55:7,

55:11, 55:15, 55:19, 56:3, 56:5,
 56:9, 56:15, 56:19, 57:8, 57:11,
 57:14, 57:19, 58:5, 58:8, 58:14,
 59:9, 59:16, 60:8, 60:12, 60:16,
 61:2, 61:5, 61:10, 61:14, 61:17,
 62:1, 62:7, 62:9, 62:17, 64:8,
 64:12, 65:7, 66:8, 66:12, 66:18,
 67:3, 69:2, 69:11, 70:5, 70:12,
 71:1, 71:7, 71:13, 73:6, 73:19,
 74:7, 74:15, 75:1, 75:5, 75:10,
 75:16, 75:19, 76:10, 77:2, 77:7,
 77:13, 82:2, 82:6, 82:12, 82:15,
 84:3, 84:10, 84:16, 85:14, 85:17,
 86:1, 86:7, 87:3, 87:8, 87:10,
 88:1, 88:8, 88:11, 90:8, 91:10,
 91:18, 92:4, 92:8, 92:16, 93:2,
 93:7, 93:10, 94:12, 94:18, 95:3,
 95:6, 95:11, 95:16, 95:19, 96:6,
 96:11, 96:14, 97:2, 97:7, 97:10,
 97:13, 97:19, 98:5, 98:11, 98:16,
 99:2, 99:5, 99:11, 99:15, 100:8,
 100:13, 100:16, 100:19, 103:10,
 103:13, 104:2, 104:8, 104:11,
 104:18, 105:5, 105:9, 106:8,
 106:15, 107:9, 107:11, 108:3,
 108:9, 108:14, 109:10, 109:12,
 110:14, 110:19, 111:5, 111:8,
 111:16, 111:19, 112:4, 112:9,
 112:14, 113:6, 113:10, 113:15,
 114:10, 114:13, 115:6, 115:11,
 116:14, 116:17, 119:1, 119:11,
 120:2, 120:5, 120:9, 120:19, 121:2,
 121:18, 122:4, 122:11, 122:15,
 122:19, 123:7, 123:10, 123:12,
 123:18, 124:5, 124:9, 124:13,
 125:1, 125:3, 125:7, 125:18, 126:4,
 126:13, 128:5, 128:12, 128:15,
 128:18, 129:3, 129:6, 129:11,
 130:1, 130:3, 130:11, 130:14,
 131:13, 132:13, 133:4, 133:7,
 133:11, 133:14, 134:10, 135:5,
 135:15, 136:19, 137:7, 138:7,
 138:10, 139:3, 139:9, 140:9, 141:1,
 141:8, 141:17, 142:7, 142:14,
 143:3, 143:13, 144:8, 144:14,
 145:2, 145:8, 145:10, 146:4,
 146:12, 147:1, 147:10, 148:4,
 148:8, 148:13, 149:6, 149:17,

150:8, 150:17, 151:10, 152:3,
 152:6, 152:10, 153:7, 153:11,
 153:15
few [4] - 15:16, 22:15, 37:15, 110:2
Fidelity [1] - 106:3
field [1] - 118:17
figure [2] - 60:5, 92:12
figured [2] - 29:18, 145:3
file [12] - 23:6, 90:5, 90:11,
 90:12, 139:14, 141:10, 141:18,
 142:8, 142:15, 143:4, 143:14, 153:2
filed [5] - 29:19, 42:8, 51:16,
 51:17, 144:2
filing [1] - 90:4
filled [1] - 20:14
final [1] - 40:4
finally [1] - 38:15
financial [1] - 53:3
fine [14] - 22:5, 22:11, 23:9,
 24:13, 36:16, 63:3, 93:6, 113:7,
 132:16, 133:1, 133:8, 144:10,
 145:3, 145:11
fined [2] - 23:2, 131:10
finished [1] - 116:2
Fire [8] - 6:12, 41:7, 43:2, 68:16,
 68:17, 78:3, 82:3, 82:4
FIRE [58] - 1:9, 14:9, 24:7, 45:16,
 46:6, 47:6, 57:7, 58:13, 62:5,
 72:5, 72:9, 72:13, 72:17, 73:1,
 73:12, 73:16, 74:2, 74:5, 77:5,
 78:10, 78:15, 79:2, 79:12, 79:18,
 80:15, 80:18, 81:10, 81:12, 81:15,
 81:18, 82:4, 82:9, 86:9, 86:14,
 87:2, 87:5, 91:19, 92:6, 92:17,
 98:17, 104:6, 106:13, 106:18,
 113:14, 120:7, 123:11, 123:16,
 124:18, 129:18, 133:5, 136:17,
 138:9, 139:17, 140:18, 144:6,
 145:9, 146:11, 153:9
fire [1] - 42:18
first [18] - 6:17, 30:4, 48:3, 59:5,
 59:6, 59:19, 61:8, 66:6, 69:5,
 72:6, 72:7, 74:10, 74:11, 94:6,
 99:9, 121:16, 126:2, 133:19
First [2] - 121:9, 121:17
five [4] - 12:2, 12:12, 13:19, 17:9

fixed [1] - 77:9
FLAT [2] - 2:14, 58:18
Flat [2] - 59:1, 59:15
flights [1] - 20:1
floating [1] - 78:7
floor [38] - 31:12, 42:8, 42:11, 48:3, 50:4, 50:12, 59:6, 59:7, 59:17, 59:18, 59:19, 60:1, 61:8, 66:7, 67:2, 69:6, 70:2, 71:8, 72:1, 72:3, 72:6, 72:7, 72:10, 72:11, 72:18, 74:10, 74:11, 74:16, 78:17, 79:1, 79:7, 79:16, 80:1, 94:6, 121:16, 140:12
floors [1] - 27:15
Florida [1] - 152:14
folks [3] - 38:2, 39:12, 67:1
follow [4] - 16:14, 61:1, 71:5, 83:13
follow-up [2] - 16:14, 83:13
following [1] - 35:5
follows [1] - 54:17
food [9] - 39:3, 39:19, 57:15, 57:18, 96:1, 96:9, 96:16, 122:9, 146:2
footage [1] - 79:4
FOR [1] - 3:12
foreclosure [1] - 153:3
foregoing [1] - 154:11
FOREGOING [1] - 155:16
foreman [1] - 119:15
foresee [2] - 35:10, 35:13
forgot [1] - 25:13
formed [1] - 51:17
forth [1] - 155:8
forums [1] - 101:10
forward [1] - 38:19
forwarded [2] - 18:5, 18:6
four [12] - 12:2, 12:13, 13:18, 13:19, 17:2, 22:14, 26:5, 67:12, 78:9, 80:4, 80:7, 80:8
foyer [2] - 28:1, 31:6
Framingham [2] - 53:10, 53:15
frankly [2] - 14:3, 34:2
French [1] - 58:4
Fresh [1] - 126:16

Friday [3] - 121:13, 123:4, 124:1
fridges [1] - 40:1
friends [2] - 53:10, 131:15
front [22] - 12:12, 31:19, 32:1, 38:10, 41:9, 66:5, 68:14, 71:14, 75:17, 77:6, 82:8, 83:2, 83:5, 83:6, 84:6, 85:4, 115:17, 127:16, 127:18, 129:9, 140:8
full [1] - 51:9
full-time [1] - 51:9
fully [1] - 117:10
function [1] - 41:2
Fund [2] - 84:8, 85:9
fund [1] - 52:2
funding [1] - 51:18
fundraiser [3] - 147:9, 150:15, 151:8
funds [1] - 105:18
furniture [1] - 38:16
fusion [3] - 57:17, 58:1, 58:3
future [2] - 39:2, 81:4
FYI [1] - 54:6

G

G-E [1] - 99:9
G-O-O-D-W-I-N [1] - 88:5
garage [2] - 27:10, 39:16
GARDEN [2] - 2:17, 93:17
Garden [1] - 94:1
garden [9] - 28:2, 38:12, 44:1, 44:7, 45:3, 45:6, 74:10, 76:16, 76:18
GE [5] - 99:9, 99:14, 99:17, 100:12, 100:15
General [4] - 87:19, 135:1, 135:12, 146:6
gentleman [4] - 16:9, 18:8, 19:1, 19:4
gentleman's [1] - 22:1
GEORGE [4] - 105:2, 105:7, 105:11, 106:16
George [1] - 105:2
Georgetown [1] - 67:14
GERARD [58] - 1:9, 14:9, 24:7, 45:16, 46:6, 47:6, 57:7, 58:13, 62:5, 72:5, 72:9, 72:13, 72:17,

73:1, 73:12, 73:16, 74:2, 74:5,
77:5, 78:10, 78:15, 79:2, 79:12,
79:18, 80:15, 80:18, 81:10, 81:12,
81:15, 81:18, 82:4, 82:9, 86:9,
86:14, 87:2, 87:5, 91:19, 92:6,
92:17, 98:17, 104:6, 106:13,
106:18, 113:14, 120:7, 123:11,
123:16, 124:18, 129:18, 133:5,
136:17, 138:9, 139:17, 140:18,
144:6, 145:9, 146:11, 153:9

Gerard [1] - 6:12

Gianino's [1] - 67:9

Gim [1] - 29:13

GIM [1] - 29:14

given [5] - 63:6, 63:18, 64:17,
98:8, 103:14

glad [1] - 103:7

glimmer [1] - 91:16

Globe [1] - 89:12

GOODWIN [6] - 88:4, 88:14, 91:9,
91:13, 93:8, 93:13

Goodwin [4] - 88:4, 88:12, 90:9,
92:11

graduate [1] - 50:19

graduated [1] - 53:11

grant [21] - 26:9, 46:3, 47:3,
58:10, 58:12, 58:13, 62:2, 62:4,
86:8, 87:4, 87:5, 103:9, 104:3,
106:10, 123:13, 124:14, 140:15,
140:17, 146:8, 146:11, 153:4

granted [45] - 26:10, 46:5, 46:7,
46:8, 47:5, 47:7, 47:8, 58:14,
62:6, 62:7, 65:3, 87:8, 104:5,
104:7, 104:8, 106:12, 106:14,
106:15, 123:15, 123:17, 123:18,
124:17, 124:19, 125:1, 134:10,
134:12, 139:3, 140:19, 141:1,
146:5, 146:10, 146:12, 147:1,
147:11, 148:8, 148:14, 149:6,
149:17, 150:8, 150:17, 151:10,
152:3, 153:6, 153:10, 153:11

grants [1] - 62:18

Greek [2] - 101:16, 102:2

green [1] - 38:8

Greenleaf [1] - 115:17

Grill [1] - 40:12

ground [1] - 117:6

grounds [1] - 119:14

GROUP [4] - 2:12, 4:2, 47:12, 142:17

Group [2] - 47:16, 142:19

grow [3] - 67:13, 89:15, 89:16

guess [5] - 25:10, 33:18, 43:19,
57:18, 91:17

quest [4] - 28:4, 28:6, 28:8, 28:9

quests [1] - 79:19

gutters [1] - 112:8

guys [7] - 29:19, 34:9, 36:13, 84:4,
100:10, 110:1, 132:4

H

H-E-R-Z [1] - 105:3

hackney [9] - 6:18, 7:7, 7:16,
10:11, 10:19, 11:1, 13:7, 13:11,
90:16

Hall [2] - 43:12, 43:14

hallway [5] - 66:6, 69:4, 69:12,
69:13, 70:14

hampered [1] - 89:10

Hana [1] - 101:19

hand [3] - 108:5, 125:14, 155:11

handed [1] - 99:13

handicap [3] - 41:11, 70:3, 75:11

handicapped [2] - 69:19, 71:5

hands [1] - 15:9

hang [1] - 78:1

happy [2] - 53:5, 145:3

hard [3] - 95:13, 97:12, 100:5

HARVARD [2] - 3:11, 138:13

Harvard [20] - 67:17, 83:16, 83:17,
84:6, 84:8, 84:12, 84:17, 84:19,
85:2, 85:9, 85:10, 88:15, 89:7,
89:17, 91:11, 109:6, 111:14,
115:15, 138:16, 149:11

Harvard's [1] - 115:17

hash [2] - 90:3, 92:11

Haveli [1] - 49:13

Havelli [1] - 50:1

Havigil [1] - 141:14

HAVIGIL [2] - 3:16, 141:12

hawk [4] - 141:15, 142:5, 142:12,
143:1

head [1] - 70:6
Healthy [1] - 71:15
hear [2] - 126:19, 128:12
heard [7] - 16:15, 36:19, 45:19, 102:16, 115:15, 131:8, 132:14
HEARING [2] - 1:2, 1:4
hearing [25] - 16:14, 34:16, 35:7, 36:6, 40:5, 40:8, 89:2, 92:9, 93:3, 101:7, 109:9, 110:16, 131:5, 131:9, 132:8, 132:12, 132:15, 135:1, 135:12, 137:5, 137:13, 137:17, 138:2, 144:3, 155:8
hearings [1] - 46:1
held [3] - 27:12, 135:1, 135:12
helicopters [1] - 17:18
help [2] - 42:1, 100:7
helpful [1] - 35:17
helping [1] - 99:6
hereby [2] - 154:12, 155:6
herein [1] - 155:8
hereunto [1] - 155:10
HERZ [4] - 105:2, 105:7, 105:11, 106:16
Herz [2] - 105:2, 105:5
high [1] - 53:11
High [1] - 53:15
highlight [1] - 31:16
highlighted [1] - 69:10
Historic [1] - 83:5
Historical [1] - 83:10
history [1] - 67:6
hold [5] - 11:18, 21:12, 76:19, 106:1, 111:2
holder [20] - 14:17, 27:9, 59:2, 66:1, 67:7, 87:16, 94:1, 104:15, 107:16, 114:5, 120:14, 134:6, 138:17, 139:7, 140:4, 141:5, 141:14, 142:5, 143:11, 152:12
Holdings [2] - 106:1, 106:2
holy [1] - 43:13
Holyoke [2] - 87:17, 88:15
home [3] - 17:14, 90:7, 109:5
homes [1] - 110:12
hope [3] - 43:5, 91:16, 103:8
hopefully [4] - 9:11, 29:11, 86:17,

127:18
Hops [4] - 47:17, 49:11, 49:16, 49:19
HOPS [2] - 2:13, 47:13
hostess [2] - 70:8, 94:6
HOTEL [3] - 2:11, 27:4, 27:5
hotel [13] - 28:1, 31:6, 32:15, 32:16, 34:5, 35:16, 36:2, 37:17, 38:4, 38:17, 39:15, 44:7, 98:3
Hotel [6] - 27:8, 27:9, 29:6, 29:8, 43:18, 67:8
hotel/innkeeper [1] - 28:13
hour [2] - 15:17, 50:9
hours [26] - 32:19, 48:10, 49:16, 62:11, 62:18, 63:4, 63:5, 63:6, 63:7, 63:11, 63:17, 63:19, 64:4, 64:6, 64:9, 64:17, 65:2, 65:4, 65:8, 65:12, 65:13, 94:8, 100:10, 121:11, 123:19, 137:13
House [21] - 40:11, 46:11, 66:1, 66:5, 66:16, 67:11, 69:6, 69:14, 69:16, 69:18, 70:3, 70:7, 70:13, 70:18, 71:8, 71:11, 72:8, 73:9, 73:13, 75:17, 115:18
house [1] - 28:10
HOUSE [2] - 2:16, 65:17
housekeeping [5] - 27:16, 28:2, 28:4, 28:6, 28:8
Housep [2] - 10:10, 10:15
HOUSEP [17] - 2:10, 10:8, 10:15, 10:16, 11:3, 11:6, 11:10, 11:12, 11:16, 11:19, 12:8, 12:14, 12:17, 13:1, 13:4, 13:14, 14:12
HSBA [1] - 149:11
Hungry [1] - 142:12
HUNGRY [2] - 3:19, 142:10
hunt [1] - 152:1
Huron [5] - 107:8, 126:9, 126:16, 127:9, 129:14

I

Ian [1] - 53:11
idea [1] - 38:3
identify [1] - 76:13
IDs [1] - 97:17
illegal [1] - 117:10

Illey [2] - 16:12, 20:13
immediately [2] - 101:18, 102:11
important [1] - 32:1
imposing [1] - 39:6
IN [3] - 1:4, 155:10, 155:17
inaudible [1] - 117:7
Inc [7] - 14:17, 22:2, 23:1, 29:13, 65:19, 107:15, 142:19
INC [9] - 1:17, 2:3, 2:5, 2:15, 4:2, 14:15, 65:16, 107:13, 142:17
Inc's [1] - 40:9
incident [2] - 117:19, 144:7
include [3] - 39:14, 60:14, 67:17
included [3] - 38:1, 52:4, 131:6
includes [2] - 12:4, 122:9
including [5] - 14:4, 27:16, 41:9, 41:11, 122:8
incorporate [1] - 130:4
Incorporated [1] - 27:13
increase [2] - 78:8, 80:9
incredibly [1] - 17:14
incumbent [1] - 135:16
INDEX [3] - 2:1, 3:1, 4:1
Indian [1] - 49:13
indicate [1] - 39:10
indicated [1] - 39:18
indicating [1] - 23:15
individually [1] - 29:13
industry [2] - 51:4, 96:17
infestations [1] - 102:9
influence [2] - 58:4
influx [1] - 34:4
inform [1] - 90:19
information [4] - 93:1, 132:8, 132:9, 139:11
informational [1] - 87:15
INFORMATIONAL [2] - 3:4, 87:12
informed [7] - 88:19, 90:15, 116:4, 127:15, 127:19, 129:9, 132:17
Inman [3] - 49:9, 52:13, 57:2
innholder's [1] - 27:9
Innovation [1] - 147:17
inserting [1] - 30:6
inside [2] - 59:4, 78:19
inspect [1] - 64:16

Inspectional [2] - 41:6, 102:12
inspectors [2] - 43:3, 64:16
instance [1] - 40:19
instead [1] - 81:6
instituted [1] - 118:11
INSTRUCTIONS [1] - 154:2
Insurance [1] - 106:4
intend [2] - 51:8, 63:13
intent [1] - 34:7
interest [5] - 35:19, 52:10, 86:3, 105:7, 105:15
interested [1] - 33:18
interests [2] - 66:4, 104:17
INTERIM [65] - 1:8, 9:14, 10:1, 12:15, 12:18, 13:2, 13:5, 13:15, 14:7, 18:16, 22:18, 23:3, 24:3, 24:14, 25:1, 25:5, 25:15, 26:2, 26:7, 27:1, 34:11, 36:15, 45:14, 46:4, 47:4, 53:12, 57:5, 58:11, 61:12, 62:3, 82:10, 87:6, 92:2, 92:14, 93:5, 98:19, 100:17, 104:4, 106:11, 112:15, 112:19, 113:4, 113:8, 113:12, 119:19, 120:3, 123:8, 123:14, 124:16, 133:2, 134:11, 136:15, 138:4, 139:15, 140:16, 141:19, 143:5, 143:15, 144:12, 144:19, 145:5, 145:14, 146:9, 152:8, 153:5
interviewed [1] - 117:4
Intrepid [2] - 121:8, 122:6
INTREPID [2] - 3:3, 121:5
introduce [2] - 39:2, 40:12
inventory [2] - 28:15, 47:1
investigation [1] - 13:10
investigator [1] - 139:10
invite [1] - 101:8
involved [4] - 43:16, 67:12, 89:19, 116:3
ISD [2] - 43:2, 43:3
issue [10] - 24:13, 80:12, 81:3, 89:7, 113:7, 119:18, 124:14, 133:1, 144:9, 144:10
issued [2] - 115:2, 132:15
issues [3] - 35:11, 37:19, 95:4
IT [5] - 27:17, 28:4, 28:6, 28:8, 28:10

<u>item</u> [2] - 34:17, 41:15	<u>KALINA</u> [2] - 4:13, 150:1
<u>itself</u> [2] - 80:3, 106:7	<u>Kalina</u> [1] - 150:3
J	
<u>JAMAICA</u> [2] - 3:19, 142:10	<u>Karen</u> [1] - 29:1
<u>Jamaica</u> [1] - 142:12	<u>Kaya</u> [7] - 27:12, 27:13, 29:13, 30:5, 40:9, 43:18
<u>JAMES</u> [3] - 29:11, 35:13, 35:18	<u>Kaya-Ka</u> [3] - 27:12, 29:13, 30:5
<u>James</u> [1] - 29:12	<u>keep</u> [3] - 31:2, 67:19, 92:13
<u>Jan</u> [1] - 115:9	<u>keeping</u> [2] - 28:10, 89:17
<u>Japanese</u> [1] - 101:19	<u>Kendall</u> [1] - 148:1
<u>jet</u> [1] - 17:17	<u>KENNEDY</u> [2] - 4:5, 143:18
<u>JFK</u> [2] - 104:16, 138:19	<u>Kennedy</u> [1] - 144:1
<u>Ji</u> [2] - 94:10, 94:16	<u>kept</u> [3] - 102:6, 103:3, 103:5
<u>JI</u> [20] - 94:16, 94:17, 95:2, 95:5, 95:9, 95:13, 95:18, 96:2, 96:10, 96:13, 96:18, 97:6, 97:9, 97:11, 97:18, 98:2, 98:9, 98:15, 99:4, 104:9	<u>KEVIN</u> [11] - 59:12, 60:3, 60:11, 60:13, 61:1, 61:4, 61:9, 62:8, 64:6, 64:10, 65:5
<u>Jill</u> [2] - 155:5, 155:13	<u>Kevin</u> [1] - 59:12
<u>job</u> [5] - 8:15, 74:6, 99:6, 110:11, 116:3	<u>Kim</u> [1] - 29:14
<u>jobs</u> [1] - 91:17	<u>KIMBERLY</u> [2] - 3:8, 134:14
<u>Joe</u> [1] - 102:1	<u>Kimberly</u> [1] - 134:16
<u>jogging</u> [3] - 126:15, 127:2, 127:8	<u>kind</u> [4] - 57:14, 95:19, 98:1, 124:9
<u>John</u> [1] - 85:5	<u>Kitchen</u> [5] - 49:12, 49:17, 49:19, 66:16, 67:10
<u>JOHN'S</u> [2] - 2:3, 14:15	<u>kitchen</u> [12] - 28:2, 31:7, 35:1, 35:6, 42:16, 48:2, 60:5, 60:9, 60:10, 74:9, 94:5, 96:19
<u>John's</u> [13] - 14:17, 15:16, 16:4, 16:10, 17:4, 20:11, 20:15, 21:13, 21:19, 22:1, 22:5, 22:10, 23:1	<u>Kitchen/The</u> [1] - 66:1
<u>Johns's</u> [1] - 21:6	<u>KITCHEN/THE</u> [2] - 2:16, 65:17
<u>JOSEPH</u> [12] - 108:12, 109:13, 110:17, 111:4, 111:7, 111:11, 111:18, 112:2, 112:6, 112:13, 114:1	<u>knowing</u> [1] - 117:10
<u>Joseph</u> [1] - 108:12	<u>knowingly</u> [1] - 119:17
<u>judgment</u> [1] - 117:12	<u>knows</u> [1] - 64:4
<u>July</u> [18] - 27:7, 107:7, 107:8, 108:1, 109:2, 111:2, 111:10, 114:8, 115:13, 117:2, 120:17, 126:9, 126:10, 127:2, 127:8, 131:1, 131:9, 152:5	<u>Kourafas</u> [2] - 155:5, 155:13
<u>June</u> [5] - 15:2, 16:4, 110:8, 119:4, 119:10	<u>Kresge</u> [1] - 150:5
<u>junk</u> [1] - 143:11	<u>KUSCE</u> [11] - 108:12, 109:13, 110:17, 111:4, 111:7, 111:11, 111:18, 112:2, 112:6, 112:13, 114:1
K	
<u>K-U-S-C-E</u> [1] - 108:13	<u>Kusce</u> [3] - 108:12, 108:15, 109:12
	<u>Kyquan</u> [1] - 140:3
	<u>KYQUAN</u> [2] - 3:14, 140:1
	L
	<u>Labs</u> [1] - 147:17
	<u>landscape</u> [2] - 23:17, 23:19
	<u>Landscape</u> [18] - 14:17, 15:16, 21:6, 22:2, 107:3, 114:5, 114:11, 114:14, 115:19, 116:15, 117:3, 117:16,

119:12, 120:14, 125:4, 128:8,
130:13, 144:1

LANDSCAPE [9] - 2:3, 2:4, 2:6, 2:7,
4:6, 107:1, 114:3, 120:12, 125:11

landscaper [2] - 128:4, 129:10

Landscapers [2] - 107:15, 109:2

LANDSCAPERS [2] - 2:5, 107:13

landscapers [3] - 19:15, 20:3, 20:5

Landscaping [12] - 16:4, 16:11,
17:4, 20:11, 20:15, 21:13, 21:19,
23:1, 126:8, 127:5, 130:19, 131:8

landscaping [4] - 127:13, 128:1,
129:13, 129:15

LANDSCAPING [1] - 14:15

large [2] - 127:9, 127:10

largely [1] - 102:9

larger [1] - 66:19

Larrabee [3] - 6:13, 53:16, 93:14

LARRABEE [65] - 1:8, 9:15, 10:2,
12:16, 12:19, 13:3, 13:6, 13:16,
14:8, 18:17, 22:19, 23:4, 24:4,
24:15, 25:2, 25:6, 25:16, 26:3,
26:8, 27:2, 34:12, 36:16, 45:15,
46:5, 47:5, 53:13, 57:6, 58:12,
61:13, 62:4, 82:11, 87:7, 92:3,
92:15, 93:6, 99:1, 100:18, 104:5,
106:12, 112:16, 113:1, 113:5,
113:9, 113:13, 120:1, 120:4, 123:9,
123:15, 124:17, 133:3, 134:12,
136:16, 138:5, 139:16, 140:17,
142:1, 143:6, 143:16, 144:13,
145:1, 145:6, 145:15, 146:10,
152:9, 153:6

last [14] - 7:13, 12:13, 13:19,
26:5, 34:16, 35:7, 36:9, 43:13,
52:16, 67:15, 99:10, 102:7, 131:9,
132:15

late [2] - 33:11, 55:18

law [2] - 17:15, 24:1

Law [2] - 135:12, 146:6

laws [3] - 56:11, 56:17, 98:13

Laws [2] - 87:19, 135:1

leaf [39] - 14:18, 16:5, 16:10,
17:5, 18:8, 19:4, 19:8, 19:10,
19:11, 22:15, 23:9, 23:13, 107:16,
109:1, 109:3, 109:17, 112:5, 112:7,

113:11, 114:6, 115:16, 116:5,
117:1, 118:7, 118:19, 119:3, 119:6,
119:16, 120:15, 126:7, 126:17,
126:19, 127:7, 127:13, 128:1,
128:4, 131:1, 132:1, 145:6

learned [1] - 111:1

lease [1] - 152:17

least [1] - 64:2

leave [1] - 10:5

left [1] - 132:6

legally [2] - 33:2, 89:19

letter [9] - 36:4, 36:5, 37:16,
53:1, 57:1, 84:11, 117:1, 117:11,
118:14

level [12] - 18:1, 28:1, 28:3, 28:5,
28:7, 28:9, 48:9, 54:19, 105:10,
105:15, 124:12, 134:9

levels [2] - 105:12, 105:15

License [2] - 6:7, 155:14

LICENSE [4] - 1:2, 1:4, 1:6, 3:10

license [100] - 6:19, 7:7, 8:8,
8:11, 8:19, 9:15, 10:11, 11:1,
11:2, 11:5, 11:6, 11:7, 11:9,
11:18, 12:16, 13:7, 13:11, 25:7,
25:9, 27:10, 27:12, 28:13, 28:14,
36:2, 44:2, 47:2, 47:16, 48:6,
49:6, 49:7, 52:10, 56:7, 59:3,
60:18, 62:18, 64:10, 64:13, 65:3,
66:2, 67:7, 73:5, 87:17, 87:18,
89:1, 90:6, 90:12, 90:14, 90:16,
91:2, 91:7, 93:8, 94:2, 94:3, 95:7,
95:14, 96:12, 97:12, 98:8, 99:18,
100:2, 104:16, 109:17, 121:9,
134:7, 134:8, 135:2, 135:14, 136:3,
137:3, 138:18, 139:7, 139:14,
140:4, 140:6, 141:6, 141:9, 141:15,
141:18, 142:6, 142:8, 142:13,
142:15, 143:1, 143:4, 143:12,
143:14, 146:1, 146:5, 146:16,
147:6, 147:18, 149:1, 149:13,
150:4, 150:12, 151:5, 151:18

licensed [4] - 98:14, 140:14,
152:15, 152:18

licensee [3] - 50:2, 105:16, 106:7

LICENSES [1] - 137:1

licenses [2] - 90:17

licensing [2] - 42:2, 137:8
lighting [1] - 38:16
limit [1] - 79:7
limited [1] - 151:11
line [2] - 39:10, 65:1
LINE [1] - 154:4
linen [1] - 39:15
Lint [4] - 30:14, 46:9, 53:3, 88:18
LINT [54] - 1:10, 6:4, 6:16, 7:5, 10:9, 14:16, 27:6, 47:14, 58:19, 65:18, 87:14, 92:19, 93:18, 104:14, 107:2, 107:14, 114:4, 120:13, 121:6, 124:2, 124:6, 125:12, 130:8, 130:12, 133:18, 134:5, 134:15, 135:9, 137:2, 138:15, 139:6, 140:2, 141:4, 141:13, 142:4, 142:11, 142:18, 143:9, 143:19, 145:18, 146:15, 147:4, 147:12, 147:16, 148:6, 148:10, 148:17, 149:10, 150:2, 150:11, 151:2, 151:16, 152:4, 153:13
liquor [9] - 44:2, 56:6, 60:18, 64:13, 75:3, 90:12, 90:17, 96:12, 97:12
listed [1] - 20:13
listing [1] - 118:10
litigation [1] - 90:4
Littauer [1] - 138:17
LITTAUER [2] - 3:12, 138:14
live [8] - 37:11, 39:3, 81:9, 148:3, 149:4, 150:6, 150:15, 151:8
living [1] - 152:14
LLC [38] - 2:11, 2:14, 2:18, 3:3, 3:5, 3:9, 3:15, 3:18, 3:19, 4:7, 27:4, 27:8, 29:15, 47:12, 47:16, 47:18, 51:15, 51:17, 53:3, 58:17, 59:1, 87:12, 87:15, 104:13, 104:15, 105:4, 121:4, 121:7, 135:8, 135:10, 141:3, 141:5, 142:3, 142:5, 142:10, 142:12, 145:17, 145:19
LLM [1] - 50:12
load [2] - 60:6, 76:15
loading [1] - 116:1
loads [2] - 60:14, 76:8
lobby [3] - 28:1, 31:6, 31:10
local [1] - 51:10

locate [1] - 68:4
located [1] - 16:6
location [5] - 47:19, 49:8, 49:11, 95:8, 111:9
locked [2] - 102:6, 103:5
locker [1] - 27:18
logo [4] - 22:13, 22:14, 23:15, 119:4
Lombardi [2] - 1:12, 6:9
look [9] - 20:2, 21:3, 22:11, 23:17, 38:19, 67:1, 81:19, 93:11, 103:16
looked [2] - 19:19, 63:1
looking [3] - 35:4, 50:14, 75:14
looks [2] - 18:7, 65:12
lost [1] - 9:8
loud [2] - 9:6, 127:13
Louluorgas [1] - 143:10
LOULUORGAS [2] - 4:4, 143:8
lounge [1] - 74:9
lunch [3] - 55:13, 55:15, 55:18
lunchtime [1] - 77:17
Ly [1] - 140:3
LY [2] - 3:14, 140:1

M

M-A-R-K-U-M [1] - 29:4
M-A-U-R-I-C-E [1] - 7:13
ma'am [2] - 75:18, 99:7
machine [1] - 48:7
Madam [3] - 28:19, 40:6, 48:19
Magazine [1] - 89:13
Mahoney [1] - 6:13
MAHONEY [58] - 1:9, 14:9, 24:7, 45:16, 46:6, 47:6, 57:7, 58:13, 62:5, 72:5, 72:9, 72:13, 72:17, 73:1, 73:12, 73:16, 74:2, 74:5, 77:5, 78:10, 78:15, 79:2, 79:12, 79:18, 80:15, 80:18, 81:10, 81:12, 81:15, 81:18, 82:4, 82:9, 86:9, 86:14, 87:2, 87:5, 91:19, 92:6, 92:17, 98:17, 104:6, 106:13, 106:18, 113:14, 120:7, 123:11, 123:16, 124:18, 129:18, 133:5, 136:17, 138:9, 139:17, 140:18, 144:6, 145:9, 146:11, 153:9
maid [1] - 39:16

Main [1] - 146:17
main [1] - 70:18
maintain [1] - 68:1
maintained [1] - 20:14
malt [10] - 59:2, 94:3, 95:12, 97:14, 100:9, 138:18, 146:5, 146:16, 147:6, 147:18
manage [1] - 152:16
managed [1] - 96:12
Management [1] - 51:1
management [6] - 51:2, 96:19, 129:4, 129:7, 132:11, 139:13
manager [9] - 27:14, 36:6, 48:12, 50:18, 51:12, 56:6, 94:11, 121:14, 127:15
maneuver [1] - 79:16
Manley [1] - 149:11
MANLEY [2] - 4:12, 149:9
marijuana [3] - 67:13, 67:16, 68:10
market [3] - 9:3, 9:10, 149:4
MARKUM [1] - 29:3
Markum [1] - 29:3
Masonic [1] - 43:12
Mass [10] - 6:10, 27:10, 27:12, 56:12, 87:18, 94:2, 95:10, 141:6, 147:17, 150:5
Massachusetts [7] - 1:13, 1:13, 8:11, 95:9, 152:14, 155:3, 155:6
material [1] - 50:5
matrimony [1] - 43:14
matter [6] - 6:17, 15:18, 32:13, 46:1, 133:19, 137:5
matters [1] - 133:19
MATTERS [5] - 2:1, 3:2, 3:6, 4:1, 133:17
MAURICE [15] - 2:9, 7:4, 7:12, 7:18, 8:3, 8:5, 8:9, 8:13, 8:17, 9:2, 9:7, 9:17, 10:6, 25:12, 26:11
Maurice [2] - 7:6, 7:12
McDermott [2] - 29:1, 29:4
mean [9] - 13:9, 13:16, 17:11, 21:5, 22:8, 24:8, 69:5, 82:3, 118:18
means [2] - 35:18, 136:11
meant [2] - 34:4, 97:15
meantime [1] - 68:13

mechanical [1] - 27:17
medallion [4] - 152:13, 152:17, 153:1, 153:8
MEDALLLION [1] - 4:16
media [3] - 48:8, 89:12, 134:9
medical [3] - 67:13, 67:16, 68:10
medium [1] - 145:4
meeting [8] - 6:5, 6:6, 27:16, 115:15, 118:15, 135:18, 136:5, 153:17
meetings [1] - 118:10
meets [1] - 41:11
member [1] - 29:14
Members [1] - 48:19
MEMBERS [1] - 1:6
members [1] - 101:12
Memorial [1] - 98:4
men [1] - 110:13
mentioned [2] - 21:1, 21:19
menu [1] - 122:9
message [1] - 132:7
met [1] - 52:16
meter [1] - 17:8
methods [1] - 122:8
Mexican [1] - 58:4
mezzanine [2] - 59:7, 61:3
Mi [1] - 142:12
MI [2] - 3:19, 142:10
Michael [8] - 1:12, 6:9, 37:10, 82:18, 101:3, 148:11, 148:18, 151:3
MICHAEL [15] - 4:11, 37:1, 37:4, 37:9, 42:14, 43:5, 82:17, 83:9, 83:13, 84:14, 84:18, 85:7, 101:2, 148:16, 151:1
microphone [1] - 55:3
middle [2] - 109:16
midnight [1] - 64:18
midst [1] - 89:6
might [3] - 24:18, 40:14, 83:18
Miller [2] - 29:2, 29:4
mind [2] - 55:19, 140:14
mini [1] - 40:1
minute [2] - 133:12, 148:11
minutes [3] - 15:17, 152:5, 152:9
missing [1] - 36:13

misunderstood [1] - 40:7
MIT [3] - 50:19, 146:17, 150:4
MOBILE [2] - 3:17, 4:3
Mobile [2] - 141:14, 143:1
moment [1] - 16:1
MONA [2] - 4:14, 150:10
Mona [1] - 150:11
Monday [5] - 33:6, 121:12, 123:1, 123:4, 123:19
Monestime [3] - 148:11, 148:18, 151:3
MONESTIME [3] - 4:11, 148:16, 151:1
monitoring [1] - 118:13
month [2] - 38:16, 52:16
monthly [1] - 101:9
months [5] - 86:18, 91:14, 92:10, 92:16, 93:4
morning [2] - 62:15, 112:3
morphed [1] - 85:10
move [1] - 92:13
movie [1] - 149:14
moving [8] - 11:12, 11:14, 12:2, 12:13, 13:18, 26:4, 91:7, 149:16
mowing [1] - 118:5
Mt [1] - 150:13
multiple [2] - 45:19, 103:17
Municipal [7] - 14:19, 107:4, 107:17, 114:7, 120:16, 131:2, 144:3
municipalities [1] - 118:10
MURATI [310] - 1:7, 7:1, 7:8, 7:14, 8:1, 8:4, 8:7, 8:10, 8:14, 8:18, 9:5, 9:12, 10:3, 10:12, 10:17, 11:4, 11:8, 11:11, 11:14, 11:17, 12:1, 12:9, 13:12, 13:17, 14:10, 15:5, 15:13, 16:17, 18:3, 18:12, 18:18, 20:9, 20:16, 21:1, 21:7, 21:17, 23:8, 24:2, 24:5, 24:8, 24:16, 26:10, 26:13, 26:18, 28:16, 29:9, 29:16, 31:5, 31:9, 31:13, 32:3, 32:6, 32:12, 32:18, 33:5, 33:9, 33:17, 34:9, 34:13, 35:8, 35:15, 36:3, 36:12, 36:17, 37:2, 37:5, 42:7, 42:19, 43:8, 44:11, 44:14, 44:17, 45:12, 45:18, 46:8, 46:17, 47:8, 48:14, 49:3, 53:7, 53:18, 54:2, 54:12, 55:4, 55:7,

55:11, 55:15, 55:19, 56:3, 56:5, 56:9, 56:15, 56:19, 57:8, 57:11, 57:14, 57:19, 58:5, 58:8, 58:14, 59:9, 59:16, 60:8, 60:12, 60:16, 61:2, 61:5, 61:10, 61:14, 61:17, 62:1, 62:7, 62:9, 62:17, 64:8, 64:12, 65:7, 66:8, 66:12, 66:18, 67:3, 69:2, 69:11, 70:5, 70:12, 71:1, 71:7, 71:13, 73:6, 73:19, 74:7, 74:15, 75:1, 75:5, 75:10, 75:16, 75:19, 76:10, 77:2, 77:7, 77:13, 82:2, 82:6, 82:12, 82:15, 84:3, 84:10, 84:16, 85:14, 85:17, 86:1, 86:7, 87:3, 87:8, 87:10, 88:1, 88:8, 88:11, 90:8, 91:10, 91:18, 92:4, 92:8, 92:16, 93:2, 93:7, 93:10, 94:12, 94:18, 95:3, 95:6, 95:11, 95:16, 95:19, 96:6, 96:11, 96:14, 97:2, 97:7, 97:10, 97:13, 97:19, 98:5, 98:11, 98:16, 99:2, 99:5, 99:11, 99:15, 100:8, 100:13, 100:16, 100:19, 103:10, 103:13, 104:2, 104:8, 104:11, 104:18, 105:5, 105:9, 106:8, 106:15, 107:9, 107:11, 108:3, 108:9, 108:14, 109:10, 109:12, 110:14, 110:19, 111:5, 111:8, 111:16, 111:19, 112:4, 112:9, 112:14, 113:6, 113:10, 113:15, 114:10, 114:13, 115:6, 115:11, 116:14, 116:17, 119:1, 119:11, 120:2, 120:5, 120:9, 120:19, 121:2, 121:18, 122:4, 122:11, 122:15, 122:19, 123:7, 123:10, 123:12, 123:18, 124:5, 124:9, 124:13, 125:1, 125:3, 125:7, 125:18, 126:4, 126:13, 128:5, 128:12, 128:15, 128:18, 129:3, 129:6, 129:11, 130:1, 130:3, 130:11, 130:14, 131:13, 132:13, 133:4, 133:7, 133:11, 133:14, 134:10, 135:5, 135:15, 136:19, 137:7, 138:7, 138:10, 139:3, 139:9, 140:9, 141:1, 141:8, 141:17, 142:7, 142:14, 143:3, 143:13, 144:8, 144:14, 145:2, 145:8, 145:10, 146:4, 146:12, 147:1, 147:10, 148:4, 148:8, 148:13, 149:6, 149:17,

<p>150:8, 150:17, 151:10, 152:3, 152:6, 152:10, 153:7, 153:11, 153:15</p> <p><u>Murati</u> [1] - 6:12</p> <p><u>music</u> [8] - 48:8, 54:19, 134:9, 148:3, 149:4, 150:7, 150:16, 151:8</p> <p><u>must</u> [2] - 39:14, 151:13</p>	<p>8:1, 8:4, 8:7, 8:10, 8:14, 8:18, 9:5, 9:12, 10:3, 10:12, 10:17, 11:4, 11:8, 11:11, 11:14, 11:17, 12:1, 12:9, 13:12, 13:17, 14:10, 15:5, 15:13, 16:17, 18:3, 18:12, 18:18, 20:9, 20:16, 21:1, 21:7, 21:17, 23:8, 24:2, 24:5, 24:8, 24:16, 26:10, 26:13, 26:18, 28:16, 29:9, 29:16, 31:5, 31:9, 31:13, 32:3, 32:6, 32:12, 32:18, 33:5, 33:9, 33:17, 34:9, 34:13, 35:8, 35:15, 36:3, 36:12, 36:17, 37:2, 37:5, 42:7, 42:19, 43:8, 44:11, 44:14, 44:17, 45:12, 45:18, 46:8, 46:17, 47:8, 48:14, 49:3, 53:7, 53:18, 54:2, 54:12, 55:4, 55:7, 55:11, 55:15, 55:19, 56:3, 56:5, 56:9, 56:15, 56:19, 57:8, 57:11, 57:14, 57:19, 58:5, 58:8, 58:14, 59:9, 59:16, 60:8, 60:12, 60:16, 61:2, 61:5, 61:10, 61:14, 61:17, 62:1, 62:7, 62:9, 62:17, 64:8, 64:12, 65:7, 66:8, 66:12, 66:18, 67:3, 69:2, 69:11, 70:5, 70:12, 71:1, 71:7, 71:13, 73:6, 73:19, 74:7, 74:15, 75:1, 75:5, 75:10, 75:16, 75:19, 76:10, 77:2, 77:7, 77:13, 82:2, 82:6, 82:12, 82:15, 84:3, 84:10, 84:16, 85:14, 85:17, 86:1, 86:7, 87:3, 87:8, 87:10, 88:1, 88:8, 88:11, 90:8, 91:10, 91:18, 92:4, 92:8, 92:16, 93:2, 93:7, 93:10, 94:12, 94:18, 95:3, 95:6, 95:11, 95:16, 95:19, 96:6, 96:11, 96:14, 97:2, 97:7, 97:10, 97:13, 97:19, 98:5, 98:11, 98:16, 99:2, 99:5, 99:11, 99:15, 100:8, 100:13, 100:16, 100:19, 103:10, 103:13, 104:2, 104:8, 104:11, 104:18, 105:5, 105:9, 106:8, 106:15, 107:9, 107:11, 108:3, 108:9, 108:14, 109:10, 109:12, 110:14, 110:19, 111:5, 111:8, 111:16, 111:19, 112:4, 112:9, 112:14, 113:6, 113:10, 113:15, 114:10, 114:13, 115:6, 115:11, 116:14, 116:17, 119:1, 119:11, 120:2, 120:5, 120:9, 120:19, 121:2,</p>
N	
<p><u>Najame</u> [1] - 130:16</p> <p><u>name</u> [29] - 7:10, 7:12, 7:13, 10:14, 10:15, 37:10, 43:13, 52:9, 53:16, 66:13, 66:14, 88:3, 94:14, 94:16, 99:8, 99:9, 99:10, 104:19, 106:3, 108:11, 108:19, 113:3, 121:19, 125:19, 126:2, 129:7, 129:14, 146:7</p> <p><u>names</u> [4] - 28:17, 48:17, 59:11, 66:13</p> <p><u>National</u> [1] - 106:3</p> <p><u>near</u> [3] - 45:1, 63:14, 96:7</p> <p><u>necessary</u> [2] - 89:4, 89:5</p> <p><u>need</u> [19] - 17:1, 43:1, 43:3, 46:14, 54:3, 54:10, 63:8, 63:14, 63:17, 63:19, 64:3, 77:16, 95:7, 95:12, 132:9, 136:4, 138:2, 145:11</p> <p><u>needed</u> [4] - 75:8, 89:16, 90:19, 91:1</p> <p><u>needs</u> [4] - 36:6, 65:13, 136:3, 137:5</p> <p><u>negotiations</u> [1] - 89:6</p> <p><u>Neighborhood</u> [4] - 52:14, 57:2, 83:17, 85:10</p> <p><u>neighborhood</u> [9] - 33:14, 34:8, 37:13, 38:2, 52:11, 52:17, 83:15, 100:4, 101:9</p> <p><u>neighbors</u> [2] - 37:19, 41:10</p> <p><u>networking</u> [1] - 148:2</p> <p><u>never</u> [9] - 8:13, 9:15, 25:7, 30:3, 46:11, 56:5, 76:13, 89:15, 116:6</p> <p><u>New</u> [1] - 144:2</p> <p><u>new</u> [7] - 6:18, 7:6, 10:10, 83:15, 94:2, 123:19, 139:12</p> <p><u>NEW</u> [1] - 4:6</p> <p><u>Newton</u> [1] - 8:5</p> <p><u>next</u> [3] - 86:13, 101:18, 118:11</p> <p><u>NICOLE</u> [310] - 1:7, 7:1, 7:8, 7:14,</p>	

121:18, 122:4, 122:11, 122:15,
122:19, 123:7, 123:10, 123:12,
123:18, 124:5, 124:9, 124:13,
125:1, 125:3, 125:7, 125:18, 126:4,
126:13, 128:5, 128:12, 128:15,
128:18, 129:3, 129:6, 129:11,
130:1, 130:3, 130:11, 130:14,
131:13, 132:13, 133:4, 133:7,
133:11, 133:14, 134:10, 135:5,
135:15, 136:19, 137:7, 138:7,
138:10, 139:3, 139:9, 140:9, 141:1,
141:8, 141:17, 142:7, 142:14,
143:3, 143:13, 144:8, 144:14,
145:2, 145:8, 145:10, 146:4,
146:12, 147:1, 147:10, 148:4,
148:8, 148:13, 149:6, 149:17,
150:8, 150:17, 151:10, 152:3,
152:6, 152:10, 153:7, 153:11,
153:15

Nicole [1] - 6:12

night [10] - 17:18, 62:16, 77:18,
79:9, 80:5, 80:7, 80:13, 103:3,
104:10, 104:11

nine [3] - 92:9, 92:16, 93:4

nitro [1] - 122:9

nobody [1] - 80:17

noise [8] - 17:6, 17:7, 17:14,
17:16, 17:17, 18:2, 20:7, 44:6

none [3] - 57:7, 92:3, 101:11

nonuse [1] - 87:18

Norfolk [1] - 155:4

normally [1] - 62:15

North [4] - 37:13, 53:15, 101:4,
147:19

northern [1] - 96:4

NOT [1] - 155:17

Notary [2] - 155:5, 155:15

notation [1] - 46:9

note [3] - 44:17, 57:1, 154:2

noted [1] - 154:11

nothing [8] - 17:8, 43:5, 45:9,
63:10, 83:8, 86:5, 98:18, 153:2

notice [4] - 18:13, 36:4, 110:11,
110:16

notices [1] - 118:10

notification [1] - 124:8

notified [4] - 16:15, 109:8, 131:4,
132:11

nuisance [1] - 126:17

number [11] - 41:13, 76:16, 76:19,
109:7, 128:19, 130:18, 135:2,
135:14, 138:18, 139:8, 151:11

numbers [2] - 31:14, 68:19

o

O'Neil [1] - 46:10

O-V-E-R-G-A-A-G [1] - 66:15

observe [1] - 24:1

observed [3] - 90:11, 115:16, 126:14

obstructing [2] - 12:4, 14:4

obvious [1] - 22:8

obviously [3] - 19:13, 39:15, 137:15

occasions [1] - 62:14

occupancy [17] - 38:18, 48:12, 59:4,
59:7, 60:4, 60:6, 60:14, 60:18,
68:18, 73:11, 76:2, 76:4, 76:8,
76:14, 76:15, 94:10, 121:10

occupied [1] - 79:14

October [1] - 149:3

OF [11] - 1:3, 2:1, 3:1, 3:11, 4:1,
4:6, 137:1, 138:13, 155:16, 155:17,
155:18

offered [1] - 40:3

office [3] - 27:18, 71:16, 132:6

officer [4] - 10:5, 13:9, 78:4, 82:5

Officer [3] - 25:2, 26:13, 26:19

OFFICER [2] - 25:19, 26:4

officers [1] - 106:6

offices [1] - 118:12

official [1] - 85:1

OFFICIAL [1] - 1:17

officially [1] - 42:11

often [1] - 126:19

on-line [1] - 65:1

on-site [1] - 117:6

once [6] - 16:13, 39:1, 42:12,
102:18, 103:8, 111:1

one [50] - 12:4, 13:11, 16:1, 16:9,
17:7, 20:10, 22:10, 22:12, 23:16,
23:18, 29:18, 34:17, 48:3, 48:6,
50:15, 50:16, 54:9, 54:12, 54:16,
66:6, 69:3, 69:17, 71:16, 71:17,

74:17, 75:17, 77:2, 86:2, 94:6,
101:9, 102:2, 102:5, 103:15, 112:7,
113:17, 116:5, 117:13, 120:1,
121:16, 127:6, 129:16, 131:19,
134:8, 140:5, 140:10, 144:7, 146:1,
148:11, 148:12

one-day [3] - 140:5, 140:10, 146:1

one-year [1] - 13:11

ongoing [1] - 91:13

open [6] - 33:19, 39:1, 67:14,
86:18, 102:3, 136:5

opening [2] - 38:3, 135:18

openly [1] - 136:4

operate [4] - 63:6, 63:13, 63:17,
117:7

operating [30] - 15:1, 23:12, 23:13,
38:17, 63:3, 63:8, 64:4, 64:7,
64:9, 65:8, 65:13, 94:19, 96:15,
107:5, 107:6, 107:18, 107:19,
114:8, 116:10, 120:17, 126:11,
126:12, 139:8, 141:7, 141:15,
142:6, 142:13, 143:2, 143:12, 144:4

operation [9] - 32:11, 32:19, 48:10,
49:16, 62:11, 63:12, 64:18, 68:12,
94:8

operations [1] - 100:10

opinion [1] - 138:6

opportunities [1] - 90:6

opportunity [2] - 101:8, 152:5

opposite [1] - 136:12

opposition [7] - 38:2, 44:15, 57:12,
61:18, 82:16, 85:18, 103:19

Ordinance [3] - 14:19, 114:7, 120:16

ordinance [7] - 117:2, 117:18,
118:1, 118:9, 119:7, 119:17, 129:9

Ordinances [2] - 107:4, 107:17

original [1] - 40:5

otherwise [2] - 137:18, 151:12

outbreak [1] - 102:8

outdoor [5] - 30:19, 31:19, 41:10,
74:14, 146:3

outreach [1] - 52:11

outside [2] - 17:5, 111:13

overall [1] - 40:18

OVERGAAG [50] - 66:10, 66:14, 66:19,
67:5, 69:9, 69:12, 70:11, 70:14,

71:3, 71:10, 71:14, 72:7, 72:12,
72:15, 72:19, 73:4, 73:10, 73:14,
73:18, 74:3, 74:13, 74:19, 75:3,
75:8, 75:14, 75:18, 76:3, 76:12,
77:4, 77:8, 77:14, 78:12, 78:17,
79:9, 79:17, 80:1, 80:16, 81:1,
81:11, 81:14, 81:17, 82:1, 83:4,
83:12, 84:5, 85:2, 86:6, 86:11,
86:16, 87:9

Overgaag [3] - 66:14, 67:6, 86:2

overlook [1] - 14:5

oversight [1] - 118:4

own [3] - 52:2, 106:4, 110:1

owner [6] - 15:16, 20:15, 36:1,
45:1, 66:15, 108:13

owner/operator [2] - 51:8, 117:15

ownership [3] - 52:8, 52:15, 105:14

owns [1] - 105:18

OXFORD [2] - 3:13, 139:5

Oxford [2] - 139:7

P

p.m [17] - 1:15, 6:2, 6:8, 16:7,
62:16, 94:8, 121:11, 121:12,
122:12, 122:16, 123:1, 123:19,
140:7, 147:9, 149:14, 150:6, 150:15

pack [1] - 79:15

PAGE [4] - 2:1, 3:2, 4:1, 154:4

pages [1] - 103:14

paid [2] - 102:14, 145:12

Palmer [1] - 149:13

papers [1] - 137:19

parent [3] - 105:10, 105:12, 105:14

Park [2] - 151:6, 151:18

park [2] - 38:12, 42:4

parked [2] - 19:16, 115:19

parking [3] - 27:18, 127:6, 149:2

Parsnip [1] - 140:3

part [7] - 39:4, 52:11, 58:2, 68:12,
69:10, 85:8, 118:4

particular [6] - 23:1, 68:12, 78:5,
80:13, 105:16, 144:7

particularly [1] - 137:10

parties [2] - 15:11, 41:2

partner [2] - 35:16, 52:4

partnership [1] - 51:18

party [2] - 108:7, 125:16
passed [1] - 44:1
passive [1] - 38:8
past [6] - 12:2, 17:3, 22:15, 25:13, 63:4, 101:13
patio [22] - 30:19, 31:19, 32:2, 32:4, 33:11, 33:18, 34:3, 41:9, 59:5, 59:8, 61:6, 70:19, 71:4, 71:5, 74:10, 74:14, 75:11, 75:13, 75:14, 140:14, 146:3
patrons [1] - 34:5
PATTIES [2] - 2:14, 58:18
Patties [2] - 59:2, 59:15
PAUL [50] - 66:10, 66:14, 66:19, 67:5, 69:9, 69:12, 70:11, 70:14, 71:3, 71:10, 71:14, 72:7, 72:12, 72:15, 72:19, 73:4, 73:10, 73:14, 73:18, 74:3, 74:13, 74:19, 75:3, 75:8, 75:14, 75:18, 76:3, 76:12, 77:4, 77:8, 77:14, 78:12, 78:17, 79:9, 79:17, 80:1, 80:16, 81:1, 81:11, 81:14, 81:17, 82:1, 83:4, 83:12, 84:5, 85:2, 86:6, 86:11, 86:16, 87:9
Paul [2] - 66:14, 67:6
Pause [1] - 97:9
peddlers [4] - 141:15, 142:5, 142:12, 143:1
people [27] - 14:1, 14:2, 34:4, 39:10, 41:1, 55:18, 67:8, 69:6, 76:19, 77:17, 77:19, 78:1, 78:9, 79:3, 79:8, 79:15, 80:8, 80:10, 80:14, 80:16, 81:7, 81:8, 103:17, 127:6, 136:1, 137:11
per [4] - 48:6, 48:11, 59:17, 94:9
percent [6] - 9:9, 29:14, 36:1, 105:19, 106:1, 106:5
perfect [1] - 80:2
perhaps [1] - 41:7
period [9] - 15:2, 22:16, 35:4, 107:6, 107:19, 114:8, 120:17, 126:11, 144:5
periods [1] - 17:6
permit [9] - 14:18, 21:9, 86:12, 103:9, 107:7, 107:16, 114:6, 120:15, 126:12

permits [2] - 43:1, 50:8
permitted [3] - 108:1, 112:10, 128:16
person [3] - 116:10, 117:6, 128:2
Peter [7] - 48:12, 49:2, 50:19, 52:8, 52:16, 88:6, 88:8
PETER [19] - 49:2, 53:9, 53:14, 54:1, 54:7, 55:3, 55:6, 55:10, 55:14, 55:17, 56:2, 56:4, 56:8, 56:14, 56:18, 57:16, 58:3, 88:6, 88:10
petition [12] - 37:3, 43:9, 44:15, 57:9, 57:12, 61:15, 61:18, 82:13, 82:16, 85:15, 85:18, 101:1
petitioned [1] - 67:15
petitioner [1] - 59:13
Pharms' [1] - 71:15
PHOBE [1] - 4:9
PHOEBE [1] - 147:3
Phoebe [1] - 147:5
phone [4] - 109:7, 109:11, 112:17, 128:19
phonetic [3] - 20:13, 44:19, 130:17
phonetic) [3] - 16:12, 50:1, 67:9
picture [2] - 115:4, 149:16
pig [1] - 140:13
Pines [3] - 37:11, 82:19, 101:3
placed [1] - 137:6
places [1] - 96:7
placing [1] - 118:10
plan [11] - 31:12, 50:12, 59:17, 59:18, 60:1, 60:17, 67:2, 69:9, 81:6, 83:9, 140:12
Planning [2] - 33:12, 34:1
plans [8] - 41:5, 42:8, 42:11, 44:5, 44:8, 50:4, 69:1, 72:4
planted [1] - 38:15
plates [1] - 57:16
play [1] - 149:15
playing [2] - 48:8, 134:9
Plaza [1] - 147:19
pleasant [1] - 106:16
pledge [4] - 28:14, 47:1
plumbing [1] - 75:9
podium [1] - 70:16

point [5] - 45:10, 90:5, 93:3, 102:2, 132:16
pointed [1] - 40:5
points [1] - 40:4
POLICE [65] - 1:8, 9:14, 10:1, 12:15, 12:18, 13:2, 13:5, 13:15, 14:7, 18:16, 22:18, 23:3, 24:3, 24:14, 25:1, 25:5, 25:15, 26:2, 26:7, 27:1, 34:11, 36:15, 45:14, 46:4, 47:4, 53:12, 57:5, 58:11, 61:12, 62:3, 82:10, 87:6, 92:2, 92:14, 93:5, 98:19, 100:17, 104:4, 106:11, 112:15, 112:19, 113:4, 113:8, 113:12, 119:19, 120:3, 123:8, 123:14, 124:16, 133:2, 134:11, 136:15, 138:4, 139:15, 140:16, 141:19, 143:5, 143:15, 144:12, 144:19, 145:5, 145:14, 146:9, 152:8, 153:5
Police [1] - 6:13
police [4] - 130:17, 132:3, 132:17, 149:7
politely [1] - 116:4
Pond [1] - 126:16
Poofydude [1] - 47:18
Porter [8] - 27:8, 27:9, 29:6, 29:8, 40:11, 43:18, 45:1, 46:11
PORTER [3] - 2:11, 27:4, 27:5
portion [2] - 31:17, 38:3
possibility [1] - 81:5
possible [1] - 31:3
POSTO [1] - 4:3
Posto [1] - 142:19
practice [1] - 90:16
practices [1] - 118:8
premise [9] - 27:15, 28:14, 30:9, 64:3, 66:4, 74:8, 94:4, 121:15, 139:1
premises [8] - 31:18, 39:7, 39:13, 48:1, 50:6, 50:9, 63:10, 64:17
presence [1] - 118:3
presentation [2] - 84:6, 85:3
President [1] - 138:16
president [2] - 53:14, 85:5
PRESIDENT [2] - 3:11, 138:13
presume [1] - 39:17

pretty [2] - 102:17, 115:3
Prevention [4] - 68:17, 78:4, 82:3, 82:5
previously [2] - 51:1, 53:9
Princeton [1] - 50:19
print [2] - 22:5, 22:11
prints [1] - 66:19
private [4] - 32:4, 32:5, 105:17
probationary [2] - 13:11, 14:1
problem [2] - 22:12, 102:17
problems [2] - 101:13, 103:6
proceedings [1] - 155:9
process [3] - 35:12, 38:14, 86:17
prohibited [9] - 15:1, 23:12, 107:5, 107:18, 114:8, 120:17, 126:11, 127:1, 144:4
project [5] - 51:2, 52:2, 83:4, 84:9, 85:5
prompting [1] - 136:11
pronounced [1] - 29:14
Proof [6] - 51:5, 54:3, 54:10, 97:10, 97:11, 98:7
proper [1] - 112:12
properly [3] - 78:6, 78:13, 78:16
properties [4] - 20:14, 21:11, 118:3, 126:18
property [9] - 32:4, 32:5, 38:4, 39:4, 45:1, 49:18, 102:15, 109:13, 127:15
proponent's [1] - 102:1
proponents [4] - 37:17, 41:17, 101:8, 103:1
proposal [1] - 52:18
proposed [12] - 27:14, 48:12, 49:8, 49:14, 50:18, 51:17, 52:4, 76:18, 94:10, 121:10, 121:11, 121:14
Prospect [2] - 49:10, 149:2
provide [7] - 50:12, 51:6, 91:2, 92:10, 96:1, 96:7, 152:19
provided [4] - 52:7, 52:19, 53:2, 90:18
PUBLIC [1] - 3:12
public [13] - 34:1, 60:9, 60:10, 60:19, 63:8, 63:11, 64:4, 65:13, 75:7, 95:7, 106:3, 135:17, 135:19
Public [3] - 138:17, 155:5, 155:15

<p><u>publicly</u> [2] - 45:3, 71:19</p> <p><u>publicly-accessible</u> [1] - 45:3</p> <p><u>pulled</u> [1] - 65:2</p> <p><u>pulling</u> [1] - 16:11</p> <p><u>purchase</u> [1] - 151:12</p> <p><u>pursuant</u> [6] - 87:18, 89:1, 93:3, 135:1, 135:12, 146:6</p> <p><u>pursue</u> [1] - 90:5</p> <p><u>purview</u> [1] - 41:14</p> <p><u>put</u> [9] - 10:2, 10:4, 14:1, 19:9, 44:1, 64:3, 76:5, 137:12, 140:13</p> <p><u>puts</u> [1] - 39:8</p> <p><u>putting</u> [1] - 91:8</p>	<p><u>readily</u> [1] - 117:9</p> <p><u>reading</u> [1] - 154:2</p> <p><u>ready</u> [2] - 24:4, 86:19</p> <p><u>real</u> [1] - 51:2</p> <p><u>really</u> [11] - 9:6, 19:5, 34:3, 41:17, 44:4, 50:7, 53:13, 61:6, 91:6, 103:7, 135:16</p> <p><u>Realty</u> [2] - 135:10, 136:8</p> <p><u>REALTY</u> [2] - 3:9, 135:8</p> <p><u>rear</u> [2] - 38:3, 38:12</p> <p><u>reason</u> [4] - 64:15, 80:11, 89:8, 154:2</p> <p><u>REASON</u> [6] - 154:5, 154:6, 154:7, 154:8, 154:9, 154:10</p> <p><u>reasons</u> [1] - 113:19</p> <p><u>recalculate</u> [1] - 68:17</p> <p><u>recalculated</u> [1] - 76:5</p> <p><u>receipt</u> [2] - 117:1, 118:14</p> <p><u>receive</u> [5] - 15:15, 30:7, 30:8, 44:18, 113:18</p> <p><u>received</u> [8] - 16:2, 16:13, 33:10, 83:11, 89:11, 108:18, 112:11, 139:10</p> <p><u>recently</u> [3] - 9:19, 12:5, 122:13</p> <p><u>reception</u> [1] - 146:18</p> <p><u>Recess</u> [1] - 133:13</p> <p><u>recommend</u> [2] - 25:19, 85:12</p> <p><u>recommendation</u> [2] - 25:18, 53:1</p> <p><u>recommending</u> [1] - 13:10</p> <p><u>reconsider</u> [2] - 134:18, 135:10</p> <p><u>RECORD</u> [1] - 1:17</p> <p><u>record</u> [48] - 7:11, 10:14, 12:7, 12:12, 13:3, 13:7, 15:15, 25:18, 27:15, 28:18, 30:15, 36:9, 37:3, 39:9, 42:8, 44:18, 48:13, 48:17, 50:18, 51:12, 51:14, 56:6, 57:1, 59:11, 65:2, 66:13, 84:11, 88:3, 90:9, 94:11, 94:15, 99:8, 99:12, 103:14, 105:1, 105:6, 108:11, 112:10, 115:10, 116:18, 119:2, 121:15, 122:1, 126:1, 131:7, 144:17, 154:12, 155:9</p> <p><u>recorded</u> [5] - 148:3, 149:4, 150:6, 150:15, 151:8</p> <p><u>records</u> [1] - 40:14</p> <p><u>recusing</u> [2] - 120:6, 120:8</p>
Q	
<p><u>QING</u> [2] - 2:17, 93:17</p> <p><u>Qing</u> [1] - 94:1</p> <p><u>questions</u> [22] - 24:6, 25:8, 34:10, 36:14, 45:11, 45:13, 53:5, 57:4, 61:11, 68:11, 69:3, 82:7, 91:18, 92:5, 92:7, 98:16, 100:16, 100:18, 112:14, 123:7, 123:9, 123:10</p> <p><u>quick</u> [1] - 103:16</p> <p><u>quickly</u> [1] - 17:7</p> <p><u>Quilty</u> [2] - 29:1, 29:4</p> <p><u>quite</u> [4] - 12:6, 14:3, 34:2, 136:12</p>	
R	
<p><u>Radcliffe</u> [1] - 117:6</p> <p><u>radio</u> [1] - 50:15</p> <p><u>radios</u> [2] - 48:7, 54:19</p> <p><u>Rafferty</u> [4] - 29:10, 29:12, 34:18, 35:9</p> <p><u>RAFFERTY</u> [3] - 29:11, 35:13, 35:18</p> <p><u>rain</u> [1] - 147:8</p> <p><u>raise</u> [3] - 15:9, 108:4, 125:13</p> <p><u>raised</u> [1] - 21:18</p> <p><u>rat</u> [1] - 102:8</p> <p><u>rate</u> [1] - 19:11</p> <p><u>rather</u> [1] - 50:16</p> <p><u>RE</u> [1] - 1:4</p> <p><u>reaching</u> [1] - 41:18</p> <p><u>read</u> [12] - 30:15, 30:16, 34:1, 40:17, 115:10, 115:12, 116:18, 119:13, 131:6, 131:11, 148:5, 154:11</p>	

RED [2] - 2:16, 65:17
Red [18] - 66:1, 66:5, 66:16, 67:10, 69:6, 69:14, 69:16, 69:17, 70:3, 70:7, 70:13, 70:18, 71:8, 71:11, 72:7, 73:9, 73:13, 75:17
redesigned [1] - 68:2
reduced [1] - 79:6
reexamine [1] - 117:19
reference [2] - 30:17, 130:4
referenced [1] - 30:18
referring [1] - 90:9
reflect [1] - 44:9
reflected [1] - 68:19
regard [11] - 15:18, 36:5, 45:2, 46:19, 54:14, 56:12, 82:7, 97:4, 97:16, 112:12, 136:8
regarding [3] - 117:1, 134:19, 135:11
regardless [1] - 34:4
regular [2] - 11:6, 118:8
regularly [2] - 103:2, 103:3
regulations [8] - 51:11, 56:10, 56:17, 68:15, 90:19, 97:4, 98:13
reinstated [2] - 25:10, 25:11
reiterating [1] - 118:8
relate [2] - 136:9, 144:7
relates [2] - 60:18, 136:2
relinquished [1] - 90:14
remain [1] - 109:1
remember [4] - 12:14, 21:13, 23:18, 23:19
reminder [1] - 36:6
remodeling [1] - 139:12
removal [3] - 66:5, 66:6, 66:7
removed [2] - 118:2, 135:3
removing [6] - 69:4, 69:5, 69:13, 69:16, 69:17, 86:4
renewed [1] - 112:11
renovated [1] - 49:18
report [1] - 130:18
Reporter [1] - 155:14
REPORTER [1] - 155:18
REPORTERS [1] - 1:17
represent [2] - 29:12, 35:9
representatives [1] - 52:16

representing [1] - 37:17
represents [1] - 38:7
REPRODUCTION [1] - 155:17
request [7] - 52:6, 134:17, 136:7, 136:9, 136:14, 152:12, 153:4
requested [2] - 34:18, 95:17
requesting [2] - 55:8, 152:19
requests [2] - 134:17, 135:10
require [1] - 41:5
required [3] - 41:12, 118:17, 149:7
residences [1] - 102:10
residential [3] - 38:5, 38:11, 102:15
RESPECT [1] - 155:17
respite [1] - 17:16
response [22] - 15:18, 26:17, 44:13, 44:16, 57:10, 57:13, 61:16, 61:19, 82:14, 85:16, 85:19, 90:14, 103:12, 104:1, 107:10, 114:12, 114:14, 114:18, 116:15, 119:12, 121:1, 130:10
responsibility [1] - 119:16
responsible [1] - 117:16
RESTAURANT [6] - 2:12, 3:5, 4:2, 47:12, 87:12, 142:17
Restaurant [9] - 27:13, 40:9, 47:16, 66:16, 67:11, 87:15, 105:3, 140:3, 142:19
restaurant [33] - 28:2, 30:17, 30:19, 31:6, 31:12, 31:17, 32:10, 45:5, 49:14, 51:4, 51:9, 67:19, 68:1, 68:4, 68:6, 68:8, 69:19, 71:6, 77:16, 79:13, 79:19, 86:11, 86:19, 88:15, 96:15, 100:1, 101:16, 101:17, 101:19, 102:1, 102:2, 102:3, 140:8
restaurant-feel [1] - 68:1
Restaurants [3] - 104:15, 105:19, 106:2
restaurants [1] - 101:14
RESTAURANTS [2] - 2:18, 104:13
restrooms [1] - 27:18
result [1] - 50:7
review [1] - 43:4
reviewed [2] - 59:17, 83:10
reviewing [1] - 90:11

revoked [1] - 9:16
rezone [1] - 67:16
Road [1] - 45:1
roast [1] - 140:13
rodent [1] - 102:18
Roger [1] - 151:18
Rogers [1] - 151:19
rolled [1] - 46:18
Room [2] - 1:12, 6:10
room [22] - 27:16, 27:17, 27:18, 39:19, 41:1, 41:2, 48:2, 59:18, 61:3, 61:8, 69:15, 70:10, 71:17, 71:18, 74:17, 74:18, 74:19, 79:11, 80:3
rooms [15] - 27:17, 28:4, 28:6, 28:8, 28:10, 40:2, 66:7, 71:12, 71:14, 71:16, 74:9, 74:11, 74:13, 74:16, 94:5
route [2] - 71:5, 111:15
routes [1] - 118:6
rule [1] - 13:18
rules [9] - 51:10, 56:10, 56:17, 68:15, 90:18, 97:3, 98:13, 110:9
run [1] - 110:12
Ryan [2] - 121:14, 122:2
RYAN [8] - 122:2, 122:7, 122:13, 122:17, 123:4, 124:4, 124:11, 125:2

s

S-A-R-M-A-N-I-A-N [2] - 88:7, 88:10
S-H-E-E-H-A-N [1] - 29:7
S-T-E-I-N [1] - 49:2
Sacramento [1] - 147:7
safety [1] - 20:19
Saigon [1] - 142:5
SAIGON [2] - 3:18, 142:3
sale [2] - 56:12, 97:4
Sam's [1] - 143:10
SAM'S [1] - 4:4
SAME [1] - 155:17
SAMUEL [2] - 2:8, 6:15
Samuel [4] - 6:17, 7:1, 26:16, 130:9
sanitized [1] - 103:4
Sante [1] - 141:14
SANTE [1] - 3:17

SARMANIAN [2] - 88:6, 88:10
Sarmanian [1] - 88:6
sat [1] - 63:15
SATER [2] - 3:9, 135:8
Sater [2] - 135:9, 136:8
Saturday [6] - 33:7, 121:12, 123:1, 123:3, 123:5, 124:1
saw [6] - 19:9, 22:4, 23:15, 65:1, 65:3, 131:18
scale [1] - 38:11
scavenger [1] - 152:1
scheduled [4] - 16:14, 51:5, 89:2, 125:9
SCHLONEGER [2] - 4:13, 150:1
Schloneger [1] - 150:3
School [1] - 51:1
school [1] - 53:11
SCOTCH [2] - 2:13, 47:13
Scotch [1] - 47:17
screened [1] - 42:5
screening [1] - 149:15
search [2] - 128:10, 128:11
season [1] - 109:18
seasonal [3] - 31:19, 59:5, 59:8
seat [3] - 7:9, 15:14, 80:8
seated [1] - 77:17
seating [14] - 30:15, 30:18, 32:8, 40:17, 41:5, 44:3, 48:11, 50:3, 50:13, 59:7, 68:18, 80:6, 94:9, 121:10
seats [15] - 30:18, 31:1, 31:18, 32:2, 50:10, 59:4, 59:5, 59:8, 75:15, 122:7, 137:13, 140:7
second [21] - 7:2, 10:2, 10:4, 16:10, 46:14, 46:15, 66:7, 70:2, 71:8, 71:11, 71:19, 72:1, 74:16, 79:1, 80:1, 87:7, 107:11, 121:2, 125:8, 130:6, 130:9
secondhand [2] - 141:5, 143:11
Section [6] - 49:5, 87:19, 93:4, 135:2, 135:13, 146:6
section [1] - 101:15
security [1] - 71:17
see [14] - 12:19, 19:3, 20:3, 44:5, 58:5, 70:6, 71:2, 75:5, 81:4, 91:6, 93:14, 102:18, 112:9, 128:11

seeing [1] - 137:7
seeking [4] - 8:19, 9:9, 50:7, 124:10
seem [1] - 115:1
send [2] - 37:15, 100:6
sense [1] - 137:10
sent [2] - 16:8, 37:16
Sent [1] - 102:1
separate [3] - 31:10, 68:5, 72:10
separates [1] - 44:6
September [9] - 110:9, 119:4, 132:19, 144:11, 145:13, 146:2, 149:3, 151:7, 151:19
serve [3] - 38:9, 55:9, 55:13
server [1] - 71:17
SERVICE [3] - 2:3, 4:4, 14:15
service [14] - 21:10, 23:17, 24:9, 32:14, 33:4, 39:3, 39:18, 39:19, 41:10, 56:13, 95:17, 97:4, 97:16, 112:12
Service [4] - 14:17, 22:2, 23:1, 143:11
serviced [3] - 20:11, 103:4, 111:10
services [1] - 96:8
Services [3] - 41:6, 102:12, 120:14
SERVICES [2] - 2:7, 120:12
serving [2] - 99:19, 100:5
sessions [1] - 119:9
set [4] - 40:19, 45:17, 155:8, 155:10
Seth [2] - 147:16, 148:13
SETH [2] - 4:10, 147:15
setting [1] - 118:5
Seven [3] - 37:11, 82:18, 101:3
seven [4] - 48:11, 50:10, 64:14, 94:9
several [3] - 91:14, 101:14, 127:5
Shawdry's [1] - 134:17
SHEEHAN [1] - 29:7
Sheehan [1] - 29:7
SHEET [1] - 154:1
sheet [3] - 77:6, 154:3
shirt [3] - 118:16, 118:19, 119:5
shirts [2] - 20:19, 119:8
Short [1] - 133:13

shorter [1] - 147:13
Shorthand [1] - 155:14
shortly [1] - 115:14
shot [1] - 22:6
show [2] - 130:11, 149:16
showing [1] - 16:9
shown [1] - 50:4
sic [2] - 33:6, 110:2
side [7] - 23:9, 23:10, 23:13, 37:8, 70:19, 131:19
side-by-side [1] - 23:13
sidewalk [6] - 110:7, 112:8, 115:17, 116:4, 116:7, 116:11
Sidney [1] - 151:7
sight [1] - 91:6
Sign [1] - 154:3
signatures [1] - 103:15
signed [2] - 41:6, 46:19
significantly [1] - 32:7
SIMAO [18] - 28:19, 29:1, 30:11, 31:8, 31:11, 31:16, 32:5, 32:10, 32:16, 33:3, 33:8, 33:15, 34:6, 34:15, 36:8, 45:9, 46:14, 47:10
Simao [3] - 29:1, 36:4, 45:7
similar [4] - 23:4, 49:15, 101:14, 110:9
SINCLAIR [2] - 4:9, 147:3
Sinclair [1] - 147:5
sit [3] - 13:12, 77:18, 80:14
site [5] - 38:10, 51:9, 117:5, 117:6, 118:2
sitting [3] - 80:17, 81:7
six [2] - 27:15, 80:8
sleep [5] - 17:13, 17:19, 18:1, 20:7, 20:8
Sloan [1] - 51:1
slow [1] - 35:11
small [6] - 38:11, 57:16, 67:19, 101:14, 122:7, 122:9
small-scale [1] - 38:11
smaller [3] - 32:7, 68:3, 71:6
snag [1] - 40:13
so.. [1] - 15:18
sold [1] - 151:13
sole [1] - 52:9

solely [1] - 52:8
somewhere [1] - 91:8
Son [1] - 127:5
son [1] - 53:10
soon [1] - 86:12
Sorry [1] - 118:18
sorry [8] - 9:6, 14:11, 31:13, 50:16, 62:9, 72:2, 72:19, 118:18
sort [2] - 39:2, 40:13
sounds [1] - 92:17
southwest [1] - 49:9
SPA [2] - 3:13, 139:5
Spa [1] - 139:7
space [8] - 38:8, 44:9, 49:12, 72:10, 77:16, 122:7, 137:4, 137:12
speaking [2] - 37:12, 101:5
specific [4] - 30:15, 39:6, 41:5, 45:11
specifically [1] - 30:16
specified [1] - 41:3
spell [12] - 7:10, 10:13, 28:17, 48:16, 59:10, 66:13, 88:2, 94:14, 104:19, 108:10, 121:19, 125:19
spelled [1] - 99:10
spillover [1] - 45:5
sponte [4] - 134:18, 135:11, 136:10, 136:11
spread [1] - 102:10
Square [23] - 27:8, 27:9, 29:6, 29:8, 43:18, 49:9, 52:13, 57:2, 67:17, 83:16, 83:17, 84:6, 84:17, 84:19, 85:9, 85:10, 88:16, 111:14, 115:15, 134:7, 148:19, 149:11, 151:4
square [11] - 27:19, 28:3, 28:5, 28:7, 28:9, 28:11, 48:1, 76:7, 79:4, 94:5, 121:16
SQUARE [3] - 2:11, 27:4, 27:5
squared [1] - 40:15
ss [1] - 155:4
Stabilization [2] - 37:14, 101:5
stack [1] - 78:13
STAFF [1] - 1:10
staff [2] - 27:18, 77:9
staircase [1] - 80:3

stairs [1] - 74:1
stamp [1] - 17:10
stand [6] - 15:8, 37:7, 70:8, 78:1, 108:4, 125:13
standard [1] - 50:14
standing [16] - 41:1, 59:6, 59:18, 60:5, 61:3, 61:7, 76:7, 77:11, 78:8, 79:5, 79:11, 80:9, 80:17, 81:8, 152:16, 152:19
start [5] - 15:19, 38:6, 67:5, 77:14, 100:6
started [1] - 91:11
starting [1] - 100:1
state [15] - 7:10, 10:13, 15:7, 28:17, 48:16, 51:11, 59:10, 66:12, 88:2, 94:14, 99:8, 104:19, 108:10, 121:19, 125:19
statement [7] - 113:18, 115:2, 115:4, 115:10, 119:15, 131:6, 131:12
statement(s [1] - 154:12
stating [3] - 20:18, 119:5, 126:7
station [1] - 94:6
stay [2] - 56:16, 98:12
staying [1] - 70:13
stein [1] - 52:1
Stein [5] - 48:12, 49:2, 50:19, 53:4, 53:18
STEIN [17] - 49:2, 53:9, 53:14, 54:1, 54:7, 55:3, 55:6, 55:10, 55:14, 55:17, 56:2, 56:4, 56:8, 56:14, 56:18, 57:16, 58:3
Stein's [1] - 52:8
stenographer [1] - 37:10
still [4] - 11:17, 42:16, 51:18, 123:2
stools [1] - 77:11
stop [1] - 80:6
storage [6] - 27:17, 32:13, 48:3, 71:18, 75:2, 75:3
store [2] - 78:6, 141:6
stored [4] - 78:13, 78:16, 117:8, 118:2
story [1] - 71:11
stoves [1] - 42:17
streamlined [1] - 31:2

Street [34] - 16:12, 20:13, 47:18, 49:9, 59:3, 66:3, 68:1, 87:18, 88:15, 102:11, 102:19, 108:2, 109:4, 109:6, 109:14, 111:10, 114:9, 115:18, 121:9, 121:17, 131:2, 131:17, 138:19, 139:7, 140:5, 146:17, 147:8, 148:2, 149:2, 149:14, 150:14, 151:7, 151:18, 151:19

street [7] - 83:3, 83:7, 89:9, 89:17, 90:2, 110:7, 112:8

Streets [1] - 49:10

structure [1] - 27:19

stuff [3] - 26:15, 32:8, 43:2

style [1] - 96:5

sua [4] - 134:18, 135:10, 136:10

submit [3] - 42:12, 43:2, 124:3

submitted [5] - 46:2, 51:14, 114:14, 115:9, 119:15

subscribe [1] - 154:12

subsequently [1] - 102:7

substantially [1] - 49:18

sufficient [3] - 24:12, 41:8, 54:11

suggest [1] - 81:16

sum [1] - 103:8

summer [2] - 67:15, 118:16

Sunday [4] - 33:2, 33:7, 121:12, 123:6

Sundays [1] - 122:18

support [9] - 41:10, 57:2, 84:9, 84:12, 85:15, 99:17, 100:6, 103:11, 103:18

supportive [1] - 52:18

suppressants [1] - 42:18

surchageable [1] - 12:10

surprised [1] - 126:18

surrounds [1] - 38:12

SUSAN [2] - 4:5, 143:18

Susan [1] - 143:19

Sushi [1] - 101:19

suspect [1] - 85:11

suspended [8] - 8:8, 8:12, 9:16, 9:18, 11:5, 11:9, 25:7, 144:11

suspension [1] - 25:9

sweep [1] - 115:16

sworn [3] - 15:11, 108:7, 125:16

system [6] - 30:2, 30:3, 149:5, 150:16, 151:9, 152:2

Szeto [2] - 25:2, 26:14

SZETO [2] - 25:19, 26:4

T

T-C-H-I-N-C-H-I-A-N [1] - 10:16

T.T [3] - 134:16, 135:3, 135:14

table [2] - 80:17, 129:12

tables [15] - 41:2, 41:14, 50:11, 76:5, 77:8, 77:9, 78:5, 78:6, 79:5, 79:10, 79:15, 80:4, 80:7, 80:8, 140:7

Tanisha [1] - 151:17

TANISHA [2] - 4:15, 151:15

tape [2] - 48:7, 50:15

taped [1] - 6:5

Tate [1] - 151:17

TATE [2] - 4:15, 151:15

taxi [1] - 11:18

Taylor [2] - 147:17, 148:13

TAYLOR [2] - 4:10, 147:15

Tchinchian [1] - 10:10

TCHINCHIAN [16] - 2:10, 10:8, 10:15, 11:3, 11:6, 11:10, 11:12, 11:16, 11:19, 12:8, 12:14, 12:17, 13:1, 13:4, 13:14, 14:12

technically [2] - 80:9, 101:6

Technology [1] - 134:7

TED [1] - 29:7

Ted [1] - 29:7

telephone [1] - 108:18

temporary [1] - 38:18

ten [3] - 68:13, 76:4, 140:7

tenant [2] - 71:15, 72:10

terms [8] - 32:8, 34:3, 40:16, 60:17, 90:10, 91:6, 137:8, 153:2

terrace [1] - 74:10

Test [3] - 49:11, 49:17, 49:19

testified [1] - 65:10

testify [1] - 16:16

testimony [2] - 24:12, 130:4

text [1] - 119:4

THE [6] - 1:17, 3:13, 155:16,

155:17, 155:17, 155:18
theatrical [1] - 149:15
themselves [1] - 83:16
therefor [1] - 154:2
therefore [2] - 90:2, 137:19
thinking [2] - 91:7, 100:2
third [6] - 71:18, 72:1, 72:3, 78:17, 79:16, 130:9
THIS [1] - 155:16
thorough [1] - 20:4
thoughts [1] - 24:2
three [11] - 20:1, 48:7, 55:1, 71:12, 74:9, 74:16, 86:4, 133:12, 136:1, 148:5
three-minute [1] - 133:12
throughout [3] - 32:14, 32:16, 90:6
ticket [2] - 132:5, 151:12
Tig [4] - 18:14, 18:15, 18:17, 20:17
TIME [1] - 1:15
timeline [2] - 35:1, 86:10
tip [1] - 112:17
TIPS [7] - 36:11, 51:4, 53:19, 54:3, 54:11, 97:8, 98:6
tired [1] - 20:7
Title [1] - 106:4
TO [1] - 155:17
toast [1] - 122:10
today [7] - 16:16, 33:11, 34:19, 53:1, 69:1, 81:3, 131:16
today's [1] - 36:5
together [3] - 31:7, 53:11, 135:6
TOM [2] - 59:14, 62:13
Tom [1] - 59:14
TOMOLLY [2] - 2:15, 65:16
Tomolly [1] - 65:19
ton [1] - 80:16
took [4] - 18:13, 49:12, 49:19, 67:9
total [4] - 22:17, 48:11, 59:6, 94:9
touch [1] - 52:12
TOUSIAN [2] - 4:14, 150:10
Tousian [1] - 150:12
towns [1] - 110:2
traditional [1] - 96:2
trained [2] - 36:11, 119:6
training [6] - 51:5, 51:7, 54:5,

98:1, 98:9, 119:9
trainings [1] - 97:15
transcript [3] - 154:2, 154:11, 154:12
TRANSCRIPT [1] - 155:16
transfer [4] - 27:11, 46:2, 47:15, 49:5
transferor [2] - 29:12, 35:10
trivia [3] - 48:6, 50:16, 55:5
Trowbridge [4] - 108:2, 109:4, 109:14, 111:10
truck [16] - 16:11, 18:19, 19:8, 19:10, 19:12, 19:15, 21:14, 22:11, 22:13, 23:18, 24:1, 115:19, 127:4, 131:18
trucks [1] - 19:18
true [1] - 155:9
try [4] - 17:19, 31:2, 67:19, 90:7
trying [8] - 16:18, 17:12, 17:13, 20:7, 90:3, 91:15, 102:13, 147:13
turn [3] - 42:4, 88:19, 90:15
turned [1] - 84:8
turnover [1] - 137:9
TV [2] - 50:15, 134:8
TVs [2] - 48:7, 55:1
two [18] - 16:8, 23:9, 23:11, 48:4, 48:7, 52:7, 54:19, 68:5, 70:14, 71:14, 74:11, 74:13, 78:7, 86:18, 94:5, 94:7, 105:15, 113:17
Tye [4] - 18:14, 18:15, 18:17, 20:17
type [8] - 12:6, 28:13, 35:11, 47:2, 96:8, 96:9, 137:12, 137:16

U

unable [1] - 131:5
unanimously [2] - 84:9, 85:4
UNDER [1] - 155:17
under [4] - 38:18, 116:8, 139:12, 146:7
underlying [1] - 78:13
unfortunately [1] - 72:15
uninformed [1] - 118:16
unisex [1] - 69:19
units [1] - 68:5
universal [1] - 38:2
University [1] - 151:6

<p><u>UNLESS</u> [1] - 155:17</p> <p><u>unless</u> [1] - 45:10</p> <p><u>Uno</u> [3] - 104:15, 105:19, 106:2</p> <p><u>UNO</u> [2] - 2:18, 104:13</p> <p><u>Uno's</u> [1] - 105:3</p> <p><u>up</u> [33] - 7:9, 15:4, 15:8, 16:14, 17:12, 17:19, 20:7, 22:7, 22:16, 35:7, 36:10, 42:4, 43:10, 56:16, 65:12, 68:3, 68:18, 76:8, 79:15, 80:11, 83:13, 98:12, 99:7, 102:6, 108:4, 110:6, 112:7, 116:3, 118:5, 127:6, 127:16, 129:8, 135:19</p> <p><u>update</u> [1] - 105:13</p> <p><u>updated</u> [1] - 30:9</p> <p><u>updating</u> [1] - 105:8</p> <p><u>uplighting</u> [1] - 44:6</p> <p><u>UPPERWEST</u> [1] - 4:7</p> <p><u>Upperwest</u> [1] - 145:19</p> <p><u>upstairs</u> [2] - 73:3, 73:4</p> <p><u>usage</u> [2] - 126:8, 126:19</p> <p><u>utilizing</u> [1] - 16:5</p>	<p>14:17, 14:19, 24:12, 24:13, 24:16, 107:3, 107:15, 113:7, 113:9, 113:13, 113:16, 113:18, 114:5, 114:6, 117:2, 117:18, 119:18, 120:1, 120:9, 120:14, 120:15, 126:10, 131:2, 131:10, 132:14, 132:16, 133:1, 133:7, 144:3, 144:9, 144:10, 144:15, 144:17, 145:11</p> <p><u>VIOLATIONS</u> [1] - 2:2</p> <p><u>violations</u> [10] - 11:15, 12:3, 12:13, 13:18, 14:3, 23:4, 26:5, 107:4, 107:17, 145:12</p> <p><u>visible</u> [2] - 83:3, 83:7</p> <p><u>visited</u> [1] - 83:18</p> <p><u>voicemail</u> [1] - 132:7</p> <p><u>vote</u> [28] - 14:6, 26:9, 46:2, 46:3, 46:14, 47:2, 58:10, 58:12, 62:1, 62:4, 86:8, 87:4, 104:3, 106:10, 113:6, 123:13, 124:14, 129:17, 134:18, 135:11, 136:10, 138:2, 140:15, 140:17, 144:18, 146:8, 152:7, 153:4</p>
V	W
<p><u>variance</u> [1] - 70:4</p> <p><u>various</u> [1] - 122:8</p> <p><u>vehicle</u> [3] - 12:5, 14:4, 109:7</p> <p><u>vehicles</u> [1] - 118:7</p> <p><u>venue</u> [1] - 102:5</p> <p><u>versa</u> [2] - 68:8, 78:19</p> <p><u>via</u> [2] - 89:7, 117:2</p> <p><u>VIC10069</u> [1] - 139:8</p> <p><u>vice</u> [2] - 68:8, 78:19</p> <p><u>vice-versa</u> [2] - 68:8, 78:19</p> <p><u>Vicente</u> [1] - 1:12</p> <p><u>vicinity</u> [1] - 127:3</p> <p><u>victualler</u> [11] - 27:11, 47:15, 59:2, 66:2, 87:17, 94:1, 94:3, 104:16, 121:9, 134:7, 140:4</p> <p><u>video</u> [6] - 16:10, 16:19, 18:7, 18:14, 19:5, 22:5</p> <p><u>videos</u> [3] - 16:8, 18:5, 19:7</p> <p><u>videotaped</u> [1] - 6:5</p> <p><u>VIOLATION</u> [6] - 14:15, 107:1, 107:13, 114:3, 120:12, 125:11</p> <p><u>violation</u> [36] - 11:12, 11:13,</p>	<p><u>W-A-N-G</u> [1] - 99:10</p> <p><u>W-E-D-L-O-C-K</u> [1] - 43:13</p> <p><u>W-O-O-L-L-E-Y</u> [1] - 122:3</p> <p><u>wait</u> [1] - 148:10</p> <p><u>waiting</u> [1] - 41:1</p> <p><u>waiver</u> [2] - 144:2, 144:16</p> <p><u>walk</u> [3] - 20:1, 70:7, 102:18</p> <p><u>walked</u> [1] - 131:18</p> <p><u>wall</u> [1] - 70:17</p> <p><u>WALTER</u> [1] - 43:11</p> <p><u>Walter</u> [1] - 43:11</p> <p><u>WANG</u> [5] - 99:9, 99:14, 99:17, 100:12, 100:15</p> <p><u>Wang</u> [1] - 99:12</p> <p><u>warning</u> [3] - 119:18, 120:2, 120:10</p> <p><u>Watertown</u> [2] - 8:6, 110:5</p> <p><u>waved</u> [1] - 116:7</p> <p><u>wear</u> [1] - 118:18</p> <p><u>wearing</u> [1] - 20:18</p> <p><u>website</u> [5] - 44:8, 63:9, 65:5, 65:8, 65:12</p> <p><u>WEDLOCK</u> [1] - 43:11</p>

<p><u>Wedlock</u> [1] - 43:11</p> <p><u>Wednesday</u> [2] - 6:8, 16:3</p> <p><u>week</u> [7] - 48:7, 48:11, 50:10, 50:16, 50:17, 64:14, 94:9</p> <p><u>weekends</u> [1] - 62:14</p> <p><u>weekly</u> [1] - 118:9</p> <p><u>welcome</u> [3] - 54:4, 56:4, 130:2</p> <p><u>Wen</u> [2] - 94:10, 94:16</p> <p><u>WEN</u> [20] - 94:16, 94:17, 95:2, 95:5, 95:9, 95:13, 95:18, 96:2, 96:10, 96:13, 96:18, 97:6, 97:9, 97:11, 97:18, 98:2, 98:9, 98:15, 99:4, 104:9</p> <p><u>West</u> [1] - 148:1</p> <p><u>west</u> [1] - 17:17</p> <p><u>whatnot</u> [2] - 91:12, 92:13</p> <p><u>wheelchair</u> [1] - 41:13</p> <p><u>wheelchair-accessible</u> [1] - 41:13</p> <p><u>WHEREOF</u> [1] - 155:10</p> <p><u>white</u> [1] - 22:13</p> <p><u>whole</u> [5] - 67:18, 70:17, 77:14, 83:4, 86:17</p> <p><u>wife</u> [1] - 99:3</p> <p><u>wind</u> [1] - 101:7</p> <p><u>window</u> [1] - 18:8</p> <p><u>wine</u> [11] - 40:2, 94:3, 95:12, 97:14, 100:2, 100:9, 102:3, 138:18, 146:5, 146:16, 147:18</p> <p><u>Winthrop</u> [2] - 68:1, 140:5</p> <p><u>WITNESS</u> [1] - 155:10</p> <p><u>witnessed</u> [1] - 127:4</p> <p><u>Wits</u> [3] - 47:19, 49:15, 57:15</p> <p><u>wonder</u> [1] - 83:18</p> <p><u>wondering</u> [2] - 40:18, 54:18</p> <p><u>Woolley</u> [3] - 121:14, 122:2, 122:5</p> <p><u>WOOLLEY</u> [8] - 122:2, 122:7, 122:13, 122:17, 123:4, 124:4, 124:11, 125:2</p> <p><u>workers</u> [2] - 79:15, 116:1</p> <p><u>worthy</u> [1] - 81:13</p> <p><u>write</u> [2] - 31:14, 132:4</p> <p><u>written</u> [2] - 115:10, 117:11</p> <p><u>wrote</u> [1] - 127:19</p> <p><u>www.reportersinc.com</u> [1] - 1:18</p>	<p style="text-align: center;">x</p> <p><u>X-I-A-N-G</u> [1] - 94:17</p> <p><u>Xavier</u> [1] - 146:7</p> <p><u>Xiang</u> [3] - 94:10, 94:16, 94:19</p> <p><u>XIANG</u> [19] - 94:16, 95:2, 95:5, 95:9, 95:13, 95:18, 96:2, 96:10, 96:13, 96:18, 97:6, 97:9, 97:11, 97:18, 98:2, 98:9, 98:15, 99:4, 104:9</p> <p style="text-align: center;">y</p> <p><u>year</u> [8] - 13:11, 17:3, 63:16, 89:17, 102:7, 110:8, 116:6, 119:8</p> <p><u>years</u> [19] - 7:19, 8:2, 8:3, 9:18, 12:2, 12:13, 13:19, 17:3, 22:15, 25:13, 26:5, 40:10, 43:7, 43:15, 67:7, 67:12, 68:13, 76:4, 127:11</p> <p><u>yellow</u> [2] - 20:19, 69:10</p> <p><u>yesterday</u> [2] - 89:3, 90:10</p> <p><u>YOUNG</u> [8] - 15:3, 16:18, 18:10, 19:6, 21:12, 22:4, 23:16, 24:18</p> <p><u>Young</u> [1] - 16:3</p> <p><u>young</u> [3] - 16:8, 16:17, 18:3</p> <p><u>young's</u> [1] - 24:11</p> <p><u>yourself</u> [1] - 120:6</p> <p><u>yup</u> [2] - 23:17, 98:9</p> <p style="text-align: center;">z</p> <p><u>zone</u> [3] - 38:5, 38:9, 38:11</p>
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