

CAMBRIDGE LICENSE COMMISSION HEARING

CITY OF CAMBRIDGE

IN RE: LICENSE COMMISSION GENERAL HEARING

LICENSE COMMISSION BOARD MEMBERS:

CHAIR ANDREA JACKSON

POLICE COMMISSIONER ROBERT C. HAAS

FIRE CHIEF GERALD REARDON

STAFF: EXECUTIVE DIRECTOR ELIZABETH LINT

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

DATE: July 22, 2014

TIME: 6:04 p.m.

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INDEX OF AGENDA

<u>AGENDA MATTERS</u>	<u>PAGE</u>
-----------------------	-------------

APPLICATION:
CAMBRIDGE PARK APARTMENTS

APPLICATION:
BAILEY AND SAGE, LLC

APPLICATION:
BONE DADDY'S BURGERS

APPLICATION:
HK FOOD GROUP, LLC
D/b/a ALDEN & HARLOW

APPLICATION:
SUNNYWOODS, INC.
D/B/A CILANTRO GRILL

APPLICATION:
BAGELSAURUS

APPLICATION:
MKTA, INC
D/B/A CINDERELLA'S RESTAURANT

Application:
Hank, INC.
D/B/A BUKOWSKI Tavern

POLICY:
CAMBRIDGE TAXI SCHOOL

RATIFICATION:
ADOTPION OF AG'S LETTER

P R O C E E D I N G S

July 22, 2014

EXECUTIVE DIRECTOR ELIZABETH LINT: Good evening, everyone.

We would like to get started. If anyone has a cell phone on, we would appreciate it if you turned it off, or mute, or whatever. That rear door is to remain opened at all times.

This is the License Commission Hearing, Tuesday, July 22, 2014 at 6:04. We are in the Michael J. Lombardi Building, 831 Mass. Ave, Basement Conference Room.

Before you are the Commissioners, Chair Andrea Jackson, Chief Gerald Reardon and Commissioner Robert Haas.

I'm going to go a little bit out of order tonight.

The first matter is the application of Bailey and Sage, LLC, doing business as Bailey

and Sage -- oh, excuse me, I did forget to announce that the hearing is being audio-taped.

Back to Bailey and Sage.

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APPLICATION: BAILEY AND SAGE

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Bailey and Sage, LLC, d/b/a Bailey and Sage, Michael Kaplan, manager, has applied for a common victualer license to be exercised at 5 Cambridge Center. Said license, if granted, would allow food and non-alcoholic beverages to be sold, served and consumed on said premises with an inside seating capacity of 61 and an additional 12 seats on an seasonal outdoor patio.

The proposed hours of operation are 7 a.m. to 11 p.m. seven days per week.

CHAIR ANDREA JACKSON: Good evening.

ATTY. KEVIN CRANE: Good evening, Madam

Chair, and Members of the Commission, my name is Kevin Crane. I'm an attorney at 104 Mount Auburn Street in Cambridge and I represent the petitioner, who I don't seem to see quite yet. If you want, I will be glad --

CHAIR ANDREA JACKSON: I'll have questions for him.

ATTY. KEVIN CRANE: Why don't we wait then.

CHAIR ANDREA JACKSON: Okay.

ATTY. KEVIN CRANE: Thank you.

CHAIR ANDREA JACKSON: Thank you.

Are you going to call the next one?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

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APPLICATION: HK FOOD GROUP, LLC.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: HK Food Group, LLC, doing business as Alden & Harlow, Michael Scelfo,

manager, holder of an all alcoholic beverages restaurant license at 40 Brattle Street has applied for an alteration of premise description to include a seasonal outdoor patio with 36 seats on public property.

CHAIR ANDREA JACKSON: Good evening.

ATTY. KAREN SIMAO: Good evening, Madam Chair, Members of the Board, Karen Simao of McDermott Quilty & Miller.

To my right is Mr. Scelfo, who is one of the owners and manager of record at this location.

S, as in Sam, I-M-A-O.

Madam Chair, if I may, this is an application to amend the description of the existing premises. I have here some plans and photos. This would be consistent, for example, with the Tasty Burger outdoor patio. That is the intended effect here. And I will give you, if I

may --

EXECUTIVE DIRECTOR ELIZABETH LINT: I'll take them.

ATTY. KAREN SIMAO: Thank you.

Mr. Scelfo has quite a reputation in Cambridge. Prior to opening his own location here, they've had a great and successful run. We have been working with the Harvard Business Association, who are very supportive, of adding to the streetscape and are actively looking for outdoor dining options, and so to that end, that is what precipitated this process.

We are scheduled to meet with the City Council next week for their review and approval of this as well, and so we understand that any vote by the board would obviously be contingent on also City Council approving the plans.

FIRE CHIEF GERALD REARDON: So to be clear, this is in the street area outside the

curb, the parklet type?

ATTY. KAREN SIMAO: That is correct. So, the best -- well, the floor plan also shows it but if we look at the color photo, there's the sidewalk, and then that street area there, which again is what Tasty Burger has at their location.

CHAIR ANDREA JACKSON: How many parking spaces would be coming up from there?

MICHAEL SCELFO: A total of three.

ATTY. KAREN SIMAO: You will see -- that's not metered parking there.

MICHAEL SCELFO: No.

FIRE CHIEF GERALD REARDON: So now, would you be looking to do a temporary arrangement similar to Tasty Burger? Are you going to build a temporary platform and everything?

ATTY. KAREN SIMAO: Yes.

FIRE CHIEF GERALD REARDON: Similar to --

ATTY. KAREN SIMAO: Yes. It would be very much consistent with, and I suspect City Council will get into more of those details with us next week in terms of the construction and making sure it is consistent with.

FIRE CHIEF GERALD REARDON: And you've already had conversations with Public Works and the Traffic Department? Have you gotten that far?

ATTY. KAREN SIMAO: We have. We have. We have gone through to get various sign-offs and initial blessings on it.

FIRE CHIEF GERALD REARDON: So they're aware of the parking spaces and all that?

ATTY. KAREN SIMAO: Yes.

CHAIR ANDREA JACKSON: Do you have anything in writing in terms of the sign-offs from them?

ATTY. KAREN SIMAO: No, we do not. We

have had -- I believe City Council is reaching out to them to get their verbal blessing on it as well. I believe that's how their process works.

But if that does not happen, I can circle back and get you whatever you need on that.

FIRE CHIEF GERALD REARDON: So looking at that photo, is it just past the bike rack? Or is the bike rack getting relocated?

MICHAEL SCELFO: The bike rack is scheduled to be moved.

FIRE CHIEF GERALD REARDON: How are you going to protect this particular area concept in terms of Brattle Street being out in the street?

ATTY. KAREN SIMAO: In terms of stanchions and things like, what materials are we going to use?

MICHAEL SCELFO: I think it's gonna be very similar to what Tasty Burger did.

They did concrete blockades on the

surrounding perimeter of the patio and their design was to do a bit of a wood-fencing type build, and then they turned the top of the fencing into potted plants and planter boxes. It turned out really nice, I think, and we'll probably do something that kinda mimics the look of the building that we are in, so it will be something in line with kind of the gabled roof and the two trees that kinda frame the building.

CHAIR ANDREA JACKSON: Counsel, from where to where is this going to be running?

ATTY. KAREN SIMAO: It is probably best to look at -- if we look at this plan, it actually runs pretty much in line with the boundaries of the building. So the angle of the photo is just a little misleading that's, why I pointed to the actual plans. So if we look at the one edge of the building down to the other,

that would be -- we're talking about this distance here.

FIRE CHIEF GERALD REARDON: Do you happen to know what the width of the building is?

MICHAEL SCELFO: It is on the plans that are under your left hand there. If you can see the --

ATTY. KAREN SIMAO: 50 feet is the width.

CHAIR ANDREA JACKSON: So the parking directly in front of the building, is that -- other than where the bike rack is obviously, is that a no parking zone?

MICHAEL SCELFO: I believe it is a commercial drop off during the day from the hours of 9 to 5. I think there's one space allotted for that which is centered at -- on the front of the building.

ATTY. KAREN SIMAO: And so --

CHAIR ANDREA JACKSON: Go ahead.

ATTY. KAREN SIMAO: I was just going to reiterate that in terms of the dimensions, the width we are looking at is 50 feet, and then the depth is six feet for the -- to conceptualize the size.

POLICE COMMISSIONER ROBERT HAAS: Where is the bike rack going?

MICHAEL SCELFO: The bike rack is controlled by the Harvard Business Association. I think they actually place them in the square. In my conversation with Denise she indicated to me they would just find a new home for it and they would take care of that on their end.

POLICE COMMISSIONER ROBERT HAAS: So you don't think it's gonna shift down and take up more parking down that street then, right?

MICHAEL SCELFO: I don't know what the intent is where they put the bike racks. She seemed to have a good idea where she wanted

them. She was going to be here tonight.

Unfortunately, she couldn't make it. She did write a letter of support for us.

EXECUTIVE DIRECTOR ELIZABETH LINT: I do have an email.

POLICE COMMISSIONER ROBERT HAAS: Oh, good.

MICHAEL SCELFO: But, unfortunately, she couldn't be here.

ATTY. KAREN SIMAO: I know they have in the past been very aware of not wanting to take parking, so the goal is to relocate it to someplace that's substantially similar that would not be eliminating any sort of public parking spot.

And it may be, frankly, and I don't know, this was just one of the conversations, that it may be, frankly, as just sort've moving it prior -- to getting in the patio, we put a "No Parking

- No Standing" area there, but we are not going to be able to know what the final decision on that has been at this point.

CHAIR ANDREA JACKSON: And what's your time frame for this?

ATTY. KAREN SIMAO: Well, we are trying to make some of the patio season, which is part of why we were trying to get on the July agenda for both your board and for the City Council.

So presuming approvals, when it goes up, we're hoping it would be nice to have something in for at least August.

MICHAEL SCELFO: Yes, hopefully August. In the four years, that I have been at Harlow, you know, if we have a good fall, we have the patio sometimes open all the way through October, so there's an opportunity to for us to have a good length of time out there.

FIRE CHIEF GERALD REARDON: So in the

case of the Tasty Burger area, that section of the roadway is scheduled to be turned into a bump-out. Do you know the what the intent is for the city in this particular location?

ATTY. KAREN SIMAO: I don't know.

FIRE CHIEF GERALD REARDON: So theirs will be temporary until such time that it is permanently built up?

ATTY. KAREN SIMAO: Right.

FIRE CHIEF GERALD REARDON: So you would have to take this in off the street at the end of the season?

MICHAEL SCelfo: It would be assembled and deconstructed each season.

ATTY. KAREN SIMAO: It is absolutely temporary in that nature. It is out for the season and in when it is not.

CHAIR ANDREA JACKSON: Is the plan also to serve alcohol?

ATTY. KAREN SIMAO: They would like to be able to do that, yes. Again, it's really, the idea is, to be an extension of the restaurant.

CHAIR ANDREA JACKSON: Other than this, do you have any proposed pictures of what it is going to look at?

ATTY. KAREN SIMAO: The actual patio you mean?

CHAIR ANDREA JACKSON: Yes.

ATTY. KAREN SIMAO: We haven't done any renderings yet. But we can certainly provide those as soon as --

FIRE CHIEF GERALD REARDON: I mean, it is six foot in width. It appears, though, by the time you put the boundaries around, the tables might be kind of tight.

MICHAEL SCELFO: Right. Yeah. We are going to have to see what real-life kinda dimensions dictate to us in terms of what we are

able to put out there.

On the plans, our designer got, you know, the four tops in there, he got a total of nine on there for a total of 36 heads, but you are right, once we get the sides up and everything, we might have to drop down to maybe a few tops and it may be end up being less.

FIRE CHIEF GERALD REARDON: The other issue is, if you're trying to do alcohol service, if that's something you want to consider, then it means that that thing has to be controlled totally versus, you know, the one with Tasty Burger does not serve alcohol outside, it has a little more free flowing to it. You would be constrained into really locking this thing up, and depending what you do with the design, if you do both sides of the design, you get into six, seven or eight inches and trying to get your servers in and around that, and if you have

multiple entrances, it doesn't lend itself towards the alcohol service and you gotta --

EXECUTIVE DIRECTOR ELIZABETH LINT: And it has to be accessible as well.

ATTY. KAREN SIMAO: Right. And you know, on the alcohol piece, I will say that, if the board is open to it, I think it is still subject to some scrutiny by the ABCC as to whether or not they feel that it complies with statutory requirement, the statutory requirement for the patio, so I just want to be forthcoming.

You know, I come before the board all the time. I know you know that we know this stuff. It is going to depend on -- you know, in other jurisdictions certainly when you are on public property that abuts your parcel, we are able to get them done without issue.

I think the question is going to be the ABCC's interpretation of the extension of this

patio.

FIRE CHIEF GERALD REARDON: The other thing, if this was butted against your property and you had enough sidewalk frontage, you would have an entrance in this location one entrance for the public. This one, you pretty much probably are going to be down to one entrance, so I gotta tell you, it looks problematic in terms of alcohol, especially for me without seeing the drawing and how you are going to border this and all.

ATTY. KAREN SIMAO: For purposes of today, if I may, to the extent, again, that the real goal is to activate that street, the space in front of the building, and to get some food out to people. So for today's purposes we are certainly amenable to limiting the review and approval of the Commission to the CV portion of the license, if the board is amenable to that,

and we can explore a little further, again, with the ABCC, even find out -- rather than wasting everybody's time, explore with them to see whether or not it is viable at all for the alcohol service.

But without question, we would certainly like to have the food service there, and I think Tasty Burger has been a successful example of that with far less manpower. As I understand, Tasty Burger the folks go in and order and bring their food out. Our intention is to have wait staff serving the food there as well. So it is a slightly different ambience.

FIRE CHIEF GERALD REARDON: It is just the footprint is a little bit challenging to get all this done and get wait staff around and get them --

MICHAEL SCHELFO: If I may, I would say that we did design initially the restaurant, one

of our egresses, which was the original entrance to Casablanca, which is on Brattle Street, we actually built a service station on that exit. It is no longer an entrance. It is exit only. So we actually built that with the intent of being able to have our service staff go up that stairwell and then serve an eventual patio.

So we really were planning it from the get-go in our initial design of the whole space to be able to service this patio. It was always part of the master plan.

ATTY. KAREN SIMAO: So in looking at the stairwell that Michael is referring to, this one here (*indicating*), which is to provide some more accessibility, so it limits some of the clumsiness that comes with --

FIRE CHIEF GERALD REARDON: But you still have to get access to this strip and get people to get past these tables to sit and wait staff

and others.

ATTY. KAREN SIMAO: And I suspect that there's a chance the four tops will become two tops and that opens up a lot of space as well.

ASSISTANT FIRE CHIEF GERARD MAHONEY: I can only speak for myself, I would not be able to move forward without seeing the design and how you actually do this tonight but --

CHAIR ANDREA JACKSON: I agree. And I'm, again, speaking for myself. I feel this is a little premature, and I need a little more information. I need to see -- when Tasty Burger came in, they had the artist's rendering, they had letters in from Public Works and Traffic and Parking.

Do you have any questions or comments?

POLICE COMMISSIONER ROBERT HAAS: No.

CHAIR ANDREA JACKSON: Are there any members of the public that wish to be heard on

this matter?

EXECUTIVE DIRECTOR ELIZABETH LINT: I have a letter from the Harvard Business Association. They are very much in support of the application. They believe that this will definitely bring in new people. That it will better the theater, Algiers, the retail shops and that the outdoor patio will enhance the overall street experience, vibrancy, public safety by having more eyes on the street and foot traffic to a section of the square that can be a little bit quiet.

ATTY. KAREN SIMAO: Is there another meeting in July that we might be able to attend with this?

EXECUTIVE DIRECTOR ELIZABETH LINT: The Decision Hearing is August 7. Nothing else in July.

CHAIR ANDREA JACKSON: Based on that, I

make a motion that we continue this until our Decision Hearing to give you an opportunity to see if you are able to provide additional information.

ATTY. KAREN SIMAO: We can provide it for the board's review prior to the Decision Hearing?

CHAIR ANDREA JACKSON: Yeah, if the board agrees.

So that's my motion.

Is there a second on the motion?

FIRE CHIEF GERALD REARDON: Second.

CHAIR ANDREA JACKSON: All those in favor signify by saying aye.

POLICE COMMISSIONER ROBERT HAAS: Aye.

CHAIR ANDREA JACKSON: So we can --

FIRE CHIEF GERALD REARDON: Aye.

CHAIR ANDREA JACKSON: We will continue this to the Decision Hearing.

ATTY. KAREN SIMAO: And then presuming if we submit schematics that are acceptable to the board, and if the board is inclined to vote on this, a vote could potentially take place August 7?

CHAIR ANDREA JACKSON: That's correct.

ATTY. KAREN SIMAO: Thank you very much. I appreciate it.

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APPLICATION: CAMBRIDGE PARK APARTMENTS

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Cambridge Park Apartments, LP, has applied for a garage license at 160 Cambridgepark Drive for 313 parking spaces for 3,130 gallons of gasoline in the tanks of autos only.

Applicant is also applying for an open air parking lot license at said address for 85 parking spaces.

BRIAN MCGOVERN: Good evening. My name is Brian McGoven, M-C-G-O-V-E-R-N. Brian.

And we were supposed to be on the meeting last month, and didn't have the notifications at the time, so we re-issued them.

EXECUTIVE DIRECTOR ELIZABETH LINT: We do actually have some housekeeping on this one.

You need to fill out the application for the 85 outdoor parking spaces.

ANDREA JACKSON: Based on that, perhaps we can move this unless we want to continue with a conversation while he's writing out the outdoor application.

FIRE CHIEF GERALD REARDON: Let's do that.

CHAIR ANDREA JACKSON: You want to finish it up?

FIRE CHIEF GERALD REARDON: So is there any storage other than the garage and gasoline?

You don't have any diesel or generators?

BRIAN MCGOVERN: Nothing.

FIRE CHIEF GERALD REARDON: Nothing?

Small flammable storage for lawn mowers or anything like that?

BRIAN MCGOVERN: There's nothing. All landscaping is done off site.

FIRE CHIEF GERALD REARDON: So this is strictly the G&G portion, the garage and gasoline?

BRIAN MCGOVERN: Yep.

FIRE CHIEF GERALD REARDON: They have done inspection up there?

BRIAN MCGOVERN: It is fully operable. Dry systems.

FIRE CHIEF GERALD REARDON: Is yours the one that has a third of the building open?

BRIAN MCGOVERN: Yes. We are doing four phases.

FIRE CHIEF GERALD REARDON: Okay.

CHAIR ANDREA JACKSON: Where are you at in terms of the phases?

BRIAN MCGOVERN: First is open. Second is scheduled for September 1. Third is in October, and hopefully by the end of the year we are done.

FIRE CHIEF GERALD REARDON: What are the total number of units?

BRIAN MCGOVERN: 398. One-for-one parking that adds up to 85 off and 313.

CHAIR ANDREA JACKSON: And you said one-for-one parking?

BRIAN MCGOVERN: Yes.

CHAIR ANDREA JACKSON: Do you have any other questions?

FIRE CHIEF GERALD REARDON: I do not.

CHAIR ANDREA JACKSON: Any questions?

POLICE COMMISSIONER ROBERT HAAS: No.

CHAIR ANDREA JACKSON: Any members of the public that wish to be heard on this matter?

Seeing none, I -- did you finish that application?

BRIAN MCGOVERN: I'll have to give it to David to take care of.

EXECUTIVE DIRECTOR ELIZABETH LINT: You can drop it off.

BRIAN MCGOVERN: I'll drop it off.

CHAIR ANDREA JACKSON: I make a motion that we approve the garage license at 160 Cambridgepark Drive for 313 parking spaces and 3,130 gallons of gasoline in the tanks of autos only.

I am going to do two separate motions. If I can get a second on that motion.

FIRE CHIEF GERALD REARDON: Second.

CHAIR ANDREA JACKSON: All those in favor signify by saying aye.

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIR ANDREA JACKSON: I would then like to make a motion that we approve the open air parking lot license for the same address for 85 parking spaces pending completion of the application.

Is there a second on the motion?

FIRE CHIEF GERALD REARDON: Second.

CHAIR ANDREA JACKSON: All those in favor signify by saying aye.

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIR ANDREA JACKSON: You are all set.

BRIAN MCGOVERN: Thank you very much.

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APPLICATION: BONE DADDY'S BURGERS

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Richard Cambriello doing

business as Bone Daddy's Burgers, has applied for a peddler/vendor license to operate a mobile food truck at 36 Cambridgepark Drive on Fridays from 11 am to 2 p.m.

CHAIR ANDREA JACKSON: Good evening.

RICHARD CAMBRIELLO: How are you doing?

CHAIR ANDREA JACKSON: Could please state your name for the record please spelling your first and last name.

RICHARD CAMBRIELLO: Richard Cambriello, R-I-C-H-A-R-D, Cambriello, C-A-M-B-R-I-E-L-L-O.

CHAIR ANDREA JACKSON: And you're looking to operate a mobile food truck at 36 Cambridgepark Drive on Fridays from 11 to 2?

RICHARD CAMBRIELLO: Yes.

CHAIR ANDREA JACKSON: Can you tell us a little about your business?

RICHARD CAMBRIELLO: We do all burgers, a little more upscale than your typical lettuce,

tomato, onion kinda burger along with french fries and periodically hot dogs. We cook everything to order try to get as fresh locally as we can.

CHAIR ANDREA JACKSON: How long have you been in business?

RICHARD CAMBRIELLO: Since April of 2013.

CHAIR ANDREA JACKSON: Are you in any other locations?

RICHARD CAMBRIELLO: Yes.

CHAIR ANDREA JACKSON: Where else?

RICHARD CAMBRIELLO: I have a two spots in Burlington, one spot in Boston, and one spot in Watertown.

CHAIR ANDREA JACKSON: Does anyone else operate the business with you?

RICHARD CAMBRIELLO: Yes, I have two other employees working underneath me.

CHAIR ANDREA JACKSON: How did you select

this particular location?

RICHARD CAMBRIELLO: I heard about it from other food trucks that share our commissary in Malden and then they reached out to us to do a catering job and they offered us the spot.

POLICE COMMISSIONER ROBERT HAAS: When you say "they," who offered you the spot?

RICHARD CAMBRIELLO: Vecna is the name of the company at 236 Cambridgepark Drive.

V-E-C-N-A.

FIRE CHIEF GERALD REARDON: Have you had any inspections in Cambridge yet?

RICHARD CAMBRIELLO: All of them.

FIRE CHIEF GERALD REARDON: All of them?

RICHARD CAMBRIELLO: Yep.

CHAIR ANDREA JACKSON: How many trucks do you have?

RICHARD CAMBRIELLO: Just the one.

CHAIR ANDREA JACKSON: Just the one?

Who will be operating the truck in
Cambridge? Just you?

RICHARD CAMBRIELLO: I have two employees
with me.

CHAIR ANDREA JACKSON: Are all the CORIs
back, Ms. Lint?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

CHAIR ANDREA JACKSON: I don't recall
seeing CORIs for anyone else.

EXECUTIVE DIRECTOR ELIZABETH LINT: I
don't know if you gave us information on the
other drivers.

RICHARD CAMBRIELLO: There's no other
drivers.

EXECUTIVE DIRECTOR ELIZABETH LINT: Other
operators. I'm sorry.

RICHARD CAMBRIELLO: I wasn't told I
needed to submit any.

EXECUTIVE DIRECTOR ELIZABETH LINT: We

need backgrounds on anyone that is going to be on the truck.

RICHARD CAMBRIELLO: That's fine.

CHAIR ANDREA JACKSON: Do you have any questions?

POLICE COMMISSIONER ROBERT HAAS: No questions.

CHAIR ANDREA JACKSON: No questions?

FIRE CHIEF GERALD REARDON: All set.

CHAIR ANDREA JACKSON: Any members of the public that wish to be heard on this matter?

Seeing none, I make a motion that we approve the peddler vendor license for a mobile food truck at 36 Cambridgepark Drive for Richard Cambriello, doing business as Bone Daddy's, pending a clear CORI check of the other users of the truck.

Is there a second?

FIRE CHIEF GERALD REARDON: Second.

CHAIR ANDREA JACKSON: All those in favor signify by saying aye.

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIR ANDREA JACKSON: You are all set.

RICHARD CAMBRIELLO: Thank you.

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APPLICATION: CILANTRO GRILL

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Sunnywoods, Inc., doing business as Cilantro Grill, Ming Pan, manager, has applied for a common victualer license to be exercised at 1105 Massachusetts Avenue. Said license, if granted, would allow food and nonalcoholic beverages to be sold, served and consumed on said premises with a seating capacity of 64.

The proposed hours of operation are 11 a.m. to 1 a.m. seven days per week.

ATTY. CHUNG LEE: Good evening.

CHAIR ANDREA JACKSON: Good evening.

Please state your name for record spelling your first and last name.

CHUNG LEE: Sure. My name is Chung Lee, C-H-U-N-G L-E-E. I'm counsel for Sunnywoods Incorporated. Sitting next to me is Ming Pan, M-I-N-G P-A-N, who is one of the principal owners of the corporation in the proposed business.

What we are asking permission from this board is to essentially purchase the restaurant business currently located at 1105 Massachusetts Ave in Cambridge currently known as Cancun Taqueria.

FIRE CHIEF GERALD REARDON: Taqueria?

ATTY CHUNG LEE: Cancun Taqueria. Sorry.

We are not making any changes to the restaurant. It is a straight-forward purchase. We just executed the asset purchase after a very

long negotiation period sometime last week, and I do have a copy of this for the board, which I will be giving to Ms. Lint over there, as well as a signed assignment and approval from the landlord on the assignment pending the closing of this transaction of course.

What we will be doing is changing the name from Cancun to Cilantro Grill and perhaps add Oriental-type items on the menu.

I do have a current menu as well as perhaps proposed additional items on the menu, which, again, I will hand to Ms. Lint after the hearing.

So about basically we are not proposing any changes. To the best of my understanding, the seating capacity will remain the same.

I talked to Mr. O'Neil, Chris O'Neil, there was a little misunderstanding. I believe the official capacity internal is 60, plus four

external. I put down 64 to include the 64. But it would be exactly the same capacity as it is today.

Hours will remain exactly the same. The hours that we're -- that were indicated in the application are exactly, to the best of my understanding, the hours that you approved for Cancun previously.

Essentially this is a straight purchase. There are no substantial changes.

And my client, Ming Pan, who is the principal, will be going into business with her sister, Ms. Wen Pan, and they do have a substantial amount of experience in the restaurant business.

Ms. Pan, next to me, has been -- she's a new immigrant but she has been working in a few restaurants over in Toronto with full liquor privileges as well as in excess of 50, 60 seats,

so she is well-versed in the management with her husband, Mr. Yang (phonetic), who is sitting in the audience, in managing a substantial-size restaurant.

And they both appreciate the requirements that goes into keeping the location clean and up to date with regulations and they look forward to working with the regulatory departments in Cambridge to make sure that is all set.

Ms. Wen Pan, her sister, most recently worked as the owner the Taste of China over in Framingham, Massachusetts, and she will be joining Ms. Pan here in this business as well.

So we are looking for this board's approval in the straight purchase so we can start business as the new owner of Cilantro Grill at 1105 Mass. Ave.

Thank you.

CHAIR ANDREA JACKSON: When you say your

client has worked in other restaurants of substantial size, can you go into a little more detail?

CHUNG LEE: Sure.

Between 2005 and 2010 she was working in a restaurant called Lula, L-U-L-A, restaurant over in Toronto, Canada.

She was the owner as well as the front desk manager. Her husband, Mr. Yang (phonetic), in the audience, was also the kitchen manager as well.

Between 2010 and to 2013, my client was also the owner of a restaurant called Old Rye, O-L-D R-Y-E, Restaurant in Toronto, Canada.

Both restaurants had liquor licenses as well in excess of 50 seats.

The Lula restaurant had 90 seats and the other Old Rye Restaurant had 58 plus seats. So she has been operating as manager, hostess, and

owner of those two restaurants.

When she immigrated to the United States, she worked with her sister, Wen Pan, over in the Taste of China over in Framingham, so she does understand the business of running a restaurant.

CHAIR ANDREA JACKSON: Did you say that you did have a sample menu with you?

CHUNG LEE: Yes, I do. I'm sorry.

FIRE CHIEF GERALD REARDON: So the question is, is the occupancy 64? Or 60 and 4 outside seasonal?

CHUNG LEE: That's correct.

FIRE CHIEF GERALD REARDON: So generally, the outside seasonal comes from the inside total, correct?

CHUNG LEE: I talked to Mr. O'Neil. Again, the intention was to have it remain the same, so if the four seats are in question, I talked to my client, we'll be more than happy to

come back at a future date if we need to expand on that. Bu if it is the decision of this board to keep it consistent, we're willing to do this as well. We would like to have it but we can understand.

FIRE CHIEF GERALD REARDON: And the seasonal ones generally just come from the inside so total during the season, so we want to make sure it is consistent with the number of seats that they are licensed for.

CHUNG LEE: If the stated capacity allowed is 64, we would like to have that. But it is 60, four outside, we'll go with 60. But, again, we prefer the full four if we can.

EXECUTIVE DIRECTOR ELIZABETH LINT: We would have to -- they would have to notify abutters and we would have to come back if it is 64 inside.

FIRE CHIEF GERALD REARDON: Were they

notified?

EXECUTIVE DIRECTOR ELIZABETH LINT: No.

If it is the same hours and capacity, they don't need to notify the abutters.

FIRE CHIEF GERALD REARDON: If that's the case. I want to make sure --

CHUNG LEE: I talked to Mr. O'Neil. It was a little mix-up. But like I said, for the sake of keeping everything consistent, we are more than happy to go with the 60 if it is the decision of this board that 60 is, in fact, the consistent capacity number.

FIRE CHIEF GERALD REARDON: So your intent is pretty much keep the Mexican-theme and add an Asian flair?

CHUNG LEE: Some Asian flair to it. I mean, if there are changes in the future, we'll certainly come back to this board to ask for permission.

FIRE CHIEF GERALD REARDON: If you were granted this license, do you have an anticipated timeline you would like to open in?

CHUNG LEE: It is really a matter of cleaning up. As I mentioned before, we just finally concluded negotiations with the landlord as well as the current operator. We're not looking at really changing anything. So we are looking at a rather quick take-over. In fact, there might be a little intermediary where we may not be able to take out the existing sign for us to put in the new sign. But we are looking in perhaps 30 days if we can.

FIRE CHIEF GERALD REARDON: And I know you've already stated this, but you are not doing any substantial renovation to the cooking area or anything else?

CHUNG LEE: No renovations, exactly. Purely clean-up and be cosmetic.

FIRE CHIEF GERALD REARDON: So you realize you are gonna have to go through your inspections again under your new name?

CHUNG LEE: I would ask this board, if you were to approve, approve it pending, of course, approved by the other departments which we will go right after this hearing.

POLICE COMMISSIONER ROBERT HAAS: Are you doing a take-out service as well?

CHUNG LEE: There's take-out.

POLICE COMMISSIONER ROBERT HAAS: What percentage of the business will be take-out compared -- as opposed to sitting visits?

MING PAN: 15 to 20.

POLICE COMMISSIONER ROBERT HAAS: 15 to 20?

MING PAN: Yeah.

POLICE COMMISSIONER ROBERT HAAS: What's the parking arrangements outside of the

restaurant right now?

MING PAN: Street parking.

POLICE COMMISSIONER ROBERT HAAS: How much -- I'm just trying to figure out how you are gonna accommodate take-out. Is it limited parking? Or do you have enough parking to accommodate that as well?

MING PAN: Only street parking but there's a lot of apartment building around. A lot of walk-in traffic.

ANDREA JACKSON: Any other questions?

POLICE COMMISSIONER ROBERT HAAS: No.

CHAIR ANDREA JACKSON: Any further questions?

FIRE CHIEF GERALD REARDON: No.

CHAIR ANDREA JACKSON: Any members of the public that wish to be heard on this matter?

Seeing none, I make a motion that we approve the CV license to be exercised at 1105

Mass. Ave, Sunnywoods, Inc., doing business as Cilantro Grill, pending the approvals from the other requisite departments, Inspectional Services, Fire Prevention as well, with the seating capacity that was the same as Cancun Taqueria.

Is there a second on the motion?

FIRE CHIEF GERALD REARDON: Second.

CHAIR ANDREA JACKSON: All those in favor signify by saying aye.

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIR ANDREA JACKSON: You are all set.

CHUNG LEE: Thank you.

So would the seating capacity be 60 or 64?

EXECUTIVE DIRECTOR ELIZABETH LINT: 60.

CHUNG LEE: Thank you very much.

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APPLICATION: BAGELSAURUS

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Bagelsaurus, LLC, doing business as Bagelsaurus, Mary Ting Hyatt, manager, has applied for a commoner victualer license to be exercised at 1796 Massachusetts Avenue. Said license, if granted, would allow food and nonalcoholic beverages to be sold, served, and consumed on said premises with a seating capacity of 19.

The proposed hours of operation are 7 a.m. to 3 p.m., Tuesday through Sunday.

MARY TING HYATT: Hello.

CHAIR ANDREA JACKSON: Please state your name for the record spelling your first and last name.

MARY TING HYATT: Mary, M-A-R-Y T-I-N-G
space H-Y-A-T-T.

CHAIR ANDREA JACKSON: Can you tell us

what your plan is, please.

MARY TING HYATT: Sure. My plan is to open a handmade bagel shop at 1796 Mass. Ave. This is an asset purchase of Rosie's Bakery, which has been operating there as a bakery/cafe so it won't be a change, a total change in concept, bakery/bakery, but it will be a little bit different.

The closing of the sale is contingent upon the approval of the CV, so that's what we're waiting on, the big thing, but I think you probably received the assignment of the lease yesterday.

It is a small space, 1,100 square feet. So I anticipate a lot of take-out. But there is a seating capacity for 19. I have been operating a semi-permanent pop up out of Cutty's in Brookline Village in the past year which has been pretty successful.

POLICE COMMISSIONER ROBERT HAAS: Tell me what that is again, the Brookline site. Describe that again.

MARY TING HYATT: Sure. Brookline Village.

POLICE COMMISSIONER ROBERT HAAS: No. What type of --

MARY TING HYATT: Oh, sure. I have been operating a bagel pop-up on Fridays and Saturdays.

POLICE COMMISSIONER ROBERT HAAS: Okay, I didn't get the "bagel pop up," okay.

MARY TING HYATT: And it has grown a lot. At first I was just trying to test my product.

The owners of Cutty's have been mentors for me in many ways but for starting a business for sure, and they encouraged me to test my product there before going off on my own, so that's been wonderful and I have been fortunate

to get a lot of great press out of that, and so I have a lot of support from customers over there.

POLICE COMMISSIONER ROBERT HAAS: Is your plan to run two sites then?

MARY TING HYATT: No-no. This Cutty's, I have been the manager at Cutty's for the past three years. So once Bagelsaurus opens, I will be the owner and operator there, yeah.

CHAIR ANDREA JACKSON: You say you have been in the manager of Cutty's for three years?

MARY TING HYATT: Yes.

FIRE CHIEF GERALD REARDON: So it is a bakery format again, so do you anticipate much renovation?

MARY TING HYATT: Not a lot.

Only cosmetic work, really. New flooring, wall painting but nothing structural will change. A few equipment changes.

FIRE CHIEF GERALD REARDON: So they have an oven?

MARY TING HYATT: They have one convection oven but I will be adding another one.

CHAIR ANDREA JACKSON: Will you have any staff working there with you?

MARY TING HYATT: Yes. I anticipate needing about six employees at the beginning. And we can grow from there and I did go to culinary school in Porter Square at the Cambridge School of Culinary Arts and I'm still connected to a lot of people over there, so I anticipate taking advantage of their career services to find some eager bakers to help me out as well as family members of mine.

CHAIR ANDREA JACKSON: When are you anticipating opening?

MARY TING HYATT: Probably mid-September,

October at the latest, I hope.

CHAIR ANDREA JACKSON: I'm trying to think of the space. In terms of trash disposal, is that the rear of the building?

MARY TING HYATT: Technically on the side. There's a parking lot in the rear, but all of the dumpsters are along the right-hand side if you are looking straight at the building. The building is from, I think, 1780 to 1798 and all of the dumpsters for all those buildings are along that right side but all the trucks go in the back, go on the side.

CHAIR ANDREA JACKSON: Any questions?

POLICE COMMISSIONER ROBERT HAAS: No questions.

CHAIR ANDREA JACKSON: Any questions?

FIRE CHIEF GERALD REARDON: No questions.

CHAIR ANDREA JACKSON: Any members of the public that wish to be heard on this matter?

Seeing none, I make a motion that we approve the CV license to be exercise at 1796 Mass Ave in the name of Bagelsaurus with the seating capacity of 19 and the proposed hours of operation 7 to 3 Tuesday through Sunday.

FIRE CHIEF GERALD REARDON: Second.

CHAIR ANDREA JACKSON: All those in favor signify by saying aye.

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIR ANDREA JACKSON: You are all set.

Good luck to you.

MARY TING HYATT: Do you need these?

EXECUTIVE DIRECTOR ELIZABETH LINT: I'll take those.

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APPLICATION: CINDERELLA'S RESTAURANT

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: MKTA, Inc., doing business

as Cinderella's Restaurant, Antonio Barros, manager, holder of a wine and malt beverages restaurant license at 901 Main Street has applied to upgrade said license to all alcoholic beverages.

ANTONIO BARROS: Good evening.

CHAIR ANDREA JACKSON: Good evening.

ANTONIO BATTOS: My name is Anthony.

Last name is B-A-R-R-O-S.

And I'm the owner and president of MKTA, Inc., d/b/a Cinderella's Restaurant, 901 Main Street in Cambridge.

Should I keep talking?

CHAIR ANDREA JACKSON: Yes.

ANTONIO BATTOS: I've been in business in that location for 20 years and lately I have been -- try hard to keep up to survive in that area. There have been a lot of changes in Central Square and Cambridge and also I'm a Cambridge

resident and I want to keep in business and live in Cambridge but I need to do some upgrade in my business and do remodeling and also upgrade my license to get more options for my clientele.

And then that's why I'm here to ask you to guys permission to do so, and then I do -- I don't intend to increase my capacity. I do have now 50, and I gonna keep the same capacity for the business, just need to do some remodeling, and also I do have a kitchen downstairs we use for preparation, and then we gonna use the kitchen downstairs to prepare the food and also flow the food from downstairs to upstairs. And I do have two restrooms downstairs and then I do have the license, wine and beer license 2006. There have been no problems with the police or Fire Department or clients. And then I spoke with the gentleman from the Disability Commission. He say we can have no more that

bathroom upstairs, like to the back door, unisex and handicap access, and also we can have that access from the back door on the parking lot. He say he would sign for permission for that.

And we do have two exit on the first floor through the back and another exit in the front of the building and one the side of the building go to that door from the apartments upstairs, you can exit also there. Then on the basement we do have an exit door to the back. And also another exit, you can go up the stairs and exit from the front door.

FIRE CHIEF GERALD REARDON: So do you plan on remodeling the kitchen area as well?

ANTONIO BARROS: No. The kitchen area, no.

FIRE CHIEF GERALD REARDON: The remodeling would be the dining area, the seating area?

ANTONIO BARROS: Yes.

FIRE CHIEF GERALD REARDON: You don't have a bar in that restaurant?

ANTONIO BARROS: No.

FIRE CHIEF GERALD REARDON: You don't intend on having a bar?

ANTONIO BARROS: Yeah, we do have. And just like -- like we gonna do like an L and maybe 18 to 20 seats and then just spread the tables around and gonna be a nice flow for the customer and also for the workers. That's why we don't intend to add more seats. We keep the same capacity.

I do have the support from my neighbors and from my landlord also.

And I have some letters of support.

I just had one across the street from the church, I spoke with the Reverend, and he just concerned about Sundays if we could open the --

to sell the alcohol a little bit after 2:00 as soon as the service in the church is over. I told him it would be no problem for us for Sundays should be fine. And also we have a good relationship with them for so many years.

CHAIR ANDREA JACKSON: What are your current hours in your location?

ANTONIO BARROS: Current hours is 11 a.m. to 1 a.m. Sunday through Wednesday. Thursday, Friday and Saturday 11 a.m. to 2 a.m.

Also if you guys grant me that upgrade in the license, I would decrease my Thursday, Friday and Saturday hours to 2 a.m., I push down to 1 a.m. and my last call would be 12:30, and then by 1:30 everybody gonna be out.

CHAIR ANDREA JACKSON: So you said if approved, you would decrease your hours on Thursday, Friday and Saturday?

ANTONIO BARROS: I decrease 11 a.m. to 2

a.m., I will push down to 1 a.m.

CHAIR ANDREA JACKSON: Okay.

ANTONIO BARROS: That would be the last call, 12:30 for alcohol beverage.

POLICE COMMISSIONER ROBERT HAAS: What is the seating capacity for the bar area?

ANTONIO BARROS: 12.

POLICE COMMISSIONER ROBERT HAAS: And that's included with the seating, the dining seating as well, so your number doesn't change at all?

ANTONIO BARROS: Exactly, exactly, yeah.

FIRE CHIEF GERALD REARDON: What percentage do you think is your food versus alcohol ratio now?

ANTONIO BARROS: Right now, is very low. Running about -- because I'm not allowed to do delivery alcohol. Just inside. Going only 8 percent now. I do need to increase that given

more opportunity.

FIRE CHIEF GERALD REARDON: What do you think the percentage would be if you went to the all alcohol?

ANTONIO BARROS: I hope double or more.

POLICE COMMISSIONER ROBERT HAAS: What is the percentage for beer and wine now?

ANTONIO BARROS: Eight to ten percent.

POLICE COMMISSIONER ROBERT HAAS: You are planning on 16 to 20 percent?

ANTONIO BARROS: Yes.

CHAIR ANDREA JACKSON: In terms of your hours, how will you alleviate the concerns from the church across the street of not selling, I know you sent an email in, just expressing concern, but I think it was to not sell before -- sell full alcohol before 2:00, how would you address that?

ANTONIO BARROS: That would be fine for

Sunday. I could start selling at 4:00 without no problem on Sundays.

FIRE CHIEF GERALD REARDON: You would like to do after 4:00 on Sundays?

ANTONIO BARROS: On Sundays, yeah.

EXECUTIVE DIRECTOR ELIZABETH LINT: They said after 2:00.

CHAIR ANDREA JACKSON: And I know the church asked for 2:00.

POLICE COMMISSIONER ROBERT HAAS: So you want to do 2:00? Or 4:00?

ANTONIO BARROS: 2:00.

CHAIR ANDREA JACKSON: Is that all alcohol or --

ANTONIO BARROS: All alcohol.

POLICE COMMISSIONER ROBERT HAAS: And the weekdays, when are you going to start serving alcohol? What time would you start serving alcohol on the weekdays?

ANTONIO BARROS: 11 a.m.

CHAIR ANDREA JACKSON: Do you plan on closing the restaurant during the renovation?

ANTONIO BARROS: We plan to close for the dining area upstairs, and if you could keep operating for the delivery from downstairs we would just to cover the expense of running the insurance and employees.

FIRE CHIEF GERALD REARDON: Do you do a large delivery service?

ANTONIO BARROS: Used to be 55 percent of my business. Now it is 35, 40 percent.

CHAIR ANDREA JACKSON: How long do you expect the renovations to last?

ANTONIO BARROS: Six to eight weeks.

CHAIR ANDREA JACKSON: When do you expect the renovations to start?

ANTONIO BARROS: Hopefully September and end in October.

CHAIR ANDREA JACKSON: Would we need to hold the license as inactive during that time frame?

EXECUTIVE DIRECTOR ELIZABETH LINT: We would.

CHAIR ANDREA JACKSON: Any questions?

FIRE CHIEF GERALD REARDON: No questions.

POLICE COMMISSIONER ROBERT HAAS: No other questions.

CHAIR ANDREA JACKSON: Are there members of the public that wish to be heard on this matter?

Please come forward.

PATRICK BARRETT: I'm Patrick,
P-A-T-R-I-C-K, Barrett, B-A-R-R-E-T-T.

I'm the owner of 901 Main Street, Antonio's landlord, I have been his landlord since 2008. He's been an exemplary tenant. I put my letter in for his support. And I'm simply

here to support a Central Square operator who has been here for 20 years, which I think is pretty remarkable in itself to compete in the marketplace that he's competing in.

ANTONIO BARROS: Thank you.

CHAIR ANDREA JACKSON: Any questions?

POLICE COMMISSIONER ROBERT HAAS: No questions. All set.

CHAIR ANDREA JACKSON: Thank you.

Is there anyone else that would like to speak in regard to this application?

Seeing none, I make the motion that we approve the upgrade from a wine and malt license to an all alcohol license at 901 Main Street, MKTA, Inc., doing business as Cinderella's Restaurant with the current hours with the exception of Sunday, which you would not serve until 2 p.m.

EXECUTIVE DIRECTOR ELIZABETH LINT:

After.

CHAIR ANDREA JACKSON: After 2 p.m.

FIRE CHIEF GERALD REARDON: I think he said he would do Thursday, Friday and Saturday.

CHAIR ANDREA JACKSON: Thursday, Friday and Saturday up until 1 a.m.

Is that everything? Got it.

Is there a second?

FIRE CHIEF GERALD REARDON: Second.

CHAIR ANDREA JACKSON: All those in favor signify by saying aye.

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIR ANDREA JACKSON: You are all set.

ANTONIO BARROS: Thank you.

CHAIR ANDREA JACKSON: Thank you.

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APPLICATION: BUKOWSKI TAVERN

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Hank, Inc., doing business as Bukowski Tavern, Suzanne Samowski, manager, holder of an all alcoholic beverages restaurant license at 1279-83 Cambridge Street has applied to pledge said license to First Trade Union Bank.

Applicant is also applying to hold their license inactive for approximately three months to complete work.

ATTY. JAMES BYRNE: Good evening. James Byrne, B-Y-R-N-E, Byrne & Drechsler, 50 Redfield Street in Boston. I'm counsel for the licensee.

I'm joined here by Suzanne Samowski, who is an officer, director and shareholder of the license and corporation as well as manager.

Also Brian Poe, who is a chef consultant with the restaurant.

And we are here to seek approval of the pledge of a license to First Union Trade Bank.

It is a loan in the amount of \$350,000. It is a

five-year loan amortized over five years. The interest rate is 4-and-a-half percent. That loan closed on July 17.

I believe we have submitted a copy of the promissory note and the pledge agreement. I actually have an executed one now.

CHAIR ANDREA JACKSON: If you can speak up just a little bit. It is just very hard to hear over the air.

ATTY. JAMES BYRNE: There's a promissory and the pledge agreement with the package that was submitted.

We are also here because we are going to be closing Bukowski's for approximately -- it will probably be more for like four months. In my transmittal letter to the Commission, I indicated three months, but I think realistically it is more like four months. We were being somewhat optimistic.

We have been at that location for approximately 12 years. It's time for a little facelift, and this is basically a refresh.

There are no structural changes. The shell of the premises will remain the same. The major changes, they are gonna push the bar from one side of the restaurant to the other, but essentially it will be a purchase of a lot of new equipment and furniture and some cosmetic changes. No structural changes. No changes of egress. No change in the occupancy number. It is sort of a facelift at this point.

FIRE CHIEF GERALD REARDON: So would you anticipate the kitchen being redone?

ATTY. JAMES BYRNE: It will be almost all new equipment in the kitchen.

FIRE CHIEF GERALD REARDON: In the same spot or is it being relocated?

ATTY. JAMES BYRNE: I think essentially

the same spot. Depending on size, they might have to reconfigure a few things.

SUZANNE SAMOWSKI: A little more open. A little more fancier.

CHAIR ANDREA JACKSON: I could not hear you.

SUZANNE SAMOWSKI: A little more open and fancier.

BRIAN POE: I like kitchen toys, so a newer system.

FIRE CHIEF GERALD REARDON: You presently have fryolators and all that?

SUZANNE SAMOWSKI: Yes.

FIRE CHIEF GERALD REARDON: All that work is gonna be done and the hood and vents are all being dealt with at the same time? Is there a fire alarm suppression system? I know the hood is inspected with the suppression system but are they doing any work to the alarm system for the

building itself?

SUZANNE SAMOWSKI: That's going to be upgraded too.

ATTY. JAMES BYRNE: I think we needed -- submitted a set of architectural drawings, floor plans, which should depict the new configuration.

FIRE CHIEF GERALD REARDON: This is a substantial renovation to the facility then?

SUZANNE SAMOWSKI: It needs it.

ATTY. JAMES BYRNE: There's no structural change.

We are going to put a lot of new equipment in there and some new furniture, so it will be a facelift. It is 12 years old. It is kind've tired.

FIRE CHIEF GERALD REARDON: You already have contractors and so forth lined up if this goes through?

ATTY. JAMES BYRNE: Yep. Vaughn is the

contractor.

EXECUTIVE DIRECTOR ELIZABETH LINT: I do not have the --

SUZANNE SAMOWSKI: He's done restaurants before, so ...

FIRE CHIEF GERALD REARDON: Including his own.

SUZANNE SAMOWSKI: Yes.

BRIAN POE: Actually, as we speak right now.

CHAIR ANDREA JACKSON: I had a question. Let me find out. This may be completely unrelated to the business but I remember maybe roughly around a month or so ago there was a person found unconscious in the alley next to the tavern.

Was it determined that the person was -- had been at the tavern?

SUZANNE SAMOWSKI: I don't think they

were. There's some ladders on the building next to us and apartments there, we don't have apartments above us, but they are like jumping to our rooftop and there's been a problem. And we told our landlord about it. I don't really know much more about it.

They weren't in the tavern.

CHAIR ANDREA JACKSON: They weren't in the tavern?

SUZANNE SAMOWSKI: No.

CHAIR ANDREA JACKSON: I never realized there was an alley in between because you can't see it with the door there. I think I went by at least six times and finally the door was open and I was like, Oh, there it is.

FIRE CHIEF GERALD REARDON: It is not much but it is there.

SUZANNE SAMOWSKI: It is not supposed to be locked, right, so ...

FIRE CHIEF GERALD REARDON: It can be locked so people can't get in, but it has to be unlocked so people can use it for egress if they are caught in there.

CHAIR ANDREA JACKSON: Would there need to be a lock box?

FIRE CHIEF GERARD REARDON: Usually if it is not perforated, they can just put a panic bar on it, so if someone gets trapped, you could certainly get out but you can't enter from the street.

POLICE COMMISSIONER ROBERT HAAS: When you talked to the landlord about that, what did he say he was gonna do?

SUZANNE SAMOWSKI: She's an elderly Korean woman. She didn't really say. She was going to have a surgery and she was more worried about that, but I would like to find out who owns the building next to us. I don't really know.

It is a bunch of young college kids, and I think they are a problem.

POLICE COMMISSIONER ROBERT HAAS: When you say they jump from one building to another --

SUZANNE SAMOWSKI: I think they jump from ours back and forth to theirs.

POLICE COMMISSIONER ROBERT HAAS: Why? Do you know?

SUZANNE SAMOWSKI: Because they are drinking beers.

CHAIR ANDREA JACKSON: Just because.

SUZANNE SAMOWSKI: Because they are college kids and they have nothing else to do. I don't know.

FIRE CHIEF GERALD REARDON: So you really don't know if that's just a common easement between the buildings and it is owned by both parties?

SUZANNE SAMOWSKI: No, I don't think --

we never use it.

FIRE CHIEF GERALD REARDON: Generally your building doesn't stop dead at one spot next to the building. A lot of times those are some sort of easement between the two that they have equal rights of access through there but no one can actually use it per se.

SUZANNE SAMOWSKI: Right, we don't. We don't use it.

CHAIR ANDREA JACKSON: Any questions?

POLICE COMMISSIONER ROBERT HAAS: No other questions.

CHAIR ANDREA JACKSON: Any questions?

FIRE CHIEF GERALD REARDON: No.

CHAIR ANDREA JACKSON: Is all the paperwork in order?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

CHAIR ANDREA JACKSON: Any members of the public that wish to be heard in this matter?

Seeing none, Ms. Lint, procedurally if we were to make a motion to hold the license inactive for up to four months to complete the work, do they need to come back here?

EXECUTIVE DIRECTOR ELIZABETH LINT: If they want it to be extended?

CHAIR ANDREA JACKSON: Yes.

EXECUTIVE DIRECTOR ELIZABETH LINT: Typically what we have done is asked them to submit a letter saying we anticipate that the build-out will be done by X date and please extend the inactive status.

CHAIR ANDREA JACKSON: And if by some act of a miracle they are done in two months, do they need to come back?

EXECUTIVE DIRECTOR ELIZABETH LINT: No.

CHAIR ANDREA JACKSON: Okay.

ATTY. JAMES BYRNE: They are hoping to be operational before Thanksgiving. We will keep

you abreast if there's some complications and we need to go beyond that point.

CHAIR ANDREA JACKSON: Okay, thank you.

Based on the testimony received, I make a motion that we approve the pledge of license to First Trade Union Bank by Bukowski Tavern, and Hank, Inc., doing business as Bukowski Tavern, and also to hold their license as inactive for up to four months while the work is completed.

Is there a second?

FIRE CHIEF GERALD REARDON: Second.

CHAIR ANDREA JACKSON: All those in favor signify by saying aye.

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIR ANDREA JACKSON: You are all set.

ATTY. JAMES BYRNE: Thank you very much.

CHAIR ANDREA JACKSON: Good luck to you.

EXECUTIVE DIRECTOR ELIZABETH LINT: If

you wouldn't mind going back to Bailey and Sage.

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APPLICATION: BAILEY AND SAGE

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Bailey and Sage, LLC, d/b/a Bailey and Sage, Michael Kaplan, manager, has applied for a common victualer license to be exercised at 5 Cambridge Center. Said license, if granted, would allow food and non-alcoholic beverages to be sold, served and consumed on said premises with an inside seating capacity of 61 and an additional 12 seats on an seasonal outdoor patio.

The proposed hours of operation are 7 a.m. to 11 p.m. seven days per week.

ATTY. KEVIN CRANE: Good evening, Madam Chair and Members of the Commission.

My name is Attorney Kevin Crane, 104 Mount Auburn Street in Cambridge. I represent

Bailey & Sage.

Just on the administrative end of things I have the green cards, the affidavit and the amendment. As far as the location of these premises, it is in 5 Cambridge Center, and if you are familiar with the area, I believe 5 Cambridge Center and 3 Cambridge Center were connected at some point in time in the last couple years and Clover Restaurant is directly on Main Street and the entrance way to a new interior lobby from Main Street. To the right would be The Coop, and when you go in the new Main Street interior lobby, which is pretty expansive, to the left is the new lobby to get to 5 Cambridge Center. Our space is just beyond that. So it is sort've behind -- behind Clover is the new lobby for 5 Cambridge Center, and beyond that, heading towards the garage, is the space that we are going to occupy.

We did receive a fast order food special permit from the Board of Zoning Appeals a little while ago.

In conjunction with that process, the East Cambridge Planning team and the Cambridge Redevelopment Authority both are on record in support of our proposal.

Mr. Kaplan, who is the manager, to my left, presently operates a store and has for a number of years, 103 State Street in Boston, and this would be a similar operation as far as specialty sandwiches, breakfast and salads, salad wraps, and there will be dinner served here. At State Street there's no dinner. The proposed hours are from 7:00 in the morning until 11:00 at night.

And if you have any questions, we would be glad to handle them as far as the operations and also Mr. Kaplan's experience.

The seating capacity actually is 45 seats inside and there are 16 in the lobby and then 12 outside in the alleyway, I call it the alleyway, between our premises and the garage on Ames Street.

POLICE COMMISSIONER ROBERT HAAS: The lobby area is a shared area for the other establishments as well or is it exclusively for the use of the restaurant?

ATTY. KEVIN CRANE: This particular area is exclusively for the restaurant.

POLICE COMMISSIONER ROBERT HAAS: The lobby area?

ATTY. KEVIN CRANE: The lobby. People will come in the lobby to go into 5 Cambridge Center, but I don't think Clover uses it.

POLICE COMMISSIONER ROBERT HAAS: So it wouldn't be shared?

ATTY. KEVIN CRANE: And I don't think The

Coop uses it.

CHAIR ANDREA JACKSON: They don't use it but do they have the opportunity to use it if they wanted to?

MICHAEL KAPLAN: We were given a space right outside our store front to operate and put our tables, not to go beyond that space.

CHAIR ANDREA JACKSON: Okay. Thank you.

FIRE CHIEF GERALD REARDON: Clover also had some seats in front of theirs?

MICHAEL KAPLAN: Yeah. It's right outside their door. There's like two or three tables.

And I was talking with one of the building managers, I don't know if that was actually approved for them to use, or just they kind've say put them on the street there, they just kinda threw some there, so ...

FIRE CHIEF GERALD REARDON: They look

like they are all on private indoor property.

MICHAEL KAPLAN: It is an indoor property, correct.

CHAIR ANDREA JACKSON: Can you tell us a little about your background.

MICHAEL KAPLAN: Sure. I originally opened the first Bailey & Sage at 103 State Street in Boston. We have been operating now for four years, four plus years. And you know, the time came where it was time to expand, and we -- I mean, I've always wanted to be in Cambridge and the Kendall Square area is perfect for the concept. We are going with all natural, the salads, the all natural first-cut meats and the opportunity arose and we have been doing very well at State Street and we decided to come over to Cambridge.

CHAIR ANDREA JACKSON: In the interest of time I probably won't barrage you with as many

questions as I initially anticipated, I did go out and pull the BZA transcript. The hearing was held on April 10, 2014, so I had an opportunity to at least read a transcript from that hearing and I think that provided me with a lot of the information that I needed and I believe the other Commissioners saw it as well.

POLICE COMMISSIONER ROBERT HAAS: I did.

CHAIR ANDREA JACKSON: So based on that, do you have any questions?

POLICE COMMISSIONER ROBERT HAAS: No.

CHAIR ANDREA JACKSON: Do you have any questions?

FIRE CHIEF GERALD REARDON: No. I'm familiar with that space.

CHAIR ANDREA JACKSON: Are there any members of the public that wish to be heard on this matter?

Seeing none, I make -- again, ordinarily

I would pepper you with lots of questions, but after spending some time reading through this, I just don't see a need to go through everything you pretty much have been asked and answered.

ATTY. KEVIN CRANE: Thank you.

CHAIR ANDREA JACKSON: So based on that, I make a motion that we approve the CV license to be exercised at 5 Cambridge Center for Bailey and Sage, LLC, doing business as Bailey & Sage with a seating capacity of 61 and additional 12 seats on the indoor/outdoor patio. Proposed hours of operation are 7 a.m. to 11 p.m. seven days per week.

Is there a second?

FIRE CHIEF GERALD REARDON: Second.

CHAIR ANDREA JACKSON: All those in favor signify by saying aye.

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIR ANDREA JACKSON: You are all set.

ATTY. KEVIN CRANE: Thank you very much.

MICHAEL KAPLAN: Thank you very much.

I appreciate it.

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APPLICATION: CLOVER FAST FOOD

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Continued from July 8, 2014.

Clover Fast Food, Inc., Ayr Muir, manager has applied for a common victualer license to be exercised at 496 Massachusetts Avenue. Said license, if granted, would allow food and nonalcoholic beverages to be sold, served and consumed on said premises with a seating capacity of 49.

The proposed hours of operation are 24 hours per day.

CHAIR ANDREA JACKSON: Good evening.

Could you both please state your name for the

record spelling your first and last names,
please.

AYR MUIR: My name is Ayr, A-Y-R. First
name. Last name is M-U-I-R.

And I'm the founder and CEO of Clover.

JOHN LEE: John, J-O-H-N, Lee, L-E-E.

CHAIR ANDREA JACKSON: Can you tell us
your plan for the location, please.

AYR MUIR: I would like to start out by
apologizing I was late at the last hearing, and I
apologize to the Commission for any inconvenience
my mistake might have caused.

Thanks for hearing us this week.

So there's two on there. We are talking
about the --

ANDREA JACKSON: The Mass. Ave first.

AYR MUIR: So we are looking to open our
next restaurant in Central Square in the location
which most people know used to be Hi-Fi because

they were there for 60 years right next to the Middle East. And this would be our fourth restaurant in Cambridge and our sixth restaurant altogether.

ANDREA JACKSON: Where are the other two?

AYR MUIR: We have a restaurant in Harvard Square and we have a restaurant in east Cambridge, and we have a restaurant in Kendall Square.

CHAIR ANDREA JACKSON: You said this is your fourth in Cambridge so ...

AYR MUIR: It will be our fourth in Cambridge.

Oh, the others that are outside of Cambridge?

CHAIR ANDREA JACKSON: Yes.

AYR MUIR: We have one in Burlington, Mass and we have a restaurant in Brookline Village.

And I went to school at MIT and then Harvard and I've always had a soft spot for Central Square and hoped some day we would find a great spot to open a restaurant there.

And I think this is a wonderful place and the early reception has been really strong and we can't wait to move forward with it.

We're looking largely to be similar to what you have seen in our existing operations. A limited menu that we prepare daily. The food is either prepared on location or serviced by a commissary, which is in east Cambridge, and we would be would be serving breakfast, lunch and dinner.

We're seeking 24-hour operation, which would be something new for us but we think it would be fantastic.

And when I was a student, I always wished there was someplace to go late at night. A lot

of the MIT population is awake all night long.

At the time there was the Tasty Burger in Harvard Square -- not Tasty Burger but Tasty Diner.

So I think it could be a really wonderful spot for that and given the late-night history that Hi-Fi had, I think it could be really wonderful.

There's not a lot of other changes we're anticipating from what we do currently. We might have a late night menu that's a little different than what we have now. But there's not any substantial changes. We draw from some of the things we already do.

FIRE CHIEF GERALD REARDON: Let me ask, and you may not have all the answers to this, I know it was reported in the newspaper that Hi-Fi was closing because of an issue with the hood system, which they had passed as of the last time

we inspected it. You won't be having a hood system in this building?

AYR MUIR: We are installing a new exhaust system and a new hood system.

FIRE CHIEF GERALD REARDON: So you will be cooking at this present location?

AYR MUIR: Yes. I can't really comment what happened before us. In terms of our construction --

FIRE CHIEF GERALD REARDON: I was curious whether or not you were eliminating the hood system or not, but you're not.

AYR MUIR: We'll be building -- the existing duct work has been demoed, and we'll be building a new system for grease exhaust.

FIRE CHIEF GERALD REARDON: You plan on having fryolators there?

AYR MUIR: Yes.

FIRE CHIEF GERALD REARDON: How much --

so you plan on doing all the food from this location being done on the property for the most part?

AYR MUIR: Similar to what we do right now in other restaurants. We do work that you can do with a knife and a cutting board on site, so the lighter prep. Depending on volume of the unit, that might be 20 or 30 percent or it might be as much as 60, 70 percent. And this will be a bigger unit, so it will probably be more like 20 or 30 percent that will be done on site and then the prep that requires heavier equipment is done back at our commissary. But the food that you are eating would be prepared to order. It is just falafel batter that we are frying.

ANDREA JACKSON: Do you perceive any challenges with having a 24-hour license?

AYR MUIR: I hope not.

We have had very peaceful and orderly

operations at all of our other restaurants. And we have had over the last four years, we have had a couple instances where somebody passed out in a bathroom. And we have had a couple instances of somebody who walked into the restaurant and wouldn't leave, but the number of these things we have dealt with is very small, and generally, we operate bright stores and they are clean and friendly and they generally attract positive activity. So I'm expecting that would be the same. Obviously, we would make sure there's enough staff at any hour of the day, that our staff feels safe and if there's any issues that arise, we would want to respond to them appropriately. I can't say that if -- we don't have experience with a 24-hour operation. It would be new for us, and if there were problems that we couldn't deal with in a simple way, with a security detail or something like that, I think

we would consider pulling back or changing from it, if we find it is problematic. But we have no interest or intention of creating a place that's having problems. That would be terrible for our business and the reputation we built. So if we found we were having trouble, we would respond.

POLICE COMMISSIONER ROBERT HAAS: Isn't that kind of a dangerous proposition? Wouldn't you think you want to try to do it the other way around, establish the business, see how business goes, and if looks like it is going to be very lucrative, then come back and try and expand the hours?

AYR MUIR: I think when you launch a new restaurant, there's a whole lot of press and word of mouth that happens in the first few months. And I think the hours of operation cement themselves in people's minds. So I think that the right thing to do would be start out with the

hours we seek to operate.

POLICE COMMISSIONER ROBERT HAAS: So you mentioned that you are familiar with the operation of Hi-Fi that was there and things like that, are you familiar with some of the problems we had at Hi-Fi? Not necessarily because of Hi-Fi but because of the additional hour being open and some of the problems that were attracting not only in the vicinity but from the Boston area because there was a late establishment to go and eat?

AYR MUIR: I'm sure I don't know the full story of everything. I remember being a being a student at MIT and I remember in the mid '90s that not being a place you want to be at 3 a.m. but I feel it's changed a lot. I think Central Square as a whole changed a lot since then. But this is just -- I don't have the deeper insight and experience you have.

POLICE COMMISSIONER ROBERT HAAS: I'm wondering if it would be worth your while just to do a little bit more research before you decided to jump into 24 hours.

AYR MUIR: I've spent time in Central Square, you know, late night and over night. I think it is completely different than it was 20 years ago when I was a student there.

POLICE COMMISSIONER ROBERT HAAS: I would again suggest that you may want to look at the area. We have had some issues because we have two very large venues in that immediate area that have gotten out of control. And I would hate to see you get brought into that mix, and like you said, you have already established a good reputation for your business and all you need to do is have one bad incident there and that really could change the complexion of your business in that area. I would encourage you to look at what

is going on there a little more specifically and also some of the history of what has taken place with respect to Hi-Fi. And that again, I think just what happened, that additional hour, which gave us some cause for more caution was that we were seeing the kind of business being attracted because businesses closed at 2:00, they were open to 3:00 and it attracted a clientele and some of that clientele wasn't always the best clientele and were at Hi-Fi because of that.

AYR MUIR: I think we would be a very different operation.

POLICE COMMISSIONER ROBERT HAAS: I think if you are dealing with a clientele that is under a certain condition, you might find some of those folks coming to that restaurant. You have a great operation, but that's not going to change somebody who gets unruly or gets violent.

AYR MUIR: I guess I don't know what to

say. I think that we can handle it, and I think we can operate a great business right there. I mean, I think we could speculate on alternative scenarios. But I think we could do a great job.

POLICE COMMISSIONER ROBERT HAAS: I submit to you it is not my speculation. It is what is occurring, okay. That's not something like I'm just saying, Oh, geez, this could happen. We have experienced some problems and some issues and we had some concerns about just the size of the venues and some of the issues that have spilled out onto the street. We actually had to close Massachusetts Avenue down because of those incidents. And this is recent history.

CHAIR ANDREA JACKSON: On average how many incidents would you say you have had in that general vicinity?

POLICE COMMISSIONER ROBERT HAAS: There

are three that are recent where it has gotten to a point where Mass. Avenue had to be shut down. We are dealing with those vendors now but it is going to have an impact on your business.

FIRE CHIEF GERALD REARDON: Is 49 the correct number for seats?

AYR MUIR: That is correct.

FIRE CHIEF GERALD REARDON: I always thought it was smaller.

EXECUTIVE DIRECTOR ELIZABETH LINT: There's two sides.

AYR MUIR: Yeah. It is not that large. We don't have any back of house. Everything is up front and we usually get some more seats out of the spaces when that happens.

CHAIR ANDREA JACKSON: So let me ask you this: How would you handle, I don't know, a particular incident that may happen perhaps at another establishment and it works its way down to

yours at say five in the morning or four in the morning when you may have limited staff?

AYR MUIR: I think we'll make sure we always have enough staff that can handle any situations, and if we -- I think that we would like to, as I said, we have all the interest in this being successful and positive and peaceful, and I think that for all the comments, and I understand where they are coming from, about the potential for unruly customers, there are a lot of peaceful customers that would love to have something to eat in the middle of the night and I think it is a shame if we -- if we were only focusing on the potential for negative. We would be properly staffed. And we will start this roll out in a cautious manner, which would either include substantial staffing or security detail, if you feel that's necessary. I think it would be prudent on Thursday, Friday and Saturday

nights to exercise excessive caution at the beginning as we feel ourselves out in the operation.

CHAIR ANDREA JACKSON: When you say "appropriate staffing," what do you think you are looking at in terms of staffing levels for your late nights, so say anywhere from 2 a.m. to 6 a.m.?

AYR MUIR: We would be looking at three or more people.

CHAIR ANDREA JACKSON: If the hours of operation were approved for 24 hours and say a couple months in, kind of a hey-this-is-not-working-and-we-want-to-downgrade-the-hours, do they have to come back in to downgrade with us? Or can they just do it on their own?

EXECUTIVE DIRECTOR ELIZABETH LINT: They would have to notify us, the license would have

to be amended, because, otherwise, the hours of operation are the hours on their license.

CHAIR ANDREA JACKSON: Who would be manager of record?

AYR MUIR: We're still in the process of recruiting somebody. We'll be staffing that restaurant with a manager that has a lot of experience.

CHAIR ANDREA JACKSON: When are you looking to open?

AYR MUIR: We're -- it would be pending permitting and construction, but I think it would be reasonable that we're looking at late fall.

CHAIR ANDREA JACKSON: Any questions?

FIRE CHIEF GERALD REARDON: No questions.

CHAIR ANDREA JACKSON: Any questions?

POLICE COMMISSIONER ROBERT HAAS: No other questions.

CHAIR ANDREA JACKSON: Can I ask a

question of you? Is there a detail in that area already on weekends?

POLICE COMMISSIONER ROBERT HAAS: There's no guaranty there's any details there all the time. So I wouldn't even represent the fact that even if you desire to get a detail, you are going to get one, so if that's part of your business plan, I would not bank on it.

CHAIR ANDREA JACKSON: Are there any members of the public that wish to be heard on this matter?

If you could please come forward.

MICHAEL SIMON: My name is Michael Simon, S-I-M-O-N. And I'm the landlord. I'm the manager of Central Property Management, LLC, which owns the property that Ayr is planning to open a restaurant in.

I would like to say that I have known Ayr now for a couple months and I have been extremely

impressed with his vision and his management skills. I've been to a number of his restaurants and I'm very impressed with the way they run and I always have an eye out for design and for safety and for the quality of the build-out and all of that, and I'm just so impressed.

We're using a number of his professionals because I'm very impressed with the people he works with and the level of work and design that they do.

When Hi-Fi Pizza left, I was very, very concerned about safety in the space. And I had long conversations with Ayr because I was concerned just about the whole idea of having a restaurant in a residential building.

And we reviewed the technology, and between us, we came up with the concept that we go back to the original building, go back 100 years, essentially we're rolling back the clock

100 years, removed every single thing. Before Hi-Fi Pizza, there was a pharmacy, and we removed that too, right to when the building was first built, and reviewed all the structural, all the systems, and doing it absolutely as well as it can be done.

Now, just to give a little bit of history, so people understand, we had a fire at Bedworks about a year ago and that was of big concern to me and so I took a look around and took a look at where my business might need some upgrading to make it safe. And there was some aluminum wiring in 494 Mass. Ave, that building. It was only a few units. But we replaced all that and brought everything up to code.

In the process of doing that, we discovered serious problems with the exhaust system at Hi-Fi Pizza. Serious enough so it could not continue. It simply was not safe.

Now, people have made mention about that it had passed inspection and so forth. I don't think that the inspectors are climbing in the walls and in the shafts and doing that kind of thing. I can't imagine with all the property in Cambridge they could do that on an ongoing basis.

But our electricians were doing that. We were doing that because we were bringing the building up to current standards. Currently we are sprinklering the entire building. We have a new fire alarm system. We have done a complete structural analysis, and as Ayr said, there's a completely new designed exhaust system going in there. So we're crossing every "T" and dotting every "I" here.

I have an awful lot of confidence in Ayr and his team, and I don't say that lightly because I really care about this stuff. I'm here 40 hours -- at least 40 hours a week on site and

then I'm always checking into things and I care very much about how business is run, and that things are being run well and safely.

So I just want to give my whole-heart endorsement to Ayr and his team and I'm very pleased he chose this location and me as the person to work with to bring this new Clover.

FIRE CHIEF GERALD REARDON: And to answer your question, we don't get to crawl through every one. However, there certain authorized, licensed hood system cleaners that are licensed through the Fire Marshal's Office who are supposed to do this work, and again, we do the cursory and we are looking for these approved, so we are also going back to find out who, in fact, was doing that before because we don't want the same type of incident that happened elsewhere. So we appreciate the fact that you brought it forward, but just a little -- in terms of the

newspaper article, that that was the reason and everything, and I understand it hasn't been up to speed, so we appreciate you doing that.

CHAIR ANDREA JACKSON: Any questions?

POLICE COMMISSIONER ROBERT HAAS: No questions.

CHAIR ANDREA JACKSON: Any questions?

You are all set.

Anyone else that wishes to be heard on this matter?

Sure. Come forward.

MARC LEVY: My name is Marc M-A-R-C L-E-V-Y from Oxford Street. And I would support the 24-hour use. I think it is something that the city deserves and the people who are working late at night deserve to have a place to go, and as a resident, I would hate to see that use not be allowed because there might be an occasional problem caused by other businesses down the road.

I would hate to see Cambridge's quality of life suffer because that an occasional flare up of violence that these people have nothing to do with it. That's it.

CHAIR ANDREA JACKSON: Thank you.

Is there anyone else who wishes to be heard in this matter?

Seeing none --

EXECUTIVE DIRECTOR ELIZABETH LINT:

There's letters of support, as well as a petition in support of a 24 hours.

CHAIR ANDREA JACKSON: Can I see, please?

EXECUTIVE DIRECTOR ELIZABETH LINT:

(Forwarding documents.)

MARC LEVY: Is it possible to know how many names are on the petition?

AYR MUIR: It's 444. You know, it sounds like a funny number but I just counted it.

CHAIR ANDREA JACKSON: I was going to

say, you know that why? And not all from the Cambridge area, correct?

AYR MUIR: These are all customers at our existing Cambridge locations but not all of them reside in Cambridge, but we obviously have a lot of daytime folks who work in Cambridge.

CHAIR ANDREA JACKSON: So I have to go out here on a limb, you may or may not agree with my motion, which is fine, I'm going to make a motion that we approve the CV license to be exercised at 496 Mass. Ave. with the proposed hours of operation for 24 hours a day, and although it may seem burdensome, with a three-month review to see how it is going.

Is there a second?

FIRE CHIEF GERALD REARDON: Second.

CHAIR ANDREA JACKSON: All those in favor signify by saying aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIR ANDREA JACKSON: Aye.

Any opposition?

Any abstention?

POLICE COMMISSIONER ROBERT HAAS:

Abstain.

CHAIR ANDREA JACKSON: So essentially you
are approved.

AYR MUIR: Thank you very much.

We have another one, right?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes
you do.

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APPLICATION: CLOVER FAST FOOD, INC.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Continued from July 8, 2014 Clover
Fast Food, Inc., Chris Anderson, manager, holder
of a malt beverages restaurant license at 7
Holyoke Street has applied for an alteration of
premise to include a seasonal outdoor patio on

the public sidewalk.

AYR MUIR: So this is our Harvard Square restaurant. We have had outdoor seating essentially since we first opened, the first summer season. Our outdoor seating to date has been alongside the restaurant on a portion of the sidewalk that Harvard owns. We're seeking to move that outdoor seating so that it is closer to the roadway leaving a path between the restaurant and the road.

There are a few different reasons for this. One is it will be more consistent with our Kendall Square location, which has that type of seating. We recently switched out the chairs. We had picnic tables before at Harvard. At Kendall we have cafe, bistro type of chairs and we want to have the same at Harvard to make it all consistent.

The other thing is seating that can go

around the trees, so there's actually more room for traffic to flow, we think it will cause a little less congestion and make for a more comfortable experience for both bypassers and customers sitting out.

FIRE CHIEF GERALD REARDON: So will you still use the seats that are on Harvard property as well?

AYR MUIR: No. We -- the plan, which should be part of that, would be move all the seats to the public sidewalk, and the Harvard portion would be open to pedestrians. Harvard owns about six feet coming out of the building. Six and a half feet. That whole area would be open to pedestrians plus a little bit more.

FIRE CHIEF GERALD REARDON: So that seating would disappear?

AYR MUIR: This is a relocation.

FIRE CHIEF GERALD REARDON: I wasn't sure

if it was getting repurposed or in conjunction with yours.

And you've already been to Public Works?

AYR MUIR: We have.

CHAIR ANDREA JACKSON: Do you know if someone submitted a diagram?

AYR MUIR: It was submitted, yeah. I remember when I signed the application, it was with it. We can get you a replacement if it has somehow has gone missing.

EXECUTIVE DIRECTOR ELIZABETH LINT: We could move to enter this one, I would say.

AYR MUIR: It's just a simple plan, view.

CHAIR ANDREA JACKSON: Was this the one -- forgive me, because I know we review so many of them, is this the one where you were saying we need more of a formal rendition of it?

EXECUTIVE DIRECTOR ELIZABETH LINT: No. That was Alden & Harlow.

JOHN LEE: These were the architect's plan and he came out on site.

EXECUTIVE DIRECTOR ELIZABETH LINT: I know it exists. I just don't --

CHAIR ANDREA JACKSON: And I know I was emailed earlier saying that you were approved for the new perimeter approved seating on public curbside with the understanding that all private furniture must be removed.

You will not be serving alcohol out there, correct?

AYR MUIR: We plan to serve alcohol out there, but not until -- we've ordered a corral. This is actually the same for Kendall Square. It hasn't yet arrived so, we don't serve alcohol in any of that patio seating currently. But when the corral arrives, it is our intention to come back again. Our current license will allow for alcohol as long as it is corralled and we would

be seeking the same.

CHAIR ANDREA JACKSON: Say that again.

AYR MUIR: Our current license for outdoor seating allows for alcohol to be served outside if we add a corral, which we have not done yet. It was -- when we did the picnic benches, it was too burdensome. We thought it was too tight to have a corral.

CHAIR ANDREA JACKSON: I have to be honest with you, I would have to check that. I know when I went to look at the minutes before we came downstairs, IT has a problem with the system, and I couldn't pull up any of the minutes from our website but I am not sure if that's correct.

EXECUTIVE DIRECTOR ELIZABETH LINT: Even if it were, it would still have to be reheard and revoted because it is now a different location.

So for our purposes and ABCC purposes you would have to be voting on not what's existing in front but what's now moved.

AYR MUIR: So we are seeking for a vote on alcohol approved in the new location, that's our intention. I believe that's what the application says.

CHAIR ANDREA JACKSON: So you are looking to have alcohol served?

AYR MUIR: That's right.

CHAIR ANDREA JACKSON: So would this application -- was this the application that went directly to the ABCC and we had questions, so was everything received? I remember there were questions in terms of not everything was contained with the application that was needed.

EXECUTIVE DIRECTOR ELIZABETH LINT: So Corey (phonetic) sent me paperwork that we were missing but now I'm missing the diagram. And I

don't know what happened to it.

AYR MUIR: I'll get you a replacement.

CHAIR ANDREA JACKSON: Other than that, everything was in order? I know that there were several items that were missing.

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes, she did get them to me.

CHAIR ANDREA JACKSON: Just to reiterate we're moving this from the private -- from the private side of the sidewalk to the public side. You are looking to serve alcohol outside. It will be properly corralled and you wouldn't be serving alcohol until it is properly corralled?

AYR MUIR: Correct.

FIRE CHIEF GERALD REARDON: And part of this with Public Works is that the Harvard space remain clear.

AYR MUIR: Correct.

CHAIR ANDREA JACKSON: I know you are

aware there was an issue there like a week or two ago.

AYR MUIR: At Bastille Day?

CHAIR ANDREA JACKSON: Yes.

AYR MUIR: Yes.

CHAIR ANDREA JACKSON: That's been addressed?

AYR MUIR: It has.

CHAIR ANDREA JACKSON: And the person who was on duty is now clear that it cannot be served outside?

AYR MUIR: Yeah. I don't think there was ever an intention of that. It's never been our policy. But with the street shut down, I think the customer walked out. If you haven't seen Bastille Day, it is a crazy zoo there, and I think some customers got confused and we corrected the situation.

CHAIR ANDREA JACKSON: I think my concern

with this is not seeing the rendering.

AYR MUIR: I could pull it up on my computer screen. I know that's not ideal but if that's helpful.

CHAIR ANDREA JACKSON: Sure.

EXECUTIVE DIRECTOR ELIZABETH LINT: If you want to email it.

AYR MUIR: It will take me a second or two. Is there wifi? The Cambridge City Hall Public, just use that?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes. So, I'm sorry for -- I'll email this to you, but this is -- feel free to pass it around.

(Board looks at computer screen.)

CHAIR ANDREA JACKSON: All set?

AYR MUIR: All set.

CHAIR ANDREA JACKSON: Proceed?

I make a motion that we approve the alteration of premise to include an outdoor patio

on the public sidewalk. I'm going do it as two separate -- do I need to do it as two separate motions?

EXECUTIVE DIRECTOR ELIZABETH LINT:

(Shaking head.)

CHAIR ANDREA JACKSON: So for the seasonal outdoor patio on the public sidewalk for Clover Fast Food, Inc. at 7 Holyoke Street and that alcohol, beer and wine cannot be served until the proper corral has been put in place.

EXECUTIVE DIRECTOR ELIZABETH LINT: And ABCC approval.

CHAIR ANDREA JACKSON: And ABCC approval.

Is there a second?

FIRE CHIEF GERALD REARDON: Second.

CHAIR ANDREA JACKSON: All those in favor signify by saying aye.

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIR ANDREA JACKSON: You are all set.

AYR MUIR: Thank you very much.

EXECUTIVE DIRECTOR ELIZABETH LINT: We have an item that's not on the agenda. We have Yoki here. They failed to pay their second half payment. I imagine because they received notice to be here, it came in at 4 p.m. to pay their second half alcohol payment, which was due in June.

CHAIR ANDREA JACKSON: And you are here from Yoki? Please come forward.

HARRY NGUYEN: Madam Chair, Commissioner, and Chief, my name is Harry, H-A-R-R-Y N-G-U-Y-E-N. The owner of Yoki at 485 Mass. Ave. Y-O-K-I.

I would like to say we just -- the reason since H Mart they opened there a couple months ago, they have significantly reduced our revenue since all the students go in there, it has effect

our business dramatically. So that's one of the main reasons why we decided to delay the payment of the liquor license, and when we received that letter, I do understand how important it is, and we have been working very hard on the turn-around plan to bring in more revenue, and we are making very new progress right now, slowly but surely we are making progress, that's how we were able to set aside that \$3,210 amount and came up here and paid earlier to the License Commission.

CHAIR ANDREA JACKSON: Ms. Lint, when was the payment due?

EXECUTIVE DIRECTOR ELIZABETH LINT: June.

HARRY NGUYEN: I do have the copy for you.

EXECUTIVE DIRECTOR ELIZABETH LINT: Yeah, I know. Just Mrs. Watson felt it was very important that the board impress upon the ownership that failure to pay a license fee, your

license could be revoked.

CHAIR ANDREA JACKSON: Right. So I need you to hear that and I need you to understand that. That if the fees aren't paid, your license could be subject to revocation.

HARRY NGUYEN: I understand.

EXECUTIVE DIRECTOR ELIZABETH LINT: Had he come in and told us, we would have worked something out with him.

CHAIR ANDREA JACKSON: Absolutely. Any comments or questions?

POLICE COMMISSIONER ROBERT HAAS: No.

FIRE CHIEF GERALD REARDON: No.

CHAIR ANDREA JACKSON: You are all set. Thank you for sitting for your hearing.

HARRY NGUYEN: Thank you for understanding.

CHAIR ANDREA JACKSON: Thank you.

POLICY: PROPOSED AMENDMENTS TO TAXI

SCHOOL CURRICULUM

EXECUTIVE DIRECTOR ELIZABETH LINT:

Policy: Board of License Commissioners will meet with regards to additions, amendments and changes to the Arthur J. Santoro Cambridge Taxi School. Proposed amendments to the curriculum include adding diversity and sexual harassment training.

I would just add that we have not drafted anything. It is to inquire whether or not you all feel it is appropriate to put this type of training into the school.

CHAIR ANDREA JACKSON: And this came up as a result of a complaint that was filed by two members of the public.

And although there was no finding against the driver, when looking at the curriculum of the taxi school, it became clear in this day and age that there's nothing in the curriculum that

addresses diversity or sexual harassment training.

So I thought it would be important for this board to go on record and have the school add that to their curriculum, and I think there will have to be some ongoing conversations between you, Ms. Lint, and the director and the chair of the taxi school in terms of what the training looks like to ensure -- if the board so votes that, but to ensure the training is meaningful. Not a five- or ten-minute blast on it, but a training that's meaningful and understanding that the curriculum still needs to be massaged and developed over time, but I personally will go on record and say I think it is important that that's added to the curriculum.

EXECUTIVE DIRECTOR ELIZABETH LINT:

There's a taxi school board meeting in two weeks, I believe. Or next week.

CHAIR ANDREA JACKSON: Next week.

EXECUTIVE DIRECTOR ELIZABETH LINT: And I can certainly bring that up at the time as a board member.

CHAIR ANDREA JACKSON: So I don't know if you have any comments, questions.

POLICE COMMISSIONER ROBERT HAAS: I think I agree. I think that this should be incorporated with respect to the obligations because it is part of the law and the drivers should be aware of the fact that they have a duty and obligation with respect to abiding by the provisions of the law.

FIRE CHIEF GERALD REARDON: I think it is something that should be included with their training and it would be good to get it done when they were at their schooling so they are aware of all their obligations.

CHAIR ANDREA JACKSON: So with that --

FIRE CHIEF GERALD REARDON: And also, are they getting into some of the service dogs and --

CHAIR ANDREA JACKSON: Yes, that is covered in the curriculum.

EXECUTIVE DIRECTOR ELIZABETH LINT:
That's part of it.

FIRE CHIEF GERALD REARDON: Okay. I think there's a lot of misconception on that topic.

CHAIR ANDREA JACKSON: Absolutely.

EXECUTIVE DIRECTOR ELIZABETH LINT: It is actually taught by representatives from the Disabilities Commission.

CHAIR ANDREA JACKSON: And I know that in checking with the personnel department for the city in terms of what they put together, it is required for city employees as it relates to diversity and sexual harassment, I think there might be some willingness for them to work with

the taxi school in terms of how to help shape that and what the training would look like in terms of diversity and sexual harassment, and I know they have already sent me some information that I can pass onto you to perhaps bring over to the school when they have their meeting.

I just think it is very important that it be taken into their curriculum.

So with that, I make a motion that -- do we have to request or direct?

I make a motion that we direct.

I make a motion that we direct the Arthur J. Santoro Cambridge Taxi School to add in a component of diversity and sexual harassment training to take effect January, I think, hopefully should be enough time for them, at least by January 2015 at the latest, and such training shall be at least 30 -- more than 30 minutes in length.

I don't want it to be glossed over as something light and fluffy.

Is there a second on the motion?

POLICE COMMISSIONER ROBERT HAAS: May I make an amendment?

CHAIR ANDREA JACKSON: Absolutely.

POLICE COMMISSIONER ROBERT HAAS: I would like to see that that portion of the curriculum also be incorporated to the exam so that we make sure that the applicants are aware of the fact that -- at least understand the material.

CHAIR ANDREA JACKSON: Okay. So there's been a motion with a friendly amendment.

FIRE CHIEF GERALD REARDON: Second.

CHAIR ANDREA JACKSON: All those in favor signify by saying aye.

FIRE CHIEF GERALD REARDON: Aye.

POLICE COMMISSIONER ROBERT HAAS: Aye.

RATIFICATION: ADOPTION OF AG'S LETTER

EXECUTIVE DIRECTOR ELIZABETH LINT: And last but not least, the Board of License Commissioners will ratify adoption of the letter to be sent to the Attorney General's Office.

CHAIR ANDREA JACKSON: I have seen the letter obviously. I make a motion --

POLICE COMMISSIONER ROBERT HAAS: You have seen the letter?

CHAIR ANDREA JACKSON: Yes.

POLICE COMMISSIONER ROBERT HAAS: I haven't seen it yet.

CHAIR ANDREA JACKSON: I thought you had seen it.

EXECUTIVE DIRECTOR ELIZABETH LINT: I thought you had it.

MARC LEVY: Is there a copy or a summary of the letter?

EXECUTIVE DIRECTOR ELIZABETH LINT: The

one time I didn't copy it.

CHAIR ANDREA JACKSON: I was gonna say, I have my copy it's not on letterhead.

EXECUTIVE DIRECTOR ELIZABETH LINT: I usually print them but I have throwing out all the extras I print and I hate killing trees.

MARC LEVY: Just a topic?

CHAIR ANDREA JACKSON: Sure. It was in regards to a complaint on open meeting law.

I need you to make a motion.

POLICE COMMISSIONER ROBERT HAAS: I make a motion to approve the letter as presented to the response.

FIRE CHIEF GERALD REARDON: Second.

CHAIR ANDREA JACKSON: All those in favor signify by saying aye.

POLICE COMMISSIONER ROBERT HAAS: Aye.

ASSISTANT FIRE CHIEF GERARD MAHONEY:

Aye.

CHAIR ANDREA JACKSON: Do we have minutes to approve?

EXECUTIVE DIRECTOR ELIZABETH LINT: Lots. You have to rescind your approval of the April 8th meeting and revote that.

CHAIR ANDREA JACKSON: Why?

EXECUTIVE DIRECTOR ELIZABETH LINT: Because we made corrections.

CHAIR ANDREA JACKSON: April 8th?

EXECUTIVE DIRECTOR ELIZABETH LINT: April 22.

CHAIR ANDREA JACKSON: Which one are we rescinding the votes on?

EXECUTIVE DIRECTOR ELIZABETH LINT: April 8th. Sorry.

CHAIR ANDREA JACKSON: Okay, let me do that one first. I make a motion that we rescind the vote to approve the minutes for April 8th as corrections were made.

Is there a second?

FIRE CHIEF GERALD REARDON: Second.

CHAIR ANDREA JACKSON: All those in favor signify by saying aye.

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

EXECUTIVE DIRECTOR ELIZABETH LINT: And then we have April 22, May 1, May 15, regular Decision and Decision Hearing on May 20, May 22, and June 11 there was also a regular hearing as well as a Decision Hearing.

EXECUTIVE DIRECTOR ELIZABETH LINT (speaking to meeting attendee Kim Courtney): I would appreciate it if you would not keep whispering because you are interrupting our conversations.

CHAIR ANDREA JACKSON: So, I'm sorry, May 20 was general and Decision and May 22, June 11.

EXECUTIVE DIRECTOR ELIZABETH LINT:

There were two.

CHAIR ANDREA JACKSON: General and
Decision?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

CHAIR ANDREA JACKSON: Okay.

EXECUTIVE DIRECTOR ELIZABETH LINT: We
received the corrected hard copies today.

CHAIR ANDREA JACKSON: Were there any
after the June 11?

EXECUTIVE DIRECTOR ELIZABETH LINT: We
have June 17 -- and June 17. Those corrections
have been sent in and received those today as
well.

CHAIR ANDREA JACKSON: Okay. Any
questions?

POLICE COMMISSIONER ROBERT HAAS: No
questions.

FIRE CHIEF GERALD REARDON: No questions.

CHAIR ANDREA JACKSON: I make a motion

that we approve the minutes for the dates as outlined by Executive Director Lint.

Is there a second?

FIRE CHIEF GERALD REARDON: Second.

CHAIR ANDREA JACKSON: All those in favor signify by saying aye.

POLICE COMMISSIONER ROBERT HAAS: Aye.

CHAIR ANDREA JACKSON: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIR ANDREA JACKSON: And that brings us up to date with the minutes?

EXECUTIVE DIRECTOR ELIZABETH LINT: Up until July.

CHAIR ANDREA JACKSON: What was our meeting after June 17, what was the date?

EXECUTIVE DIRECTOR ELIZABETH LINT: July 8th.

CHAIR ANDREA JACKSON: So we're good.
Okay.

Any other business?

EXECUTIVE DIRECTOR ELIZABETH LINT: No.

CHAIR ANDREA JACKSON: I make a motion
that we adjourn.

FIRE CHIEF GERALD REARDON: Second.

CHAIR ANDREA JACKSON: All those in favor
signify by saying aye.

POLICE COMMISSIONER ROBERT HAAS: Aye.

ASSISTANT FIRE CHIEF GERARD MAHONEY:
Aye.

(The meeting was adjourned.)

ERRATA SHEET

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

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

CERTIFICATION

Commonwealth of Massachusetts
Norfolk, ss.

I, Jill Kourafas, Certified Shorthand Reporter, 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 with the exception that some statements may not appear due to heavy accents, unclear speaking, rapid and overlapping speaking, those speaking too softly or incoherently, not identifying themselves and proper names/places will be spelled phonetically if not spelled while on the record.

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Jill Kourafas
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<u>\$</u>	4:17, 32:4, 32:14, 37:18, 61:8, 61:10, 61:19, 65:1, 81:15, 88:12, 137:10, 137:18, 138:9	16 [2] - 63:10, 84:2 160 [2] - 26:13, 30:11 17 [4] - 70:3, 138:11, 139:15 1780 [1] - 55:9 1796 [3] - 50:6, 51:3, 56:2 1798 [1] - 55:9 18 [1] - 60:9 19 [3] - 50:10, 51:16, 56:4 1:30 [1] - 61:15	47:16, 57:16, 60:9, 63:10, 67:2, 95:8, 95:10, 99:7, 137:9, 137:18 2005 [1] - 42:5 2006 [1] - 58:15 2008 [1] - 66:18 2010 [2] - 42:5, 42:12 2013 [2] - 33:7, 42:12 2014 [6] - 1:14, 3:2, 3:10, 87:3, 89:8, 114:15 2015 [1] - 132:17 22 [7] - 1:14, 3:2, 3:10, 136:11, 137:8, 137:9, 137:18 236 [1] - 34:9	24 [5] - 89:16, 99:4, 104:12, 112:11, 113:12 24-hour [4] - 92:15, 95:17, 96:16, 111:14 2:00 [7] - 61:1, 63:17, 64:7, 64:9, 64:11, 64:12, 100:7
<u>'</u>				
'90s [1] -				
98:14				
<u>0</u>				
02139 [1] - 1:13	1105 [4] - 37:13, 38:12, 41:17, 48:19			
<u>1</u>	11:00 [1] - 83:15 12 [7] - 4:14, 62:7, 71:2, 73:14, 81:12, 84:2, 88:10 1279-83 [1] - 69:4 12:30 [2] - 61:14, 62:4 14903 [1] - 142:14 15 [3] - 47:14, 47:15, 137:8			
1 [7] - 29:5, 37:19, 61:9, 61:13, 62:1, 68:6, 137:8 1,100 [1] - 51:14 10 [1] - 87:3 100 [2] - 107:18, 108:1 103 [2] - 83:10, 86:7 104 [2] - 5:2, 81:18 11 [13] -		<u>2</u>		<u>3</u>
		2 [8] - 32:4, 32:14, 61:10, 61:13, 61:19, 67:18, 68:2, 104:7 20 [11] - 47:14,		3 [4] - 50:12, 56:5, 82:7, 98:15 3,130 [2] - 26:15, 30:13 30 [5] - 46:13, 95:8, 95:11, 132:18 313 [3] - 26:14, 29:11, 30:12

35 [1] - 65:12	64:1, 64:4, 64:11	91:1, 95:9	114:15	61:19, 62:1, 65:1, 68:6, 81:15, 88:12, 98:15, 104:7, 104:8
36 [5] - 6:4, 18:4, 32:3, 32:13, 36:14	5	61 [3] - 4:13, 81:11, 88:10	831 [2] - 1:13, 3:11	
398 [1] - 29:10	5 [9] - 4:10, 12:15, 81:8, 82:5, 82:6, 82:14, 82:16, 84:15, 88:8	617.786.	85 [4] - 26:18, 27:9, 29:11, 31:5	
3:00 [1] - 100:8		7783 [1] - 1:18	29:11, 31:5	104:8
4		64 [7] - 37:17, 40:1, 43:10, 44:12, 44:18, 49:16	8th [5] - 136:5, 136:9, 136:15, 136:18, 139:17	ABCC [6] - 19:8, 21:2, 120:1, 120:13, 124:12, 124:13
4 [2] - 43:10, 125:7	50 [6] - 12:8, 13:3, 40:19, 42:16, 58:8, 69:10	6:04 [2] - 1:15, 3:10	9	ABCC's [1] - 19:19
4-and-a- half [1] - 70:2	55 [1] - 65:11		9 [1] - 12:15	abiding [1] - 130:12
40 [4] - 6:2, 65:12, 109:19	58 [1] - 42:18	7	90 [1] - 42:17	able [11] - 15:2, 17:2, 18:1, 19:16, 22:6, 22:10, 23:6, 24:14, 25:3, 46:11, 126:8
444 [1] - 112:17		7 [9] - 4:16, 24:17, 26:5, 50:11, 56:5, 81:14, 88:12, 114:17, 124:8	901 [4] - 57:3, 57:11, 66:16, 67:14	
45 [1] - 84:1	6	70 [1] - 95:9	A	
485 [1] - 125:14	6 [1] - 104:7	7:00 [1] - 83:15	A-Y-R [1] - 90:3	
49 [2] - 89:15, 102:5	60 [11] - 39:19, 40:19, 43:10, 44:13, 45:10, 45:11, 49:15, 49:17,		a.m [20] - 4:17, 37:19, 50:12, 61:8, 61:9, 61:10, 61:13, 61:14,	
494 [1] - 108:13		8		abreast [1] - 80:1
496 [2] - 89:11, 113:11		8 [3] - 62:18, 89:8,		absolutely [4] - 16:15, 108:5,
4:00 [3] -				

127:10, 131:10 <u>Absolutely</u> [1] - 133:6 <u>abstain</u> [1] - 114:5 <u>abstention</u> [1] - 114:3 <u>abuts</u> [1] - 19:16 <u>abutters</u> [2] - 44:17, 45:4 <u>accents</u> [1] - 142:6 <u>acceptable</u> [1] - 26:2 <u>access</u> [4] - 22:18, 59:2, 59:3, 78:6 <u>accessibil</u> <u>ity</u> [1] - 22:15 <u>accessible</u> [1] - 19:4 <u>accommodat</u> <u>e</u> [2] - 48:5, 48:7 <u>accurate</u> [2] - 141:12, 142:5 <u>act</u> [1] -	79:13 <u>activate</u> [1] - 20:14 <u>actively</u> [1] - 7:10 <u>activity</u> [1] - 96:10 <u>actual</u> [2] - 11:18, 17:7 <u>add</u> [7] - 39:9, 45:15, 60:12, 119:5, 128:9, 129:5, 132:13 <u>added</u> [1] - 129:16 <u>adding</u> [3] - 7:9, 54:4, 128:8 <u>additional</u> [7] - 4:14, 25:3, 39:11, 81:12, 88:10, 98:7, 100:4 <u>additions</u> [1] - 128:5 <u>address</u>	[3] - 26:18, 31:5, 63:18 <u>addressed</u> [1] - 122:7 <u>addresses</u> [1] - 129:1 <u>adds</u> [1] - 29:11 <u>adjourn</u> [1] - 140:4 <u>adjourned</u> [1] - 140:11 <u>administer</u> <u>ed</u> [1] - 142:10 <u>administra</u> <u>tive</u> [1] - 82:2 <u>ADOPTION</u> [1] - 134:1 <u>adoption</u> [1] - 134:4 <u>ADOTPION</u> [1] - 2:19 <u>advantage</u> [1] - 54:14 <u>affidavit</u> [1] - 82:3 <u>AG'S</u> [2] - 2:19,	134:1 <u>age</u> [1] - 128:18 <u>agenda</u> [2] - 15:8, 125:4 <u>AGENDA</u> [2] - 2:1, 2:2 <u>ago</u> [6] - 74:14, 83:3, 99:8, 108:9, 122:2, 125:18 <u>agree</u> [3] - 23:9, 113:8, 130:8 <u>agreement</u> [2] - 70:5, 70:11 <u>agrees</u> [1] - 25:9 <u>ahead</u> [1] - 12:19 <u>air</u> [3] - 26:18, 31:4, 70:9 <u>alarm</u> [3] - 72:17, 72:19, 109:11 <u>alcohol</u> [29] - 16:19, 18:9, 18:13,	19:2, 19:6, 20:9, 21:5, 61:1, 62:4, 62:15, 62:18, 63:4, 63:17, 64:14, 64:15, 64:18, 64:19, 67:14, 118:10, 118:12, 118:15, 118:19, 119:4, 120:5, 120:9, 121:11, 121:13, 124:9, 125:8 <u>alcoholic</u> [5] - 4:11, 6:1, 57:4, 69:3, 81:9 <u>Alden</u> [2] - 5:19, 117:19 <u>ALDEN</u> [1] - 2:9 <u>Algiers</u> [1] - 24:7 <u>alleviate</u>
--	---	--	--	---

<p>[1] - 63:13 <u>alley</u> [2] - 74:15, 75:12 <u>alleyway</u> [2] - 84:3 <u>allotted</u> [1] - 12:15 <u>allow</u> [5] - 4:11, 37:14, 50:7, 81:9, 89:12 <u>allowed</u> [3] - 44:12, 62:17, 111:18 <u>allows</u> [2] - 118:18, 119:4 <u>almost</u> [1] - 71:15 <u>alongside</u> [1] - 115:6 <u>alteration</u> [3] - 6:3, 114:18, 123:19 <u>alternativ e</u> [1] - 101:3 <u>altogether</u> [1] - 91:4 <u>aluminum</u></p>	<p>[1] - 108:13 <u>ambience</u> [1] - 21:13 <u>amenable</u> [2] - 20:17, 20:19 <u>amend</u> [1] - 6:15 <u>amended</u> [1] - 105:1 <u>amendment</u> [3] - 82:4, 133:5, 133:13 <u>AMENDMENTS</u> [1] - 128:1 <u>amendments</u> [2] - 128:5, 128:7 <u>Ames</u> [1] - 84:4 <u>amortized</u> [1] - 70:1 <u>amount</u> [3] - 40:14, 69:19, 126:9 <u>analysis</u> [1] - 109:12 <u>AND</u> [3] - 2:5, 4:5,</p>	<p>81:3 <u>AND/OR</u> [1] - 142:17 <u>Anderson</u> [1] - 114:16 <u>ANDREA</u> [209] - 1:6, 4:18, 5:6, 5:10, 5:12, 6:6, 8:8, 9:16, 11:11, 12:9, 12:19, 15:4, 16:18, 17:4, 17:9, 23:9, 23:18, 24:19, 25:8, 25:13, 25:16, 25:18, 26:6, 27:10, 27:16, 29:2, 29:12, 29:15, 29:18, 30:1, 30:10, 30:18, 31:3, 31:10, 31:14,</p>	<p>32:5, 32:7, 32:12, 32:16, 33:5, 33:8, 33:11, 33:15, 33:19, 34:16, 34:19, 35:5, 35:8, 36:4, 36:8, 36:10, 37:1, 37:5, 38:2, 41:19, 43:6, 48:11, 48:13, 48:16, 49:9, 49:13, 50:14, 50:19, 53:10, 54:6, 54:17, 55:2, 55:13, 55:16, 55:18, 56:7, 56:11, 57:7, 57:14, 61:6,</p>	<p>61:16, 62:2, 63:12, 64:8, 64:13, 65:2, 65:13, 65:16, 66:1, 66:6, 66:10, 67:6, 67:9, 68:2, 68:5, 68:10, 68:14, 68:16, 70:7, 72:5, 74:11, 75:8, 75:11, 76:5, 77:11, 78:10, 78:13, 78:15, 78:18, 79:7, 79:13, 79:17, 80:3, 80:12, 80:16, 80:18, 85:2, 85:8, 86:4, 86:18,</p>
---	--	---	--	--

87:9, 87:12, 87:16, 88:6, 88:16, 89:1, 89:18, 90:7, 90:16, 91:5, 91:10, 91:16, 95:16, 101:16, 102:16, 104:4, 104:11, 105:3, 105:9, 105:14, 105:16, 105:19, 106:9, 111:4, 111:7, 112:5, 112:12, 112:19, 113:7, 113:17, 114:1, 114:6, 117:5, 117:14, 118:5, 119:2, 119:9, 120:8, 120:11, 121:3,	121:8, 121:19, 122:4, 122:6, 122:9, 122:19, 123:5, 123:15, 123:17, 124:6, 124:13, 124:16, 125:1, 125:10, 126:11, 127:2, 127:10, 127:14, 127:18, 128:13, 130:1, 130:5, 130:19, 131:3, 131:10, 131:14, 133:6, 133:12, 133:15, 134:6, 134:10, 134:13, 135:2, 135:8, 135:15, 136:1, 136:6, 136:9, 136:12, 136:16,	137:3, 137:17, 138:2, 138:5, 138:8, 138:14, 138:19, 139:5, 139:8, 139:10, 139:14, 139:18, 140:3, 140:6 <u>Andrea</u> [1] - 3:14 <u>angle</u> [1] - 11:16 <u>announce</u> [1] - 4:2 <u>answer</u> [1] - 110:8 <u>answered</u> [1] - 88:4 <u>answers</u> [1] - 93:16 <u>Anthony</u> [1] - 57:8 <u>anticipate</u> [6] - 51:15, 53:14, 54:8, 54:13, 71:14, 79:10 <u>anticipate</u> <u>d</u> [2] -	46:2, 87:1 <u>anticipati</u> <u>ng</u> [2] - 54:18, 93:10 <u>Antonio</u> [1] - 57:1 <u>ANTONIO</u> [27] - 57:6, 57:8, 57:15, 59:15, 60:1, 60:4, 60:7, 61:8, 61:19, 62:3, 62:7, 62:12, 62:16, 63:5, 63:8, 63:11, 63:19, 64:5, 64:12, 64:15, 65:1, 65:4, 65:11, 65:15, 65:18, 67:5, 68:15 <u>Antonio's</u> [1] - 66:17	<u>ANY</u> [2] - 142:16, 142:17 <u>apartment</u> [1] - 48:9 <u>Apartments</u> [1] - 26:12 <u>apartments</u> [3] - 59:8, 75:2, 75:3 <u>APARTMENTS</u> [2] - 2:4, 26:10 <u>apologize</u> [1] - 90:11 <u>apologizin</u> <u>g</u> [1] - 90:10 <u>Appeals</u> [1] - 83:2 <u>appear</u> [1] - 142:6 <u>applicant</u> [2] - 26:17, 69:6 <u>applicants</u> [1] - 133:10 <u>applicatio</u> <u>n</u> [27] - 2:8, 3:18, 4:7, 5:18, 6:15, 24:5, 26:12,
--	--	---	---	--

<p>27:8, 27:13, 30:4, 31:7, 31:19, 37:10, 40:6, 50:3, 56:19, 67:11, 69:1, 81:3, 81:5, 89:8, 114:15, 117:8, 120:7, 120:12, 120:16</p> <p><u>APPLICATIO</u></p> <p><u>N</u> [16] - 2:3, 2:5, 2:6, 2:10, 2:12, 2:13, 4:5, 5:16, 26:10, 31:17, 37:8, 50:1, 56:17, 68:18, 89:6, 114:13</p> <p><u>Applicatio</u></p> <p><u>n</u> [1] - 2:15</p> <p><u>applied</u> [11] -</p>	<p>4:9, 6:3, 26:13, 32:1, 37:12, 50:5, 57:3, 69:4, 81:7, 89:10, 114:18</p> <p><u>APPLY</u> [1] - 142:16</p> <p><u>applying</u> [2] - 26:17, 69:6</p> <p><u>appreciate</u> [7] - 3:6, 26:8, 41:5, 89:4, 110:18, 111:3, 137:14</p> <p><u>appropriat</u> <u>e</u> [2] - 104:5, 128:11</p> <p><u>appropriat</u> <u>ely</u> [1] - 96:15</p> <p><u>approval</u> [9] - 7:14, 20:18, 39:4, 41:15, 51:10, 69:17,</p>	<p>124:12, 124:13, 136:4</p> <p><u>approvals</u> [2] - 15:10, 49:2</p> <p><u>approve</u> [16] - 30:11, 31:4, 36:13, 47:5, 48:19, 56:2, 67:13, 80:5, 88:7, 113:10, 123:18, 135:12, 136:2, 136:18, 139:1</p> <p><u>approved</u> [10] - 40:7, 47:6, 61:17, 85:16, 104:12, 110:14, 114:7, 118:6, 118:7, 120:5</p> <p><u>approving</u> [1] - 7:17</p> <p><u>April</u> [8]</p>	<p>- 33:7, 87:3, 136:4, 136:9, 136:10, 136:14, 136:18, 137:8</p> <p><u>architect'</u> <u>s</u> [1] - 118:1</p> <p><u>architectu</u> <u>ral</u> [1] - 73:5</p> <p><u>area</u> [26] - 7:19, 8:5, 10:12, 15:1, 16:1, 46:16, 57:17, 59:14, 59:15, 59:18, 59:19, 62:6, 65:5, 82:6, 84:7, 84:10, 84:13, 86:12, 98:10, 99:11, 99:12, 99:19, 106:1, 113:2,</p>	<p>116:14</p> <p><u>arise</u> [1] - 96:14</p> <p><u>arose</u> [1] - 86:15</p> <p><u>arrangemen</u> <u>t</u> [1] - 8:15</p> <p><u>arrangemen</u> <u>ts</u> [1] - 47:19</p> <p><u>arrived</u> [1] - 118:15</p> <p><u>arrives</u> [1] - 118:17</p> <p><u>Arthur</u> [2] - 128:6, 132:12</p> <p><u>article</u> [1] - 111:1</p> <p><u>artist's</u> [1] - 23:13</p> <p><u>Arts</u> [1] - 54:12</p> <p><u>Asian</u> [2] - 45:15, 45:16</p> <p><u>aside</u> [1] - 126:9</p> <p><u>assembled</u> [1] - 16:13</p> <p><u>asset</u> [2] - 38:19,</p>
---	---	---	---	--

51:4	- 4:19,	84:10,	125:14	56:9,
<u>assignment</u>	5:8, 5:11,	84:14,	<u>Avenue</u> [6]	56:10,
[3] -	6:7, 7:4,	84:19,	- 1:13,	68:11,
39:4,	8:2, 8:11,	88:5, 89:2	37:13,	68:12,
39:5,	8:18, 9:1,	<u>Auburn</u> [2]	50:7,	68:13,
51:12	9:10,	- 5:2,	89:11,	80:13,
<u>ASSISTANT</u>	9:15,	81:19	101:13,	80:14,
[3] -	9:19,	<u>audience</u>	102:2	80:15,
23:5,	10:14,	[2] -	<u>average</u>	88:17,
135:18,	11:13,	41:3,	[1] -	88:18,
140:9	12:8,	42:10	101:16	88:19,
<u>Associatio</u>	12:18,	<u>audio</u> [1]	<u>awake</u> [1]	113:18,
<u>n</u> [3] -	13:1,	- 4:2	- 93:1	113:19,
7:9, 13:9,	14:10,	<u>audio-</u>	<u>aware</u> [6]	114:1,
24:4	15:6,	<u>taped</u> [1]	- 9:14,	124:17,
<u>AT</u> [1] -	16:5,	- 4:2	14:11,	124:18,
1:12	16:9,	<u>August</u> [4]	122:1,	124:19,
<u>attend</u> [1]	16:15,	- 15:12,	130:11,	133:16,
- 24:14	17:1,	15:13,	130:17,	133:17,
<u>attendee</u>	17:7,	24:17,	133:10	133:18,
[1] -	17:10,	26:4	<u>awful</u> [1]	135:16,
137:13	19:5,	<u>Authority</u>	- 109:16	135:17,
<u>Attorney</u>	20:12,	[1] - 83:6	<u>aye</u> [49] -	135:19,
[2] -	22:12,	<u>authorized</u>	25:14,	137:4,
81:18,	23:2,	[1] -	25:15,	137:5,
134:5	24:13,	110:10	25:17,	137:6,
<u>attorney</u>	25:5,	<u>autos</u> [2]	30:19,	139:6,
[1] - 5:2	26:1,	- 26:15,	31:1,	139:7,
<u>attract</u>	26:7,	30:13	31:2,	139:8,
[1] - 96:9	38:16,	<u>Ave</u> [10] -	31:11,	139:9,
<u>attracted</u>	69:9,	3:11,	31:12,	140:7,
[2] -	70:10,	38:13,	31:13,	140:8,
100:6,	71:15,	41:17,	37:2,	140:10
100:8	71:19,	49:1,	37:3,	<u>AYR</u> [47] -
<u>attracting</u>	73:4,	51:3,	37:4,	90:3,
[1] - 98:9	73:10,	56:3,	49:10,	90:9,
<u>aTTY</u> [1] -	73:19,	90:16,	49:11,	90:17,
38:1	79:18,	108:13,	49:12,	91:6,
<u>ATTY</u> [49]	80:17,	113:11,	56:8,	91:12,
	81:16,			91:17,

94:3, 94:7, 94:13, 94:18, 95:4, 95:18, 97:14, 98:12, 99:5, 100:11, 100:19, 102:7, 102:12, 103:3, 104:9, 105:5, 105:11, 112:17, 113:3, 114:8, 115:2, 116:9, 116:18, 117:4, 117:7, 117:13, 118:12, 119:3, 120:4, 120:10, 121:2, 121:14, 121:18, 122:3, 122:5, 122:8, 122:12, 123:2, 123:8, 123:16,	125:2 <u>Ayr</u> [8] - 89:9, 90:3, 106:16, 106:18, 107:13, 109:12, 109:16, 110:5	- 4:5, 81:3 <u>Bailey</u> [12] - 3:19, 4:3, 4:7, 4:8, 81:1, 81:5, 81:6, 82:1, 86:7, 88:8, 88:9	86:19 <u>BARRETT</u> [1] - 66:14 <u>Barrett</u> [1] - 66:15 <u>Barros</u> [1] - 57:1 <u>BARROS</u> [25] - 57:6, 59:15, 60:1, 60:4, 60:7, 61:8, 61:19, 62:3, 62:7, 62:12, 62:16, 63:5, 63:8, 63:11, 63:19, 64:5, 64:12, 64:15, 65:1, 65:4, 65:11, 65:15, 65:18, 67:5, 68:15 <u>based</u> [5] - 24:19, 27:10,	80:4, 87:9, 88:6 <u>basement</u> [1] - 59:10 <u>Basement</u> [2] - 1:12, 3:12 <u>basis</u> [1] - 109:6 <u>Bastille</u> [2] - 122:3, 122:16 <u>bathroom</u> [2] - 59:1, 96:4 <u>batter</u> [1] - 95:15 <u>BATTOS</u> [2] - 57:8, 57:15 <u>became</u> [1] - 128:18 <u>become</u> [1] - 23:3 <u>Bedworks</u> [1] - 108:9 <u>beer</u> [3] - 58:15, 63:7, 124:9 <u>beers</u> [1] - 77:10 <u>beginning</u> [2] - 54:9, 104:2
	<u>B</u>			
	<u>B-A-R-R-E-</u> <u>T-T</u> [1] - 66:15 <u>B-A-R-R-O-</u> <u>S</u> [1] - 57:9 <u>background</u> [1] - 86:5 <u>background</u> <u>s</u> [1] - 36:1 <u>bad</u> [1] - 99:17 <u>bagel</u> [3] - 51:3, 52:9, 52:12 <u>Bagelsauru</u> <u>s</u> [4] - 50:3, 50:4, 53:8, 56:3 <u>BAGELSAURU</u> <u>S</u> [2] - 2:12, 50:1 <u>BAILEY</u> [2]	<u>bAILEY</u> [1] - 2:5 <u>bakers</u> [1] - 54:15 <u>Bakery</u> [1] - 51:4 <u>bakery</u> [1] - 53:14 <u>bakery/</u> <u>bakery</u> [1] - 51:7 <u>bakery/</u> <u>cafe</u> [1] - 51:5 <u>bank</u> [1] - 106:8 <u>Bank</u> [3] - 69:5, 69:18, 80:6 <u>bar</u> [5] - 60:3, 60:6, 62:6, 71:6, 76:8 <u>barrage</u> [1] -		

<p><u>behind</u> [2] - 82:16</p> <p><u>benches</u> [1] - 119:7</p> <p><u>best</u> [5] - 8:3, 11:13, 39:15, 40:6, 100:9</p> <p><u>better</u> [1] - 24:7</p> <p><u>between</u> [9] - 42:5, 42:12, 75:12, 77:17, 78:5, 84:4, 107:17, 115:9, 129:7</p> <p><u>beverage</u> [1] - 62:4</p> <p><u>beverages</u> [10] - 4:12, 6:1, 37:15, 50:8, 57:2, 57:5, 69:3, 81:10, 89:13, 114:17</p> <p><u>beyond</u> [4] - 80:2,</p>	<p>82:15, 82:17, 85:7</p> <p><u>big</u> [2] - 51:11, 108:9</p> <p><u>bigger</u> [1] - 95:10</p> <p><u>bike</u> [7] - 10:7, 10:8, 10:9, 12:11, 13:7, 13:8, 13:18</p> <p><u>bistro</u> [1] - 115:16</p> <p><u>bit</u> [10] - 3:16, 11:2, 21:15, 24:12, 51:8, 61:1, 70:8, 99:3, 108:7, 116:15</p> <p><u>blast</u> [1] - 129:11</p> <p><u> blessing</u> [1] - 10:2</p> <p><u> blessings</u> [1] - 9:12</p> <p><u>blockades</u> [1] - 10:19</p> <p><u>board</u> [22]</p>	<p>- 7:16, 15:9, 19:7, 19:12, 20:19, 25:8, 26:3, 38:11, 39:2, 44:2, 45:11, 45:18, 47:4, 95:6, 123:14, 126:18, 128:4, 129:4, 129:9, 129:18, 130:4</p> <p><u>BOARD</u> [1] - 1:5</p> <p><u>Board</u> [5] - 6:8, 83:2, 134:3, 142:11, 142:12</p> <p><u>board's</u> [2] - 25:6, 41:14</p> <p><u>BONE</u> [2] - 2:7, 31:17</p> <p><u>Bone</u> [2] - 32:1, 36:15</p> <p><u>border</u> [1]</p>	<p>- 20:10</p> <p><u>Boston</u> [5] - 33:13, 69:11, 83:10, 86:8, 98:10</p> <p><u>boundaries</u> [2] - 11:16, 17:15</p> <p><u>box</u> [1] - 76:6</p> <p><u>boxes</u> [1] - 11:4</p> <p><u>Brattle</u> [3] - 6:2, 10:13, 22:2</p> <p><u>breakfast</u> [2] - 83:12, 92:13</p> <p><u>BRIAN</u> [14] - 27:1, 28:2, 28:6, 28:11, 28:14, 28:18, 29:4, 29:10, 29:14, 30:5, 30:9, 31:15, 72:9, 74:9</p> <p><u>Brian</u> [3] - 27:2,</p>	<p>69:15</p> <p><u>bright</u> [1] - 96:8</p> <p><u>bring</u> [6] - 21:10, 24:6, 110:7, 126:6, 130:3, 132:5</p> <p><u>bringing</u> [1] - 109:8</p> <p><u>brings</u> [1] - 139:10</p> <p><u>Brookline</u> [4] - 51:18, 52:2, 52:4, 91:18</p> <p><u>brought</u> [3] - 99:14, 108:15, 110:18</p> <p><u>bu</u> [1] - 44:2</p> <p><u>build</u> [4] - 8:16, 11:3, 79:11, 107:5</p> <p><u>build-out</u> [2] - 79:11, 107:5</p> <p><u>Building</u> [2] -</p>
---	---	---	--	---

1:12, 3:11 <u>building</u> [32] - 11:7, 11:10, 11:16, 11:19, 12:4, 12:10, 12:17, 20:15, 28:17, 48:9, 55:4, 55:8, 55:9, 59:7, 59:8, 73:1, 75:1, 76:19, 77:4, 78:3, 78:4, 85:15, 94:2, 94:13, 94:15, 107:15, 107:18, 108:3, 108:13, 109:9, 109:10, 116:13 <u>buildings</u> [2] - 55:10, 77:17	<u>built</u> [5] - 16:8, 22:3, 22:5, 97:5, 108:4 <u>BUKOWSKI</u> [1] - 2:16 <u>BUKOWSKI</u> [1] - 68:18 <u>Bukowski</u> [3] - 69:2, 80:6, 80:7 <u>Bukowski's</u> [1] - 70:14 <u>bump</u> [1] - 16:3 <u>bump-out</u> [1] - 16:3 <u>bunch</u> [1] - 77:1 <u>burdensome</u> [2] - 113:13, 119:7 <u>burger</u> [1] - 33:1 <u>Burger</u> [11] - 6:18, 8:6, 8:16, 10:18, 16:1, 18:13, 21:8, 21:10,	23:12, 93:2, 93:3 <u>BURGERS</u> [2] - 2:7, 31:17 <u>burgers</u> [1] - 32:18 <u>Burgers</u> [1] - 32:1 <u>Burlington</u> [2] - 33:13, 91:17 <u>Business</u> [3] - 7:8, 13:9, 24:3 <u>business</u> [43] - 3:19, 5:19, 32:1, 32:17, 33:6, 33:16, 36:15, 37:11, 38:9, 38:12, 40:12, 40:15, 41:13, 41:16, 43:5, 47:12, 49:1, 50:4, 52:16, 56:19,	57:15, 58:1, 58:3, 58:9, 65:12, 67:15, 69:1, 74:13, 80:7, 88:9, 97:5, 97:10, 99:16, 99:18, 100:6, 101:2, 102:4, 106:7, 108:11, 110:2, 126:1, 140:1 <u>businesses</u> [2] - 100:7, 111:19 <u>butted</u> [1] - 20:3 <u>bypassers</u> [1] - 116:4 <u>BYRNE</u> [10] - 69:9, 69:10, 70:10, 71:15, 71:19, 73:4, 73:10,	73:19, 79:18, 80:17 <u>Byrne</u> [2] - 69:10 <u>BZA</u> [1] - 87:2 <u>C</u> <u>C-A-M-B-R-</u> <u>I-E-L-L-O</u> [1] - 32:11 <u>cafe</u> [1] - 115:16 <u>CAMBRIDGE</u> [5] - 1:1, 1:2, 2:4, 2:18, 26:10 <u>Cambridge</u> [44] - 1:13, 4:10, 5:3, 7:6, 26:12, 34:12, 35:2, 38:13, 41:9, 54:11, 57:12, 57:19, 58:2, 69:4, 81:8, 81:19, 82:5, 82:6,
---	---	--	---	---

82:7, 82:14, 82:17, 83:5, 84:15, 86:11, 86:17, 88:8, 91:3, 91:8, 91:11, 91:13, 91:15, 92:12, 109:5, 113:2, 113:4, 113:5, 113:6, 123:9, 128:6, 132:13, 142:11, 142:12 <u>Cambridge'</u> <u>s</u> [1] - 112:1 <u>Cambridgep</u> <u>ark</u> [6] - 26:14, 30:12, 32:3, 32:14, 34:9, 36:14 <u>Cambriello</u> [4] - 31:19, 32:10,	32:11, 36:15 <u>CAMBRIELLO</u> [18] - 32:6, 32:10, 32:15, 32:18, 33:7, 33:10, 33:12, 33:17, 34:2, 34:8, 34:13, 34:15, 34:18, 35:3, 35:13, 35:17, 36:3, 37:6 <u>Canada</u> [2] - 42:7, 42:14 <u>Cancun</u> [5] - 38:13, 38:16, 39:8, 40:8, 49:5 <u>cannot</u> [2] - 122:10, 124:9 <u>capacity</u> [21] - 4:13, 37:16, 39:16, 39:19, 40:2,	44:11, 45:3, 45:12, 49:5, 49:15, 50:10, 51:16, 56:4, 58:7, 58:8, 60:13, 62:6, 81:11, 84:1, 88:10, 89:14 <u>CAPTURING</u> [1] - 1:17 <u>cards</u> [1] - 82:3 <u>care</u> [4] - 13:13, 30:6, 109:18, 110:1 <u>career</u> [1] - 54:14 <u>Casablanca</u> [1] - 22:2 <u>case</u> [2] - 16:1, 45:6 <u>catering</u> [1] - 34:5 <u>caught</u> [1] - 76:4 <u>caused</u> [2] - 90:12, 111:19 <u>caution</u>	[2] - 100:5, 104:1 <u>cautious</u> [1] - 103:16 <u>cell</u> [1] - 3:6 <u>cement</u> [1] - 97:17 <u>Center</u> [9] - 4:10, 81:8, 82:5, 82:7, 82:14, 82:17, 84:16, 88:8 <u>centered</u> [1] - 12:16 <u>Central</u> [7] - 57:18, 67:1, 90:18, 92:3, 98:16, 99:5, 106:15 <u>CEO</u> [1] - 90:5 <u>certain</u> [2] - 100:15, 110:10 <u>certainly</u> [7] -	17:11, 19:15, 20:17, 21:6, 45:18, 76:10, 130:3 <u>CERTIFICAT</u> <u>ION</u> [2] - 142:1, 142:16 <u>Certified</u> [2] - 142:3, 142:14 <u>certify</u> [1] - 142:4 <u>CERTIFYING</u> [1] - 142:17 <u>chair</u> [1] - 129:8 <u>Chair</u> [6] - 3:13, 5:1, 6:8, 6:14, 81:17, 125:12 <u>CHAIR</u> [204] - 1:6, 4:18, 5:6, 5:10, 5:12, 6:6, 8:8, 9:16, 11:11, 12:9, 12:19, 15:4,
---	--	---	---	---

16:18,	38:2,	72:5,	106:9,	130:19,
17:4,	41:19,	74:11,	111:4,	131:3,
17:9,	43:6,	75:8,	111:7,	131:10,
23:9,	48:13,	75:11,	112:5,	131:14,
23:18,	48:16,	76:5,	112:12,	133:6,
24:19,	49:9,	77:11,	112:19,	133:12,
25:8,	49:13,	78:10,	113:7,	133:15,
25:13,	50:14,	78:13,	113:17,	134:6,
25:16,	50:19,	78:15,	114:1,	134:10,
25:18,	53:10,	78:18,	114:6,	134:13,
26:6,	54:6,	79:7,	117:5,	135:2,
27:16,	54:17,	79:13,	117:14,	135:8,
29:2,	55:2,	79:17,	118:5,	135:15,
29:12,	55:13,	80:3,	119:2,	136:1,
29:15,	55:16,	80:12,	119:9,	136:6,
29:18,	55:18,	80:16,	120:8,	136:9,
30:1,	56:7,	80:18,	120:11,	136:12,
30:10,	56:11,	85:2,	121:3,	136:16,
30:18,	57:7,	85:8,	121:8,	137:3,
31:3,	57:14,	86:4,	121:19,	137:17,
31:10,	61:6,	86:18,	122:4,	138:2,
31:14,	61:16,	87:9,	122:6,	138:5,
32:5,	62:2,	87:12,	122:9,	138:8,
32:7,	63:12,	87:16,	122:19,	138:14,
32:12,	64:8,	88:6,	123:5,	138:19,
32:16,	64:13,	88:16,	123:15,	139:5,
33:5,	65:2,	89:1,	123:17,	139:8,
33:8,	65:13,	89:18,	124:6,	139:10,
33:11,	65:16,	90:7,	124:13,	139:14,
33:15,	66:1,	91:10,	124:16,	139:18,
33:19,	66:6,	91:16,	125:1,	140:3,
34:16,	66:10,	101:16,	125:10,	140:6
34:19,	67:6,	102:16,	126:11,	<u>chairs</u> [2]
35:5,	67:9,	104:4,	127:2,	- 115:14,
35:8,	68:2,	104:11,	127:10,	115:16
36:4,	68:5,	105:3,	127:14,	<u>challenges</u>
36:8,	68:10,	105:9,	127:18,	[1] -
36:10,	68:14,	105:14,	128:13,	95:17
37:1,	68:16,	105:16,	130:1,	<u>challengin</u>
37:5,	70:7,	105:19,	130:5,	

<p>g [1] - 21:15</p> <p>chance [1] - 23:3</p> <p>change [9] - 51:6, 53:19, 62:10, 71:11, 73:11, 99:18, 100:17, 141:2</p> <p>CHANGE [6] - 141:4, 141:5, 141:6, 141:7, 141:8, 141:9</p> <p>changed [2] - 98:16, 98:17</p> <p>changes [15] - 38:17, 39:15, 40:10, 45:17, 53:19, 57:18, 71:4, 71:6, 71:10, 93:9, 93:13, 128:5, 141:11</p>	<p>changing [3] - 39:7, 46:8, 97:1</p> <p>check [2] - 36:16, 119:10</p> <p>checking [2] - 110:1, 131:15</p> <p>chef [1] - 69:15</p> <p>CHIEF [120] - 1:8, 7:18, 8:14, 8:19, 9:6, 9:13, 10:6, 10:11, 12:3, 15:19, 16:6, 16:10, 17:13, 18:8, 20:2, 21:14, 22:17, 23:5, 25:12, 25:17, 27:14, 27:18, 28:3, 28:8, 28:12, 28:16,</p>	<p>29:1, 29:8, 29:17, 30:17, 31:2, 31:9, 31:13, 34:11, 34:14, 36:9, 36:19, 37:4, 38:15, 43:9, 43:13, 44:6, 44:19, 45:5, 45:13, 46:1, 46:14, 47:1, 48:15, 49:8, 49:12, 53:13, 54:1, 55:17, 56:6, 56:10, 59:13, 59:17, 60:2, 60:5, 62:13, 63:2, 64:3, 65:9, 66:7, 68:3,</p>	<p>68:9, 68:13, 71:13, 71:17, 72:11, 72:14, 73:7, 73:16, 74:6, 75:16, 76:1, 76:7, 77:15, 78:2, 78:14, 80:11, 80:15, 85:9, 85:19, 87:14, 88:15, 88:19, 93:15, 94:5, 94:10, 94:16, 94:19, 102:5, 102:8, 105:15, 110:8, 113:16, 113:19, 116:6, 116:16, 116:19, 121:15, 124:15, 124:19, 127:13,</p>	<p>130:14, 131:1, 131:7, 133:14, 133:17, 135:14, 135:18, 137:2, 137:6, 138:18, 139:4, 139:9, 140:5, 140:9</p> <p>Chief [2] - 3:14, 125:13</p> <p>China [2] - 41:11, 43:4</p> <p>chose [1] - 110:6</p> <p>Chris [2] - 39:17, 114:16</p> <p>CHUNG [17] - 38:1, 38:5, 38:6, 38:16, 42:4, 43:8, 43:12, 43:16, 44:11, 45:7, 45:16, 46:4, 46:18,</p>
---	---	---	---	---

<p>47:4, 47:10, 49:14, 49:18 <u>Chung</u> [1] - 38:5 <u>church</u> [4] - 60:18, 61:2, 63:14, 64:9 <u>Cilantro</u> [4] - 37:11, 39:8, 41:16, 49:2 <u>CILANTRO</u> [2] - 2:11, 37:8 <u>Cinderella</u> <u>'s</u> [3] - 57:1, 57:11, 67:15 <u>CINDERELLA</u> <u>'S</u> [2] - 2:14, 56:17 <u>circle</u> [1] - 10:4 <u>city</u> [4] - 16:4, 111:15, 131:16, 131:17 <u>City</u> [6] - 7:13, 7:17, 9:2,</p>	<p>10:1, 15:9, 123:9 <u>CITY</u> [1] - 1:2 <u>clean</u> [3] - 41:6, 46:19, 96:8 <u>clean-up</u> [1] - 46:19 <u>cleaners</u> [1] - 110:11 <u>cleaning</u> [1] - 46:5 <u>clear</u> [5] - 7:19, 36:16, 121:17, 122:10, 128:18 <u>client</u> [4] - 40:11, 42:1, 42:12, 43:19 <u>clientele</u> [5] - 58:4, 100:8, 100:9, 100:14 <u>clients</u> [1] - 58:17 <u>climbing</u> [1] -</p>	<p>109:3 <u>clock</u> [1] - 107:19 <u>close</u> [2] - 65:4, 101:13 <u>closed</u> [2] - 70:3, 100:7 <u>closer</u> [1] - 115:8 <u>closing</u> [5] - 39:5, 51:9, 65:3, 70:14, 93:18 <u>CLOVER</u> [2] - 89:6, 114:13 <u>Clover</u> [9] - 82:9, 82:16, 84:16, 85:9, 89:9, 90:5, 110:7, 114:15, 124:8 <u>clumsiness</u> [1] - 22:16 <u>code</u> [1] - 108:15 <u>college</u> [2] - 77:1,</p>	<p>77:13 <u>color</u> [1] - 8:4 <u>comfortabl</u> <u>e</u> [1] - 116:4 <u>coming</u> [4] - 8:9, 100:16, 103:9, 116:13 <u>comment</u> [1] - 94:7 <u>comments</u> [4] - 23:16, 103:8, 127:11, 130:6 <u>commercial</u> [1] - 12:14 <u>commissary</u> [3] - 34:3, 92:12, 95:13 <u>Commission</u> [9] - 3:9, 5:1, 20:18, 58:19, 70:16, 81:17, 90:11, 126:10, 131:13 <u>COMMISSION</u> [3] - 1:1,</p>	<p>1:3, 1:5 <u>Commission</u> <u>er</u> [2] - 3:15, 125:12 <u>COMMISSION</u> <u>ER</u> [70] - 1:7, 13:6, 13:14, 14:6, 23:17, 25:15, 29:19, 31:1, 31:12, 34:6, 36:6, 37:3, 47:8, 47:11, 47:15, 47:18, 48:3, 48:12, 49:11, 52:1, 52:6, 52:11, 53:4, 55:14, 56:9, 62:5, 62:8, 63:6, 63:9, 64:10, 64:16, 66:8, 67:7,</p>
--	---	--	---	--

68:12, 76:12, 77:3, 77:7, 78:11, 80:14, 84:6, 84:12, 84:17, 87:8, 87:11, 88:18, 97:7, 98:2, 99:1, 99:9, 100:13, 101:5, 101:19, 105:17, 106:3, 111:5, 114:4, 124:18, 127:12, 130:7, 133:4, 133:7, 133:18, 134:8, 134:11, 135:11, 135:17, 137:5, 138:16, 139:7, 140:8 <u>Commission</u> <u>ers</u> [4] -	3:13, 87:7, 128:4, 134:4 <u>common</u> [5] - 4:9, 37:12, 77:16, 81:7, 89:10 <u>commoner</u> [1] - 50:5 <u>Commonweal</u> <u>th</u> [2] - 142:2, 142:4 <u>company</u> [1] - 34:9 <u>compared</u> [1] - 47:13 <u>compete</u> [1] - 67:3 <u>competing</u> [1] - 67:4 <u>complaint</u> [2] - 128:14, 135:9 <u>complete</u> [3] - 69:8, 79:3, 109:11 <u>completed</u> [1] - 80:9 <u>completely</u> [3] - 74:12,	99:7, 109:13 <u>completion</u> [1] - 31:6 <u>complexion</u> [1] - 99:18 <u>complicati</u> <u>ons</u> [1] - 80:1 <u>complies</u> [1] - 19:9 <u>component</u> [1] - 132:14 <u>computer</u> [2] - 123:3, 123:14 <u>concept</u> [4] - 10:12, 51:7, 86:13, 107:17 <u>conceptual</u> <u>ize</u> [1] - 13:4 <u>concern</u> [3] - 63:16, 108:10, 122:19 <u>concerned</u> [3] - 60:19, 107:12, 107:14 <u>concerns</u>	[2] - 63:13, 101:10 <u>concluded</u> [1] - 46:6 <u>concrete</u> [1] - 10:19 <u>condition</u> [1] - 100:15 <u>Conference</u> [2] - 1:12, 3:12 <u>confidence</u> [1] - 109:16 <u>configurat</u> <u>ion</u> [1] - 73:6 <u>confused</u> [1] - 122:17 <u>congestion</u> [1] - 116:3 <u>conjunctio</u> <u>n</u> [2] - 83:4, 117:1 <u>connected</u> [2] - 54:12, 82:7 <u>consider</u> [2] - 18:10, 97:1 <u>consistent</u>	[9] - 6:17, 9:2, 9:5, 44:3, 44:9, 45:9, 45:12, 115:12, 115:18 <u>constraine</u> <u>d</u> [1] - 18:15 <u>constructi</u> <u>on</u> [3] - 9:4, 94:9, 105:12 <u>consultant</u> [1] - 69:15 <u>consumed</u> [5] - 4:12, 37:16, 50:9, 81:10, 89:14 <u>contained</u> [1] - 120:16 <u>contingent</u> [2] - 7:16, 51:9 <u>continue</u> [4] - 25:1, 25:18, 27:11, 108:19 <u>continued</u> [2] -
--	--	---	--	---

<p>89:8, 114:15 <u>contractor</u> [1] - 74:1 <u>contractor</u> <u>s</u> [1] - 73:17 <u>CONTROL</u> [1] - 142:17 <u>control</u> [2] - 99:13, 142:11 <u>controlled</u> [2] - 13:9, 18:11 <u>convection</u> [1] - 54:4 <u>conversati</u> <u>on</u> [2] - 13:11, 27:12 <u>conversati</u> <u>ons</u> [5] - 9:7, 14:17, 107:13, 129:6, 137:16 <u>cook</u> [1] - 33:2 <u>cooking</u> [2] - 46:16, 94:6 <u>Coop</u> [2] - 82:11,</p>	<p>85:1 <u>copies</u> [1] - 138:7 <u>copy</u> [6] - 39:2, 70:4, 126:14, 134:17, 135:1, 135:3 <u>Corey</u> [1] - 120:18 <u>CORI</u> [1] - 36:16 <u>CORIs</u> [2] - 35:5, 35:9 <u>corporatio</u> <u>n</u> [2] - 38:9, 69:14 <u>corral</u> [5] - 118:13, 118:17, 119:5, 119:8, 124:10 <u>corralled</u> [3] - 118:19, 121:12, 121:13 <u>correct</u> [12] - 8:2, 26:6, 43:12, 43:15, 86:3, 102:6,</p>	<p>102:7, 113:2, 118:11, 119:15, 121:14, 121:18 <u>corrected</u> [2] - 122:18, 138:7 <u>correction</u> [1] - 141:2 <u>correction</u> <u>s</u> [4] - 136:8, 136:19, 138:11, 141:11 <u>cosmetic</u> [3] - 46:19, 53:17, 71:9 <u>Council</u> [5] - 7:14, 7:17, 9:3, 10:1, 15:9 <u>counsel</u> [3] - 11:11, 38:6, 69:11 <u>counted</u> [1] - 112:18 <u>couple</u> [6] - 82:8,</p>	<p>96:3, 96:4, 104:13, 106:19, 125:17 <u>course</u> [2] - 39:6, 47:6 <u>Courtney</u> [1] - 137:13 <u>cover</u> [1] - 65:7 <u>covered</u> [1] - 131:4 <u>CRANE</u> [9] - 4:19, 5:8, 5:11, 81:16, 84:10, 84:14, 84:19, 88:5, 89:2 <u>Crane</u> [2] - 5:2, 81:18 <u>crawl</u> [1] - 110:9 <u>crazy</u> [1] - 122:16 <u>creating</u> [1] - 97:3 <u>crossing</u> [1] - 109:14 <u>culinary</u> [1] - 54:11</p>	<p><u>Culinary</u> [1] - 54:12 <u>curb</u> [1] - 8:1 <u>curbside</u> [1] - 118:8 <u>curious</u> [1] - 94:10 <u>current</u> [8] - 39:10, 46:7, 61:7, 61:8, 67:16, 109:9, 118:18, 119:3 <u>CURRICULUM</u> [1] - 128:2 <u>curriculum</u> [9] - 128:7, 128:17, 128:19, 129:5, 129:13, 129:16, 131:4, 132:8, 133:8 <u>cursor</u> [1] - 110:14 <u>customer</u></p>
--	--	--	---	---

[2] - 60:10, 122:15 customers [6] - 53:2, 103:10, 103:11, 113:3, 116:5, 122:17 cut [1] - 86:14 cutting [1] - 95:6 Cutty's [5] - 51:17, 52:15, 53:6, 53:7, 53:11 CV [6] - 20:18, 48:19, 51:10, 56:2, 88:7, 113:10	2:14, 2:16 Daddy's [2] - 32:1, 36:15 DADDY'S [2] - 2:7, 31:17 daily [1] - 92:10 dangerous [1] - 97:8 DATE [1] - 1:14 date [7] - 41:7, 44:1, 79:11, 115:5, 139:11, 139:15, 141:3 dates [1] - 139:1 David [1] - 30:6 days [5] - 4:17, 37:19, 46:13, 81:15, 88:12 daytime [1] - 113:6 dead [1] - 78:3 deal [1] - 96:18	dealing [2] - 100:14, 102:3 dealt [2] - 72:16, 96:7 decided [3] - 86:16, 99:3, 126:2 decision [3] - 15:2, 44:2, 45:11 Decision [9] - 24:17, 25:2, 25:6, 25:19, 137:9, 137:11, 137:18, 138:3 deconstruc ted [1] - 16:14 decrease [3] - 61:12, 61:17, 61:19 deeper [1] - 98:18 definitely [1] - 24:6	delay [1] - 126:2 delivery [3] - 62:18, 65:6, 65:10 demoed [1] - 94:14 Denise [1] - 13:11 Department [2] - 9:8, 58:17 department [1] - 131:15 department s [3] - 41:8, 47:6, 49:3 depict [1] - 73:6 depth [1] - 13:4 describe [1] - 52:2 descriptio n [2] - 6:3, 6:15 deserve [1] - 111:16 deserves [1] - 111:15 design [8] - 11:2,	18:16, 18:17, 21:19, 22:9, 23:7, 107:4, 107:9 designed [1] - 109:13 designer [1] - 18:2 desire [1] - 106:6 desk [1] - 42:9 detail [5] - 42:3, 96:19, 103:17, 106:1, 106:6 details [2] - 9:3, 106:4 determined [1] - 74:17 developed [1] - 129:14 diagram [2] - 117:6, 120:19 dictate [1] - 17:19 diesel [1]
D <hr/>				
D/b/a [1] - 2:9 d/b/a [3] - 4:7, 57:11, 81:5 D/B/A [3] - 2:11,				

<p>- 28:1</p> <p><u>different</u></p> <p>[7] -</p> <p>21:13,</p> <p>51:8,</p> <p>93:11,</p> <p>99:7,</p> <p>100:12,</p> <p>115:11,</p> <p>119:18</p> <p><u>dimensions</u></p> <p>[2] -</p> <p>13:2,</p> <p>17:19</p> <p><u>Diner</u> [1]</p> <p>- 93:4</p> <p><u>dining</u> [4]</p> <p>- 7:11,</p> <p>59:18,</p> <p>62:9, 65:5</p> <p><u>dinner</u> [3]</p> <p>- 83:13,</p> <p>83:14,</p> <p>92:14</p> <p><u>direct</u> [3]</p> <p>- 132:10,</p> <p>132:11,</p> <p>132:12</p> <p><u>DIRECT</u> [1]</p> <p>- 142:17</p> <p><u>direction</u></p> <p>[1] -</p> <p>142:11</p> <p><u>DIRECTION</u></p> <p>[1] -</p> <p>142:17</p> <p><u>directly</u></p> <p>[3] -</p> <p>12:10,</p>	<p>82:9,</p> <p>120:13</p> <p><u>director</u></p> <p>[2] -</p> <p>69:13,</p> <p>129:7</p> <p><u>DIRECTOR</u></p> <p>[79] -</p> <p>1:9, 3:3,</p> <p>4:6, 5:14,</p> <p>5:17, 7:2,</p> <p>14:4,</p> <p>19:3,</p> <p>24:2,</p> <p>24:16,</p> <p>26:11,</p> <p>27:6,</p> <p>30:7,</p> <p>31:18,</p> <p>35:7,</p> <p>35:10,</p> <p>35:15,</p> <p>35:19,</p> <p>37:9,</p> <p>44:15,</p> <p>45:2,</p> <p>49:17,</p> <p>50:2,</p> <p>56:14,</p> <p>56:18,</p> <p>64:6,</p> <p>66:4,</p> <p>67:19,</p> <p>68:19,</p> <p>74:2,</p> <p>78:17,</p> <p>79:5,</p> <p>79:8,</p> <p>79:16,</p>	<p>80:19,</p> <p>81:4,</p> <p>89:7,</p> <p>102:10,</p> <p>104:18,</p> <p>112:9,</p> <p>112:13,</p> <p>114:10,</p> <p>114:14,</p> <p>117:11,</p> <p>117:18,</p> <p>118:3,</p> <p>119:16,</p> <p>120:17,</p> <p>121:6,</p> <p>123:6,</p> <p>123:11,</p> <p>124:4,</p> <p>124:11,</p> <p>125:3,</p> <p>126:13,</p> <p>126:16,</p> <p>127:7,</p> <p>128:3,</p> <p>129:17,</p> <p>130:2,</p> <p>131:5,</p> <p>131:11,</p> <p>134:2,</p> <p>134:15,</p> <p>134:19,</p> <p>135:4,</p> <p>136:3,</p> <p>136:7,</p> <p>136:10,</p> <p>136:14,</p> <p>137:7,</p> <p>137:12,</p> <p>137:19,</p> <p>138:4,</p>	<p>138:6,</p> <p>138:10,</p> <p>139:12,</p> <p>139:16,</p> <p>140:2</p> <p><u>Director</u></p> <p>[1] -</p> <p>139:2</p> <p><u>Disabiliti</u></p> <p><u>es</u> [1] -</p> <p>131:13</p> <p><u>Disability</u></p> <p>[1] -</p> <p>58:18</p> <p><u>disappear</u></p> <p>[1] -</p> <p>116:17</p> <p><u>discovered</u></p> <p>[1] -</p> <p>108:17</p> <p><u>disposal</u></p> <p>[1] - 55:3</p> <p><u>distance</u></p> <p>[1] - 12:2</p> <p><u>diversity</u></p> <p>[5] -</p> <p>128:8,</p> <p>129:1,</p> <p>131:18,</p> <p>132:3,</p> <p>132:14</p> <p><u>documents</u></p> <p>[1] -</p> <p>112:14</p> <p><u>DOES</u> [1] -</p> <p>142:16</p> <p><u>dogs</u> [2] -</p> <p>33:2,</p> <p>131:2</p>	<p><u>done</u> [18]</p> <p>- 17:10,</p> <p>19:17,</p> <p>21:16,</p> <p>28:7,</p> <p>28:13,</p> <p>29:7,</p> <p>72:15,</p> <p>74:4,</p> <p>79:9,</p> <p>79:11,</p> <p>79:14,</p> <p>95:2,</p> <p>95:11,</p> <p>95:12,</p> <p>108:6,</p> <p>109:11,</p> <p>119:6,</p> <p>130:16</p> <p><u>door</u> [9] -</p> <p>3:8, 59:1,</p> <p>59:3,</p> <p>59:8,</p> <p>59:10,</p> <p>59:12,</p> <p>75:13,</p> <p>75:14,</p> <p>85:12</p> <p><u>dotting</u></p> <p>[1] -</p> <p>109:14</p> <p><u>double</u> [1]</p> <p>- 63:5</p> <p><u>down</u> [13]</p> <p>- 11:19,</p> <p>13:15,</p> <p>13:16,</p> <p>18:6,</p> <p>20:7,</p>
--	---	--	---	--

40:1, 61:13, 62:1, 101:13, 102:2, 102:19, 111:19, 122:14 <u>downgrade</u> [2] - 104:14, 104:16 <u>downstairs</u> [6] - 58:10, 58:12, 58:13, 58:14, 65:6, 119:12 <u>drafted</u> [1] - 128:9 <u>dramatical</u> <u>ly</u> [1] - 126:1 <u>draw</u> [1] - 93:13 <u>drawing</u> [1] - 20:10 <u>drawings</u> [1] - 73:5 <u>Drechsler</u> [1] - 69:10 <u>drinking</u> [1] - 77:10	<u>Drive</u> [6] - 26:14, 30:12, 32:3, 32:14, 34:9, 36:14 <u>driver</u> [1] - 128:17 <u>drivers</u> [3] - 35:12, 35:14, 130:10 <u>drop</u> [4] - 12:14, 18:6, 30:8, 30:9 <u>dry</u> [1] - 28:15 <u>duct</u> [1] - 94:14 <u>due</u> [3] - 125:8, 126:12, 142:6 <u>dumpsters</u> [2] - 55:7, 55:10 <u>during</u> [4] - 12:14, 44:8, 65:3, 66:2 <u>duty</u> [2] - 122:10, 130:11	<u>E</u> <u>eager</u> [1] - 54:15 <u>early</u> [1] - 92:6 <u>easement</u> [2] - 77:16, 78:5 <u>east</u> [2] - 91:7, 92:12 <u>East</u> [2] - 83:5, 91:2 <u>eat</u> [2] - 98:11, 103:12 <u>eating</u> [1] - 95:14 <u>edge</u> [1] - 11:19 <u>effect</u> [3] - 6:19, 125:19, 132:15 <u>egress</u> [2] - 71:11, 76:3 <u>egresses</u> [1] - 22:1 <u>eight</u> [3] - 18:18, 63:8, 65:15 <u>either</u> [2] - 92:11, 103:16 <u>elderly</u>	[1] - 76:15 <u>electricia</u> <u>ns</u> [1] - 109:7 <u>eliminatin</u> <u>g</u> [2] - 14:14, 94:11 <u>ELIZABETH</u> [79] - 1:9, 3:3, 4:6, 5:14, 5:17, 7:2, 14:4, 19:3, 24:2, 24:16, 26:11, 27:6, 30:7, 31:18, 35:7, 35:10, 35:15, 35:19, 37:9, 44:15, 45:2, 49:17, 50:2, 56:14, 56:18, 64:6, 66:4, 67:19, 68:19, 74:2, 78:17,	79:5, 79:8, 79:16, 80:19, 81:4, 89:7, 102:10, 104:18, 112:9, 112:13, 114:10, 114:14, 117:11, 117:18, 118:3, 119:16, 120:17, 121:6, 123:6, 123:11, 124:4, 124:11, 125:3, 126:13, 126:16, 127:7, 128:3, 129:17, 130:2, 131:5, 131:11, 134:2, 134:15, 134:19, 135:4, 136:3, 136:7, 136:10, 136:14, 137:7,
---	---	--	---	---

137:12, 137:19, 138:4, 138:6, 138:10, 139:12, 139:16, 140:2 <u>elsewhere</u> [1] - 110:17 <u>email</u> [4] - 14:5, 63:15, 123:7, 123:12 <u>emailed</u> [1] - 118:6 <u>employees</u> [5] - 33:18, 35:3, 54:9, 65:8, 131:17 <u>encourage</u> [1] - 99:19 <u>encouraged</u> [1] - 52:17 <u>end</u> [7] - 7:11, 13:13, 16:11, 18:7, 29:6, 65:19,	82:2 <u>endorsemen</u> <u>t</u> [1] - 110:5 <u>enhance</u> [1] - 24:8 <u>ensure</u> [2] - 129:9, 129:10 <u>enter</u> [2] - 76:10, 117:12 <u>entire</u> [1] - 109:10 <u>entrance</u> [6] - 20:5, 20:7, 22:1, 22:4, 82:10 <u>entrances</u> [1] - 19:1 <u>equal</u> [1] - 78:6 <u>equipment</u> [5] - 53:19, 71:9, 71:16, 73:13, 95:12 <u>ERRATA</u> [1] - 141:1 <u>errata</u> [1] - 141:3 <u>especially</u> [1] - 20:9 <u>essentiall</u>	<u>y</u> [7] - 38:11, 40:9, 71:8, 71:19, 107:19, 114:6, 115:4 <u>establish</u> [1] - 97:10 <u>establishe</u> <u>d</u> [1] - 99:15 <u>establishm</u> <u>ent</u> [2] - 98:11, 102:19 <u>establishm</u> <u>ents</u> [1] - 84:8 <u>evening</u> [14] - 3:4, 4:18, 4:19, 6:6, 6:7, 27:1, 32:5, 38:1, 38:2, 57:6, 57:7, 69:9, 81:16, 89:18 <u>eventual</u> [1] - 22:7 <u>exactly</u> [6] - 40:2,	40:4, 40:6, 46:18, 62:12 <u>exam</u> [1] - 133:9 <u>example</u> [2] - 6:17, 21:8 <u>except</u> [1] - 141:11 <u>exception</u> [2] - 67:17, 142:5 <u>excess</u> [2] - 40:19, 42:16 <u>excessive</u> [1] - 104:1 <u>exclusivel</u> <u>y</u> [2] - 84:8, 84:11 <u>excuse</u> [1] - 4:1 <u>executed</u> [2] - 38:19, 70:6 <u>EXECUTIVE</u> [79] - 1:9, 3:3, 4:6, 5:14, 5:17, 7:2, 14:4, 19:3, 24:2,	24:16, 26:11, 27:6, 30:7, 31:18, 35:7, 35:10, 35:15, 35:19, 37:9, 44:15, 45:2, 49:17, 50:2, 56:14, 56:18, 64:6, 66:4, 67:19, 68:19, 74:2, 78:17, 79:5, 79:8, 79:16, 80:19, 81:4, 89:7, 102:10, 104:18, 112:9, 112:13, 114:10, 114:14, 117:11, 117:18, 118:3, 119:16, 120:17, 121:6,
---	--	--	---	--

123:6, 123:11, 124:4, 124:11, 125:3, 126:13, 126:16, 127:7, 128:3, 129:17, 130:2, 131:5, 131:11, 134:2, 134:15, 134:19, 135:4, 136:3, 136:7, 136:10, 136:14, 137:7, 137:12, 137:19, 138:4, 138:6, 138:10, 139:12, 139:16, 140:2 <u>Executive</u> [1] - 139:2 <u>exemplary</u> [1] - 66:18 <u>exercise</u> [2] - 56:2,	104:1 <u>exercised</u> [8] - 4:10, 37:13, 48:19, 50:6, 81:8, 88:8, 89:11, 113:11 <u>exhaust</u> [4] - 94:4, 94:15, 108:17, 109:13 <u>existing</u> [6] - 6:16, 46:11, 92:9, 94:14, 113:4, 120:2 <u>exists</u> [1] - 118:4 <u>exit</u> [8] - 22:3, 22:4, 59:5, 59:6, 59:9, 59:10, 59:11, 59:12 <u>expand</u> [3] - 44:1, 86:10,	97:12 <u>expansive</u> [1] - 82:13 <u>expect</u> [2] - 65:14, 65:16 <u>expecting</u> [1] - 96:10 <u>expense</u> [1] - 65:7 <u>experience</u> [7] - 24:9, 40:14, 83:19, 96:16, 98:19, 105:8, 116:4 <u>experience</u> <u>d</u> [1] - 101:9 <u>explore</u> [2] - 21:1, 21:3 <u>expressing</u> [1] - 63:15 <u>extend</u> [1] - 79:12 <u>extended</u> [1] - 79:6 <u>extension</u> [2] - 17:3, 19:19 <u>extent</u> [1]	- 20:13 <u>external</u> [1] - 40:1 <u>extras</u> [1] - 135:6 <u>extremely</u> [1] - 106:19 <u>eye</u> [1] - 107:4 <u>eyes</u> [1] - 24:10 <u>F</u> <u>facelift</u> [3] - 71:3, 71:12, 73:14 <u>facility</u> [1] - 73:8 <u>fact</u> [7] - 45:11, 46:9, 106:5, 110:15, 110:18, 130:11, 133:10 <u>failed</u> [1] - 125:5 <u>failure</u> [1] - 126:19 <u>falafel</u> [1] - 95:15 <u>fall</u> [2] -	15:15, 105:13 <u>familiar</u> [4] - 82:6, 87:15, 98:3, 98:5 <u>family</u> [1] - 54:16 <u>fancier</u> [2] - 72:4, 72:8 <u>fantastic</u> [1] - 92:17 <u>far</u> [5] - 9:9, 21:9, 82:4, 83:11, 83:18 <u>FAST</u> [2] - 89:6, 114:13 <u>fast</u> [1] - 83:1 <u>Fast</u> [3] - 89:9, 114:16, 124:8 <u>favor</u> [16] - 25:13, 30:18, 31:10, 37:1, 49:9, 56:7, 68:10, 80:12, 88:16,
--	---	---	---	--

113:17, 124:16, 133:15, 135:15, 137:3, 139:5, 140:6 fee [1] - 126:19 fees [1] - 127:4 feet [6] - 12:8, 13:3, 13:4, 51:14, 116:13, 116:14 felt [1] - 126:17 fencing [2] - 11:2, 11:4 few [7] - 18:6, 40:17, 53:19, 72:2, 97:16, 108:14, 115:11 Fi [11] - 90:19, 93:7, 93:17, 98:4, 98:6, 98:7, 100:3,	100:10, 107:11, 108:2, 108:18 figure [1] - 48:4 filed [1] - 128:14 fill [1] - 27:8 final [1] - 15:2 finally [2] - 46:6, 75:14 fine [4] - 36:3, 61:4, 63:19, 113:9 finish [2] - 27:16, 30:3 FIRE [120] - 1:8, 7:18, 8:14, 8:19, 9:6, 9:13, 10:6, 10:11, 12:3, 15:19, 16:6, 16:10, 17:13, 18:8, 20:2,	21:14, 22:17, 23:5, 25:12, 25:17, 27:14, 27:18, 28:3, 28:8, 28:12, 28:16, 29:1, 29:8, 29:17, 30:17, 31:2, 31:9, 31:13, 34:11, 34:14, 36:9, 36:19, 37:4, 38:15, 43:9, 43:13, 44:6, 44:19, 45:5, 45:13, 46:1, 46:14, 47:1, 48:15, 49:8, 49:12, 53:13, 54:1, 55:17, 56:6,	56:10, 59:13, 59:17, 60:2, 60:5, 62:13, 63:2, 64:3, 65:9, 66:7, 68:3, 68:9, 68:13, 71:13, 71:17, 72:11, 72:14, 73:7, 73:16, 74:6, 75:16, 76:1, 76:7, 77:15, 78:2, 78:14, 80:11, 80:15, 85:9, 85:19, 87:14, 88:15, 88:19, 93:15, 94:5, 94:10, 94:16, 94:19, 102:5, 102:8,	105:15, 110:8, 113:16, 113:19, 116:6, 116:16, 116:19, 121:15, 124:15, 124:19, 127:13, 130:14, 131:1, 131:7, 133:14, 133:17, 135:14, 135:18, 137:2, 137:6, 138:18, 139:4, 139:9, 140:5, 140:9 fire [3] - 72:17, 108:8, 109:11 Fire [3] - 49:4, 58:17, 110:12 First [3] - 69:5, 69:18, 80:6 first [17] - 3:18,
---	---	---	---	--

29:4, 32:9, 38:4, 50:15, 52:14, 59:5, 86:7, 86:14, 90:1, 90:3, 90:16, 97:16, 108:3, 115:4, 136:17 <u>first-cut</u> [1] - 86:14 <u>five</u> [4] - 70:1, 103:1, 129:11 <u>five-year</u> [1] - 70:1 <u>flair</u> [2] - 45:15, 45:16 <u>flammable</u> [1] - 28:4 <u>flare</u> [1] - 112:2 <u>floor</u> [3] - 8:3, 59:6, 73:5 <u>flooring</u> [1] - 53:18 <u>flow</u> [3] - 58:13,	60:10, 116:2 <u>flowing</u> [1] - 18:14 <u>fluffy</u> [1] - 133:2 <u>focusing</u> [1] - 103:14 <u>folks</u> [3] - 21:10, 100:16, 113:6 <u>food</u> [20] - 4:11, 20:15, 21:7, 21:11, 21:12, 32:2, 32:13, 34:3, 36:14, 37:14, 50:8, 58:12, 58:13, 62:14, 81:9, 83:1, 89:12, 92:10, 95:1, 95:13 <u>FOOD</u> [4] - 2:8, 5:16, 89:6, 114:13	<u>Food</u> [4] - 5:18, 89:9, 114:16, 124:8 <u>foot</u> [2] - 17:14, 24:10 <u>footprint</u> [1] - 21:15 <u>foregoing</u> [1] - 141:10 <u>FOREGOING</u> [1] - 142:16 <u>forget</u> [1] - 4:1 <u>forgive</u> [1] - 117:15 <u>formal</u> [2] - 117:17, 142:9 <u>format</u> [1] - 53:14 <u>forth</u> [4] - 73:17, 77:6, 109:2, 142:5 <u>forthcomin</u> <u>g</u> [1] - 19:11 <u>fortunate</u> [1] - 52:19 <u>forward</u>	[9] - 23:7, 38:18, 41:7, 66:13, 92:7, 106:12, 110:19, 111:11, 125:11 <u>forwarding</u> [1] - 112:14 <u>founder</u> [1] - 90:5 <u>four</u> [16] - 15:14, 18:3, 23:3, 28:18, 39:19, 43:18, 44:13, 44:14, 70:15, 70:18, 79:3, 80:9, 86:9, 96:2, 103:1 <u>fourth</u> [3] - 91:2, 91:11, 91:12 <u>frame</u> [3] - 11:9, 15:5, 66:3 <u>Framingham</u>	[2] - 41:12, 43:4 <u>frankly</u> [2] - 14:16, 14:18 <u>free</u> [2] - 18:14, 123:13 <u>french</u> [1] - 33:1 <u>fresh</u> [1] - 33:3 <u>Friday</u> [6] - 61:10, 61:12, 61:18, 68:4, 68:5, 103:19 <u>Fridays</u> [3] - 32:3, 32:14, 52:9 <u>friendly</u> [2] - 96:9, 133:13 <u>fries</u> [1] - 33:2 <u>front</u> [10] - 12:10, 12:16, 20:15, 42:8, 59:7, 59:12,
--	--	---	---	---

85:6, 85:10, 102:14, 120:3 <u>frontage</u> [1] - 20:4 <u>frying</u> [1] - 95:15 <u>fryolators</u> [2] - 72:12, 94:17 <u>full</u> [4] - 40:18, 44:14, 63:17, 98:12 <u>fully</u> [1] - 28:14 <u>funny</u> [1] - 112:18 <u>furniture</u> [3] - 71:9, 73:13, 118:9 <u>future</u> [2] - 44:1, 45:17	30:13 <u>garage</u> [6] - 26:13, 27:19, 28:9, 30:11, 82:18, 84:4 <u>gasoline</u> [4] - 26:15, 27:19, 28:10, 30:13 <u>geez</u> [1] - 101:8 <u>GENERAL</u> [1] - 1:3 <u>general</u> [3] - 101:18, 137:18, 138:2 <u>General's</u> [1] - 134:5 <u>generally</u> [5] - 43:13, 44:7, 78:2, 96:7, 96:9 <u>generators</u> [1] - 28:1 <u>gentleman</u> [1] - 58:18 <u>GERALD</u> [116] -	1:8, 7:18, 8:14, 8:19, 9:6, 9:13, 10:6, 10:11, 12:3, 15:19, 16:6, 16:10, 17:13, 18:8, 20:2, 21:14, 22:17, 25:12, 25:17, 27:14, 27:18, 28:3, 28:8, 28:12, 28:16, 29:1, 29:8, 29:17, 30:17, 31:2, 31:9, 31:13, 34:11, 34:14, 36:9, 36:19, 37:4, 38:15, 43:9, 43:13, 44:6, 44:19,	45:5, 45:13, 46:1, 46:14, 47:1, 48:15, 49:8, 49:12, 53:13, 54:1, 55:17, 56:6, 56:10, 59:13, 59:17, 60:2, 60:5, 62:13, 63:2, 64:3, 65:9, 66:7, 68:3, 68:9, 68:13, 71:13, 71:17, 72:11, 72:14, 73:7, 73:16, 74:6, 75:16, 76:1, 77:15, 78:2, 78:14, 80:11, 80:15, 85:9,	85:19, 87:14, 88:15, 88:19, 93:15, 94:5, 94:10, 94:16, 94:19, 102:5, 102:8, 105:15, 110:8, 113:16, 113:19, 116:6, 116:16, 116:19, 121:15, 124:15, 124:19, 127:13, 130:14, 131:1, 131:7, 133:14, 133:17, 135:14, 137:2, 137:6, 138:18, 139:4, 139:9, 140:5 <u>Gerald</u> [1] - 3:14 <u>GERARD</u> [4] - 23:5, 76:7,
<u>G</u>				
<u>G&G</u> [1] - 28:9 <u>gabled</u> [1] - 11:8 <u>gallons</u> [2] - 26:15,				

135:18, 140:9 <u>get-go</u> [1] - 22:9 <u>given</u> [3] - 62:19, 85:5, 93:6 <u>glad</u> [2] - 5:5, 83:18 <u>glossed</u> [1] - 133:1 <u>goal</u> [2] - 14:12, 20:14 <u>gonna</u> [13] - 10:17, 13:15, 47:2, 48:5, 58:8, 58:11, 60:8, 60:10, 61:15, 71:6, 72:15, 76:14, 135:2 <u>gotta</u> [2] - 19:2, 20:8 <u>grant</u> [1] - 61:11 <u>granted</u> [6] - 4:11, 37:14, 46:2,	50:7, 81:9, 89:12 <u>grease</u> [1] - 94:15 <u>great</u> [6] - 7:7, 53:1, 92:4, 100:17, 101:2, 101:4 <u>green</u> [1] - 82:3 <u>GRILL</u> [2] - 2:11, 37:8 <u>Grill</u> [4] - 37:11, 39:8, 41:16, 49:2 <u>Group</u> [1] - 5:18 <u>GROUP</u> [2] - 2:8, 5:16 <u>grow</u> [1] - 54:10 <u>grown</u> [1] - 52:13 <u>guaranty</u> [1] - 106:4 <u>guess</u> [1] - 100:19 <u>guys</u> [2] - 58:6, 61:11	<u>H</u> <u>H-Y-A-T-T</u> [1] - 50:18 <u>Haas</u> [1] - 3:15 <u>HAAS</u> [70] - 1:7, 13:6, 13:14, 14:6, 23:17, 25:15, 29:19, 31:1, 31:12, 34:6, 36:6, 37:3, 47:8, 47:11, 47:15, 47:18, 48:3, 48:12, 49:11, 52:1, 52:6, 52:11, 53:4, 55:14, 56:9, 62:5, 62:8, 63:6, 63:9, 64:10, 64:16, 66:8,	67:7, 68:12, 76:12, 77:3, 77:7, 78:11, 80:14, 84:6, 84:12, 84:17, 87:8, 87:11, 88:18, 97:7, 98:2, 99:1, 99:9, 100:13, 101:5, 101:19, 105:17, 106:3, 111:5, 114:4, 124:18, 127:12, 130:7, 133:4, 133:7, 133:18, 134:8, 134:11, 135:11, 135:17, 137:5, 138:16, 139:7, 140:8 <u>half</u> [3] - 116:14,	125:5, 125:8 <u>Hall</u> [1] - 123:9 <u>hand</u> [3] - 12:6, 39:12, 55:7 <u>handicap</u> [1] - 59:2 <u>handle</u> [4] - 83:18, 101:1, 102:17, 103:4 <u>handmade</u> [1] - 51:3 <u>Hank</u> [3] - 2:16, 69:1, 80:7 <u>happy</u> [2] - 43:19, 45:10 <u>harassment</u> [5] - 128:8, 129:1, 131:18, 132:3, 132:14 <u>hard</u> [4] - 57:17, 70:8, 126:5, 138:7 <u>Harlow</u> [3] - 5:19, 15:14, 117:19
---	--	--	---	---

<u>HARLOW</u> [1] - 2:9	72:5, 127:3	- 110:4	108:2, 108:18	- 119:10
<u>HARRY</u> [5] - 125:12, 125:13, 126:14, 127:6, 127:16	<u>heard</u> [12] - 23:19, 30:2, 34:2, 36:11, 48:17, 55:19, 66:11, 78:19, 87:17, 106:10, 111:9, 112:7	<u>heavier</u> [1] - 95:12	<u>Hi-Fi</u> [11] - 90:19, 93:7, 93:17, 98:4, 98:6, 98:7, 100:3, 100:10, 107:11, 108:2, 108:18	<u>hood</u> [7] - 72:15, 72:17, 93:18, 94:1, 94:4, 94:11, 110:11
<u>Harry</u> [1] - 125:13	<u>HEARING</u> [2] - 1:1, 1:3	<u>heavy</u> [1] - 142:6	<u>history</u> [4] - 93:6, 100:2, 101:15, 108:8	<u>hope</u> [3] - 55:1, 63:5, 95:18
<u>Harvard</u> [14] - 7:8, 13:9, 24:3, 91:7, 92:2, 93:3, 115:2, 115:7, 115:15, 115:17, 116:7, 116:11, 116:12, 121:16	<u>Hearing</u> [7] - 3:9, 24:17, 25:2, 25:7, 25:19, 137:9, 137:11	<u>held</u> [1] - 87:3	<u>HK</u> [3] - 2:8, 5:16, 5:18	<u>hoped</u> [1] - 92:3
<u>hate</u> [4] - 99:13, 111:17, 112:1, 135:6	<u>hearing</u> [10] - 4:2, 39:13, 47:7, 87:2, 87:4, 90:10, 90:13, 127:15, 137:10, 142:4	<u>help</u> [2] - 54:15, 132:1	<u>hold</u> [4] - 66:2, 69:6, 79:2, 80:8	<u>hopefully</u> [4] - 15:13, 29:6, 65:18, 132:16
<u>head</u> [1] - 124:5	<u>hearing</u> [10] - 4:2, 39:13, 47:7, 87:2, 87:4, 90:10, 90:13, 127:15, 137:10, 142:4	<u>hereby</u> [2] - 141:11, 142:4	<u>holder</u> [4] - 6:1, 57:2, 69:3, 114:16	<u>hoping</u> [2] - 15:11, 79:18
<u>heading</u> [1] - 82:17	<u>heart</u> [1]	<u>herein</u> [1] - 142:5	<u>Holyoke</u> [2] - 114:18, 124:8	<u>hostess</u> [1] - 42:19
<u>heads</u> [1] - 18:4		<u>hey-this-</u> <u>is-not-</u> <u>working-</u> <u>and-we-</u> <u>want-to-</u> <u>downgrade</u> [1] - 104:14	<u>home</u> [1] - 13:12	<u>hot</u> [1] - 33:2
<u>hear</u> [3] - 70:9,		<u>Hi</u> [11] - 90:19, 93:7, 93:17, 98:4, 98:6, 98:7, 100:3, 100:10, 107:11,	<u>honest</u> [1]	<u>hour</u> [3] - 96:12, 98:7, 100:4
				<u>hours</u> [34] - 4:16, 12:14, 37:18, 40:4, 40:5,

40:7, 45:3, 50:11, 56:4, 61:7, 61:8, 61:13, 61:17, 63:13, 67:16, 81:14, 83:15, 88:11, 89:16, 89:17, 97:13, 97:17, 98:1, 99:4, 104:11, 104:12, 104:15, 105:1, 105:2, 109:19, 112:11, 113:12 <u>house</u> [1] - 102:13 <u>housekeepi</u> <u>ng</u> [1] - 27:7 <u>husband</u> [2] - 41:2, 42:9 <u>HYATT</u> [14] - 50:13, 50:17, 51:2,	52:4, 52:8, 52:13, 53:6, 53:12, 53:16, 54:3, 54:8, 54:19, 55:5, 56:13 <u>Hyatt</u> [1] - 50:4 <u>I</u> <u>I-M-A-O</u> [1] - 6:13 <u>idea</u> [3] - 13:19, 17:3, 107:14 <u>ideal</u> [1] - 123:3 <u>identifyin</u> <u>g</u> [1] - 142:7 <u>imagine</u> [2] - 109:5, 125:6 <u>immediate</u> [1] - 99:12 <u>immigrant</u> [1] - 40:17 <u>immigrated</u> [1] - 43:2	<u>impact</u> [1] - 102:4 <u>important</u> [5] - 126:4, 126:18, 129:3, 129:16, 132:7 <u>impress</u> [1] - 126:18 <u>impressed</u> [4] - 107:1, 107:3, 107:6, 107:8 <u>IN</u> [2] - 1:3, 142:16 <u>inactive</u> [5] - 66:2, 69:7, 79:2, 79:12, 80:8 <u>Inc</u> [10] - 37:10, 49:1, 56:19, 57:11, 67:15, 69:1, 80:7, 89:9, 114:16, 124:8	<u>INC</u> [5] - 1:17, 2:10, 2:14, 2:16, 114:13 <u>inches</u> [1] - 18:18 <u>incident</u> [3] - 99:17, 102:18, 110:17 <u>incidents</u> [2] - 101:14, 101:17 <u>inclined</u> [1] - 26:3 <u>include</u> [6] - 6:4, 40:1, 103:17, 114:19, 123:19, 128:7 <u>included</u> [2] - 62:9, 130:15 <u>including</u> [1] - 74:6 <u>incoherent</u> <u>ly</u> [1] - 142:7 <u>inconvenie</u> <u>nce</u> [1] - 90:11 <u>incorporat</u>	<u>ed</u> [2] - 130:9, 133:9 <u>Incorporat</u> <u>ed</u> [1] - 38:7 <u>increase</u> [2] - 58:7, 62:19 <u>INDEX</u> [1] - 2:1 <u>indicated</u> [3] - 13:11, 40:5, 70:17 <u>indicating</u> [1] - 22:14 <u>indoor</u> [2] - 86:1, 86:2 <u>indoor/</u> <u>outdoor</u> [1] - 88:11 <u>informatio</u> <u>n</u> [5] - 23:12, 25:4, 35:11, 87:6, 132:4 <u>inhouse</u> [1] - 142:10 <u>initial</u> [2] -
---	---	--	--	---

<p>9:12, 22:9</p> <p><u>inquire</u></p> <p>[1] -</p> <p>128:10</p> <p><u>inside</u> [7]</p> <p>- 4:13,</p> <p>43:14,</p> <p>44:7,</p> <p>44:18,</p> <p>62:18,</p> <p>81:11,</p> <p>84:2</p> <p><u>insight</u></p> <p>[1] -</p> <p>98:18</p> <p><u>inspected</u></p> <p>[2] -</p> <p>72:18,</p> <p>94:1</p> <p><u>inspection</u></p> <p>[2] -</p> <p>28:13,</p> <p>109:2</p> <p><u>Inspection</u></p> <p><u>al</u> [1] -</p> <p>49:3</p> <p><u>inspection</u></p> <p><u>s</u> [2] -</p> <p>34:12,</p> <p>47:3</p> <p><u>inspectors</u></p> <p>[1] -</p> <p>109:3</p> <p><u>installing</u></p> <p>[1] - 94:3</p> <p><u>instances</u></p> <p>[2] -</p> <p>96:3, 96:4</p> <p><u>INSTRUCTIO</u></p>	<p><u>NS</u> [1] -</p> <p>141:2</p> <p><u>insurance</u></p> <p>[1] - 65:8</p> <p><u>intend</u> [3]</p> <p>- 58:7,</p> <p>60:6,</p> <p>60:12</p> <p><u>intended</u></p> <p>[1] - 6:19</p> <p><u>intent</u> [4]</p> <p>- 13:18,</p> <p>16:3,</p> <p>22:5,</p> <p>45:14</p> <p><u>intention</u></p> <p>[6] -</p> <p>21:11,</p> <p>43:17,</p> <p>97:3,</p> <p>118:17,</p> <p>120:6,</p> <p>122:13</p> <p><u>interest</u></p> <p>[4] -</p> <p>70:2,</p> <p>86:18,</p> <p>97:3,</p> <p>103:6</p> <p><u>interior</u></p> <p>[2] -</p> <p>82:10,</p> <p>82:12</p> <p><u>intermedia</u></p> <p><u>ry</u> [1] -</p> <p>46:10</p> <p><u>internal</u></p> <p>[1] -</p> <p>39:19</p>	<p><u>interpreta</u></p> <p><u>tion</u> [1] -</p> <p>19:19</p> <p><u>interrupti</u></p> <p><u>ng</u> [1] -</p> <p>137:15</p> <p><u>issue</u> [4]</p> <p>- 18:9,</p> <p>19:17,</p> <p>93:18,</p> <p>122:1</p> <p><u>issued</u> [1]</p> <p>- 27:5</p> <p><u>issues</u> [4]</p> <p>- 96:13,</p> <p>99:11,</p> <p>101:10,</p> <p>101:11</p> <p><u>IT</u> [1] -</p> <p>119:12</p> <p><u>item</u> [1] -</p> <p>125:4</p> <p><u>items</u> [3]</p> <p>- 39:9,</p> <p>39:11,</p> <p>121:5</p> <p><u>itself</u> [3]</p> <p>- 19:1,</p> <p>67:3, 73:1</p>	<p>8:8, 9:16,</p> <p>11:11,</p> <p>12:9,</p> <p>12:19,</p> <p>15:4,</p> <p>16:18,</p> <p>17:4,</p> <p>17:9,</p> <p>23:9,</p> <p>23:18,</p> <p>24:19,</p> <p>25:8,</p> <p>25:13,</p> <p>25:16,</p> <p>25:18,</p> <p>26:6,</p> <p>27:10,</p> <p>27:16,</p> <p>29:2,</p> <p>29:12,</p> <p>29:15,</p> <p>29:18,</p> <p>30:1,</p> <p>30:10,</p> <p>30:18,</p> <p>31:3,</p> <p>31:10,</p> <p>31:14,</p> <p>32:5,</p> <p>32:7,</p> <p>32:12,</p> <p>32:16,</p> <p>33:5,</p> <p>33:8,</p> <p>33:11,</p> <p>33:15,</p> <p>33:19,</p> <p>34:16,</p> <p>34:19,</p> <p>35:5,</p>	<p>35:8,</p> <p>36:4,</p> <p>36:8,</p> <p>36:10,</p> <p>37:1,</p> <p>37:5,</p> <p>38:2,</p> <p>41:19,</p> <p>43:6,</p> <p>48:11,</p> <p>48:13,</p> <p>48:16,</p> <p>49:9,</p> <p>49:13,</p> <p>50:14,</p> <p>50:19,</p> <p>53:10,</p> <p>54:6,</p> <p>54:17,</p> <p>55:2,</p> <p>55:13,</p> <p>55:16,</p> <p>55:18,</p> <p>56:7,</p> <p>56:11,</p> <p>57:7,</p> <p>57:14,</p> <p>61:6,</p> <p>61:16,</p> <p>62:2,</p> <p>63:12,</p> <p>64:8,</p> <p>64:13,</p> <p>65:2,</p> <p>65:13,</p> <p>65:16,</p> <p>66:1,</p> <p>66:6,</p> <p>66:10,</p> <p>67:6,</p>
			<u>J</u>	
		<u>Jackson</u>		
		[1] - 3:14		
		<u>JACKSON</u>		
		[209] -		
		1:6, 4:18,		
		5:6, 5:10,		
		5:12, 6:6,		

67:9, 68:2, 68:5, 68:10, 68:14, 68:16, 70:7, 72:5, 74:11, 75:8, 75:11, 76:5, 77:11, 78:10, 78:13, 78:15, 78:18, 79:7, 79:13, 79:17, 80:3, 80:12, 80:16, 80:18, 85:2, 85:8, 86:4, 86:18, 87:9, 87:12, 87:16, 88:6, 88:16, 89:1, 89:18, 90:7, 90:16, 91:5, 91:10, 91:16,	95:16, 101:16, 102:16, 104:4, 104:11, 105:3, 105:9, 105:14, 105:16, 105:19, 106:9, 111:4, 111:7, 112:5, 112:12, 112:19, 113:7, 113:17, 114:1, 114:6, 117:5, 117:14, 118:5, 119:2, 119:9, 120:8, 120:11, 121:3, 121:8, 121:19, 122:4, 122:6, 122:9, 122:19, 123:5, 123:15, 123:17, 124:6, 124:13, 124:16,	125:1, 125:10, 126:11, 127:2, 127:10, 127:14, 127:18, 128:13, 130:1, 130:5, 130:19, 131:3, 131:10, 131:14, 133:6, 133:12, 133:15, 134:6, 134:10, 134:13, 135:2, 135:8, 135:15, 136:1, 136:6, 136:9, 136:12, 136:16, 137:3, 137:17, 138:2, 138:5, 138:8, 138:14, 138:19, 139:5, 139:8, 139:10, 139:14, 139:18,	140:3, 140:6 <u>JAMES</u> [9] - 69:9, 70:10, 71:15, 71:19, 73:4, 73:10, 73:19, 79:18, 80:17 <u>James</u> [1] - 69:9 <u>January</u> [2] - 132:15, 132:17 <u>Jill</u> [2] - 142:3, 142:14 <u>job</u> [2] - 34:5, 101:4 <u>JOHN</u> [3] - 90:6, 118:1 <u>John</u> [1] - 90:6 <u>joined</u> [1] - 69:12 <u>joining</u> [1] - 41:13 <u>july</u> [1] - 1:14 <u>July</u> [10] - 3:2, 3:10,	15:8, 24:14, 24:18, 70:3, 89:8, 114:15, 139:13, 139:16 <u>jump</u> [3] - 77:4, 77:5, 99:4 <u>jumping</u> [1] - 75:3 <u>June</u> [8] - 125:9, 126:13, 137:10, 137:18, 138:9, 138:11, 139:15 <u>jurisdicti</u> <u>ons</u> [1] - 19:15
				<u>K</u>
				<u>KAPLAN</u> [5] - 85:5, 85:11, 86:2, 86:6, 89:3 <u>Kaplan</u> [3] - 4:8, 81:6, 83:8 <u>Kaplan's</u> [1] - 83:19 <u>KAREN</u> [30] - 6:7,

7:4, 8:2, 8:11, 8:18, 9:1, 9:10, 9:15, 9:19, 10:14, 11:13, 12:8, 12:18, 13:1, 14:10, 15:6, 16:5, 16:9, 16:15, 17:1, 17:7, 17:10, 19:5, 20:12, 22:12, 23:2, 24:13, 25:5, 26:1, 26:7	<u>keeping</u> [2] - 41:6, 45:9 <u>Kendall</u> [5] - 86:12, 91:8, 115:13, 115:16, 118:14 <u>KEVIN</u> [9] - 4:19, 5:8, 5:11, 81:16, 84:10, 84:14, 84:19, 88:5, 89:2 <u>Kevin</u> [2] - 5:2, 81:18 <u>kids</u> [2] - 77:1, 77:13 <u>killling</u> [1] - 135:6 <u>Kim</u> [1] - 137:13 <u>kind</u> [6] - 11:8, 17:16, 97:8, 100:6, 104:13, 109:4 <u>kind've</u> [2] - 73:15,	85:17 <u>kinda</u> [5] - 11:6, 11:9, 17:18, 33:1, 85:18 <u>kitchen</u> [8] - 42:10, 58:10, 58:12, 59:14, 59:15, 71:14, 71:16, 72:9 <u>knife</u> [1] - 95:6 <u>known</u> [2] - 38:13, 106:18 <u>Korean</u> [1] - 76:16 <u>Kourafas</u> [2] - 142:3, 142:14	60:15, 66:17, 75:5, 76:13, 106:14 <u>landscapin</u> <u>g</u> [1] - 28:7 <u>large</u> [3] - 65:10, 99:12, 102:12 <u>largely</u> [1] - 92:8 <u>last</u> [16] - 27:4, 32:9, 38:4, 39:1, 50:15, 57:9, 61:14, 62:3, 65:14, 82:8, 90:1, 90:4, 90:10, 93:19, 96:2, 134:3 <u>late</u> [9] - 90:10, 92:19, 93:6, 93:11, 98:10, 99:6, 104:7,	105:13, 111:16 <u>late-night</u> [1] - 93:6 <u>lately</u> [1] - 57:16 <u>latest</u> [2] - 55:1, 132:17 <u>launch</u> [1] - 97:14 <u>law</u> [3] - 130:10, 130:13, 135:9 <u>lawn</u> [1] - 28:4 <u>lease</u> [1] - 51:12 <u>least</u> [8] - 15:12, 75:14, 87:4, 109:19, 132:17, 132:18, 133:11, 134:3 <u>leave</u> [1] - 96:6 <u>leaving</u> [1] - 115:9 <u>LEE</u> [18] - 38:1, 38:5, 38:16, 42:4, 43:8,
<u>Karen</u> [1] - 6:8 <u>keep</u> [10] - 44:3, 45:14, 57:13, 57:17, 58:1, 58:8, 60:12, 65:5, 79:19, 137:14		<u>L</u>		
		<u>L-E-E</u> [2] - 38:6, 90:6 <u>ladders</u> [1] - 75:1 <u>landlord</u> [8] - 39:5, 46:6,		

43:12, 43:16, 44:11, 45:7, 45:16, 46:4, 46:18, 47:4, 47:10, 49:14, 49:18, 90:6, 118:1 Lee [2] - 38:5, 90:6 left [4] - 12:6, 82:13, 83:9, 107:11 lend [1] - 19:1 length [2] - 15:18, 132:19 less [3] - 18:7, 21:9, 116:3 LETTER [2] - 2:19, 134:1 letter [11] - 14:3, 24:3, 66:19, 70:16, 79:10,	126:4, 134:4, 134:7, 134:9, 134:18, 135:12 letterhead [1] - 135:3 letters [3] - 23:14, 60:16, 112:10 lettuce [1] - 32:19 level [1] - 107:9 levels [1] - 104:6 LEVY [5] - 111:12, 111:13, 112:15, 134:17, 135:7 license [50] - 4:9, 4:10, 6:2, 20:19, 26:13, 26:18, 30:11, 31:5, 32:2, 36:13, 37:12,	37:14, 46:2, 48:19, 50:6, 50:7, 56:2, 57:3, 57:4, 58:4, 58:15, 61:12, 66:2, 67:13, 67:14, 69:4, 69:5, 69:7, 69:14, 69:18, 79:2, 80:5, 80:8, 81:7, 81:8, 88:7, 89:10, 89:12, 95:17, 104:19, 105:2, 113:10, 114:17, 118:18, 119:3, 126:3, 126:19, 127:1, 127:4 LICENSE [3] - 1:1,	1:3, 1:5 License [5] - 3:9, 126:10, 128:4, 134:3, 142:14 licensed [3] - 44:10, 110:11 licensee [1] - 69:11 licenses [1] - 42:15 Licensing [2] - 142:11, 142:12 life [2] - 17:18, 112:1 light [1] - 133:2 lighter [1] - 95:7 lightly [1] - 109:17 limb [1] - 113:8 limited [3] - 48:5, 92:10, 103:2 limiting	[1] - 20:17 limits [1] - 22:15 LINE [1] - 141:4 line [2] - 11:8, 11:15 lined [1] - 73:17 Lint [7] - 35:6, 39:3, 39:12, 79:1, 126:11, 129:7, 139:2 LINT [79] - 1:9, 3:3, 4:6, 5:14, 5:17, 7:2, 14:4, 19:3, 24:2, 24:16, 26:11, 27:6, 30:7, 31:18, 35:7, 35:10, 35:15, 35:19, 37:9, 44:15, 45:2,
--	--	---	---	--

49:17, 50:2, 56:14, 56:18, 64:6, 66:4, 67:19, 68:19, 74:2, 78:17, 79:5, 79:8, 79:16, 80:19, 81:4, 89:7, 102:10, 104:18, 112:9, 112:13, 114:10, 114:14, 117:11, 117:18, 118:3, 119:16, 120:17, 121:6, 123:6, 123:11, 124:4, 124:11, 125:3, 126:13, 126:16, 127:7, 128:3, 129:17, 130:2, 131:5,	131:11, 134:2, 134:15, 134:19, 135:4, 136:3, 136:7, 136:10, 136:14, 137:7, 137:12, 137:19, 138:4, 138:6, 138:10, 139:12, 139:16, 140:2 <u>liquor</u> [3] - 40:18, 42:15, 126:3 <u>live</u> [1] - 58:1 <u>LLC</u> [10] - 2:5, 2:8, 3:19, 4:7, 5:16, 5:18, 50:3, 81:5, 88:9, 106:15 <u>loan</u> [3] - 69:19, 70:1, 70:2 <u>lobby</u> [9] - 82:10, 82:13,	82:14, 82:16, 84:2, 84:7, 84:13, 84:14, 84:15 <u>locally</u> [1] - 33:3 <u>located</u> [1] - 38:12 <u>location</u> [20] - 6:12, 7:6, 8:7, 16:4, 20:5, 34:1, 41:6, 57:16, 61:7, 71:1, 82:4, 90:8, 90:18, 92:11, 94:6, 95:2, 110:6, 115:13, 119:19, 120:5 <u>locations</u> [2] - 33:9, 113:4 <u>lock</u> [1] - 76:6 <u>locked</u> [2]	- 75:19, 76:2 <u>locking</u> [1] - 18:15 <u>Lombardi</u> [2] - 1:12, 3:11 <u>look</u> [14] - 8:4, 11:6, 11:14, 11:18, 17:6, 41:7, 85:19, 99:10, 99:19, 108:10, 108:11, 119:11, 132:2 <u>looking</u> [21] - 7:10, 8:15, 10:6, 13:3, 22:12, 32:12, 41:14, 46:8, 46:9, 46:12, 55:8, 90:17, 92:8, 104:6, 104:9,	105:10, 105:13, 110:14, 120:8, 121:11, 128:17 <u>looks</u> [4] - 20:8, 97:11, 123:14, 129:9 <u>love</u> [1] - 103:11 <u>low</u> [1] - 62:16 <u>LP</u> [1] - 26:13 <u>luck</u> [2] - 56:12, 80:18 <u>lucrative</u> [1] - 97:12 <u>Lula</u> [2] - 42:6, 42:17 <u>LULA</u> [1] - 42:6 <u>lunch</u> [1] - 92:13
				<u>M</u>
				<u>M-C-G-O-V-</u> <u>E-R-N</u> [1] - 27:2 <u>M-U-I-R</u> [1] - 90:4 <u>Madam</u> [5]

<p>- 4:19, 6:7, 6:14, 81:16, 125:12</p> <p><u>MAHONEY</u> [3] - 23:5, 135:18, 140:9</p> <p><u>main</u> [1] - 126:2</p> <p><u>Main</u> [7] - 57:3, 57:11, 66:16, 67:14, 82:9, 82:11, 82:12</p> <p><u>major</u> [1] - 71:6</p> <p><u>Malden</u> [1] - 34:4</p> <p><u>malt</u> [3] - 57:2, 67:13, 114:17</p> <p><u>management</u> [2] - 41:1, 107:1</p> <p><u>Management</u> [1] - 106:15</p> <p><u>manager</u> [20] - 4:8, 6:1, 6:11, 37:11,</p>	<p>42:9, 42:10, 42:19, 50:5, 53:7, 53:11, 57:2, 69:2, 69:14, 81:6, 83:8, 89:9, 105:4, 105:7, 106:15, 114:16</p> <p><u>managers</u> [1] - 85:15</p> <p><u>managing</u> [1] - 41:3</p> <p><u>manner</u> [1] - 103:16</p> <p><u>manpower</u> [1] - 21:9</p> <p><u>MARC</u> [5] - 111:12, 112:15, 134:17, 135:7</p> <p><u>Marc</u> [1] - 111:12</p> <p><u>marketplac</u> <u>e</u> [1] - 67:4</p> <p><u>Marshal's</u> [1] - 110:12</p> <p><u>Mart</u> [1] -</p>	<p>125:17</p> <p><u>Mary</u> [2] - 50:4, 50:17</p> <p><u>MARY</u> [15] - 50:13, 50:17, 51:2, 52:4, 52:8, 52:13, 53:6, 53:12, 53:16, 54:3, 54:8, 54:19, 55:5, 56:13</p> <p><u>Mass</u> [11] - 3:11, 41:17, 49:1, 51:3, 56:3, 90:16, 91:18, 102:2, 108:13, 113:11, 125:14</p> <p><u>Massachuse</u> <u>tts</u> [10] - 1:13, 1:13, 37:13, 38:12, 41:12, 50:6,</p>	<p>89:11, 101:13, 142:2, 142:4</p> <p><u>massaged</u> [1] - 129:14</p> <p><u>master</u> [1] - 22:11</p> <p><u>material</u> [1] - 133:11</p> <p><u>materials</u> [1] - 10:15</p> <p><u>matter</u> [13] - 3:18, 24:1, 30:2, 36:11, 46:4, 48:17, 55:19, 66:12, 78:19, 87:18, 106:11, 111:10, 112:7</p> <p><u>MATTERS</u> [1] - 2:2</p> <p><u>McDermott</u> [1] - 6:9</p> <p><u>McGoven</u> [1] - 27:2</p> <p><u>MCGOVERN</u> [12] - 27:1,</p>	<p>28:2, 28:6, 28:11, 28:14, 28:18, 29:4, 29:10, 29:14, 30:5, 30:9, 31:15</p> <p><u>mean</u> [5] - 17:8, 17:13, 45:17, 86:11, 101:3</p> <p><u>meaningful</u> [2] - 129:11, 129:12</p> <p><u>means</u> [1] - 18:11</p> <p><u>meats</u> [1] - 86:14</p> <p><u>meet</u> [2] - 7:13, 128:4</p> <p><u>meeting</u> [9] - 24:14, 27:3, 129:18, 132:6, 135:9, 136:5, 137:13, 139:15, 140:11</p>
---	--	--	---	---

<p><u>member</u> [1] - 130:4</p> <p><u>MEMBERS</u> [1] - 1:5</p> <p><u>Members</u> [3] - 5:1, 6:8, 81:17</p> <p><u>members</u> [11] - 23:19, 30:1, 36:10, 48:16, 54:16, 55:18, 66:10, 78:18, 87:17, 106:10, 128:15</p> <p><u>mention</u> [1] - 109:1</p> <p><u>mentioned</u> [2] - 46:5, 98:3</p> <p><u>mentors</u> [1] - 52:15</p> <p><u>menu</u> [6] - 39:9, 39:10, 39:11, 43:7, 92:10, 93:11</p> <p><u>metered</u> [1] - 8:12</p> <p><u>Mexican</u></p>	<p>[1] - 45:14</p> <p><u>Mexican-</u> <u>theme</u> [1] - 45:14</p> <p><u>MICHAEL</u> [19] - 8:10, 8:13, 10:9, 10:17, 12:5, 12:13, 13:8, 13:17, 14:8, 15:13, 16:13, 17:17, 21:18, 85:5, 85:11, 86:2, 86:6, 89:3, 106:13</p> <p><u>Michael</u> [7] - 1:12, 3:11, 4:8, 5:19, 22:13, 81:6, 106:13</p> <p><u>mid</u> [2] - 54:19, 98:14</p> <p><u>mid-</u> <u>September</u></p>	<p>[1] - 54:19</p> <p><u>Middle</u> [1] - 91:2</p> <p><u>middle</u> [1] - 103:12</p> <p><u>might</u> [13] - 17:16, 18:5, 24:14, 46:10, 72:1, 90:12, 93:10, 95:8, 100:15, 108:11, 111:18, 131:19</p> <p><u>Miller</u> [1] - 6:9</p> <p><u>mimics</u> [1] - 11:6</p> <p><u>mind</u> [1] - 81:1</p> <p><u>minds</u> [1] - 97:18</p> <p><u>mine</u> [1] - 54:16</p> <p><u>Ming</u> [3] - 37:11, 38:7, 40:11</p> <p><u>MING</u> [5] - 38:8, 47:14, 47:17, 48:2, 48:8</p> <p><u>minute</u> [1]</p>	<p>- 129:11</p> <p><u>minutes</u> [8] - 119:11, 119:13, 132:19, 136:1, 136:18, 139:1, 139:11, 142:10</p> <p><u>miracle</u> [1] - 79:14</p> <p><u>misconcept</u> <u>ion</u> [1] - 131:8</p> <p><u>misleading</u> [1] - 11:17</p> <p><u>missing</u> [4] - 117:10, 120:19, 121:5</p> <p><u>mistake</u> [1] - 90:12</p> <p><u>misunderst</u> <u>anding</u> [1] - 39:18</p> <p><u>MIT</u> [3] - 92:1, 93:1, 98:14</p> <p><u>mix</u> [2] - 45:8, 99:14</p> <p><u>mix-up</u> [1]</p>	<p>- 45:8</p> <p><u>mKTA</u> [1] - 2:14</p> <p><u>MKTA</u> [3] - 56:19, 57:10, 67:15</p> <p><u>mobile</u> [3] - 32:2, 32:13, 36:13</p> <p><u>month</u> [3] - 27:4, 74:14, 113:14</p> <p><u>months</u> [11] - 69:7, 70:15, 70:17, 70:18, 79:3, 79:14, 80:9, 97:16, 104:13, 106:19, 125:17</p> <p><u>morning</u> [3] - 83:15, 103:1, 103:2</p> <p><u>most</u> [3] - 41:10, 90:19, 95:2</p> <p><u>motion</u> [29] -</p>
--	--	--	---	--

<p>25:1, 25:10, 25:11, 30:10, 30:16, 31:4, 31:8, 36:12, 48:18, 49:7, 56:1, 67:12, 79:2, 80:5, 88:7, 113:9, 113:10, 123:18, 132:9, 132:11, 132:12, 133:3, 133:13, 134:7, 135:10, 135:12, 136:17, 138:19, 140:3</p> <p><u>motions</u> [2] - 30:15, 124:3</p> <p><u>Mount</u> [2] - 5:2, 81:19</p> <p><u>mouth</u> [1] - 97:16</p> <p><u>move</u> [6] -</p>	<p>23:7, 27:11, 92:7, 115:8, 116:10, 117:12</p> <p><u>moved</u> [2] - 10:10, 120:3</p> <p><u>moving</u> [2] - 14:18, 121:9</p> <p><u>mowers</u> [1] - 28:4</p> <p><u>MUIR</u> [47] - 90:3, 90:9, 90:17, 91:6, 91:12, 91:17, 94:3, 94:7, 94:13, 94:18, 95:4, 95:18, 97:14, 98:12, 99:5, 100:11, 100:19, 102:7, 102:12, 103:3, 104:9, 105:5, 105:11, 112:17,</p>	<p>113:3, 114:8, 115:2, 116:9, 116:18, 117:4, 117:7, 117:13, 118:12, 119:3, 120:4, 120:10, 121:2, 121:14, 121:18, 122:3, 122:5, 122:8, 122:12, 123:2, 123:8, 123:16, 125:2</p> <p><u>Muir</u> [1] - 89:9</p> <p><u>multiple</u> [1] - 19:1</p> <p><u>must</u> [1] - 118:9</p> <p><u>mute</u> [1] - 3:7</p>	<p>32:8, 32:9, 34:8, 38:3, 38:4, 38:5, 39:8, 47:3, 50:15, 50:16, 56:3, 57:8, 57:9, 81:18, 89:19, 90:3, 90:4, 106:13, 111:12, 125:13</p> <p><u>names</u> [2] - 90:1, 112:16</p> <p><u>names/</u> <u>places</u> [1] - 142:8</p> <p><u>natural</u> [2] - 86:13, 86:14</p> <p><u>nature</u> [1] - 16:16</p> <p><u>necessaril</u> <u>y</u> [1] - 98:6</p> <p><u>necessary</u> [1] - 103:18</p> <p><u>need</u> [24]</p>	<p>- 10:5, 23:11, 23:12, 27:8, 36:1, 44:1, 45:4, 56:13, 58:2, 58:9, 62:19, 66:1, 76:5, 79:3, 79:15, 80:2, 88:3, 99:16, 108:11, 117:17, 124:2, 127:2, 127:3, 135:10</p> <p><u>needed</u> [4] - 35:18, 73:4, 87:6, 120:16</p> <p><u>needing</u> [1] - 54:9</p> <p><u>needs</u> [2] - 73:9, 129:13</p> <p><u>negative</u> [1] - 103:14</p> <p><u>negotiatio</u> <u>n</u> [1] -</p>
		<u>N</u>		
		<u>N-G-U-Y-E-</u>		
		<u>N</u> [1] - 125:14		
		<u>name</u> [23] - 5:1, 27:1,		

39:1	126:7	- 104:1, 104:7	[7] - 24:17, 28:2, 28:6, 53:18, 77:13, 112:3, 128:19	[1] - 130:12
<u>negotiatio</u>	<u>newer</u> [1]	<u>nine</u> [1] - 18:3	<u>notice</u> [1]	<u>obligation</u>
<u>ns</u> [1] - 46:6	- 72:10	<u>non</u> [2] - 4:11, 81:9	- 125:6	<u>s</u> [2] - 130:9, 130:18
<u>neighbors</u>	<u>newspaper</u>	<u>non-</u>	<u>notificati</u>	<u>obviously</u>
[1] - 60:14	[2] - 93:17, 111:1	<u>alcoholic</u>	<u>ons</u> [1] - 27:4	[5] - 7:16, 12:11, 96:11, 113:5, 134:7
<u>never</u> [3]	<u>next</u> [13]	[2] - 4:11, 81:9	<u>notified</u>	<u>occasional</u>
- 75:11, 78:1, 122:13	- 5:13, 7:14, 9:4, 38:7, 40:16, 74:15, 75:1, 76:19, 78:3, 90:18, 91:1, 129:19, 130:1	<u>nonalcohol</u>	[1] - 45:1	[2] - 111:18, 112:2
<u>new</u> [28] -	<u>NGUYEN</u> [4]	<u>ic</u> [3] - 37:15, 50:8, 89:13	<u>notify</u> [3]	<u>occupancy</u>
13:12, 24:6, 40:17, 41:16, 46:12, 47:3, 53:17, 71:8, 71:16, 73:6, 73:12, 73:13, 82:10, 82:12, 82:14, 82:16, 92:16, 94:3, 94:4, 94:15, 96:17, 97:14, 109:11, 109:13, 110:7, 118:7, 120:5,	- 125:12, 126:14, 127:6, 127:16	<u>none</u> [8] - 30:3, 36:12, 48:18, 56:1, 67:12, 79:1, 87:19, 112:8	- 44:16, 45:4, 104:19	[2] - 43:10, 71:11
	<u>nice</u> [3] - 11:5, 15:11, 60:10	<u>Norfolk</u>	<u>number</u>	<u>occupy</u> [1]
	<u>night</u> [9]	[1] - 142:2	[11] - 29:9, 44:9, 45:12, 62:10, 71:11, 83:10, 96:6, 102:6, 107:2, 107:7, 112:18	- 82:19
	- 83:16, 92:19, 93:1, 93:6, 93:11, 99:6, 103:12, 111:16	<u>NOT</u> [1] - 142:16		<u>occurring</u>
	<u>nights</u> [2]	<u>notary</u> [1]		[1] - 101:7
		- 142:10		<u>October</u>
		<u>note</u> [2] - 70:5, 141:2		[4] - 15:16, 29:6, 55:1, 65:19
		<u>noted</u> [1]	<u>O</u>	<u>OF</u> [7] - 1:2, 2:1, 2:19, 134:1, 142:16, 142:16, 142:17
		- 141:11	<u>O'Neil</u> [4]	
		<u>Nothing</u>	- 39:17, 43:16, 45:7	
		[1] - 28:3	<u>obligation</u>	
		<u>nothing</u>		

<p><u>offered</u> [2] - 34:5, 34:7</p> <p><u>Office</u> [2] - 110:12, 134:5</p> <p><u>officer</u> [1] - 69:13</p> <p><u>official</u> [1] - 39:19</p> <p><u>OFFICIAL</u> [1] - 1:17</p> <p><u>offs</u> [2] - 9:11, 9:17</p> <p><u>old</u> [1] - 73:14</p> <p><u>Old</u> [2] - 42:13, 42:18</p> <p><u>OLD</u> [1] - 42:14</p> <p><u>once</u> [2] - 18:5, 53:8</p> <p><u>one</u> [45] - 5:13, 6:10, 11:19, 12:15, 14:17, 18:12, 20:5, 20:6, 20:7, 21:19, 22:13, 27:7, 28:17,</p>	<p>29:10, 29:13, 33:13, 34:18, 34:19, 38:8, 54:3, 54:5, 59:7, 60:17, 70:6, 71:7, 77:4, 78:3, 78:6, 85:14, 91:17, 99:17, 106:7, 110:10, 114:9, 115:12, 117:12, 117:15, 117:16, 126:1, 135:1, 136:12, 136:17</p> <p><u>one-for-</u> <u>one</u> [2] - 29:10, 29:13</p> <p><u>ones</u> [1] - 44:7</p> <p><u>ongoing</u> [2] - 109:6, 129:6</p>	<p><u>onion</u> [1] - 33:1</p> <p><u>open</u> [21] - 15:16, 19:7, 26:17, 28:17, 29:4, 31:4, 46:3, 51:3, 60:19, 72:3, 72:7, 75:14, 90:17, 92:4, 98:8, 100:7, 105:10, 106:17, 116:12, 116:15, 135:9</p> <p><u>opened</u> [4] - 3:8, 86:7, 115:4, 125:17</p> <p><u>opening</u> [2] - 7:6, 54:18</p> <p><u>opens</u> [2] - 23:4, 53:8</p> <p><u>operable</u> [1] - 28:14</p> <p><u>operate</u></p>	<p>[7] - 32:2, 32:13, 33:16, 85:6, 96:8, 98:1, 101:2</p> <p><u>operates</u> [1] - 83:9</p> <p><u>operating</u> [7] - 35:1, 42:19, 51:5, 51:16, 52:9, 65:6, 86:8</p> <p><u>operation</u> [18] - 4:16, 37:18, 50:11, 56:5, 81:14, 83:11, 88:12, 89:16, 92:15, 96:16, 97:17, 98:4, 100:12, 100:17, 104:3, 104:12, 105:2, 113:12</p> <p><u>operationa</u></p>	<p><u>l</u> [1] - 79:19</p> <p><u>operations</u> [3] - 83:18, 92:9, 96:1</p> <p><u>operator</u> [3] - 46:7, 53:9, 67:1</p> <p><u>operators</u> [1] - 35:16</p> <p><u>opportunit</u> <u>y</u> [6] - 15:17, 25:2, 63:1, 85:3, 86:15, 87:3</p> <p><u>opposed</u> [1] - 47:13</p> <p><u>opposition</u> [1] - 114:2</p> <p><u>optimistic</u> [1] - 70:19</p> <p><u>options</u> [2] - 7:11, 58:4</p> <p><u>order</u> [7] - 3:16, 21:10, 33:3, 78:16, 83:1,</p>
--	--	---	---	---

95:14, 121:4 <u>ordered</u> [1] - 118:13 <u>orderly</u> [1] - 95:19 <u>ordinarily</u> [1] - 87:19 <u>Oriental</u> [1] - 39:9 <u>Oriental-</u> <u>type</u> [1] - 39:9 <u>original</u> [2] - 22:1, 107:18 <u>originally</u> [1] - 86:6 <u>otherwise</u> [1] - 105:1 <u>ourselves</u> [1] - 104:2 <u>outdoor</u> [15] - 4:14, 6:4, 6:18, 7:11, 24:8, 27:9, 27:12, 81:12, 114:19, 115:3,	115:5, 115:8, 119:4, 123:19, 124:7 <u>outlined</u> [1] - 139:2 <u>outside</u> [13] - 7:19, 18:13, 43:11, 43:14, 44:13, 47:19, 84:3, 85:6, 85:12, 91:14, 119:5, 121:11, 122:11 <u>oven</u> [2] - 54:2, 54:4 <u>overall</u> [1] - 24:8 <u>overlappin</u> <u>g</u> [1] - 142:6 <u>own</u> [4] - 7:6, 52:18, 74:7, 104:17 <u>owned</u> [1] - 77:17 <u>owner</u> [9] - 41:11,	41:16, 42:8, 42:13, 43:1, 53:9, 57:10, 66:16, 125:14 <u>owners</u> [3] - 6:11, 38:8, 52:15 <u>ownership</u> [1] - 126:19 <u>owns</u> [4] - 76:18, 106:16, 115:7, 116:13 <u>Oxford</u> [1] - 111:13 <u>P</u> <u>p.m</u> [9] - 1:15, 4:17, 32:4, 50:12, 67:18, 68:2, 81:15, 88:12, 125:7 <u>package</u> [1] - 70:11 <u>PAGE</u> [2] - 2:2, 141:4	<u>paid</u> [2] - 126:10, 127:4 <u>painting</u> [1] - 53:18 <u>pan</u> [2] - 40:16, 41:13 <u>Pan</u> [6] - 37:11, 38:7, 40:11, 40:13, 41:10, 43:3 <u>PAN</u> [5] - 38:8, 47:14, 47:17, 48:2, 48:8 <u>panic</u> [1] - 76:8 <u>paperwork</u> [2] - 78:16, 120:18 <u>parcel</u> [1] - 19:16 <u>Park</u> [1] - 26:12 <u>PARK</u> [2] - 2:4, 26:10 <u>Parking</u> [2] - 14:19, 23:15 <u>parking</u> [24] -	8:8, 8:12, 9:14, 12:9, 12:12, 13:16, 14:12, 14:14, 26:14, 26:18, 26:19, 27:9, 29:11, 29:13, 30:12, 31:5, 31:6, 47:19, 48:2, 48:6, 48:8, 55:6, 59:3 <u>parklet</u> [1] - 8:1 <u>part</u> [8] - 15:7, 22:11, 95:3, 106:7, 116:10, 121:15, 130:10, 131:6 <u>particular</u> [5] - 10:12, 16:4, 34:1, 84:10, 102:18
---	---	---	---	---

<p><u>parties</u> [1] - 77:18</p> <p><u>pass</u> [2] - 123:13, 132:5</p> <p><u>passed</u> [3] - 93:19, 96:3, 109:2</p> <p><u>past</u> [5] - 10:7, 14:11, 22:19, 51:18, 53:7</p> <p><u>path</u> [1] - 115:9</p> <p><u>patio</u> [19] - 4:15, 6:4, 6:18, 11:1, 14:19, 15:7, 15:16, 17:7, 19:11, 20:1, 22:7, 22:10, 24:8, 81:13, 88:11, 114:19, 118:16, 123:19, 124:7</p> <p><u>PATRICK</u> [2] -</p>	<p>66:14, 66:15</p> <p><u>Patrick</u> [1] - 66:14</p> <p><u>pay</u> [3] - 125:5, 125:7, 126:19</p> <p><u>payment</u> [4] - 125:6, 125:8, 126:2, 126:12</p> <p><u>peaceful</u> [3] - 95:19, 103:7, 103:11</p> <p><u>peddler</u> [1] - 36:13</p> <p><u>peddler/</u> <u>vendor</u> [1] - 32:2</p> <p><u>pedestrian</u> <u>s</u> [2] - 116:12, 116:15</p> <p><u>pending</u> [6] - 31:6, 36:16, 39:5, 47:5, 49:2, 105:11</p> <p><u>people</u></p>	<p>[14] - 20:16, 22:18, 24:6, 54:13, 76:2, 76:3, 84:14, 90:19, 104:10, 107:8, 108:8, 109:1, 111:15, 112:3</p> <p><u>people's</u> [1] - 97:18</p> <p><u>pepper</u> [1] - 88:1</p> <p><u>per</u> [6] - 4:17, 37:19, 78:7, 81:15, 88:12, 89:17</p> <p><u>perceive</u> [1] - 95:16</p> <p><u>percent</u> [9] - 62:19, 63:8, 63:10, 65:11, 65:12, 70:2, 95:8,</p>	<p>95:9, 95:11</p> <p><u>percentage</u> [4] - 47:12, 62:14, 63:3, 63:7</p> <p><u>perfect</u> [1] - 86:12</p> <p><u>perforated</u> [1] - 76:8</p> <p><u>perhaps</u> [6] - 27:10, 39:8, 39:11, 46:13, 102:18, 132:5</p> <p><u>perimeter</u> [2] - 11:1, 118:7</p> <p><u>period</u> [1] - 39:1</p> <p><u>periodical</u> <u>ly</u> [1] - 33:2</p> <p><u>permanent</u> [1] - 51:17</p> <p><u>permanentl</u> <u>y</u> [1] - 16:8</p> <p><u>permission</u> [4] - 38:10, 45:19,</p>	<p>58:6, 59:4</p> <p><u>permit</u> [1] - 83:2</p> <p><u>permitting</u> [1] - 105:12</p> <p><u>person</u> [4] - 74:15, 74:17, 110:7, 122:9</p> <p><u>personally</u> [1] - 129:15</p> <p><u>personnel</u> [1] - 131:15</p> <p><u>petition</u> [2] - 112:10, 112:16</p> <p><u>petitioner</u> [1] - 5:4</p> <p><u>pharmacy</u> [1] - 108:2</p> <p><u>phases</u> [2] - 28:19, 29:3</p> <p><u>phone</u> [1] - 3:6</p> <p><u>phonetic</u> [3] - 41:2, 42:9, 120:18</p> <p><u>phonetical</u> <u>ly</u> [1] - 142:8</p>
---	---	---	---	---

<p><u>photo</u> [3] - 8:4, 10:7, 11:17 <u>photos</u> [1] - 6:17 <u>picnic</u> [2] - 115:15, 119:6 <u>pictures</u> [1] - 17:5 <u>piece</u> [1] - 19:6 <u>Pizza</u> [3] - 107:11, 108:2, 108:18 <u>place</u> [8] - 13:10, 26:4, 92:5, 97:3, 98:15, 100:2, 111:16, 124:10 <u>plan</u> [19] - 8:3, 11:14, 16:18, 22:11, 51:1, 51:2, 53:5, 59:14, 65:2, 65:4, 90:8, 94:16,</p>	<p>95:1, 106:8, 116:9, 117:13, 118:2, 118:12, 126:6 <u>Planning</u> [1] - 83:5 <u>planning</u> [3] - 22:8, 63:10, 106:16 <u>plans</u> [6] - 6:16, 7:17, 11:18, 12:5, 18:2, 73:6 <u>planter</u> [1] - 11:4 <u>plants</u> [1] - 11:4 <u>platform</u> [1] - 8:17 <u>pleased</u> [1] - 110:6 <u>pledge</u> [5] - 69:5, 69:18, 70:5, 70:11, 80:5 <u>plus</u> [4] - 39:19, 42:18, 86:9,</p>	<p>116:15 <u>POE</u> [2] - 72:9, 74:9 <u>Poe</u> [1] - 69:15 <u>point</u> [5] - 15:3, 71:12, 80:2, 82:8, 102:2 <u>pointed</u> [1] - 11:18 <u>police</u> [1] - 58:16 <u>POLICE</u> [70] - 1:7, 13:6, 13:14, 14:6, 23:17, 25:15, 29:19, 31:1, 31:12, 34:6, 36:6, 37:3, 47:8, 47:11, 47:15, 47:18, 48:3, 48:12, 49:11, 52:1, 52:6, 52:11,</p>	<p>53:4, 55:14, 56:9, 62:5, 62:8, 63:6, 63:9, 64:10, 64:16, 66:8, 67:7, 68:12, 76:12, 77:3, 77:7, 78:11, 80:14, 84:6, 84:12, 84:17, 87:8, 87:11, 88:18, 97:7, 98:2, 99:1, 99:9, 100:13, 101:5, 101:19, 105:17, 106:3, 111:5, 114:4, 124:18, 127:12, 130:7, 133:4, 133:7, 133:18,</p>	<p>134:8, 134:11, 135:11, 135:17, 137:5, 138:16, 139:7, 140:8 <u>policy</u> [2] - 122:14, 128:4 <u>POLICY</u> [2] - 2:17, 128:1 <u>pop</u> [3] - 51:17, 52:9, 52:12 <u>pop-up</u> [1] - 52:9 <u>population</u> [1] - 93:1 <u>Porter</u> [1] - 54:11 <u>portion</u> [5] - 20:18, 28:9, 115:6, 116:12, 133:8 <u>positive</u> [2] - 96:9, 103:7 <u>possible</u> [1] - 112:15 <u>potential</u></p>
---	--	--	---	--

[2] - 103:10, 103:14 <u>potentiall</u> <u>y</u> [1] - 26:4 <u>potted</u> [1] - 11:4 <u>precipitat</u> <u>ed</u> [1] - 7:12 <u>prefer</u> [1] - 44:14 <u>premature</u> [1] - 23:11 <u>premise</u> [3] - 6:3, 114:19, 123:19 <u>premises</u> [9] - 4:13, 6:16, 37:16, 50:9, 71:5, 81:11, 82:5, 84:4, 89:14 <u>prep</u> [2] - 95:7, 95:12 <u>preparatio</u> <u>n</u> [1] - 58:11 <u>prepare</u> [2] -	58:12, 92:10 <u>prepared</u> [3] - 92:11, 95:14, 142:11 <u>present</u> [1] - 94:6 <u>presented</u> [1] - 135:12 <u>presently</u> [2] - 72:11, 83:9 <u>president</u> [1] - 57:10 <u>press</u> [2] - 53:1, 97:15 <u>presuming</u> [2] - 15:10, 26:1 <u>pretty</u> [7] - 11:15, 20:6, 45:14, 51:19, 67:2, 82:13, 88:4 <u>Prevention</u> [1] - 49:4 <u>previously</u> [1] - 40:8 <u>principal</u>	[2] - 38:8, 40:12 <u>print</u> [2] - 135:5, 135:6 <u>private</u> [4] - 86:1, 118:8, 121:9, 121:10 <u>privileges</u> [1] - 40:19 <u>problem</u> [6] - 61:3, 64:2, 75:4, 77:2, 111:19, 119:12 <u>problemati</u> <u>c</u> [2] - 20:8, 97:2 <u>problems</u> [7] - 58:16, 96:17, 97:4, 98:5, 98:8, 101:9, 108:17 <u>procedural</u> <u>ly</u> [1] - 79:1 <u>proceed</u>	[1] - 123:17 <u>proceeding</u> [1] - 142:9 <u>proceeding</u> <u>s</u> [1] - 142:5 <u>process</u> [5] - 7:12, 10:3, 83:4, 105:5, 108:16 <u>product</u> [2] - 52:14, 52:18 <u>profession</u> <u>als</u> [1] - 107:7 <u>progress</u> [2] - 126:7, 126:8 <u>promissory</u> [2] - 70:5, 70:10 <u>proper</u> [2] - 124:10, 142:8 <u>properly</u> [3] - 103:15, 121:12, 121:13 <u>Property</u>	[1] - 106:15 <u>property</u> [9] - 6:5, 19:16, 20:3, 86:1, 86:3, 95:2, 106:16, 109:5, 116:7 <u>proposal</u> [1] - 83:7 <u>proposed</u> [12] - 4:16, 17:5, 37:18, 38:9, 39:11, 50:11, 56:4, 81:14, 83:14, 88:11, 89:16, 113:11 <u>PROPOSED</u> [1] - 128:1 <u>Proposed</u> [1] - 128:7 <u>proposing</u> [1] - 39:14 <u>propositio</u> <u>n</u> [1] -
--	---	---	---	---

97:8 <u>protect</u> [1] - 10:12 <u>provide</u> [4] - 17:11, 22:14, 25:3, 25:5 <u>provided</u> [1] - 87:5 <u>provisions</u> [1] - 130:13 <u>prudent</u> [1] - 103:19 <u>public</u> [22] - 6:5, 14:14, 19:15, 20:6, 23:19, 24:9, 30:2, 36:11, 48:17, 55:19, 66:11, 78:19, 87:17, 106:10, 115:1, 116:11, 118:7, 121:10, 124:1, 124:7,	128:15, 142:10 <u>Public</u> [5] - 9:7, 23:14, 117:3, 121:16, 123:10 <u>pull</u> [3] - 87:2, 119:13, 123:2 <u>pulling</u> [1] - 97:1 <u>purchase</u> [7] - 38:11, 38:18, 38:19, 40:9, 41:15, 51:4, 71:8 <u>purely</u> [1] - 46:19 <u>purposes</u> [4] - 20:12, 20:16, 120:1 <u>push</u> [3] - 61:13, 62:1, 71:6 <u>put</u> [14] - 13:18, 14:19, 17:15, 18:1, 40:1, 46:12,	66:19, 73:12, 76:8, 85:6, 85:17, 124:10, 128:11, 131:16 <u>Q</u> <u>quality</u> [2] - 107:5, 112:1 <u>questions</u> [40] - 5:7, 23:16, 29:16, 29:18, 36:5, 36:7, 36:8, 48:11, 48:14, 55:13, 55:15, 55:16, 55:17, 66:6, 66:7, 66:9, 67:6, 67:8, 78:10, 78:12, 78:13, 83:17, 87:1,	87:10, 87:13, 88:1, 105:14, 105:15, 105:16, 105:18, 111:4, 111:6, 111:7, 120:13, 120:15, 127:11, 130:6, 138:15, 138:17, 138:18 <u>quick</u> [1] - 46:9 <u>quiet</u> [1] - 24:12 <u>Quilty</u> [1] - 6:9 <u>quite</u> [2] - 5:4, 7:5 <u>quoted</u> [1] - 142:9 <u>R</u> <u>rack</u> [6] - 10:7, 10:8, 10:9, 12:11, 13:7, 13:8 <u>racks</u> [1] - 13:18 <u>rapid</u> [1] - 142:6	<u>rate</u> [1] - 70:2 <u>rather</u> [2] - 21:2, 46:9 <u>RATIFICATI</u> <u>ON</u> [2] - 2:19, 134:1 <u>ratify</u> [1] - 134:4 <u>ratio</u> [1] - 62:15 <u>re</u> [1] - 27:5 <u>RE</u> [1] - 1:3 <u>re-issued</u> [1] - 27:5 <u>reached</u> [1] - 34:4 <u>reaching</u> [1] - 10:1 <u>read</u> [2] - 87:4, 141:10 <u>reading</u> [2] - 88:2, 141:2 <u>real</u> [2] - 17:18, 20:14 <u>real-life</u> [1] - 17:18 <u>realistica</u> <u>lly</u> [1] -
--	---	--	--	---

70:17 <u>realize</u> [1] - 47:2 <u>realized</u> [1] - 75:11 <u>really</u> [17] - 11:5, 17:2, 18:15, 22:8, 46:4, 46:8, 53:17, 75:5, 76:16, 76:19, 77:15, 92:6, 93:5, 93:7, 94:7, 99:17, 109:18 <u>rear</u> [3] - 3:8, 55:4, 55:6 <u>REARDON</u> [117] - 1:8, 7:18, 8:14, 8:19, 9:6, 9:13, 10:6, 10:11, 12:3, 15:19, 16:6,	16:10, 17:13, 18:8, 20:2, 21:14, 22:17, 25:12, 25:17, 27:14, 27:18, 28:3, 28:8, 28:12, 28:16, 29:1, 29:8, 29:17, 30:17, 31:2, 31:9, 31:13, 34:11, 34:14, 36:9, 36:19, 37:4, 38:15, 43:9, 43:13, 44:6, 44:19, 45:5, 45:13, 46:1, 46:14, 47:1, 48:15, 49:8, 49:12, 53:13,	54:1, 55:17, 56:6, 56:10, 59:13, 59:17, 60:2, 60:5, 62:13, 63:2, 64:3, 65:9, 66:7, 68:3, 68:9, 68:13, 71:13, 71:17, 72:11, 72:14, 73:7, 73:16, 74:6, 75:16, 76:1, 76:7, 77:15, 78:2, 78:14, 80:11, 80:15, 85:9, 85:19, 87:14, 88:15, 88:19, 93:15, 94:5, 94:10, 94:16,	94:19, 102:5, 102:8, 105:15, 110:8, 113:16, 113:19, 116:6, 116:16, 116:19, 121:15, 124:15, 124:19, 127:13, 130:14, 131:1, 131:7, 133:14, 133:17, 135:14, 137:2, 137:6, 138:18, 139:4, 139:9, 140:5 <u>Reardon</u> [1] - 3:14 <u>REASON</u> [6] - 141:5, 141:6, 141:7, 141:8, 141:9, 141:10 <u>reason</u> [3] - 111:1, 125:16, 141:2	<u>reasonable</u> [1] - 105:13 <u>reasons</u> [2] - 115:11, 126:2 <u>receive</u> [1] - 83:1 <u>received</u> [7] - 51:12, 80:4, 120:14, 125:6, 126:3, 138:7, 138:12 <u>recent</u> [2] - 101:14, 102:1 <u>recently</u> [2] - 41:10, 115:14 <u>reception</u> [1] - 92:6 <u>reconfigur</u> <u>e</u> [1] - 72:2 <u>record</u> [14] - 6:11, 32:8, 38:3, 50:15, 83:6, 90:1, 105:4,
---	--	---	--	---

129:4, 129:15, 141:12, 142:5, 142:8, 142:9, 142:10 <u>RECORD</u> [1] - 1:17 <u>recruiting</u> [1] - 105:6 <u>Redevelopm</u> <u>ent</u> [1] - 83:6 <u>Redfield</u> [1] - 69:10 <u>redone</u> [1] - 71:14 <u>reduced</u> [1] - 125:18 <u>referring</u> [1] - 22:13 <u>refresh</u> [1] - 71:3 <u>regard</u> [1] - 67:11 <u>regards</u> [2] - 128:5, 135:9 <u>regular</u> [2] - 137:8, 137:10 <u>regulation</u>	<u>s</u> [1] - 41:7 <u>regulatory</u> [1] - 41:8 <u>reheard</u> [1] - 119:17 <u>reiterate</u> [2] - 13:2, 121:8 <u>relates</u> [1] - 131:17 <u>relationsh</u> <u>ip</u> [1] - 61:5 <u>relocate</u> [1] - 14:12 <u>relocated</u> [2] - 10:8, 71:18 <u>relocation</u> [1] - 116:18 <u>remain</u> [6] - 3:8, 39:16, 40:4, 43:17, 71:5, 121:17 <u>remarkable</u> [1] - 67:3 <u>remember</u> [5] - 74:13,	98:13, 98:14, 117:8, 120:14 <u>remodeling</u> [4] - 58:3, 58:9, 59:14, 59:18 <u>removed</u> [3] - 108:1, 108:2, 118:9 <u>rendering</u> [2] - 23:13, 123:1 <u>renderings</u> [1] - 17:11 <u>rendition</u> [1] - 117:17 <u>renovation</u> [4] - 46:16, 53:15, 65:3, 73:8 <u>renovation</u> <u>s</u> [3] - 46:18, 65:14, 65:17 <u>replaced</u> [1] - 108:14 <u>replacemen</u>	<u>t</u> [2] - 117:9, 121:2 <u>reported</u> [1] - 93:17 <u>Reporter</u> [2] - 142:4, 142:14 <u>REPORTER</u> [1] - 142:17 <u>REPORTERS</u> [1] - 1:17 <u>represent</u> [3] - 5:3, 81:19, 106:5 <u>representa</u> <u>tives</u> [1] - 131:12 <u>REPRODUCTI</u> <u>ON</u> [1] - 142:16 <u>repurposed</u> [1] - 117:1 <u>reputation</u> [3] - 7:5, 97:5, 99:16 <u>request</u> [1] - 132:10 <u>required</u> [1] - 131:17 <u>requiremen</u>	<u>t</u> [2] - 19:10 <u>requiremen</u> <u>ts</u> [1] - 41:5 <u>requires</u> [1] - 95:12 <u>requisite</u> [1] - 49:3 <u>rescind</u> [2] - 136:4, 136:17 <u>rescinding</u> [1] - 136:13 <u>research</u> [1] - 99:3 <u>reside</u> [1] - 113:5 <u>resident</u> [2] - 58:1, 111:17 <u>residential</u> <u>l</u> [1] - 107:15 <u>RESPECT</u> [1] - 142:17 <u>respect</u> [3] - 100:3, 130:9, 130:12 <u>respond</u> [2] - 96:14,
--	---	--	---	---

97:6 <u>response</u> [1] - 135:13 <u>RESTAURANT</u> [2] - 2:14, 56:17 <u>Restaurant</u> [6] - 42:14, 42:18, 57:1, 57:11, 67:16, 82:9 <u>restaurant</u> [39] - 6:2, 17:3, 21:19, 38:11, 38:18, 40:15, 41:4, 42:6, 42:13, 42:17, 43:5, 48:1, 57:3, 60:3, 65:3, 69:3, 69:16, 71:7, 84:9, 84:11, 90:18, 91:3,	91:6, 91:7, 91:8, 91:18, 92:4, 96:5, 97:15, 100:16, 105:7, 106:17, 107:15, 114:17, 115:3, 115:6, 115:9 <u>restaurant</u> <u>s</u> [8] - 40:18, 42:1, 42:15, 43:1, 74:4, 95:5, 96:1, 107:2 <u>restrooms</u> [1] - 58:14 <u>result</u> [1] - 128:14 <u>retail</u> [1] - 24:7 <u>revenue</u> [2] - 125:18, 126:6 <u>Reverend</u> [1] - 60:18	<u>review</u> [5] - 7:14, 20:17, 25:6, 113:14, 117:15 <u>reviewed</u> [2] - 107:16, 108:4 <u>revocation</u> [1] - 127:5 <u>revoked</u> [1] - 127:1 <u>revote</u> [1] - 136:5 <u>revoted</u> [1] - 119:18 <u>Richard</u> [3] - 31:19, 32:10, 36:14 <u>RICHARD</u> [19] - 32:6, 32:10, 32:11, 32:15, 32:18, 33:7, 33:10, 33:12, 33:17, 34:2, 34:8,	34:13, 34:15, 34:18, 35:3, 35:13, 35:17, 36:3, 37:6 <u>right-hand</u> [1] - 55:7 <u>rights</u> [1] - 78:6 <u>road</u> [2] - 111:19, 115:10 <u>roadway</u> [2] - 16:2, 115:9 <u>Robert</u> [1] - 3:15 <u>ROBERT</u> [70] - 1:7, 13:6, 13:14, 14:6, 23:17, 25:15, 29:19, 31:1, 31:12, 34:6, 36:6, 37:3, 47:8, 47:11, 47:15, 47:18, 48:3, 48:12,	49:11, 52:1, 52:6, 52:11, 53:4, 55:14, 56:9, 62:5, 62:8, 63:6, 63:9, 64:10, 64:16, 66:8, 67:7, 68:12, 76:12, 77:3, 77:7, 78:11, 80:14, 84:6, 84:12, 84:17, 87:8, 87:11, 88:18, 97:7, 98:2, 99:1, 99:9, 100:13, 101:5, 101:19, 105:17, 106:3, 111:5, 114:4, 124:18, 127:12,
---	--	--	---	---

130:7, 133:4, 133:7, 133:18, 134:8, 134:11, 135:11, 135:17, 137:5, 138:16, 139:7, 140:8	62:17, 65:7 <u>runs</u> [1] - 11:15 <u>Rye</u> [2] - 42:13, 42:18 <u>RYE</u> [1] - 42:14	<u>salad</u> [1] - 83:12 <u>salads</u> [2] - 83:12, 86:14 <u>sale</u> [1] - 51:9 <u>Sam</u> [1] - 6:13 <u>SAME</u> [1] - 142:16 <u>Samowski</u> [2] - 69:2, 69:12 <u>SAMOWSKI</u> [16] - 72:3, 72:7, 72:13, 73:2, 73:9, 74:4, 74:8, 74:19, 75:10, 75:18, 76:15, 77:5, 77:9, 77:12, 77:19, 78:8 <u>sample</u> [1] - 43:7 <u>sandwiches</u> [1] - 83:12 <u>Santoro</u>	[1] - 132:13 <u>santoro</u> [1] - 128:6 <u>Saturday</u> [6] - 61:10, 61:13, 61:18, 68:4, 68:6, 103:19 <u>Saturdays</u> [1] - 52:10 <u>saw</u> [1] - 87:7 <u>Scelfo</u> [3] - 5:19, 6:10, 7:5 <u>SCELFO</u> [13] - 8:10, 8:13, 10:9, 10:17, 12:5, 12:13, 13:8, 13:17, 14:8, 15:13, 16:13, 17:17, 21:18 <u>scenarios</u> [1] - 101:4	<u>scheduled</u> [4] - 7:13, 10:10, 16:2, 29:5 <u>schematics</u> [1] - 26:2 <u>school</u> [9] - 54:11, 92:1, 128:12, 128:18, 129:4, 129:8, 129:18, 132:1, 132:6 <u>SCHOOL</u> [2] - 2:18, 128:2 <u>School</u> [3] - 54:12, 128:6, 132:13 <u>schooling</u> [1] - 130:17 <u>screen</u> [2] - 123:3, 123:14 <u>scrutiny</u> [1] - 19:8 <u>se</u> [1] - 78:7 <u>season</u> [6] - 15:7, 16:12, 16:14, 16:17,
	<u>S</u>			
<u>roll</u> [1] - 103:15 <u>rolling</u> [1] - 107:19 <u>roof</u> [1] - 11:8 <u>rooftop</u> [1] - 75:4 <u>room</u> [1] - 116:1 <u>Room</u> [2] - 1:12, 3:12 <u>Rosie's</u> [1] - 51:4 <u>roughly</u> [1] - 74:14 <u>run</u> [5] - 7:7, 53:5, 107:3, 110:2, 110:3 <u>running</u> [4] - 11:12, 43:5,	<u>S-I-M-O-N</u> [1] - 106:14 <u>safe</u> [3] - 96:13, 108:12, 108:19 <u>safely</u> [1] - 110:3 <u>safety</u> [3] - 24:9, 107:5, 107:12 <u>SAGE</u> [3] - 2:5, 4:5, 81:3 <u>Sage</u> [12] - 3:19, 4:1, 4:3, 4:7, 4:8, 81:1, 81:5, 81:6, 82:1, 86:7, 88:9 <u>sake</u> [1] - 45:9			

<p>44:8, 115:5</p> <p><u>seasonal</u></p> <p>[8] - 4:14, 6:4, 43:11, 43:14, 44:7, 81:12, 114:19, 124:7</p> <p><u>seating</u></p> <p>[25] - 4:13, 37:16, 39:16, 49:5, 49:15, 50:10, 51:16, 56:4, 59:18, 62:6, 62:9, 62:10, 81:11, 84:1, 88:10, 89:14, 115:3, 115:5, 115:8, 115:14, 115:19, 116:17, 118:7, 118:16, 119:4</p> <p><u>seats</u> [18]</p>	<p>- 4:14, 6:4, 40:19, 42:16, 42:17, 42:18, 43:18, 44:9, 60:9, 60:12, 81:12, 84:1, 85:10, 88:10, 102:6, 102:14, 116:7, 116:11</p> <p><u>second</u></p> <p>[33] - 25:11, 25:12, 29:4, 30:16, 30:17, 31:8, 31:9, 36:18, 36:19, 49:7, 49:8, 56:6, 68:8, 68:9, 80:10, 80:11, 88:14, 88:15, 113:15, 113:16,</p>	<p>123:8, 124:14, 124:15, 125:5, 125:8, 133:3, 133:14, 135:14, 137:1, 137:2, 139:3, 139:4, 140:5</p> <p><u>section</u></p> <p>[2] - 16:1, 24:11</p> <p><u>security</u></p> <p>[2] - 96:19, 103:17</p> <p><u>see</u> [16] - 5:4, 8:11, 12:6, 17:18, 21:3, 23:12, 25:3, 75:13, 88:3, 97:10, 99:14, 111:17, 112:1, 112:12, 113:14, 133:8</p> <p><u>seeing</u></p> <p>[13] -</p>	<p>20:9, 23:7, 30:3, 35:9, 36:12, 48:18, 56:1, 67:12, 79:1, 87:19, 100:6, 112:8, 123:1</p> <p><u>seek</u> [2] - 69:17, 98:1</p> <p><u>seeking</u></p> <p>[4] - 92:15, 115:7, 119:1, 120:4</p> <p><u>seem</u> [2] - 5:4, 113:13</p> <p><u>select</u> [1] - 33:19</p> <p><u>sell</u> [3] - 61:1, 63:16, 63:17</p> <p><u>selling</u></p> <p>[2] - 63:14, 64:1</p> <p><u>semi</u> [1] - 51:17</p> <p><u>semi-</u> <u>permanent</u></p>	<p>[1] - 51:17</p> <p><u>sent</u> [5] - 63:15, 120:18, 132:4, 134:5, 138:12</p> <p><u>separate</u></p> <p>[3] - 30:15, 124:2</p> <p><u>September</u></p> <p>[3] - 29:5, 54:19, 65:18</p> <p><u>serious</u></p> <p>[2] - 108:17, 108:18</p> <p><u>serve</u> [7] - 16:19, 18:13, 22:7, 67:17, 118:12, 118:15, 121:11</p> <p><u>served</u></p> <p>[10] - 4:12, 37:15, 50:9, 81:10, 83:13, 89:13, 119:4, 120:9,</p>
--	---	--	---	---

122:10, 124:9 <u>servers</u> [1] - 18:19 <u>service</u> [11] - 18:9, 19:2, 21:5, 21:7, 22:3, 22:6, 22:10, 47:9, 61:2, 65:10, 131:2 <u>serviced</u> [1] - 92:11 <u>services</u> [1] - 54:14 <u>Services</u> [1] - 49:4 <u>serving</u> [6] - 21:12, 64:17, 64:18, 92:13, 118:10, 121:13 <u>set</u> [18] - 31:14, 36:9, 37:5, 41:9,	49:13, 56:11, 67:8, 68:14, 73:5, 80:16, 89:1, 111:8, 123:15, 123:16, 125:1, 126:9, 127:14, 142:5 <u>seven</u> [5] - 4:17, 18:18, 37:19, 81:15, 88:12 <u>several</u> [1] - 121:5 <u>sexual</u> [5] - 128:8, 129:1, 131:18, 132:3, 132:14 <u>shafts</u> [1] - 109:4 <u>Shaking</u> [1] - 124:5 <u>shall</u> [1] - 132:18 <u>shame</u> [1] - 103:13 <u>shape</u> [1]	- 132:1 <u>share</u> [1] - 34:3 <u>shared</u> [2] - 84:7, 84:18 <u>shareholde</u> <u>r</u> [1] - 69:13 <u>SHEET</u> [1] - 141:1 <u>sheet</u> [2] - 141:3 <u>shell</u> [1] - 71:5 <u>shift</u> [1] - 13:15 <u>shop</u> [1] - 51:3 <u>shops</u> [1] - 24:7 <u>Shorthand</u> [2] - 142:3, 142:14 <u>shows</u> [1] - 8:3 <u>shut</u> [2] - 102:2, 122:14 <u>side</u> [8] - 55:6, 55:7, 55:11, 55:12, 59:7, 71:7, 121:10 <u>sides</u> [3]	- 18:5, 18:17, 102:11 <u>sidewalk</u> [8] - 8:5, 20:4, 115:1, 115:7, 116:11, 121:10, 124:1, 124:7 <u>Sign</u> [1] - 141:3 <u>sign</u> [5] - 9:11, 9:17, 46:11, 46:12, 59:4 <u>sign-offs</u> [2] - 9:11, 9:17 <u>signed</u> [2] - 39:4, 117:8 <u>significan</u> <u>tly</u> [1] - 125:18 <u>signify</u> [16] - 25:14, 30:19, 31:11, 37:2, 49:10, 56:8, 68:11, 80:13,	88:17, 113:18, 124:17, 133:16, 135:16, 137:4, 139:6, 140:7 <u>SIMAO</u> [30] - 6:7, 7:4, 8:2, 8:11, 8:18, 9:1, 9:10, 9:15, 9:19, 10:14, 11:13, 12:8, 12:18, 13:1, 14:10, 15:6, 16:5, 16:9, 16:15, 17:1, 17:7, 17:10, 19:5, 20:12, 22:12, 23:2, 24:13, 25:5, 26:1, 26:7 <u>Simao</u> [1] - 6:8 <u>similar</u>
---	---	---	--	---

<p>[7] - 8:16, 8:19, 10:18, 14:13, 83:11, 92:8, 95:4 SIMON [1] - 106:13 Simon [1] - 106:13 simple [2] - 96:18, 117:13 simply [2] - 66:19, 108:19 single [1] - 108:1 sister [3] - 40:13, 41:10, 43:3 sit [1] - 22:19 site [6] - 28:7, 52:2, 95:6, 95:11, 109:19, 118:2 sites [1] - 53:5 sitting [5] - 38:7, 41:2, 47:13,</p>	<p>116:5, 127:15 situation [1] - 122:18 situations [1] - 103:5 six [8] - 13:4, 17:14, 18:17, 54:9, 65:15, 75:14, 116:13, 116:14 sixth [1] - 91:3 size [5] - 13:5, 41:3, 42:2, 72:1, 101:11 skills [1] - 107:2 slightly [1] - 21:13 slowly [1] - 126:7 small [3] - 28:4, 51:14, 96:7 smaller [1] - 102:9</p>	<p>soft [1] - 92:2 softly [1] - 142:7 sold [5] - 4:12, 37:15, 50:8, 81:10, 89:13 solely [1] - 142:11 someone [2] - 76:9, 117:6 someplace [2] - 14:13, 92:19 sometime [1] - 39:1 sometimes [1] - 15:16 somewhat [1] - 70:19 soon [2] - 17:12, 61:2 Sorry [1] - 136:15 sorry [5] - 35:16, 38:16, 43:8, 123:12, 137:17</p>	<p>sort [3] - 14:14, 71:12, 78:5 sort've [2] - 14:18, 82:15 sounds [1] - 112:17 space [14] - 12:15, 20:14, 22:9, 23:4, 50:18, 51:14, 55:3, 82:15, 82:18, 85:5, 85:7, 87:15, 107:12, 121:16 spaces [8] - 8:9, 9:14, 26:14, 26:19, 27:9, 30:12, 31:6, 102:15 speaking [5] - 23:10, 137:13, 142:6,</p>	<p>142:7 special [1] - 83:1 specialty [1] - 83:12 specifically [1] - 100:1 speculate [1] - 101:3 speculation n [1] - 101:6 speed [1] - 111:3 spelled [2] - 142:8, 142:8 spelling [4] - 32:8, 38:3, 50:15, 90:1 spending [1] - 88:2 spent [1] - 99:5 spilled [1] - 101:12 spot [11] - 14:15, 33:13, 34:5, 34:7,</p>
---	---	---	---	---

71:18, 72:1, 78:3, 92:2, 92:4, 93:6 <u>spots</u> [1] - 33:12 <u>spread</u> [1] - 60:9 <u>sprinkleri</u> <u>ng</u> [1] - 109:10 <u>square</u> [3] - 13:10, 24:11, 51:14 <u>Square</u> [14] - 54:11, 57:19, 67:1, 86:12, 90:18, 91:7, 91:9, 92:3, 93:3, 98:17, 99:6, 115:2, 115:13, 118:14 <u>ss</u> [1] - 142:2 <u>staff</u> [9] - 21:12, 21:16, 22:6, 22:19,	54:7, 96:12, 96:13, 103:2, 103:4 <u>STAFF</u> [1] - 1:9 <u>staffed</u> [1] - 103:15 <u>staffing</u> [4] - 103:17, 104:5, 104:6, 105:6 <u>stairs</u> [1] - 59:11 <u>stairwell</u> [2] - 22:7, 22:13 <u>stanchions</u> [1] - 10:15 <u>standards</u> [1] - 109:9 <u>Standing</u> [1] - 15:1 <u>start</u> [8] - 41:15, 64:1, 64:17, 64:18, 65:17, 90:9, 97:19, 103:15	<u>started</u> [1] - 3:5 <u>starting</u> [1] - 52:16 <u>State</u> [4] - 83:10, 83:14, 86:7, 86:16 <u>state</u> [4] - 32:7, 38:3, 50:14, 89:19 <u>statement(</u> <u>s</u> [1] - 141:12 <u>statements</u> [1] - 142:6 <u>States</u> [1] - 43:2 <u>station</u> [1] - 22:3 <u>status</u> [1] - 79:12 <u>statutory</u> [2] - 19:9, 19:10 <u>still</u> [7] - 19:7, 22:17, 54:12, 105:5, 116:7, 119:17, 129:13	<u>stop</u> [1] - 78:3 <u>storage</u> [2] - 27:19, 28:4 <u>store</u> [2] - 83:9, 85:6 <u>stores</u> [1] - 96:8 <u>story</u> [1] - 98:13 <u>straight</u> [4] - 38:18, 40:9, 41:15, 55:8 <u>straight-</u> <u>forward</u> [1] - 38:18 <u>street</u> [16] - 7:19, 8:5, 10:13, 13:16, 16:11, 20:14, 24:9, 24:10, 48:2, 48:8, 60:17, 63:14, 76:11, 85:17, 101:12,	122:14 <u>Street</u> [22] - 5:3, 6:2, 10:13, 22:2, 57:3, 57:12, 66:16, 67:14, 69:4, 69:11, 81:19, 82:9, 82:11, 82:12, 83:10, 83:14, 84:5, 86:8, 86:16, 111:13, 114:18, 124:8 <u>streetscap</u> <u>e</u> [1] - 7:10 <u>strictly</u> [2] - 28:9, 142:10 <u>strip</u> [1] - 22:18 <u>strong</u> [1] - 92:6 <u>structural</u> [6] - 53:18, 71:4,
--	--	---	--	---

71:10, 73:10, 108:4, 109:12 <u>student</u> [3] - 92:18, 98:14, 99:8 <u>students</u> [1] - 125:19 <u>stuff</u> [2] - 19:13, 109:18 <u>subject</u> [2] - 19:7, 127:5 <u>submit</u> [4] - 26:2, 35:18, 79:10, 101:6 <u>submitted</u> [5] - 70:4, 70:12, 73:5, 117:6, 117:7 <u>subscribe</u> [1] - 141:11 <u>substantia</u> <u>l</u> [8] - 40:10, 40:14, 41:3,	42:2, 46:16, 73:8, 93:13, 103:17 <u>substantia</u> <u>l-size</u> [1] - 41:3 <u>substantia</u> <u>lly</u> [1] - 14:13 <u>successful</u> [4] - 7:7, 21:8, 51:19, 103:7 <u>suffer</u> [1] - 112:2 <u>suggest</u> [1] - 99:10 <u>summary</u> [1] - 134:17 <u>summer</u> [1] - 115:5 <u>Sunday</u> [5] - 50:12, 56:5, 61:9, 64:1, 67:17 <u>Sundays</u> [5] - 60:19, 61:4, 64:2, 64:4, 64:5 <u>Sunnywoods</u>	[3] - 37:10, 38:6, 49:1 <u>SUNNYWOODS</u> [1] - 2:10 <u>support</u> [11] - 14:3, 24:4, 53:2, 60:14, 60:16, 66:19, 67:1, 83:7, 111:13, 112:10, 112:11 <u>supportive</u> [1] - 7:9 <u>supposed</u> [3] - 27:3, 75:18, 110:13 <u>suppressio</u> <u>n</u> [2] - 72:17, 72:18 <u>surely</u> [1] - 126:7 <u>surgery</u> [1] - 76:17 <u>surroundin</u> <u>g</u> [1] - 11:1 <u>survive</u> [1] -	57:17 <u>suspect</u> [2] - 9:2, 23:2 <u>SUZANNE</u> [16] - 72:3, 72:7, 72:13, 73:2, 73:9, 74:4, 74:8, 74:19, 75:10, 75:18, 76:15, 77:5, 77:9, 77:12, 77:19, 78:8 <u>Suzanne</u> [2] - 69:2, 69:12 <u>switched</u> [1] - 115:14 <u>sworn</u> [1] - 142:10 <u>system</u> [15] - 72:10, 72:17, 72:18, 72:19, 93:19, 94:2,	94:4, 94:12, 94:15, 108:18, 109:11, 109:13, 110:11, 119:13 <u>systems</u> [2] - 28:15, 108:5 <u>T</u> <u>tables</u> [6] - 17:15, 22:19, 60:9, 85:7, 85:13, 115:15 <u>take-out</u> [5] - 47:9, 47:10, 47:12, 48:5, 51:15 <u>take-over</u> [1] - 46:9 <u>tanks</u> [2] - 26:15, 30:13 <u>taped</u> [1] - 4:2 <u>Taqueria</u> [3] - 38:14, 38:16,
---	---	---	--	---

49:6 <u>taqueria</u> [1] - 38:15 <u>Taste</u> [2] - 41:11, 43:4 <u>Tasty</u> [12] - 6:18, 8:6, 8:16, 10:18, 16:1, 18:12, 21:8, 21:10, 23:12, 93:2, 93:3 <u>taught</u> [1] - 131:12 <u>tavern</u> [4] - 74:16, 74:18, 75:7, 75:9 <u>TAVERN</u> [1] - 68:18 <u>Tavern</u> [4] - 2:16, 69:2, 80:6, 80:7 <u>Taxi</u> [2] - 128:6, 132:13 <u>TAXI</u> [2] - 2:18, 128:1 <u>taxi</u> [4] - 128:18, 129:8, 129:18,	132:1 <u>team</u> [3] - 83:5, 109:17, 110:5 <u>technicall</u> <u>y</u> [1] - 55:5 <u>technology</u> [1] - 107:16 <u>temporary</u> [4] - 8:15, 8:17, 16:7, 16:16 <u>ten</u> [2] - 63:8, 129:11 <u>ten-minute</u> [1] - 129:11 <u>tenant</u> [1] - 66:18 <u>terms</u> [18] - 9:4, 9:17, 10:13, 10:14, 13:2, 17:19, 20:8, 29:3, 55:3, 63:12, 94:8, 104:6, 110:19,	120:15, 129:8, 131:16, 132:1, 132:3 <u>terrible</u> [1] - 97:4 <u>test</u> [2] - 52:14, 52:17 <u>testimony</u> [2] - 80:4, 142:10 <u>Thanksgivi</u> <u>ng</u> [1] - 79:19 <u>THE</u> [5] - 1:17, 142:16, 142:16, 142:17, 142:17 <u>the-hours</u> [1] - 104:15 <u>theater</u> [1] - 24:7 <u>theirs</u> [3] - 16:6, 77:6, 85:10 <u>theme</u> [1] - 45:14 <u>themselves</u> [2] - 97:18, 142:7 <u>therefor</u>	[1] - 141:2 <u>they've</u> [1] - 7:7 <u>third</u> [2] - 28:17, 29:5 <u>THIS</u> [1] - 142:16 <u>three</u> [9] - 8:10, 53:8, 53:11, 69:7, 70:17, 85:12, 102:1, 104:9, 113:14 <u>three-</u> <u>month</u> [1] - 113:14 <u>threw</u> [1] - 85:18 <u>throwing</u> [1] - 135:5 <u>Thursday</u> [6] - 61:9, 61:12, 61:18, 68:4, 68:5, 103:19 <u>tight</u> [2] - 17:16, 119:8 <u>TIME</u> [1] -	1:15 <u>timeline</u> [1] - 46:3 <u>TING</u> [15] - 50:13, 50:17, 51:2, 52:4, 52:8, 52:13, 53:6, 53:12, 53:16, 54:3, 54:8, 54:19, 55:5, 56:13 <u>Ting</u> [1] - 50:4 <u>tired</u> [1] - 73:15 <u>TO</u> [2] - 128:1, 142:16 <u>today</u> [4] - 20:13, 40:3, 138:7, 138:12 <u>today's</u> [1] - 20:16 <u>together</u> [1] - 131:16 <u>tomato</u> [1] - 33:1 <u>tonight</u>
---	---	---	--	--

[3] - 3:17, 14:1, 23:8 took [2] - 108:10, 108:11 top [1] - 11:3 topic [2] - 131:9, 135:7 tops [4] - 18:3, 18:6, 23:3, 23:4 Toronto [3] - 40:18, 42:7, 42:14 total [7] - 8:10, 18:3, 18:4, 29:9, 43:14, 44:8, 51:6 totally [1] - 18:12 towards [2] - 19:2, 82:18 toys [1] - 72:9 Trade [3] - 69:5, 69:18,	80:6 traffic [3] - 24:10, 48:10, 116:2 Traffic [2] - 9:8, 23:14 training [10] - 128:8, 128:12, 129:2, 129:9, 129:10, 129:12, 130:16, 132:2, 132:15, 132:18 transactio n [1] - 39:6 transcript [5] - 87:2, 87:4, 141:2, 141:10, 141:11 TRANSCRIPT [1] - 142:16 transmitta l [1] - 70:16 trapped [1] - 76:9	trash [1] - 55:3 trees [3] - 11:9, 116:1, 135:6 trouble [1] - 97:6 truck [6] - 32:3, 32:13, 35:1, 36:2, 36:14, 36:17 trucks [3] - 34:3, 34:16, 55:11 true [1] - 142:5 try [4] - 33:3, 57:17, 97:9, 97:12 trying [7] - 15:6, 15:8, 18:9, 18:18, 48:4, 52:14, 55:2 Tuesday [3] - 3:10, 50:12, 56:5	turn [1] - 126:5 turn- around [1] - 126:5 turned [4] - 3:7, 11:3, 11:5, 16:2 two [24] - 11:9, 23:3, 30:15, 33:12, 33:17, 35:3, 43:1, 53:5, 58:14, 59:5, 78:5, 79:14, 85:12, 90:14, 91:5, 99:12, 102:11, 122:1, 123:9, 124:1, 124:2, 128:14, 129:18, 138:1 type [8] - 8:1, 11:2, 39:9, 52:7, 110:17,	115:13, 115:16, 128:11 typical [1] - 32:19 typically [1] - 79:9 U unclear [1] - 142:6 unconsciou s [1] - 74:15 UNDER [1] - 142:17 under [4] - 12:6, 47:3, 100:14, 142:11 underneath [1] - 33:18 unfortunat ely [2] - 14:2, 14:8 Union [3] - 69:5, 69:18, 80:6 unisex [1] - 59:1 unit [2] - 95:8, 95:10
--	---	---	---	--

<p><u>United</u> [1] - 43:2</p> <p><u>units</u> [2] - 29:9, 108:14</p> <p><u>UNLESS</u> [1] - 142:17</p> <p><u>unless</u> [1] - 27:11</p> <p><u>unlocked</u> [1] - 76:3</p> <p><u>unrelated</u> [1] - 74:13</p> <p><u>unruly</u> [2] - 100:18, 103:10</p> <p><u>up</u> [39] - 8:9, 13:15, 15:10, 16:8, 18:5, 18:7, 18:15, 22:6, 23:4, 27:17, 28:13, 29:11, 41:6, 45:8, 46:5, 46:19, 51:17, 52:9, 52:12, 57:17, 59:11,</p>	<p>68:6, 70:8, 73:17, 79:2, 80:8, 102:14, 107:17, 108:15, 109:9, 111:2, 112:2, 119:13, 123:2, 126:9, 128:13, 130:3, 139:11, 139:12</p> <p><u>upgrade</u> [5] - 57:4, 58:2, 58:3, 61:11, 67:13</p> <p><u>upgraded</u> [1] - 73:3</p> <p><u>upgrading</u> [1] - 108:12</p> <p><u>upscale</u> [1] - 32:19</p> <p><u>upstairs</u> [4] - 58:13, 59:1, 59:9, 65:5</p> <p><u>users</u> [1]</p>	<p>- 36:16</p> <p><u>uses</u> [2] - 84:16, 85:1</p> <p style="text-align: center;"><u>V</u></p> <p><u>V-E-C-N-A</u> [1] - 34:10</p> <p><u>various</u> [1] - 9:11</p> <p><u>Vaughn</u> [1] - 73:19</p> <p><u>Vecna</u> [1] - 34:8</p> <p><u>vendor</u> [1] - 36:13</p> <p><u>vendors</u> [1] - 102:3</p> <p><u>vents</u> [1] - 72:15</p> <p><u>venues</u> [2] - 99:12, 101:11</p> <p><u>verbal</u> [1] - 10:2</p> <p><u>versed</u> [1] - 41:1</p> <p><u>versus</u> [2] - 18:12, 62:14</p> <p><u>viable</u> [1] - 21:4</p> <p><u>vibrancy</u> [1] - 24:9</p> <p><u>vicinity</u> [2] -</p>	<p>98:9, 101:18</p> <p><u>victualer</u> [5] - 4:9, 37:12, 50:5, 81:7, 89:10</p> <p><u>view</u> [1] - 117:13</p> <p><u>Village</u> [3] - 51:18, 52:5, 91:19</p> <p><u>violence</u> [1] - 112:3</p> <p><u>violent</u> [1] - 100:18</p> <p><u>vision</u> [1] - 107:1</p> <p><u>visits</u> [1] - 47:13</p> <p><u>volume</u> [1] - 95:7</p> <p><u>vote</u> [5] - 7:16, 26:3, 26:4, 120:4, 136:18</p> <p><u>votes</u> [2] - 129:10, 136:13</p> <p><u>voting</u> [1] - 120:2</p>	<p style="text-align: center;"><u>W</u></p> <p><u>wait</u> [5] - 5:8, 21:11, 21:16, 22:19, 92:7</p> <p><u>waiting</u> [1] - 51:11</p> <p><u>walk</u> [1] - 48:10</p> <p><u>walk-in</u> [1] - 48:10</p> <p><u>walked</u> [2] - 96:5, 122:15</p> <p><u>wall</u> [1] - 53:18</p> <p><u>walls</u> [1] - 109:3</p> <p><u>wasting</u> [1] - 21:2</p> <p><u>Watertown</u> [1] - 33:14</p> <p><u>Watson</u> [1] - 126:17</p> <p><u>ways</u> [1] - 52:16</p> <p><u>website</u> [1] - 119:14</p> <p><u>Wednesday</u> [1] - 61:9</p> <p><u>week</u> [12] - 4:17,</p>
---	---	---	--	--

7:14, 9:4, 37:19, 39:1, 81:15, 88:13, 90:13, 109:19, 122:1, 129:19, 130:1 <u>weekdays</u> [2] - 64:17, 64:19 <u>weekends</u> [1] - 106:2 <u>weeks</u> [2] - 65:15, 129:18 <u>well-</u> <u>versed</u> [1] - 41:1 <u>Wen</u> [3] - 40:13, 41:10, 43:3 <u>whispering</u> [1] - 137:15 <u>whole</u> [6] - 22:9, 97:15, 98:17, 107:14, 110:4, 116:14 <u>whole-</u> <u>heart</u> [1]	- 110:4 <u>width</u> [4] - 12:4, 12:8, 13:3, 17:14 <u>wifi</u> [1] - 123:9 <u>willing</u> [1] - 44:3 <u>willingnes</u> <u>s</u> [1] - 131:19 <u>wine</u> [5] - 57:2, 58:15, 63:7, 67:13, 124:9 <u>wiring</u> [1] - 108:13 <u>wish</u> [9] - 23:19, 30:2, 36:11, 48:17, 55:19, 66:11, 78:19, 87:17, 106:10 <u>wished</u> [1] - 92:18 <u>wishes</u> [2] - 111:9, 112:6 <u>woman</u> [1] - 76:16 <u>wonderful</u>	[4] - 52:19, 92:5, 93:5, 93:8 <u>wondering</u> [1] - 99:2 <u>wood</u> [1] - 11:2 <u>wood-</u> <u>fencing</u> [1] - 11:2 <u>word</u> [1] - 97:15 <u>workers</u> [1] - 60:11 <u>works</u> [3] - 10:3, 102:19, 107:9 <u>Works</u> [4] - 9:7, 23:14, 117:3, 121:16 <u>worried</u> [1] - 76:17 <u>worth</u> [1] - 99:2 <u>wraps</u> [1] - 83:13 <u>write</u> [1] - 14:3 <u>writing</u> [2] - 9:17, 27:12 <u>www.</u>	<u>reportersinc</u> <u>.com</u> [1] - 1:18 <u>Y</u> <u>Y-O-K-I</u> [1] - 125:15 <u>yang</u> [1] - 41:2 <u>Yang</u> [1] - 42:9 <u>year</u> [4] - 29:6, 51:18, 70:1, 108:9 <u>years</u> [18] - 15:14, 53:8, 53:11, 57:16, 61:5, 67:2, 70:1, 71:2, 73:14, 82:8, 83:10, 86:9, 91:1, 96:2, 99:8, 107:19, 108:1 <u>yesterday</u> [1] - 51:13 <u>Yoki</u> [3] -	125:5, 125:11, 125:14 <u>young</u> [1] - 77:1 <u>Z</u> <u>zone</u> [1] - 12:12 <u>Zoning</u> [1] - 83:2 <u>zoo</u> [1] - 122:16
--	--	---	---	---