

**SIDEWALK CAFÉ PERMIT
INSPECTIONS SUMMARY REPORT-2016 ANNUAL RENEWALS**

Barismo
Gail Ann
Starbucks

The following Departments have **no objections** to the issuance of said license:

- BOH X
- Building X
- Planning X
- ADA Compliance X

The following Departments have **objections** to the issuance of said license:
(see attached comments)

- BOH
- Building
- Planning
- ADA Compliance

**NOTE: ALL APPROVALS WILL BE SUBJECT TO CONDITIONS SET FORTH-
SUCH AS DEPARTMENT CONDITIONS, CERTIFICATE OF INSURANCE ETC**

PERMIT APPLICATION REPORT

Type of License: Café Outside Furniture Permit

Name of Applicant: Barismo

Address: 171 Massachusetts Avenue

The following Departments have **no objections** but have made comments or conditions regarding the issuance of said license: (see attached)

- Board of Health ☒
- Building ☒
- Planning ☒
- ADA Compliance ☒

PLEASE NOTE: ALL APPROVALS WILL BE SUBJECT TO CONDITIONS SET FORTH (SUCH AS DEPARTMENT CONDITIONS, CERTIFICATE OF INSURANCE ETC.)

**BOARD OF SELECTMEN
TOWN OF ARLINGTON - INSPECTION REPORT**

Report is due at the Office of the Board of Selectmen by, **March 31, 2016**
ONE REPORT IS REQUIRED FROM EACH DEPARTMENT.

Location: 171 Mass. Ave
Applicant's Name: Hong Xue
D/B/A: Barismo
Telephone: 339-368-7300
Department: Sent Interoffice Mail & E-mail Original Approval Date : 7/22/16

MEETING DATE: April 4, 2016

Departments:

RE:OUTSIDE FURNITURE PERMIT

Board of Health

Building

Planning

ADA Compliance

Comments by each Division or Department:

Inspectional Services has no objections to this or any other outdoor furniture permit the BoS wishes to grant. The applicant will need to present plans to this department for building code review prior to furniture being approved or placed. At that time, we can over particulars such as aisle width, distance between chairs/tables and how the new occupant load may affect the establishments bathroom requirements, among other possible issues.

APPLICANT SIGNATURE SECTION:

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Board of Selectmen; furthermore, any work done is done at the applicant's risk.

Applicant's Signature: _____

Date: _____



TOWN OF ARLINGTON

MASSACHUSETTS 02476

781 - 316 - 3090

DEPARTMENT OF PLANNING &
COMMUNITY DEVELOPMENT

To: Arlington Board of Selectmen, c/o Mary Ann Sullivan
From: Ted Fields, Dept. of Planning & Community Development
Date: March 29th, 2016
Re: Sidewalk Cafe License Renewals, 2016

Per your request on March 25th, 2016 (updated on March 28th), the Planning Department has reviewed annual renewal applications for the following Sidewalk Cafe licenses approved by the Arlington Board of Selectmen in 2015:

Barismo - 171 Massachusetts Avenue

The existing approved outdoor seating areas of this coffee bar consists of two (2) benches against the storefront and a larger satellite space with three (3) tables by the Massachusetts Avenue curb line. The two are separated by an acceptable five (5) foot pedestrian travel corridor, and the curbside area is sufficiently buffered by planters, as recommended in the sidewalk cafe regulations. The applicant demonstrates acceptable coverage of \$1,000,000 in general liability insurance. This permit should be renewed for 2016.



Town of Arlington
Department of Health and Human Services
Office of the Board of Health
27 Maple Street
Arlington, MA 02476

Tel: (781) 316-3170
Fax: (781) 316-3175

To: Board of Selectmen
From: Natasha Waden, Health Compliance Officer
Date: March 31, 2016
RE: Café Outdoor Seating Permit Renewals

Please accept the following as comments from the Office of the Board of Health regarding Permit Renewals for Café Outdoor Seating at Barismo, Common Ground, Ristorante Olivio, and The Madrona Tree:

- The Establishment must prohibit smoking in the outdoor seating area by conspicuously posting a notice or sign which states "No Smoking" or the by using a sign with the international "No Smoking" symbol in the outdoor area.
- The owner or designated Person in Charge is responsible for maintaining the outdoor seating area Smoke Free.
- Any person in charge of a public place or workplace who fails to comply with the regulations is subject to a fine of two hundred dollars (\$200.00) for each day of the violation.
- The Establishment is responsible for maintaining the outdoor seating in a clean and sanitary manner, free from garbage and trash or other refuse that would constitute a public health nuisance.

COMMISSION ON DISABILITY, TOWN OF ARLINGTON

20 ACADEMY STREET, SUITE 203, ARLINGTON, MASSACHUSETTS 02476-6436 (781) 316-3431



MEMO TO: Board of Selectmen
Adam Chadelaine, Town Manager

FROM: Jack Jones, Director of Housing & Disability Programs

A handwritten signature in blue ink, appearing to be "J. Jones".

DATE: March 31, 2016

RE: Outside Furniture Permit

It appears from the attached diagram and a completed survey of the sidewalk in front of **Barismo, 171 Mass. Ave.** that all conditions pertaining to accessibility of sidewalk dining will be in compliance with federal and state regulations.

In order to be in compliance with regards to sidewalk dining the absolute minimum clear path of travel along the sidewalk must be at least 36" according to the Massachusetts Architectural Access Board and the Americans with Disabilities Act Architectural Guidelines. The Arlington Commission on Disability however requests the consideration of the Board of Selectmen to require a minimum of 48" of clear unobstructed sidewalk between the exterior wall of the restaurant and the nearest obstruction to the path of travel. Possible obstructions that could affect compliance that will need to be watched are tables, chairs, other furniture, trees, trash receptacles, fire hydrants, planters, sandwich boards, etc. In addition a portion (5%), but not less than one, of available seating must be wheelchair accessible, with an accessible route of at least 36" between tables. The Disability Commission strongly recommends to the Board of Selectmen that a compliance monitoring process be developed in addition to employee training for all restaurant employees to ensure that accessibility is maintained after the permitting process.

Sidewalk Café Permit Application - Town of Arlington, MA

This is an application to the Board of Selectmen of the Town of Arlington Massachusetts, for a permit to place and maintain a Sidewalk Café (an outside seating area for licensed restaurants) on the public right of way in Arlington, Massachusetts described below:

(PLEASE TYPE OR PRINT)

Business Name: <u>barismo inc</u>	Length of Storefront (ft): <u>25 30 ft</u>
Business Address/Location: <u>171 MASS AVE Arlington, MA 02474</u>	Width of Sidewalk along Storefront (ft); *1: <u>15 ft</u>
Phone Number/Email: <u>617 852 4342</u>	Length of Proposed Sidewalk Café (ft): <u>25 30 ft</u>
Business Representative's Name: <u>Hong Xue</u>	Width of Proposed Sidewalk Café (ft); *2: <u>10 ft</u>
Name & Address of Building Owner: <u>Tom Vakafotis</u>	

*1: Measure from front Building Wall to inside of sidewalk granite curb edge.

*2: Measure from front Building Wall to outside of Sidewalk Café surrounding border fencing/barrier.

Application Submittal Requirements:

- 1.) Fee: An annual permit fee of **\$50.00** payable to the Town of Arlington filed with the Selectmen's Office. The Board may prorate its fee for applicants in their initial term to reflect the number of months the permit sought will be held.
- 2.) Site Plan: Furnish a **Site Plan** (scale diagram) showing the location of tables, chairs, umbrellas, trash receptacles, heaters, barricades, as well as a **picture or photograph of the proposed furniture** in compliance with the following requirements:
- No person or entity shall cause to be placed within the public ways any furniture without applying for a permit and receiving approval from the Board of Selectmen of the Town. This permit shall be considered separate and distinct from others issued by the Town, including those for common victuallers.
 - Ordinarily, the location of the sidewalk café must be directly in front of the business operating the café, and may not extend beyond the side property lines. It shall be sited as close to the building façade as practicable and in no event to exceed twelve (12) feet from the food service door of the establishment.
 - Under limited circumstances, sidewalk café areas may be approved adjacent to a storefront, grouped at a distance from the storefronts, or allowed in both positions if a scaled plan showing dimensions clearly establishes:

- a) The requested location(s) create the least obstruction for pedestrian access to storefronts, crosswalks and pedestrian circulation, and/or
 - b) the location does not extend substantially beyond the side edges of the business (allowing for up to 10 feet of latitude where landscaping, public facilities, utility poles or adjacent seating areas obstruct the front of the business premises), and/or
 - c) no more than 256 square feet of the public way would be cordoned off for establishments serving liquor unless the Board determines from the scaled site plan (with dimensions shown) and photos that additional square footage for outdoor seating would not leave less than 36" to the nearest barrier, would not impede circulation, and would not preclude other allowed desirable uses for the public space, and
 - d) in every case, the additional seating does not violate zoning, building, or other code as determined by the Director of Inspectional Services.
- Further, Tables, chairs, benches, food equipment shall be located so that they do not impede, endanger or interfere with pedestrian traffic, with a minimum width of three (3) feet and a recommended width of four (4) feet of unobstructed passage for pedestrian traffic.
 - In addition, no sidewalk café furniture shall be affixed, erected, installed, placed, used or maintained **within five (5) feet** of any marked or unmarked crosswalk or handicapped ramp; or within five (5) feet of any fire hydrant, fire lane, call box, or bus stop.
 - Unlicensed furniture within the public ways of the Town will be subject to removal with the cost thereof to be borne entirely by the owner. In addition, fines may be imposed by the Board of Selectmen not to exceed \$100 for removal, storage or destruction.
 - No fixtures or devices on which food or beverages are sold or consumed shall be attached to the sidewalk or other public area. The property owner is responsible for the restoration of the sidewalk or public-right-of-way if any damage is caused by the sidewalk café. Physical barriers bordering/framing a sidewalk café may not exceed four (4) feet in height.
 - Lighting for sidewalk cafes is subject to approval during the permitting process. Tabletop lighting may include candles and battery-operated fixtures.
 - Well-designed physical barricades surrounding/framing sidewalk cafés are **strongly encouraged**.

3.) Insurance: The applicant restaurant-owner shall furnish a **certificate of insurance** providing commercial insurance coverage for bodily injury, death, disability, and property damage liability in the following amounts:

- **At least \$1,000,000 per occurrence and \$3,000,000 annual aggregate for any restaurant serving alcohol as part of its use of sidewalk café space; or**

- At least \$300,000 per occurrence and \$900,000 annual aggregate for restaurants which are either not licensed to serve alcohol or restaurants which attest that they will not serve alcohol as part of their use of sidewalk café space.

The Town of Arlington shall be named as an additional insured on a primary, noncontributory basis for any liability arising directly or indirectly from the operation of a sidewalk café. In the event the insurance is cancelled, the permit holder has 24 hours to reinstate the insurance or the permit shall be revoked. The permit holder shall immediately inform the Selectmen's Office if insurance under this provision is revoked and shall not operate the sidewalk café until insurance is restated in accordance with this requirement. An insurance certificate naming the Town as an additional insured must be provided to the Office of the Board of Selectmen before any Sidewalk Café/Outdoor Seating Area will be issued.

4.) Indemnification and Acknowledgement of Rights: The applicant restaurant-owner shall also furnish a signed agreement to indemnify the Town of Arlington for its use of public property as a sidewalk café/outdoor seating from any and all claims that may be brought against the Town in connection with such use. Such a signed agreement shall also acknowledge the Town's rights with respect to its property and the limitations of the permit (attached hereto).

5.) Compliance Requirements: By signing this application, the Applicant agrees to accept and comply with the following requirements:

- All services provided to sidewalk café customer and customer activity must occur within the designated sidewalk café area.
- Permit holder is responsible for proper supervision of the sidewalk café in order to ensure the requirements of this section are met.
- Permit holders must ensure that the requirements for operation are met. These include:
 - Patrons must wear shoes and shirts at all times.
 - All sidewalk cafes must maintain at least one opening for ingress and egress at all times. All sidewalk cafes shall abide by all requirements of the currently adopted International Building Code and the American's with Disabilities Act.
 - To the extent applicable, sidewalk cafes must adhere to all regulations pertaining to food and beverage enforced by the Board of Health and Board of Selectmen.
 - All areas within and surrounding a sidewalk café must be maintained in a clean, neat, and sanitary condition.
 - All permit holders shall be required to abide by all federal, state, and local laws.
 - Outdoor alcohol service (and food service when alcohol is served outdoors) shall conclude at or before 10:00 p.m. Sunday through Thursday, and at or before 11:00 p.m. Friday and Saturday.

6.) Other Regulations: By receiving a sidewalk café/outdoor seating permit, restaurants are not exempted from other federal, state, and local laws and regulations. Among other regulations, permit holders must comply with local zoning and state building code requirements and Board of Selectmen alcohol service regulations. Applicants are strongly advised to ensure their plans comply with zoning and state building requirements by contacting Inspectional Services.

7.) Revocation: The sidewalk café permit may be revoked for failure to maintain the standards required for the initial permit. A notice of intent to revoke a sidewalk café permit shall be given in writing 10-days prior to actual revocation and shall specify the area or areas of failure to meet requirements and maintain conditions the Town may have imposed. If, during that period, proof of compliance is made to the satisfaction of designated Town Inspectors by the holder of the permit, the permit shall be continued in force.

- Applicant certifies that all current property taxes due on its licensed premises are paid if property is owned by the Applicant.
- Applicant agrees to permit the Town to periodically verify the accuracy of information contained in this Application and agrees to provide information requested to verify the accuracy of the information and the Certifications contained in this Application.

8.) Term & Non-Transferability: Each Sidewalk Café Permit is valid for one calendar year from the January 1st through December 31st and is non-transferable.

I have read and fully understand the above rules and regulations applying to the approval of this permit.

Dated 2/26, 2016

By: _____

(Signature)

(Print Name & Address) _____

Hongxue 51 Cleveland St. Arlington, MA 02474

OFFICE OF THE BOARD OF SELECTMEN



TOWN OF ARLINGTON

SIDEWALK CAFÉ INDEMNIFICATION AGREEMENT & ACKNOWLEDGEMENT

On behalf of the business applying for a Sidewalk Café (Outdoor Seating) license from the Town of Arlington Board of Selectmen, I, as a duly authorized agent of barismo inc, a licensed restaurant operating within the Town of Arlington, acknowledge that I seek permission to use a portion of the public sidewalk in front of (or where permitted, adjacent to) the business premises to operate a sidewalk café/outdoor seating area. I understand that a Sidewalk Café permit does not give my business any right, title, or interest in any part of the sidewalk space approved for use.

Furthermore, I, as a duly authorized agent of barismo inc, agree to hold harmless the Town of Arlington, its officers and employees, for any loss or damage arising from the use of the public sidewalk or the discontinuance of use resulting from an order, demand, or notice of any governmental agency with jurisdiction.

I understand that Board of Selectmen and/or any government agency with jurisdiction may revoke my permit to use public sidewalk space at any time for any reason whatsoever. The permit can be revoked for failure to comply with any terms and conditions of the permit or any agreements between my business and the Town of Arlington or for violation of any of the rules and regulations enforced by Board of Selectmen, the Department of Inspectional Services, the Police Department, or the Board of Health. I understand there will be no refund of any fees or compensation paid to the Town of Arlington.

I further agree to promptly remove any property placed on the sidewalk space or reimburse the Town of Arlington for the cost of moving my business' property upon receipt of any written notice, demand, or order to vacate the sidewalk space from a governmental agency with jurisdiction.

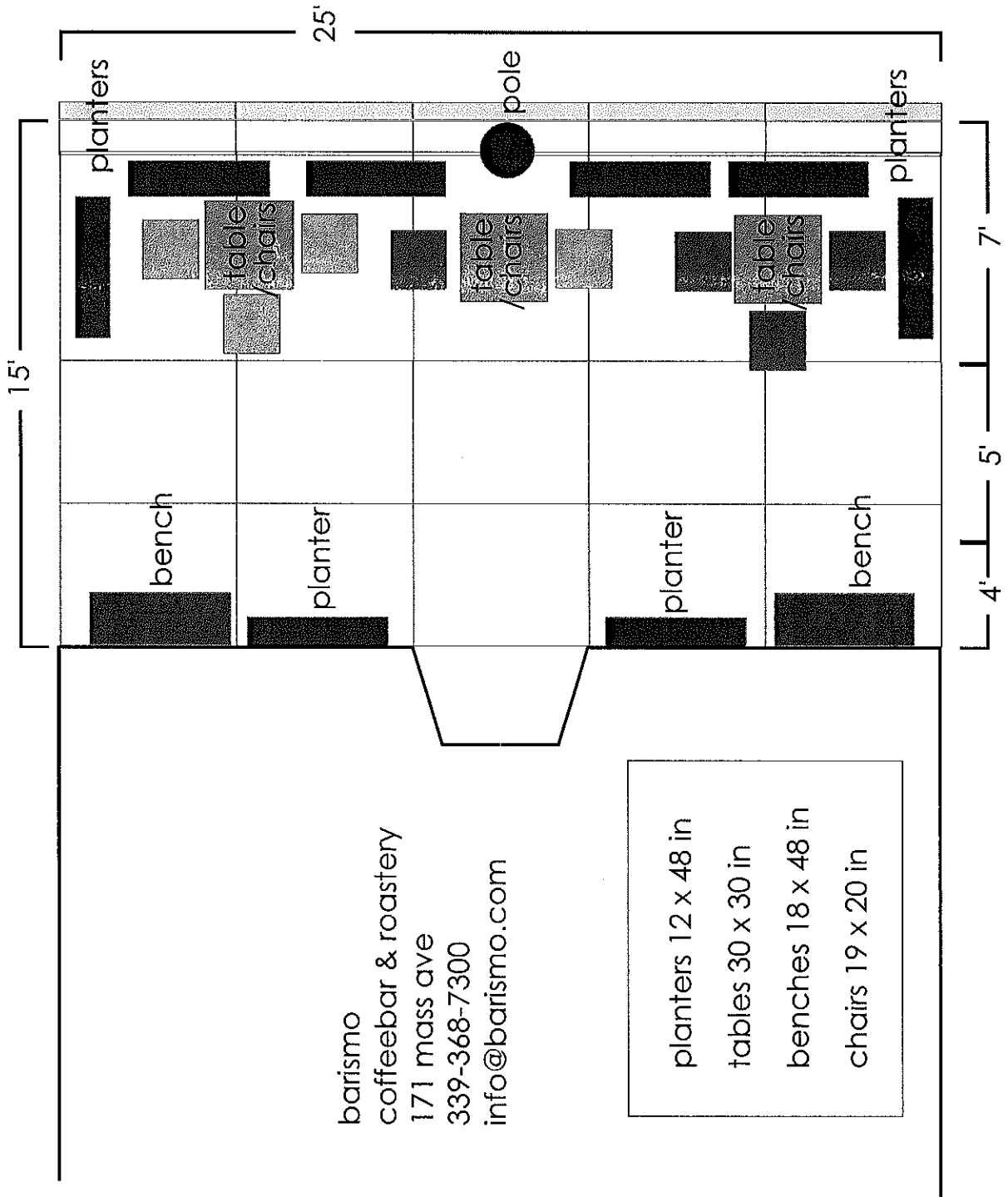
I certify that I have read and agree with the terms and conditions outlined both here and within the Sidewalk Café Permit Application.

Signature

Date

A handwritten signature in blue ink, appearing to read "Barismo Inc".

2/26/2016





CERTIFICATE OF LIABILITY INSURANCE

OP ID: CK

DATE (MM/DD/YYYY)

02/10/16

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Cohen-Miles Insurance Agcy Inc 375 Concord Ave, Ste 005 Belmont, MA 02478-3045 Chris Keough		Phone: 617-489-1213 Fax: 617-489-0151	CONTACT NAME: PHONE (A/C, No, Ext): E-MAIL ADDRESS: PRODUCER CUSTOMER ID #: BARISMO	FAX (A/C, No):
INSURED Barismo inc 171 Massachusetts Ave Arlington, MA 02472	INSURER(S) AFFORDING COVERAGE			NAIC #
	INSURER A : Peerless Insurance Co			24198
	INSURER B :			
	INSURER C :			
	INSURER D :			
	INSURER E :			
INSURER F :				

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY		CBP7019369	08/01/15	08/01/16	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY					DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR					MED EXP (Any one person) \$ 1,000
						PERSONAL & ADV INJURY \$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:					GENERAL AGGREGATE \$ 2,000,000
	<input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC					PRODUCTS - COM/OP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY					COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> ANY AUTO					BODILY INJURY (Per person) \$
	<input type="checkbox"/> ALL OWNED AUTOS					BODILY INJURY (Per accident) \$
	<input type="checkbox"/> SCHEDULED AUTOS					PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS					\$
	<input type="checkbox"/> NON-OWNED AUTOS					\$
	UMBRELLA LIAB	<input type="checkbox"/> OCCUR				EACH OCCURRENCE \$
	EXCESS LIAB	<input type="checkbox"/> CLAIMS-MADE				AGGREGATE \$
	DEDUCTIBLE					\$
	RETENTION \$					\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	<input type="checkbox"/> Y/N				WC STATU-TORY LIMITS
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	<input type="checkbox"/> N/A				E.L. EACH ACCIDENT \$
	If yes, describe under DESCRIPTION OF OPERATIONS below					E.L. DISEASE - EA EMPLOYEE \$
A	Contents		CBP7019369	08/01/15	08/01/16	See below per loc ded 500

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
coffee retail/wholesale. Location: 295 Third St Cambridge Ma 02142

CERTIFICATE HOLDER**CANCELLATION**

City of Cambridge

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
Chris Keough

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PERMIT APPLICATION REPORT

Type of License: Café Outside Furniture Permit

Name of Applicant: Gail Ann

Address: 10 Medford Street

The following Departments have **no objections** but have made comments or conditions regarding the issuance of said license: (see attached)

- Board of Health x
- Building x
- Planning x
- ADA Compliance x

PLEASE NOTE: ALL APPROVALS WILL BE SUBJECT TO CONDITIONS SET FORTH (SUCH AS DEPARTMENT CONDITIONS, CERTIFICATE OF INSURANCE ETC.)

**BOARD OF SELECTMEN
TOWN OF ARLINGTON - INSPECTION REPORT**

Report is due at the Office of the Board of Selectmen by, **Wednesday, April 20, 2016**
ONE REPORT IS REQUIRED FROM EACH DEPARTMENT.

Location: 10 Medford St.
Applicant's Name: Kiriakos Karageorgiou
D/B/A: Gail Ann
Telephone: 781 648-9584
Department: Sent Interoffice Mail & E-mail Date: 3.24.16

MEETING DATE: 4/25/16

Inspected By:

RE: OUTSIDE FURNITURE LICENSE

Inspected by: Board of Health

Building

Planning

Comments by each Division or Department:

- The Establishment must prohibit smoking in the outdoor seating area by conspicuously posting a notice or sign which states "No Smoking" or the by using a sign with the international "No Smoking" symbol in the outdoor area.
- The owner or designated Person in Charge is responsible for maintaining the outdoor seating area Smoke Free.
- Any person in charge of a public place or workplace who fails to comply with the regulations is subject to a fine of two hundred dollars (\$200.00) for each day of the violation.
- The Establishment is responsible for maintaining the outdoor seating in a clean and sanitary manner, free from garbage and trash or other refuse that would constitute a public health nuisance.

Applicant Section:

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Board of Selectmen; furthermore, any work done is done at the applicant's risk.

Applicant's Name: _____

Date: _____

**BOARD OF SELECTMEN
TOWN OF ARLINGTON - INSPECTION REPORT**

Report is due at the Office of the Board of Selectmen by, **Wednesday, April 20, 2016**
ONE REPORT IS REQUIRED FROM EACH DEPARTMENT.

Location: 10 Medford St.
Applicant's Name: Kiriakos Karageorgiou
D/B/A: Gail Ann
Telephone: 781 648-9584
Department: Sent Interoffice Mail & E-mail Date: 3.24.16

MEETING DATE: 4/25/16

Inspected By:

RE: OUTSIDE FURNITURE LICENSE

Inspected by: Board of Health
Building
Planning
ADA Compliance

Comments by each Division or Department:

Inspectional Services has no objections to this or any other outdoor furniture permit the BoS wishes to grant. The applicant will need to present plans to this department for building code review prior to furniture being approved or placed. At that time, we can over particulars such as aisle width, distance between chairs/tables and how the new occupant load may affect the establishments bathroom requirements, among other possible issues.

Applicant Section:

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Board of Selectmen; furthermore, any work done is done at the applicant's risk.

Applicant's Name: _____

Date: _____

**BOARD OF SELECTMEN
TOWN OF ARLINGTON - INSPECTION REPORT**

Report is due at the Office of the Board of Selectmen by April 20th, 2016
ONE REPORT IS REQUIRED FROM EACH DEPARTMENT.

Location: 10 Medford Street
Applicant's Name: Kiriakos Karageorgiou
D/B/A: Gail Ann Coffee Shop
Telephone: 781 648-9584
Department: Sent Interoffice Mail & E-mail Date: 4/20/16

MEETING DATE: APRIL 25, 20156

Departments: *Ted Fields 4.10.2016*

Re: OUTDOOR FURNITURE LICENSE

Board of Health
Building
Planning
ADA Compliance

Comments by each Division or Department:

The applicant currently operates a 700 square foot coffee shop at 10 Medford Street with fourteen (14) seats and is requesting an outdoor seating area spanning 12 square feet (4 feet long by 3 feet wide) consisting of one (1) table and two (2) chairs against its storefront on Medford Street. This will provide an acceptable five (5) foot wide travel corridor from the proposed fixtures to the nearest curb line on Medford Street, complying with the Town's requirement that all users, including people with disabilities, be able to safely traverse public rights of way with outdoor seating. The applicant should ensure that the proposed furniture be kept close to the shop entrance to prevent sidewalk travelers from being forced into the tree well directly to the north of the site. The applicant must demonstrate acceptable coverage of \$1,000,000 in general liability insurance. The Dept. of Planning and Community Development has no objection to the issuance of an Outdoor Furniture license as requested as long as the required insurance coverage is provided before said license is granted.

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Board of Selectmen; furthermore, any work done is done at the applicant's risk.

Applicant's Name: _____

Date: _____

COMMISSION ON DISABILITY, TOWN OF ARLINGTON

20 ACADEMY STREET, SUITE 203, ARLINGTON, MASSACHUSETTS 02476-6436 (781) 316-3431



MEMO TO: Board of Selectmen
Adam Chadelaine, Town Manager

FROM: Jack Jones, Director of Housing & Disability Programs

DATE: April 14, 2016

RE: Outside Furniture Permit

It appears from the attached diagram and a completed survey of the sidewalk in front of **Gail Ann Coffee Shop, 10 Medford Street**, that all conditions pertaining to accessibility of sidewalk dining will be in compliance with federal and state regulations.

In order to be in compliance with regards to sidewalk dining the absolute minimum clear path of travel along the sidewalk must be at least 36" according to the Massachusetts Architectural Access Board and the Americans with Disabilities Act Architectural Guidelines. Possible obstructions on the sidewalk that could affect compliance that will need to be watched are tables, chairs, other furniture, trees, trash receptacles, fire hydrants, planters, sandwich boards, etc. In addition a portion (5%), but not less than one, of available seating must be wheelchair accessible, with an accessible route of at least 36" between tables. The Disability Commission recommends to the Board of Selectmen that a compliance monitoring process be developed in addition to employee training for all restaurant employees to ensure that accessibility is maintained after the permitting process.

Sidewalk Café Permit Application - Town of Arlington, MA

This is an application to the Board of Selectmen of the Town of Arlington Massachusetts, for a permit to place and maintain a Sidewalk Café (an outside seating area for licensed restaurants) on the public right of way in Arlington Massachusetts described below:

RECEIVED
SELECTMEN'S OFFICE
ARLINGTON, MA 02476
2016 MAR 16 AM 8:32

(PLEASE TYPE OR PRINT)

Business Name:
Gail Ann Coffee Shop

Business Address/Location:
10 Medford St.

Phone Number/Email:
(781) 648-9584

Business Representative's Name:
Kiriakos Karageorgiou

Name & Address of Building Owner:
X Pascioto Frank - 455 Mass. Av, Arlington MA 02474

*1: Measure from front Building Wall to inside of sidewalk granite curb edge.

*2: Measure from front Building Wall to outside of Sidewalk Café surrounding border fencing/barrier.

Length of Storefront (ft):
13 ft.

Width of Sidewalk along Storefront (ft); *1:
10 ft

Length of Proposed Sidewalk Café (ft):
7 ft

Width of Proposed Sidewalk Café (ft); *2:
3 ft 4"

Application Submittal Requirements:

1.) Fee: An annual permit fee of **\$50.00** payable to the Town of Arlington filed with the Selectmen's Office. The Board may prorate its fee for applicants in their initial term to reflect the number of months the permit sought will be held.

2.) Site Plan: Furnish a **Site Plan** (scale diagram) showing the location of tables, chairs, umbrellas, trash receptacles, heaters, barricades, as well as a **picture or photograph of the proposed furniture** in compliance with the following requirements: 1 table 3 chairs see photo

- No person or entity shall cause to be placed within the public ways any furniture without applying for a permit and receiving approval from the Board of Selectmen of the Town. This permit shall be considered separate and distinct from others issued by the Town, including those for common victuallers.
- Ordinarily, the location of the sidewalk café must be directly in front of the business operating the café, and may not extend beyond the side property lines. It shall be sited as close to the building façade as practicable and in no event to exceed twelve (12) feet from the food service door of the establishment.
 - Under limited circumstances, sidewalk café areas may be approved adjacent to a storefront, grouped at a distance from the storefronts, or allowed in both positions if a scaled plan showing dimensions clearly establishes:

- a) The requested location(s) create the least obstruction for pedestrian access to storefronts, crosswalks and pedestrian circulation, and/or
 - b) the location does not extend substantially beyond the side edges of the business (allowing for up to 10 feet of latitude where landscaping, public facilities, utility poles or adjacent seating areas obstruct the front of the business premises), and/or
 - c) no more than 256 square feet of the public way would be cordoned off for establishments serving liquor unless the Board determines from the scaled site plan (with dimensions shown) and photos that additional square footage for outdoor seating would not leave less than 36" to the nearest barrier, would not impede circulation, and would not preclude other allowed desirable uses for the public space, and
 - d) in every case, the additional seating does not violate zoning, building, or other code as determined by the Director of Inspectional Services.
- Further, Tables, chairs, benches, food equipment shall be located so that they do not impede, endanger or interfere with pedestrian traffic, with a minimum width of three (3) feet and a recommended width of four (4) feet of unobstructed passage for pedestrian traffic.
 - In addition, no sidewalk café furniture shall be affixed, erected, installed, placed, used or maintained **within five (5) feet** of any marked or unmarked crosswalk or handicapped ramp; or within five (5) feet of any fire hydrant, fire lane, call box, or bus stop.
 - Unlicensed furniture within the public ways of the Town will be subject to removal with the cost thereof to be borne entirely by the owner. In addition, fines may be imposed by the Board of Selectmen not to exceed \$100 for removal, storage or destruction.
 - No fixtures or devices on which food or beverages are sold or consumed shall be attached to the sidewalk or other public area. The property owner is responsible for the restoration of the sidewalk or public-right-of-way if any damage is caused by the sidewalk café. Physical barriers bordering/framing a sidewalk café may not exceed four (4) feet in height.
 - Lighting for sidewalk cafes is subject to approval during the permitting process. Tabletop lighting may include candles and battery-operated fixtures.
 - Well-designed physical barricades surrounding/framing sidewalk cafés are **strongly encouraged**.

3.) Insurance: The applicant restaurant-owner shall furnish a **certificate of insurance** providing commercial insurance coverage for bodily injury, death, disability, and property damage liability in the following amounts:

- At least \$1,000,000 per occurrence and \$3,000,000 annual aggregate for any restaurant serving alcohol as part of its use of sidewalk café space; or

- At least \$300,000 per occurrence and \$900,000 annual aggregate for restaurants which are either not licensed to serve alcohol or restaurants which attest that they will not serve alcohol as part of their use of sidewalk café space.

The Town of Arlington shall be named as an additional insured on a primary, noncontributory basis for any liability arising directly or indirectly from the operation of a sidewalk café. In the event the insurance is cancelled, the permit holder has 24 hours to reinstate the insurance or the permit shall be revoked. The permit holder shall immediately inform the Selectmen's Office if insurance under this provision is revoked and shall not operate the sidewalk café until insurance is restated in accordance with this requirement. An insurance certificate naming the Town as an additional insured must be provided to the Office of the Board of Selectmen before any Sidewalk Café/Outdoor Seating Area will be issued.

4.) Indemnification and Acknowledgement of Rights: The applicant restaurant-owner shall also furnish a signed agreement to indemnify the Town of Arlington for its use of public property as a sidewalk café/outdoor seating from any and all claims that may be brought against the Town in connection with such use. Such a signed agreement shall also acknowledge the Town's rights with respect to its property and the limitations of the permit (attached hereto).

5.) Compliance Requirements: By signing this application, the Applicant agrees to accept and comply with the following requirements:

- All services provided to sidewalk café customer and customer activity must occur within the designated sidewalk café area.
- Permit holder is responsible for proper supervision of the sidewalk café in order to ensure the requirements of this section are met.
- Permit holders must ensure that the requirements for operation are met. These include:
 - Patrons must wear shoes and shirts at all times.
 - All sidewalk cafes must maintain at least one opening for ingress and egress at all times. All sidewalk cafes shall abide by all requirements of the currently adopted International Building Code and the American's with Disabilities Act.
 - To the extent applicable, sidewalk cafes must adhere to all regulations pertaining to food and beverage enforced by the Board of Health and Board of Selectmen.
 - All areas within and surrounding a sidewalk café must be maintained in a clean, neat, and sanitary condition.
 - All permit holders shall be required to abide by all federal, state, and local laws.
 - Outdoor alcohol service (and food service when alcohol is served outdoors) shall conclude at or before 10:00 p.m. Sunday through Thursday, and at or before 11:00 p.m. Friday and Saturday.

6.) Other Regulations: By receiving a sidewalk café/outdoor seating permit, restaurants are not exempted from other federal, state, and local laws and regulations. Among other regulations, permit holders must comply with local zoning and state building code requirements and Board of Selectmen alcohol service regulations. Applicants are strongly advised to ensure their plans comply with zoning and state building requirements by contacting Inspectional Services.

7.) Revocation: The sidewalk café permit may be revoked for failure to maintain the standards required for the initial permit. A notice of intent to revoke a sidewalk café permit shall be given in writing 10-days prior to actual revocation and shall specify the area or areas of failure to meet requirements and maintain conditions the Town may have imposed. If, during that period, proof of compliance is made to the satisfaction of designated Town Inspectors by the holder of the permit, the permit shall be continued in force.

- Applicant certifies that all current property taxes due on its licensed premises are paid if property is owned by the Applicant.
- Applicant agrees to permit the Town to periodically verify the accuracy of information contained in this Application and agrees to provide information requested to verify the accuracy of the information and the Certifications contained in this Application.

8.) Term & Non-Transferability: Each Sidewalk Café Permit is valid for one calendar year from the January 1st through December 31st and is non-transferable.

I have read and fully understand the above rules and regulations applying to the approval of this permit.

Dated _____, 20 16

By: _____

(Signature)

(Print Name & Address) Kiriakos Karageorgiou 10 Medford St. Arlington

OFFICE OF THE BOARD OF SELECTMEN



TOWN OF ARLINGTON

SIDEWALK CAFÉ INDEMNIFICATION AGREEMENT & ACKNOWLEDGEMENT

On behalf of the business applying for a Sidewalk Café (Outdoor Seating) license from the Town of Arlington Board of Selectmen, I, as a duly authorized agent of Gail Ann Coffee Shop, a licensed restaurant operating within the Town of Arlington, acknowledge that I seek permission to use a portion of the public sidewalk in front of (or where permitted, adjacent to) the business premises to operate a sidewalk café/outdoor seating area. I understand that a Sidewalk Café permit does not give my business any right, title, or interest in any part of the sidewalk space approved for use.

Furthermore, I, as a duly authorized agent of Gail Ann Coffee Shop, agree to hold harmless the Town of Arlington, its officers and employees, for any loss or damage arising from the use of the public sidewalk or the discontinuance of use resulting from an order, demand, or notice of any governmental agency with jurisdiction.

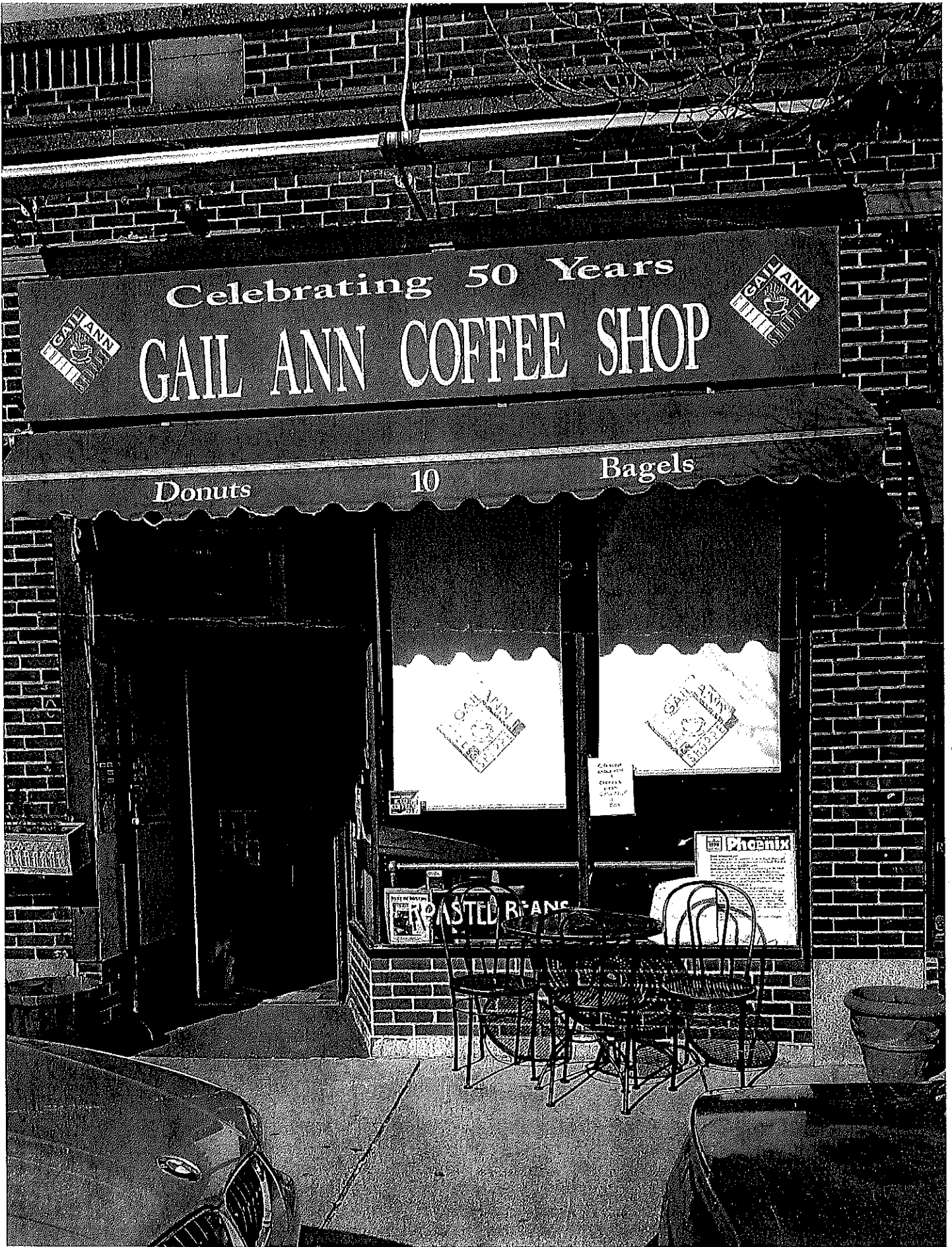
I understand that Board of Selectmen and/or any government agency with jurisdiction may revoke my permit to use public sidewalk space at any time for any reason whatsoever. The permit can be revoked for failure to comply with any terms and conditions of the permit or any agreements between my business and the Town of Arlington or for violation of any of the rules and regulations enforced by Board of Selectmen, the Department of Inspectional Services, the Police Department, or the Board of Health. I understand there will be no refund of any fees or compensation paid to the Town of Arlington.

I further agree to promptly remove any property placed on the sidewalk space or reimburse the Town of Arlington for the cost of moving my business' property upon receipt of any written notice, demand, or order to vacate the sidewalk space from a governmental agency with jurisdiction.

I certify that I have read and agree with the terms and conditions outlined both here and within the Sidewalk Café Permit Application.


Signature

3/15/16
Date



PERMIT APPLICATION REPORT

Type of License: Café Outside Furniture Permit

Name of Applicant: Starbucks

Address: 327 Broadway

The following Departments have **no objections** but have made comments or conditions regarding the issuance of said license: (see attached)

- Board of Health x
- Building x
- Planning x
- ADA Compliance x

PLEASE NOTE: ALL APPROVALS WILL BE SUBJECT TO CONDITIONS SET FORTH (SUCH AS DEPARTMENT CONDITIONS, CERTIFICATE OF INSURANCE ETC.)

**BOARD OF SELECTMEN
TOWN OF ARLINGTON - INSPECTION REPORT**

Report is due at the Office of the Board of Selectmen by April 20, 2016
ONE REPORT IS REQUIRED FROM EACH DEPARTMENT.

Location: 327 Broadway
Applicant's Name: Christopher Fitzgerald
D/B/A: Starbucks
Telephone: 781 641-2893
Department: Sent Interoffice Mail & E-mail Date: 4/7/16

Meeting Date: APRIL 25, 2016

RE: OUTSIDE FURNITURE LICENSE

Inspected by: Board of Health
Building
Planning
ADA Compliance

Comments by each Division or Department:

- The Establishment must prohibit smoking in the outdoor seating area by conspicuously posting a notice or sign which states "No Smoking" or the by using a sign with the international "No Smoking" symbol in the outdoor area.
- The owner or designated Person in Charge is responsible for maintaining the outdoor seating area Smoke Free.
- Any person in charge of a public place or workplace who fails to comply with the regulations is subject to a fine of two hundred dollars (\$200.00) for each day of the violation.
- The Establishment is responsible for maintaining the outdoor seating in a clean and sanitary manner, free from garbage and trash or other refuse that would constitute a public health nuisance.

Applicant Section:

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Board of Selectmen; furthermore, any work done is done at the applicant's risk.

Applicant's Name: _____

Date: _____

**BOARD OF SELECTMEN
TOWN OF ARLINGTON - INSPECTION REPORT**

Report is due at the Office of the Board of Selectmen by April 20, 2016
ONE REPORT IS REQUIRED FROM EACH DEPARTMENT.

Location: 327 Broadway
Applicant's Name: Christopher Fitzgerald
D/B/A: Starbucks
Telephone: 781 641-2893
Department: Sent Interoffice Mail & E-mail Date: 4/7/16

Meeting Date: APRIL 25, 2016

RE: OUTSIDE FURNITURE LICENSE

Inspected by: Board of Health

Building

Planning

ADA Compliance

Comments by each Division or Department:

Inspectional Services has objections to this or any other outdoor furniture permit the BoS wishes to grant, at this location. The applicant / location does not have enough bathrooms to meet building code requirements for the plan submitted. Therefore Inspectional Services does not recommend approval for this outside furniture license.

Applicant Section:

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Board of Selectmen; furthermore, any work done is done at the applicant's risk.

Applicant's Name: _____

Date: _____

**BOARD OF SELECTMEN
TOWN OF ARLINGTON - INSPECTION REPORT**

Report is due at the Office of the Board of Selectmen by April 20th, 2016
ONE REPORT IS REQUIRED FROM EACH DEPARTMENT.

Location: 327 Broadway
Applicant's Name: Christopher Fitzgerald
D/B/A: Starbucks
Telephone: 781 641-2893
Department: Sent Interoffice Mail & E-mail
Date: 4/20/16

MEETING DATE: APRIL 25, 20156

Departments: *Ted Fields 4.10.2016*

Re: OUTDOOR FURNITURE LICENSE

Board of Health
Building
Planning

ADA Compliance

Comments by each Division or Department:

The applicant currently operates a 1,473 square foot coffee bar at 327 Broadway with twenty (20) seats and is requesting an outdoor seating area spanning 120 square feet (48 feet long by 2.5 feet wide) consisting of five (5) tables and nine (9) seats against its storefront on Broadway Plaza. This will leave proposed seating at least 24 feet from the nearest curb line on Medford Street, providing more than an acceptable five (5) foot travel corridor, complying with the Town's requirement that all users, including people with disabilities, be able to safely traverse public rights of way with outdoor seating. The applicant must demonstrate acceptable coverage of \$1,000,000 in general liability insurance. The Dept. of Planning and Community Development has no objection to the issuance of a Outdoor Furniture license as requested as long as the required insurance coverage is provided before said license is granted.

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Board of Selectmen; furthermore, any work done is done at the applicant's risk.

Applicant's Name: _____

Date: _____

COMMISSION ON DISABILITY, TOWN OF ARLINGTON

20 ACADEMY STREET, SUITE 203, ARLINGTON, MASSACHUSETTS 02476-6436 (781) 316-3431



MEMO TO: Board of Selectmen
Adam Chadelaine, Town Manager

FROM: Jack Jones, Director of Housing & Disability Programs

DATE: April 14, 2016

RE: Outside Furniture Permit

It appears from the attached diagram and a completed survey of the sidewalk in front of **Starbucks, 327 Broadway**, that all conditions pertaining to accessibility of sidewalk dining will be in compliance with federal and state regulations.

In order to be in compliance with regards to sidewalk dining the absolute minimum clear path of travel along the sidewalk must be at least 36" according to the Massachusetts Architectural Access Board and the Americans with Disabilities Act Architectural Guidelines. Possible obstructions on the sidewalk that could affect compliance that will need to be watched are tables, chairs, other furniture, trees, trash receptacles, fire hydrants, planters, sandwich boards, etc. In addition a portion (5%), but not less than one, of available seating must be wheelchair accessible, with an accessible route of at least 36" between tables. The Disability Commission recommends to the Board of Selectmen that a compliance monitoring process be developed in addition to employee training for all restaurant employees to ensure that accessibility is maintained after the permitting process.

Sidewalk Fixture(s) Permit Application - Town of Arlington, MA

This is an application to the Board of Selectmen of the Town of Arlington Massachusetts, for a permit to place and maintain fixture(s) on sidewalks on the public right of way in Arlington, Massachusetts described below:

(PLEASE TYPE OR PRINT)

Business Name:

Starbucks

Length of Storefront (ft):

48' 4"

Business Address/Location:

327 Broadway

Width of Sidewalk along Storefront (ft); *1:

widest width 38' 2" / shortest width 24' 33"

Phone Number/Email:

781-641-2893

Length of Proposed Sidewalk Café (ft):

48' 4"

Business Representative's Name:

Christopher Fitzgerald

Width of Proposed Sidewalk Café (ft); *2:

2' 6"

Name & Address of Building Owner:

Geo-char Realty Trust, one Thomas Newton Drive, Westborough, MA.

*1: Measure from front Building Wall to inside of sidewalk granite curb edge.

*2: Measure from front Building Wall to outside of the sidewalk fixture(s).

Application Submittal Requirements:

1.) Fee:

An annual permit fee of **\$50.00** payable to the Town of Arlington filed with the Selectmen's Office. The Board may prorate its fee for applicants in their initial term to reflect the number of months the permit sought will be held.

2.) Site Plan:

Furnish a **Site Plan** (scale diagram) showing the location of the sidewalk fixture, as well as a **picture or photograph of the proposed fixture(s)** in compliance with the following requirements:

- No person or entity shall cause to be placed within the public ways any furniture/fixture(s) without applying for a permit and receiving approval from the Board of Selectmen of the Town. This permit shall be considered separate and distinct from others issued by the Town, including those for common victuallers.
- Ordinarily, the location of the sidewalk fixture(s) must be directly in front of the business operating the storefront, and may not extend beyond the side property lines. It shall be sited as close to the building façade as practicable and in no event to exceed twelve (12) feet from the food service door of the establishment.
 - Under limited circumstances, sidewalk fixture(s) may be approved adjacent to a storefront, grouped at a distance from the storefronts, or allowed in both positions if a scaled plan showing dimensions clearly establishes:
 - a) The requested location(s) create the least obstruction for pedestrian access to storefronts, crosswalks and pedestrian circulation, and/or

- b) the location does not extend substantially beyond the side edges of the business (allowing for up to 10 feet of latitude where landscaping, public facilities, utility poles or adjacent seating areas obstruct the front of the business premises), and/or
 - c) in every case, the additional sidewalk fixture(s) does not violate zoning, building, or other code as determined by the Director of Inspectional Services.
- Further, sidewalk fixture(s) shall be located so that they do not impede, endanger or interfere with pedestrian traffic, with a minimum width of three (3) feet and a recommended width of four (4) feet of unobstructed passage for pedestrian traffic.
- In addition, no sidewalk fixture(s) shall be affixed, erected, installed, placed, used or maintained **within five (5) feet** of any marked or unmarked crosswalk or handicapped ramp; or within five (5) feet of any fire hydrant, fire lane, call box, or bus stop.
- Unlicensed fixture(s) within the public ways of the Town will be subject to removal with the cost thereof to be borne entirely by the owner. In addition, fines may be imposed by the Board of Selectmen not to exceed \$100 for removal, storage or destruction.
- No fixture(s) or device(s) shall be attached to the sidewalk or other public area. The property owner is responsible for the restoration of the sidewalk or public-right-of-way if any damage is caused by the sidewalk fixture(s).

3.) Insurance: The applicant business-owner shall furnish a **certificate of insurance** providing commercial insurance coverage for bodily injury, death, disability, and property damage liability in the following amounts:

- **At least ten thousand (\$10,000)** the Town of Arlington shall be named as an additional insured on a primary, noncontributory basis for any liability arising directly or indirectly from the fixture(s). In the event the insurance is cancelled, the permit holder has 24 hours to reinstate the insurance or the permit shall be revoked. The permit holder shall immediately inform the Selectmen's Office if insurance under this provision is revoked and shall not operate with the sidewalk fixture until insurance is restated in accordance with this requirement. An insurance certificate naming the Town as an additional insured must be provided to the Office of the Board of Selectmen before any Sidewalk Fixture(s) Permit will be issued.

4.) Indemnification and Acknowledgement of Rights: The applicant shall also furnish a signed agreement to indemnify the Town of Arlington for its use of public property from any and all claims that may be brought against the Town in connection with such use. Such a signed agreement shall also acknowledge the Town's rights with respect to its property and the limitations of the permit (attached hereto).

5.) Compliance Requirements: By signing this application, the Applicant agrees to accept and comply with the following requirements:

- Permit holders must ensure that the requirements for operation are met. These include:
 - All areas within and surrounding a sidewalk fixture must be maintained in a clean, neat, and sanitary condition.
 - All permit holders shall be required to abide by all federal, state, and local laws.

6.) Other Regulations: By receiving a sidewalk fixture(s) permit, applicants are not exempted from other federal, state, and local laws and regulations. Among other regulations, permit holders must comply with local zoning and state building code requirements and Board of Selectmen regulations. Applicants are strongly advised to ensure their plans comply with zoning and state building requirements by contacting Inspectional Services.

7.) Revocation: The sidewalk fixture(s) permit may be revoked for failure to maintain the standards required for the initial permit. A notice of intent to revoke a sidewalk fixture(s) permit shall be given in writing 10-days prior to actual revocation and shall specify the area or areas of failure to meet requirements and maintain conditions the Town may have imposed. If, during that period, proof of compliance is made to the satisfaction of designated Town Inspectors by the holder of the permit, the permit shall be continued in force.

- Applicant certifies that all current property taxes due on its licensed premises are paid if property is owned by the Applicant.
- Applicant agrees to permit the Town to periodically verify the accuracy of information contained in this Application and agrees to provide information requested to verify the accuracy of the information and the Certifications contained in this Application.

8.) Term & Non-Transferability: Each Sidewalk Fixture(s) Permit is valid for one calendar year from the January 1st through December 31st and is non-transferable.

I have read and fully understand the above rules and regulations applying to the approval of this permit.

Dated 4/6, 2016 By: Christopher Fitzgerald
(Signature)

(Print Name & Address) Christopher Fitzgerald, 327 Broadway, Arlington, MT

OFFICE OF THE BOARD OF SELECTMEN



TOWN OF ARLINGTON

SIDEWALK FIXTURE(S) PERMIT INDEMNIFICATION AGREEMENT & ACKNOWLEDGEMENT

On behalf of the business applying for a Sidewalk Fixture(s) Permit from the Town of Arlington Board of Selectmen, I, as a duly authorized agent of Starbucks, a licensed business operating within the Town of Arlington, acknowledge that I seek permission to use a portion of the public sidewalk in front of (or where permitted, adjacent to) the business premises to for a sidewalk fixture(s). I understand that a sidewalk fixture(s) permit does not give my business any right, title, or interest in any part of the sidewalk space approved for use.

Furthermore, I, as a duly authorized agent of Starbucks, agree to hold harmless the Town of Arlington, its officers and employees, for any loss or damage arising from the use of the public sidewalk or the discontinuance of use resulting from an order, demand, or notice of any governmental agency with jurisdiction.

I understand that Board of Selectmen and/or any government agency with jurisdiction may revoke my permit to use public sidewalk space at any time for any reason whatsoever. The permit can be revoked for failure to comply with any terms and conditions of the permit or any agreements between my business and the Town of Arlington or for violation of any of the rules and regulations enforced by Board of Selectmen, the Department of Inspectional Services, the Police Department, or the Board of Health. I understand there will be no refund of any fees or compensation paid to the Town of Arlington.

I further agree to promptly remove any property placed on the sidewalk space or reimburse the Town of Arlington for the cost of moving my business' property upon receipt of any written notice, demand, or order to vacate the sidewalk space from a governmental agency with jurisdiction.

I certify that I have read and agree with the terms and conditions outlined both here and within the Sidewalk Fixture(s) Permit Application.

Signature

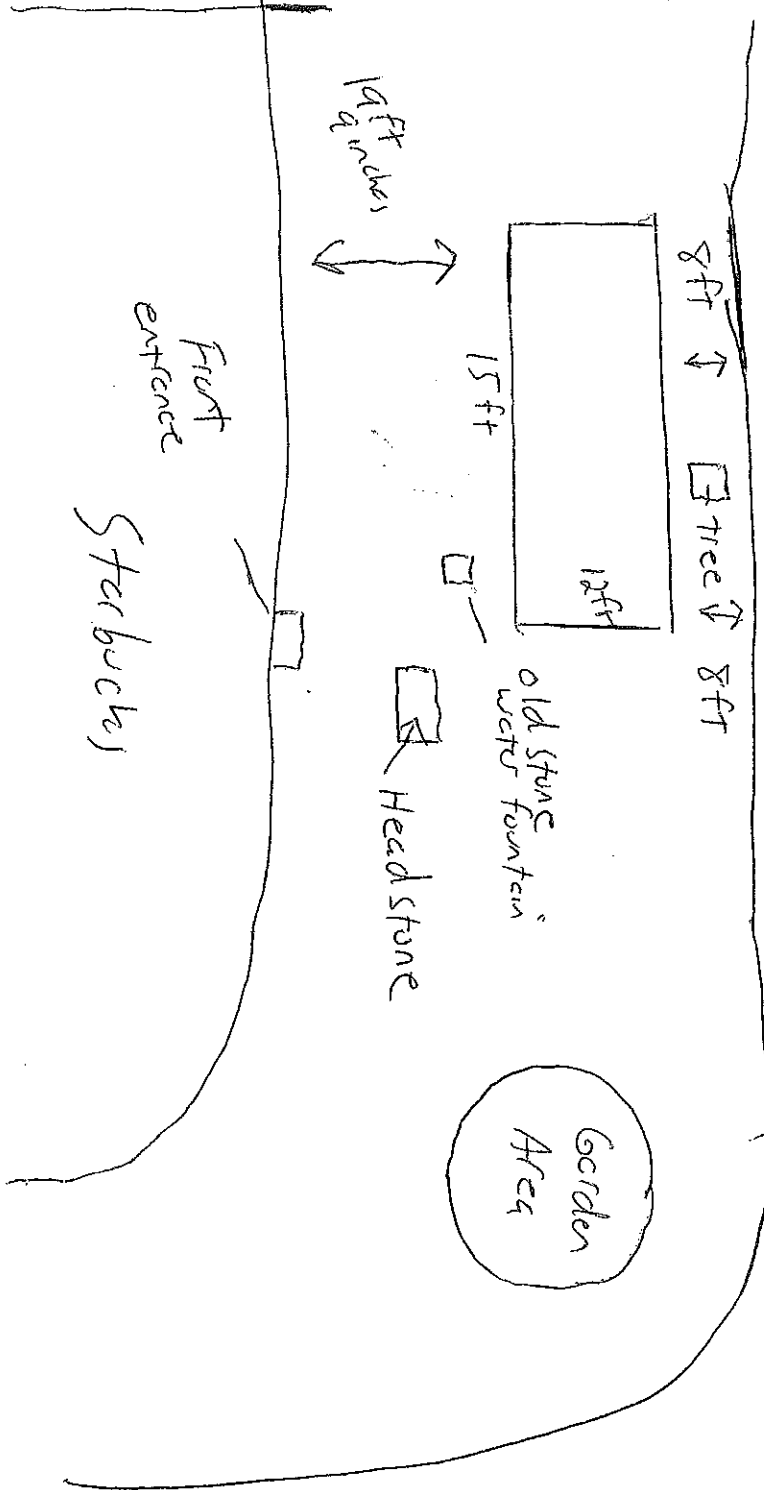
Ch. Fagan

Date

4/6/16

STARBUCK'S

Dahn Yoga



MASS AVE
→

Starbucks

Front
entrance

14ft x 10ft

15ft

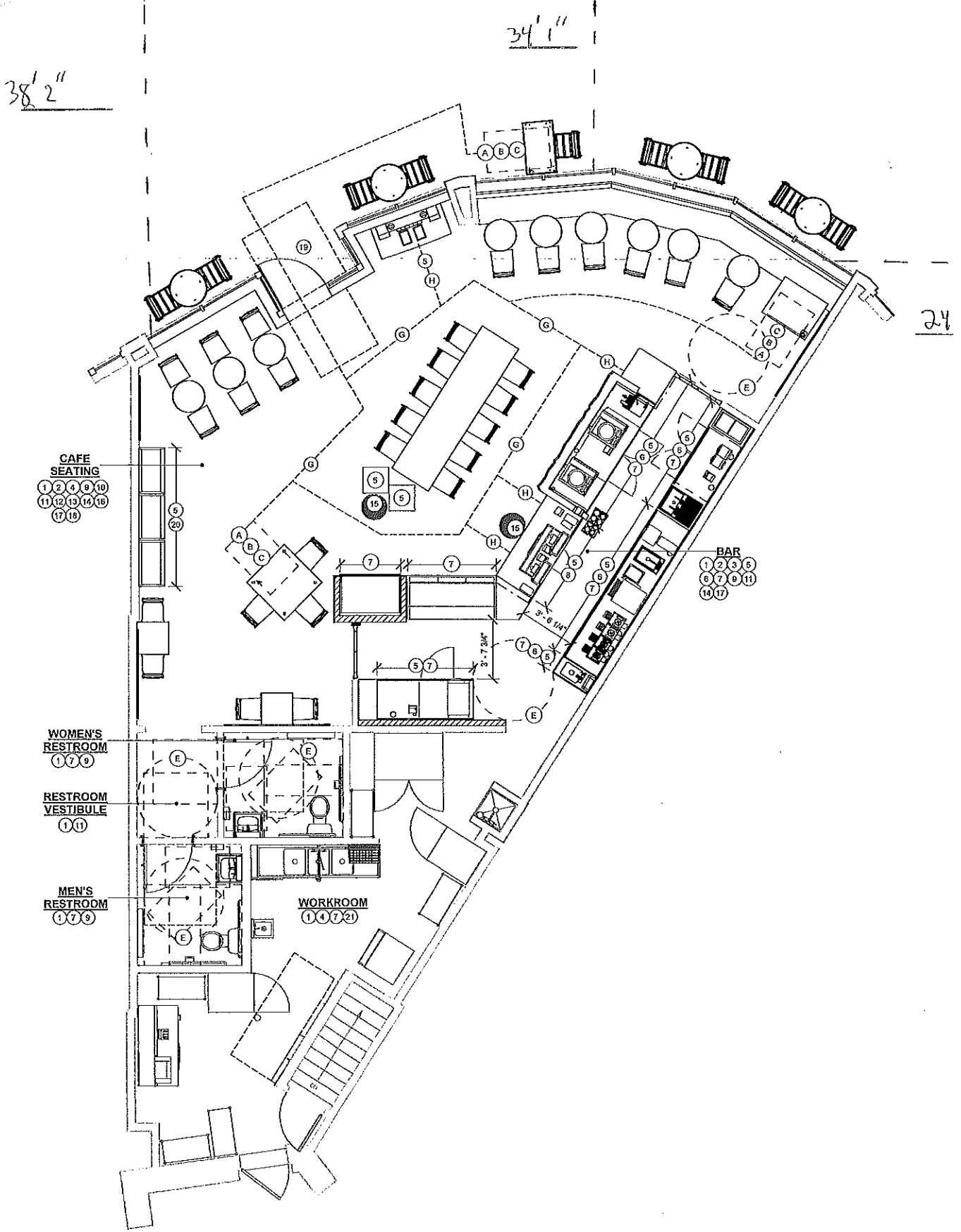
12ft

old stone
water fountain

Headstone

Garden
Area

Medford
Street



1 SCOPE OF WORK PLAN

Scale: 1/4" = 1'-0"

