

December 12, 2023

Matthew Wilson, MD  
Allergist  
Owner of 819 Whitehead Street

With reference to the application to request a change to the variance for 821-823 Whitehead (RE#00017250-000000,00017250-000100

My name is Dr. Matthew Wilson. I am the owner of the property located at 819 Whitehead Street which is directly adjacent to "The Moondog Café" (located at 821-823 Whitehead street). Henceforth "Moondog."

In the application for a variance before the Planning Board tonight it is stated by Moondog that I "support" their application for the variance from a non-conforming use—I do not.

Although the letter from me attached to the application APPEARS to state this, it was the result of a request from Moondog which was not truthful.

I attach a series of text messages from Moondog to my assistant, Mary Gilson which asked me to assist in providing support of "the process of updating permits and licenses and such". I attach a copy of those texts as Exhibit 1.

In my view this letter was secured under false reasoning. The manager at Moondog stated that the establishment was in the process of "updating licenses and permits and such" and the city and needed a letter stating that they are "good neighbors".

We believe in being good neighbors but do not support this application.

The Moondog manager did not state that they were applying for a variance to seek the use of tables on the rear porch or to secure permission to use amplified music out there.

In an effort to be a good neighbor, I did draft this letter but it was written under the assumption that rear outdoor consumption was already permitted by the City because it has already been going on for years.

Both myself and Ms. Gilson had long believed that Moondog already had the right to use the rear porch for dining and employ amplified music out there.

That is because they have been doing this since I purchased the property in 2020. On multiple occasions I have dined at Moondog and sat at tables on the rear porch and listened to amplified music there with Ms. Gilson and others.

On all occasions that we sat on the rear porch, many other diners were present. Attached as Exhibit 2, are pictures of Ms Gilson and her family having dinner on the rear patio at Moondog from June 2022. But we have dined at Moondog and sat on the rear porch many, many times.

Additionally, I have guests stay at my property who have complained, sometimes bitterly, about the noise coming from Moondog including the amplified music and the sometimes very loud guests.

It was therefore a surprise to both of us to learn that Moondog had never secured the right to use the rear porch for dining purposes and did not have the right to have amplified music at the rear of the property. Indeed, had I known that Moondog had no such right, I would have reported the violation to code enforcement. And this letter should be treated as a complaint to code enforcement about Moondog violating the terms of its agreement with the City.

Had I known that this letter was going to be used for the purposes of “extending a non-conforming use” we both would obviously would have said no—and so it was very much a surprise to see my letter among the papers for the Moondog variance application.

In short, we believe we have been misled by Moondog, we believe that Moondog has long been in violation of its existing agreement with the City and we reject the idea that the City should allow dining on the rear deck of Moondog or allow amplified music outside of the premises.

Sincerely,

A handwritten signature in black ink that reads "Matthew Wilson". The signature is written in a cursive, slightly slanted style. Below the signature is a horizontal line.

Matthew Wilson, MD

11:59

66

COMPOSITE  
EXHIBIT 1

New iMessage

Cancel

To: Moondog

iMessage  
Fri, Aug 25 at 11:38 AM

Hi Mary! I don't know how I didn't see this message. But yes, we did use Limb Walkers to help us trim the tree. Thanks again for the recommendation.

Are you still in town?

Sat, Aug 26 at 8:50 AM

Good morning. The reason I was asking if you were in town, is that we're in the process of updating permits and licenses and such, and we're looking for a general recommendation letter from our neighbors saying that we are good neighbors. Are you able to assist with that?

Oh hi! I was in the process of having a camper delivered when you texted yesterday. Sorry for no response.

I am not in town but can assist with that. Can I get it to you Monday? I could email it.

Wonderful. Hopefully everything went smooth with the camper.

And yes, Monday would be perfect.



iMessage



11:59

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New iMessage

Cancel

To: Moondog

Oh hi! I was in the process of having a camper delivered when you texted yesterday. Sorry for no response.

I am not in town but can assist with that. Can I get it to you Monday? I could email it.

Wonderful. Hopefully everything went smooth with the camper.

And, yes, Monday would be perfect. Our email is [Moondogcafekw@gmail.com](mailto:Moondogcafekw@gmail.com)

All went very well. Thank you! I will take care of that for you. 😊

Thank you.

Fri, Sep 1 at 11:07 AM

Hi Mary. Did you have time to send off that letter?

Could you include that you support the use of their rear patio for outdoor dining/consumption area? Thank you.

Tue, Sep 5 at 11:20 AM



iMessage



11:59

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New iMessage

Cancel

To: Moondog

that letter?

Could you include that you support the use of their rear patio for outdoor dining/consumption area? Thank you.

Tue, Sep 5 at 11:20 AM

Hello! I unexpectedly had to be out of office and was unable to get that done. I will have it for you tomorrow. Will also include the extra info above. So sorry for the delay.

Thank you! I hope you had a nice holiday weekend.

Wed, Sep 6 at 9:54 AM

Good morning.

I'm sure you were going to but can you be sure to include your address in the letter?



**FILE\_7837.pdf**  
PDF Document · 576 KB

Here's an example from our other neighbor. Thanks again.



iMessage





COMPOSITE  
EXHIBIT











