

Draft #3 - **License Hearing for Go Cafe d/b/a Rafiki Sublease/ license transfer**  
Ref: Transfer license, to Giulia Inc d/b/a Giulia,  
1682 Massachusetts Avenue  
Date : July 10th Hearing, 8:45 pm, 806 Mass Ave. Senior Center, first floor  
Proposed : Dining/ kitchen/bar/bathroom first floor (70 seats/ 20 standing)  
Storage and Office space in basement  
Owner : Pamela Raiston 50%, Emami Michael Pagliarani 50%

### **Bowdoin/Hudson Street Neighbors concerns**

In reference to the License transfer application for the former Rafiki Restaurant space to accommodate a new restaurant, Giulia, at 1682 Mass. Avenue.

We all enjoy the space as a restaurant and consider it one of our neighborhood treasures. This has a lot to do with the fact that we had an agreement with the former tenant to never use the back door for any use except emergency fire egress. If such conditions are met, generally, we support a "The continued use as a restaurant.

However, there are several common on-going problems we are presently in the process of resolving with the existing restaurant. These problems are clearly detrimental for us as residents and are epidemic and unacceptable. Most owners also have tenants, since there are nine 2 family homes on lower Bowdoin Street. These tenants have also raised the same problems with the existing three restaurants and grocery store. But it is the unresolved issues with Rafiki that has even resulted in tenants walking out on a lease. The abutting restaurants include Temple Bar (1688 Mass Ave), Raffiki Restaurant (1682 Mass Ave), West Side Lounge (1680 Mass Ave.) and Evergood Grocery Store (1674 Mass Ave). We have successfully resolved similar issues noted below with Temple Bar, the West Side Lounge and Evergood.

Obviously we feel that the Giulia restaurant as the third restaurant could possibly repeat the same issues as Rafiki has been for two years and would simply further exasperate the problems. **Therefore we firmly support the application only if the six conditions stated below are met and agreed upon in writing.** The most frequent disturbance is listed first and least frequent disturbance is listed last.

- a. **The employees never enter and exit from rear door, loiter and/or smoke in rear.** At present this can happen on an hourly basis
- b. **Any and all deliveries must use front door and use the two "underutilized" loading zones in front of restaurants.** At present, several times daily, 75% of the delivery trucks illegally park on Bowdoin street, illegally idle their engines which expel diesel fumes into our windows, create a lot of ambient noise as a result of the narrowness of our street and finally tear up our sidewalks breaking our water and gas caps which we have had replaced twice in four years. The city tickets these trucks causing 25% of trucks to use the two loading zones on Mass Ave. but it is too infrequent to deter the other 75% of trucks. Instruction by the store owners to the truck drivers would obviously resolve this issue. The driveway has also clearly been established by the zoning department to be in the residential zone and therefore not allowed to be used for commercial use as it would "burden the residential zone".
- c. **All trash must be systematically transitioned to "totes" (similar to the new recycle bins) instead of a dumpster. They should be wheeled punctually and exclusively to the corner of Hudson and Mass Ave for pick up.** This will allow ease of pick up by trash companies exclusively on Mass Ave. The trash companies would also prefer the exclusive pick up on Mass Ave. Three such companies A/W, Save that Stuff and McGeoghan have been approached by the neighbors and do exactly the latter with the other restaurants. At present, the different trash trucks on average drive down Bowdoin street twice to three times daily. Then have to complete four to five point maneuvers to get access to

the dumpsters. In the process, they block both sidewalks and street during peak times for pedestrian traffic. The pedestrian traffic is significant because the end of Bowdoin street/Hudson street is the "gateway" entry and exit or "funnel" to Mass Ave for the Avon hill neighborhood for the following neighbors:

- a. neighbors going to and from harvard square for commuting by train
- b. schoolchildren going to and from Baldwin school via Sacramento street, the bus stop or to Harvard square where there are many daycares and private school buses that pick up.
- c. patrons all day going to and from the very active retail block including Starbucks, & the grocery store

The trash companies and drivers have also voiced that they would prefer the above arrangement so they do not have to constantly play musical chairs with all the cars that use Bowdoin Street as a short cut to beat the light at Linnaean and Mass Ave on their way to work. The same issue arises with parents as they walk their children to school via Bowdoin/Hudson.

- d. **Maintenance and service of equipment, must be completed from the Mass Ave exclusively.** At present monthly. First, the existing restaurants have a legally mandated "powerwashing" cleaning of grease hood ductwork. This typically happens early in the morning when the restaurant is closed, waking all the immediate neighbors. The effluent wastewater has also been irresponsibly allowed to just dump back into rear yard and eventually onto Bowdoin street. The health department has subsequently warned the vendor to not dump this effluent onto the street. But it is clear from the "standing" grease puddle we notice when returning home from work and stench on Bowdoin street every so often that the problem is on-going and unacceptable. Second the mechanical equipment is serviced every few months. The exhaust fans for the hoods, the coolant fans for walk-ins and the blower fans for the heating equipment are in the rear of buildings. This results in the fan belts and the fans every few months "screeching" through the night as they begin to go out of alignment. We then call the owners to encourage them to have them serviced. Sometimes they heed us sometimes they do not.
- e. **All mechanical equipment must be installed on the roof as near to the front facade of the buildings as possible and fenced with perimeter sound boards as is typical when within earshot of residential apartments. This system directs all ambient sound pollution upwards rather than in all directions.** We are requesting the existing owners, heed this request, and expect any new owners to simply abide with it immediately. Raffiki, for example, simply installed an exhaust fan on rear facade of building pointing directly at the bay window of the first floor apartment of 10 Bowdoin street approximately 15' feet away. This was done a few months after they had closed out there building permit, making it harder to regulate that they move it to a more responsible location.
- f. **There must be only one rear door at all times and it must be locked from the outside and have a "panic bar" connected to the fire alarm on the inside and to be used exclusively for "emergency fire egress only".** We find that this would make the above five conditions listed as "a-e" to be "idiot proof" and when any detour from the above conditions occur we would have a formal complaint to enforce since any newly hired employees or managers unaware of the existing conditions would have to disengage the fire alarm on the rear door to use the rear door. As an example of precedence, Raffiki restaurant, has the same agreement that has been made in the 70's with the neighbors which we have asked the Liquor license commission to continue when the victual license was transferred to the Raffiki owner.

In conclusion, we would like the six conditions noted above to be "attached" to the property whenever a vendor is eventually approved for the space since the back door is located in the residential district. This retail space is the last retail space left and will complete the "retail row" plus a grocery store making a very active concentrated impact that does not exist with such intensity anywhere else on Mass Ave between Harvard and Porter squares. Consequently, the above conditions were agreed upon but not attached to the transfer of the license when Raffiki was the petitioner. Since they have been chronically violated by Raffiki we would insist they now be attached to the property so as to apply to any future tenant wether it be a restaurant or other type of vendor. Thank you for the opportunity to represent our issues.

Continues...

\* Precedence -I, Bhupesh Patel, as the architectural designer for the The Bosphorus Restaurant/Ataturk Inc, in Inman Square recently gained approval for a change in use from a social club to a restaurant with the exact same exclusive use of back door for "emergency fire egress only."

**Group members who have agreed to the above issues and demands**  
**"DRAFT-confirm with each person before including their names"**

Barbara Norfleet	1 Bowdoin Street
Bhupesh Patel and Nancy Kramer	3 Bowdoin Street
John Bigelow	5 Bowdoin Street
Janet King	7 Bowdoin Street
Bert Singer	11 Bowdoin Street
Helen Solarzano	13 Bowdoin Street
Michael and Astrid Behnam	15 Bowdoin Street
David Hunt	15 Bowdoin Street
Lynne Meyer Gay	10 Bowdoin Street
Carol Pilgrim	10 Bowdoin Street
Ana Maria Cardenas	10 Bowdoin Street
Michael and Serena Fix	16R Bowdoin Street
Hugh O'Reilly and Andrea Lordan	16 Bowdoin Street
Karthik Ramanna	16 Bowdoin Street
David and Fay Hannon	20 Martin Street
Virginia and Robert Swain	21 Bowdoin Street
Robert and Christina Mann	29-31 Bowdoin Street
Sara Rowe	33 Bowdoin Street
Sunil and Margo Dhaliwal	32 Bowdoin Street
Augustin Ros and Ann L. Barnes	44 Bowdoin Street
Ric Bayly and Mary Waters	Martin Street

*[Handwritten signature]*  
 7-29-12

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