

PLANNING BOARD FOR THE CITY OF CAMBRIDGE

GENERAL MEETING

Tuesday, June 4, 2013

7:00 p.m.

in

Second Floor Meeting Room, 344 Broadway
City Hall Annex -- McCusker Building
Cambridge, Massachusetts

Hugh Russell, Chair

H. Theodore Cohen, Vice Chair

William Tibbs, Member

Tom Sieniewicz, Member

Steve Cohen, Member

Ahmed Nur, Associate Member

Catherine Preston Connolly, Member

Brian Murphy, Assistant City Manager for
Community Development

Community Development Staff:

Liza Paden

Stuart Dash

Jeff Roberts

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I N D E X

<u>CASE</u>	<u>PAGE</u>
GENERAL BUSINESS	
1. Board of Zoning Appeal Cases	4
2. Update, Brian Murphy, Assistant City Manager for Community Development	12
3. Adoption of Meeting Transcript (s)	11
PB#141, 300 Athenaeum Street, Pavilion A, other retail use approval for Squeaky Beaker Cafe	14
PUBLIC HEARINGS	
PB#281, 1201 Massachusetts Avenue, Special Permit to convert the existing Inn at Harvard hotel to dormitory use pursuant to Section 19.20 in the Residence C-2B and Harvard Square Overlay District; and a waiver from the advertised Bicycle Parking Zoning Petition, Section 6.108 to adjust the ratio of long and short term bicycle parking standards. President and Fellows of Harvard College, Applicant.	20

(Continued on the Following Page)

I N D E X

<u>CASE</u>	<u>PAGE</u>
PB#278, 240 Sidney Street, 40 Allston Street and 618 Grove Avenue to construct 107 units of housing pursuant to Section 19.20 -- Project Review and 6.35.1 -- Reduction of Required Parking. Dinosaur Capital Partners on behalf of Sidney Grove, LLC is the Applicant (Continued from April 16, 2013)	91
Michael Phillips, et al to amend Section 17.20 of the Zoning Ordinance of the City of Cambridge as follows to increase the setback requirement abutting Linear Park and to clarify language defining "form and density compatible with the adjacent residential neighborhood" by limiting the number of dwelling units in a single structure. The Petition would create a new Section 17.26 -- Access to streets, a new Section 17.27 -- Transfer of Development Rights, a new Section 17.28 -- Transfer of Development Rights to preserve Publicly Accessible Open Space, and amend Section 17.28.2 to include Special District 2 in the Areas of Special Planning Concern.	256

Keyword Index

P R O C E E D I N G S

HUGH RUSSELL: Good evening. This is the meeting of the Cambridge Planning Board. And the first item on our agenda is review the Zoning Board of Appeal cases.

LIZA PADEN: So these Board of Zoning Appeal cases are going to be heard on June 13th. The sign variance request for the Porter Square Shopping Center is because in that Porter Square Shopping Center they want to have freestanding signs that currently exist; one on the Cambridge side and one on the Somerville side. And so what they'd like to do is update with the new stores that are now located in the shopping mall.

So they are using the existing plan that was approved by the BZA previously, but because they're taking off and putting on new faces, the BZA makes them come back.

So I think that it's -- they've done a good job. It's consistent. It's neat. It's tidy. And the signs are in an appropriate location.

HUGH RUSSELL: Okay. That sounds sort of like regulating content which we're not allowed to do.

LIZA PADEN: Yes.

I would just suggest leaving it to the BZA.

HUGH RUSSELL: Okay.

And then we have a bay window, a dormer, a double hung window, a shed dormer, pavers, off-street parking spaces in a front setback, and a change restoring a single-family from its prior uses as a two-family. I guess the only one we want to -- might want to comment on is the off-street parking space.

LIZA PADEN: So on Washburn Avenue, this is a proposal to -- let's see. Let me get the site plan out for you first. Right now at Washburn Avenue, and I've made a second set of plans for you. They're proposing to put a parking space in the front yard setback. It will be --

HUGH RUSSELL: The land lock parcel, there's a lot of stuff in the back.

LIZA PADEN: Right, it's a very large parcel in the back, but the space between the house and the lot line, because there's a bay window existing on the house, the parking space cannot access either the rear lot nor can it be moved any further back into the lot.

HUGH RUSSELL: Unless they get an --

LIZA PADEN: An easement from next

door.

HUGH RUSSELL: Or an (inaudible.)

LIZA PADEN: Yes.

They're proposing to have in the front yard setback, it would be three and a half feet instead of the 15 that's required. And you do have photographs if anybody wanted to see the photographs.

HUGH RUSSELL: It looks like the house next-door has a parking lot in front.

H. THEODORE COHEN: Many of the houses on the street have parking lots in the front -- parking in the front.

STEVEN COHEN: If this had been right in front of the house, I would have felt strongly enough to make a comment, but in as much as it's on the side, and at least tries to be on the side, I would leave it to the ZBA.

HUGH RUSSELL: Sounds good to me.

CATHERINE PRESTON CONNOLLY: Yes.

WILLIAM TIBBS: Yes.

HUGH RUSSELL: Anybody else have
any --

H. THEODORE COHEN: There was a
similar one about Myrtle Avenue.

LIZA PADEN: Okay, let me get that
one out.

So on Myrtle Avenue, this was
originally a two-family house and then it
became a single-family house, and now this
couple would like to put it back into -- have
the first floor apartment separate. And
they're requesting to have the tandem parking
space, which is to the side of the house,
restored so that they can park two cars. I
don't believe that those parking spaces are
going to be within the front yard setback

though. They're not asking for that dimensional relief. This is just so that they can have tandem parking space.

WILLIAM TIBBS: It was originally a two-family?

LIZA PADEN: Yes. It was built and it's been used as a two-family then it went to a single-family and now they want to go back. And because they don't have the two off-street parking spaces that are free and clear, you have to move one car to get the other car out, that's why they're at the Board of Zoning Appeal for that Special Permit.

AHMED NUR: Are they parking one car after another?

LIZA PADEN: Yes.

AHMED NUR: Or are they parallel parking?

LIZA PADEN: It's tandem, one car after the other. So they have to coordinate for either one of them to get out whoever is the first car in the lot.

HUGH RUSSELL: And Myrtle Avenue is not a difficult street to make that transition.

AHMED NUR: Is the driveway there now or is there a green area in there now and they're going to strip the green out and make asphalt?

LIZA PADEN: No, it's a driveway now.

AHMED NUR: A driveway that can fit two cars?

LIZA PADEN: Yes.

HUGH RUSSELL: So it's just a paper transaction?

LIZA PADEN: Yes.

HUGH RUSSELL: So I think we should probably also leave this to the --

AHMED NUR: BZA?

HUGH RUSSELL: Yes.

LIZA PADEN: Okay.

HUGH RUSSELL: No cell towers today?

LIZA PADEN: No. Mr. Sousa is not here.

HUGH RUSSELL: Maybe Tom's leaving the Board has felt people to feel like we're no longer interested or something.

LIZA PADEN: Well, they come in waves.

HUGH RUSSELL: Okay.

Are there any meeting transcripts?

LIZA PADEN: Yes. So I have the transcript for April 16th and I reviewed and it is certified as complete by the stenographer.

HUGH RUSSELL: All right. Is there a motion to approve that?

H. THEODORE COHEN: So moved.

HUGH RUSSELL: Second?

STEVEN COHEN: Second.

HUGH RUSSELL: Steve.

Discussion on the motion to approve?

All those in favor?

(Raising hands.)

HUGH RUSSELL: And everybody raised their hand.

Brian, do you want to give us the update?

BRIAN MURPHY: Sure. I'll give you an update for preview of coming events.

Next week we'll be here and there will be a public hearing on 130 CambridgePark Drive as well as an update on C2. June 18th begins the first of the Planning Board

hearings that will be at the Senior Center. Some of you I think may know we've had some issues with the heating and cooling in this building, and while the heating's not an issue now, the lack of cooling is. And while it's not too bad tonight, during the 90-degree weather it's pretty challenging. So we've made the decision that for the foreseeable future, the next few months, we'll be at the Senior Center. So starting June 18th Planning Board meetings will be Senior Center. On June 18th we've got the Teague light petition, followed by Popper-Keizer, followed by the flat roof flash rainwater petition.

Then on July 9th we're again going to have C2. July 16th will be public hearings on 633 Putnam Avenue and 300 Mass. Avenue.

And August 6th we're looking to be

having 270 Third Street parking reduction and design review. So that's a preview of the next while and again a fairly busy agenda.

HUGH RUSSELL: Okay, thank you.

So now we can go into discuss an item of General Business, Planning Board case 141, 300 Athenaeum Street, Pavilion A.

LIZA PADEN: So for some of the Board Members who have been here for a while, Planning Board Special Permit 141 is Cambridge Research Park, and it is a mixture of office R&D and residential. And when the Special Permit was granted back in 1999, the Planning Board approved a certain number of uses. Any use that wasn't specifically listed in the Special Permit required that the Applicant come back to the Planning Board and explain their proposal and get permission. And that has happened over the

years for the farmer's market, for a coffee shop, for a number of the restaurants and fast food in the area, and for some of the uses that have been seasonal in the area. Tonight there is the proponent is also the person who operates the Squeaky Beaker in the Cambridge Research Park area, and he would like to have the Planning Board make a finding that his proposal is in keeping with the original Special Permit. And I believe that the materials that were sent out were quite thorough. And he's here to answer any questions and give a short presentation if you're interested.

HUGH RUSSELL: I guess my question is which of the little buildings is it? Is it 7A or 7B?

LIZA PADEN: Could you show him specifically on the plans which one it is.

BILL CANE: My name is Bill Cane with Biomed Realty Trust, the owner and operator of the site.

And in accordance with the retail master plan we're referring to 7B. Okay? As a small 250 square foot accessory hot back. It's adjacent to the skating rink and what we call the Sky Bowl.

HUGH RUSSELL: And would this use interfere with the skating use in the winter or is it seasonal?

ANTHONY MILLER: My name is Anthony Miller, and I'm the owner of the Second Street Cafe and now the new Squeaky Beaker Cafe. It would not interfere at all with the skating rink. In fact, we are hoping to stay open and serve hot chocolate and homemade whipped cream and hot apple cider and maybe some cookies. It's about 100 yards from the

Squeaky Beaker. It should be reasonable to operate and keep my eye on. And in the summer I wanted to do with your permission, like tart frozen yogurt and Christina's Ice Cream with homemade toppings. So like flaxseed or strawberries with balsamic vinegar and all that kind of stuff in the summer. And we might deliver here if --

AHMED NUR: Now you're talking.

H. THEODORE COHEN: We'll be at the Senior Center.

HUGH RUSSELL: So basically what we're trying to address in this deliberation is would this be a nice thing to happen in this place or would this be a terrible thing? And I don't think it's difficult to make that determination. So, it's nice.

STEVEN COHEN: I move that it's a nice thing.

WILLIAM TIBBS: I also move that it's very much in keeping with the kinds of things we would like and what we want to have there anyway.

AHMED NUR: We need more stuff like that.

HUGH RUSSELL: Okay. So formally we need to have a motion to approve this use?

LIZA PADEN: Yes, please.

STEVEN COHEN: So moved.

WILLIAM TIBBS: Second.

HUGH RUSSELL: Okay. Any discussion?

None.

All those in favor of approval, raise your hands.

(Raising hands.)

HUGH RUSSELL: And it's unanimous.

ANTHONY MILLER: Thank you very

much.

HUGH RUSSELL: Okay, well thank you our job is to let good things happen. Your job is to make good things happen.

Okay, the next item on our agenda is a public hearing scheduled to start in two minutes. So, I'm not going to participate in that. Ted will have the Chair.

BRIAN MURPHY: And while they're setting up, Jeffrey wanted me to mention and I neglected to mention at last night's City Council meeting the Council adopted the Bike Parking Zoning.

H. THEODORE COHEN: In the form --

BRIAN MURPHY: In the form as amended by the Board.

H. THEODORE COHEN: By this Board?

BRIAN MURPHY: Yes.

And, again, we're getting on the record

to the Petitioner that we don't have a complete Board.

H. THEODORE COHEN: Yes. All right, good evening. This is Planning Board No. 281 involving the Inn at Harvard at 1201 Massachusetts Avenue. That the President of Fellow College, the Applicant, is seeking a Special Permit to convert the existing Inn at Harvard Hotel to dormitory use pursuant to Section 19.20 of the Zoning Ordinance and adjust the ratio of long and short term bicycle standards under Sections -- I guess it is now Section 6.108 of the Zoning Ordinance.

We have a board of six members and alternates this evening. You're entitled to seven. If you wish to not go forward this evening, we could continue it.

ALEXANDRA OFFIONG: We are happy to

go forward tonight.

H. THEODORE COHEN: Fine. We'll start with your presentation.

ALEXANDRA OFFIONG: All right, thank you so much. My name is Alexandra Offiong and I'm here on behalf of Harvard University. And as you just explained, we are here to seek a change of use for 1201 Mass. Ave, which is currently a hotel, and which the university is seeking to change to a dormitory to serve as the main swing house use, which I'll talk about in a minute. And we're seeking flexibility on the newly-adopted bike parking to make it most useful for the future occupants.

So as you'll see tonight, this is a project that's really almost exclusively an interior project. We did propose a few minor exterior changes which have been approved by

the Cambridge Historical Commission, and I want to -- before we dive into the project, and we promise we'll be very brief. I just want to provide a little bit of additional context so you understand why we need to do this project.

So Harvard has 12 undergraduate houses and there are six -- sorry, nine houses down by the river and three houses in the Radcliff Quadrangle. And these accommodate 98 percent of our sophomores, juniors, and seniors that attend Harvard College. The house system was established by President Lowell in 1930, and it was really to create, to strengthen the intellectual and social cohesion of the college. And so these houses are really communities not only where students sleep but it's also where they dine, where they participate in all kinds of activities. They

study, they -- they really fully engage, and so they're considered a cornerstone of the undergraduate experience.

So, these houses represent 37 buildings, more than 2 million square feet of space, and many of them were built about in the early 1900s which means they're about 80 to 110 years old, particularly the river houses. And although we see them, and I hope that you see them really as architectural gems, and they add so much to the character of the city and the campus, we know that they have not been fully renovated. They're original construction for the most part. So you can see we have a lot of deferred maintenance issues. We have code issues. And we really need to undertake a comprehensive renewal. And that's something that cannot be accommodated over a summer

period. It's something that you really need an academic year to do.

So Harvard University has recently launched the house renewal program to undertake this comprehensive upgrade. And our first project is wrapping up now here at Old Quincy which represents a half house. It's really residential beds. And we are also just beginning our second test project here, another half house at McKinlock Hall, and these are both river houses.

So during these two test projects the displaced students will live at a few residential buildings here in Harvard Square.

WILLIAM TIBBS: Question.

ALEXANDRA OFFIONG: Yes.

WILLIAM TIBBS: When you say "half house," does that mean you're doing half house or is a half house a type of house?

ALEXANDRA OFFIONG: Sorry, I should explain that.

So a house -- so, for example, Quincy House represents this building which is New Quincy and this building which is Old Quincy. So it's the two buildings together represent the whole house.

WILLIAM TIBBS: Okay.

ALEXANDRA OFFIONG: And in Old Quincy and McKinlock they only have a portion of the house facilities. So it's a smaller program. Right now we are in the process of planning for the renovation of the first full house which is Dunster House. And the full renewal is set to kick off next summer. And with the first test project of a full house Harvard needs a full swing house to support the whole house program. So that's why we're here tonight. Harvard is proposing that 1201

Mass. Ave., as you know as the Inn at Harvard, to serve as the hub of this full swing house. And this is really intended to provide all of the facilities that comprise as a house, which is a dining hall, a lot of meeting rooms, house offices, student living quarters, all of those facilities. So this is a -- this site actually was formerly a gas station some of you might remember. And the university acquired the site in 1979. In 1991 Harvard constructed this building, which is a 57,000 square foot building, and it was intended to temporarily serve as a hotel until the university converted it to institutional use which is what we're planning now.

So looking just providing the context, it's right in Harvard Square. There's the building. And you can see it's, it's

adjacent to the university campus which you can see from the green open spaces, all Harvard University campus land. And it's also located very close to the river houses as well as the academic core here in Harvard Yard. And it's also close to the other buildings here in sort of medium purple that will provide the rest of the swing house residential spaces. So they're all within walking distance which is very important.

And together this collection of buildings will provide enough space to serve even the largest house. So really this is, this is it.

So zooming in a little bit just to provide context. You can see this building is located to the south of Massachusetts Avenue, to the north Harvard Street. It overlooks Quincy Square, right here. And,

again, it's adjacent to the university campus. It's neighboring the old Cambridge Baptist church to the east, and it's across from the mixed use commercial, residential district that's Harvard Square to the south.

I am going to hand this over to Elizabeth Leber of Beyer, Blinder, Belle to walk you through the proposal.

ELIZABETH LEBER: Hello. Liz Leber from Beyer, Blinder, Belle. I'm going to briefly walk you through the plans for the inn. What we're showing is the existing site plan. And as you all probably know, Mass. Ave. here on the south. Quincy Park is here. And the way that the inn works now, if you've been there, is that there's an entrance -- the main entrance is here on the drive and the turnaround for taxis and cars. And then there is another entrance here for guests and

others that's considered a secondary entrance. In terms of site work, we're proposing basically no change in the landscape and based on the scope that's on the exterior, really to the casual passerby, there's just about no change to the building itself. There are very minor changes that I'll go over today.

The proposed site plan, you can see here what we're proposing to do is to just make a functional change where the main entrance is here on the west side of the building, and the back entrance is secondary entrance is on the east side of the building. So it's just a flip flop. And I think the first floor plan will show you partially why we're doing that, but also because this entrance is closer to the yard, closer to the square, it seems like it's a natural thing to

do in terms of traffic flow of students and others coming to the house.

You'll see there are minor modifications to some of the site work here at the entrance related to our bike parking strategy. Alexandra's going to fill you in about that after.

So, just going back, this reconfigured entrance here, the way it works now is you drive up and there's a storefront and a revolving door. It's really the main entrance, the guests -- the check-in desk is right there. So the minor change that we showed to CHC and got approval is taking that entrance, which you can see here. And here are the existing conditions. And here's the proposed change which is as a secondary entrance we needed to be as secure card access and it does not require the amount of

glass nor do we want that kind of glass. We need that for back of house space. So we're really just in-filling it with panels and it will have a glass door just to have some vision panels and it will have key card access. And so those are the changes that we're making. And as you can see from this photograph, you really cannot see it from the street anyway. So, again, extensively one walking by would never know of this change.

This photograph also shows the way that loading works today at the end of Harvard and we are not proposing any changes to the volume or operation of loading which happens through these double doors here. That is the way that it works off of the driveway. And so we will be following the same loading strategy there.

This is the basement level which right

now has 58 parking spaces. What we're proposing to go do is to use it almost exactly as it is today. We're having -- we've taken 50 parking spaces, eight of those spaces -- eight spaces will be used for bicycle parking, which we'll talk about, student recycling and trash area, and a couple other building operations uses. Any of the enclosed walls that exist today that has functions like the offices and the laundry, will be reused in a manner that's more sympathetic to the way that a dorm works, but it's all building operations related. The mechanical spaces are going to stay as is, but we are replacing some of the mechanical equipment because we are pursuing LEED certification in commercial interiors so we are going to make this a more energy-efficient building.

On the first floor if you -- here's what we consider the main entrance here. The inn itself is focussed on the interior on a four-story atrium. That's where people dine today. We are doing for the same thing for the students, and in the proposed plan where this is a dining area. And the kitchen will be expanded from where it is in place. It will be expanded servery added. All those functions that you need to have a functioning dining hall for the students. The rest of the space on the first floor are other dining spaces, meeting rooms, lobby, lounge, mailboxes, bathrooms.

On the second floor, the house offices, some other spaces for the masters, seminar rooms, are all on the second floor here. This is where the bedrooms start. So part of the second floor, all of the third, and all

of the fourth floor are the student bedrooms and altogether there are 67 rooms that will be retained for student use.

WILLIAM TIBBS: Excuse me. How many students per room?

ELIZABETH LEBER: Well, it's going to depend year by year as swing happens, each house has a different balance of how many singles and doubles are needed. So at its minimum it would have 67 singles, and at its maximum, it would have 130 students in doubles with some of the singles (inaudible). So that's our range as we call it, 67 to 130. Plus five tutor apartments.

So this is the third floor plan. You can see that there's very little for us to do to convert this because the rooms are really going to be used as is with some minor finishes, modifications. All the private

bathrooms will stay as is.

And the fourth floor is virtually identical to the third floor.

And then finally on the roof what we've highlighted in yellow here are the two minor areas of change that we're showing on the roof. It's really only small duct work changes to two new areas of penetration for kitchen exhaust and laundry exhaust and locations on the of roof. All else will stay as it is today.

ALEXANDRA OFFIONG: So, in addition to the change of use, we are also requesting the Board's approval for us to have a little bit of flexibility with how we meet the newly-adopted bike parking requirements. As Liz touched on earlier, we have a combination of exterior and interior spaces. And on the main entrance we'll provide bicycle parking

for 16 spaces. We know this is going to be a heavy demand just because of its orientation. We were -- and we will be expanding the hard scape a little bit over here. And we got indications that the Historical Commission felt like that this was really the maximum extent of bike parking that they would feel comfortable with at this entry just in order to preserve the landscape presentation that is so important to Quincy Square.

The second location of exterior bike parking will be at the other entrance and we'll be providing 32 bike spaces, and 20 of them will be under the overhang so they'll have some level of weather protection. And so altogether we'll be providing -- we're proposing to provide 48 short-term bike spaces.

And finally in the basement level we

are planning for a secure bike room that is separated by a metal fence from the parking garage. It is planned to have 41 bike spaces. We have accessible path of travel that students would enter, enter the building on the first floor and go to the bike room via these two elevators and be able to enter there.

So altogether this proposal calls for an aggregate 12 more bike spaces than would be required under the new Zoning. And we think that's very important because we know that there is an active biking population at the university. We would like to shift that ratio to the higher level of short-term bicycle spaces because we have seen the demand at all of the other houses really for the convenient bike parking that is close to the entrances, and it's really -- it speaks

to the fact that students are really coming and going all day long. They're going in the morning to classes. They're coming back for lunch. And they're going in and out all day. And they're just, we don't see them taking the time going deep in the building to lock up their bike. So, we also know that as an existing building, there were physical constraints to make -- to add a lot more bike parking in the basement without having serious implications to how the building is operated. So we have reviewed this proposal with Cambridge Traffic. They do support the proposal, and we are also fine with the conditions that they have suggested in terms of doing an annual monitoring.

So, in summary, we hope that you agree with us that this is a very positive project in that it will enable the university to

undertake the comprehensive renewal of the houses, and we've tried very hard to make it a project that is very sensitive to its surroundings. So we're happy to answer any questions.

H. THEODORE COHEN: I have a couple of questions before we go to public. How long is it anticipated that the rehabilitation renovation project will take?

ALEXANDRA OFFIONG: At this time we don't have an exact date, but I think we're assuming that it's probably somewhere between an eight to twelve year process.

H. THEODORE COHEN: Okay.

And is there any -- do you know now what you intend to do with 1201 after the renovation project is completed?

ALEXANDRA OFFIONG: You know, we -- it's taken so much of our focus to plan and

design the renewal that we, we know it's going to maintain an institutional use, but we have not -- we do not have a specific plan for beyond that window.

H. THEODORE COHEN: And you don't intend to turn it back into a hotel?

ALEXANDRA OFFIONG: I don't think that's the plan. I think it's to maintain its institutional use.

H. THEODORE COHEN: Could you speak a little bit about the traffic implications for automobiles --

ALEXANDRA OFFIONG: Sure, sure.

H. THEODORE COHEN: -- with regard to the change?

ALEXANDRA OFFIONG: Sure.

We actually engaged the services of the VHB to just do a traffic analysis. We know that their a -- we are reducing the number of

spaces at the building from 58 to 50. We also know that given -- changing from hotel to dormitory use takes away a lot of the shuttle trips and the taxi trips that create a lot of the traffic on a day-to-day basis. So overall I believe there was, the analysis suggested that there would be about a 40 percent reduction in daily trips. And I can -- if we have somebody -- Joe Wanat from VHB is here if we wanted to get into more specifics. But overall we know from a traffic generation perspective, there will be a reduction. From a loading perspective, we know it's very similar. The hotel use has a dining function, the dorm has a dining function, and we've analyzed that and it's, it's very, very similar. So there should be no change in that as well.

WILLIAM TIBBS: In that same vain,

the current 58 spaces, how are they used and how will those parking spaces be used while it's a dorm since obviously a dorm doesn't need 50 parking spaces?

ALEXANDRA OFFIONG: So the spaces today are used to support the hotel. Going forward, this is actually a property that has a commercial license that the university intends to maintain. So, we will -- we -- it has the greatest amount of flexibility as a commercial garage. We expect it will be used primarily by university users, and it will be a combination of self-park and valet.

WILLIAM TIBBS: So basically you're saying the university is going to use it as a parking -- as one of its parking spaces?

ALEXANDRA OFFIONG: Yeah, I mean, we don't expect to use it as a blue, as a blue parking facility, but we also know that as a

commercial, as a commercial garage it has more flexibility so we will use it primarily to support the university's needs.

STEVEN COHEN: By commercial you mean that it's open to the public and it will be a fee to park?

ALEXANDRA OFFIONG: It is -- it has a commercial license and so it is -- it will not be within -- it will not be considered an institutional lot within our parking inventory. It will be considered a commercial lot. But because -- I think the university envisions that it will be used to support many of the university activities. It won't be a fee for -- it won't be -- it won't function like a parking lot that customers come in and pay by the hour.

STEVEN COHEN: So it's not open to the public? It will just be for --

ALEXANDRA OFFIONG: It will be -- yeah, I mean there may be times when it's used for events at the university. So we may, we may have some sort of a supporting events at the faculty club or at other event venues, but it won't be for somebody to drive up and pay money and park. We don't have that operation.

CATHERINE PRESTON CONNOLLY: And would the university support a condition of the Special Permit that it only be used for university purposes? And even though you're maintaining commercial parking permit, not be used as commercial parking?

ALEXANDRA OFFIONG: I mean, I think if you are implying that it would be -- if we are fine with not having it be a paid facility, as a blue -- I believe that would be fine. That's definitely not part of the

university's intention. I don't believe there would be an opposition.

WILLIAM TIBBS: I think it's -- if it's either an inventory or it's not. I guess that's my issue. And so if you're going to maintain it commercially, it should maintain a commercial use. And if it's in your inventory, then it's in your inventory to use as you like.

ALEXANDRA OFFIONG: Harvard has a parking facility inventory that is comprised of institutional supporting spaces, institutional non-supporting spaces and commercial spaces. And this, this building, these 50 spaces fall under the commercial. So we cannot allocate -- when we build university buildings, we cannot draw from those 50 spaces to -- we cannot support university development with those 50 spaces

from a Zoning perspective.

WILLIAM TIBBS: But you're supporting an institutional use with the building. I just want to get -- it sounds like you haven't thought about this one.

ALEXANDRA OFFIONG: No, actually, we have thought -- we've actually met with Traffic and Parking on so many levels. Just because the parking is on so many different levels, we have -- the plan for this building is that it requires 18 spaces under Zoning which we will -- so we'll be meeting our Zoning requirements through the university's allocation pool. So we'll be meeting it at another location which is what the City has allowed us to do for many years. These spaces, these 50 spaces will be available to support the university use. It just won't be supporting the Zoning requirement. It's very

esoteric.

TOM SIENIEWICZ: For me, and maybe we should hear from the public before we get too far into this. But for me the whole thing swings on the parking, and I think a sense from my fellow Board Members my point of view here is that I might hold exactly the opposite point of view, that parking garage, according to testimony, is going to be used exactly as it is today. And if you're a guest at the hotel presumably, you can use that parking lot. And, you know, given more than a third of the cars circulating in Harvard Square are looking for parking. I think it would be wonderful if the parking stayed exactly as it is today and was available in the public inventory in a way that would also -- I mean, maybe there's some way in which we could think about that more

creatively and more domestically.

WILLIAM TIBBS: Just for clarity so I understand, you're saying that the public can use the lot now if they're going to -- if they're staying at the hotel?

TOM SIENIEWICZ: If they're a guest at the hotel or dining at the hotel, yes, anybody can.

WILLIAM TIBBS: You're saying they continue to have --

TOM SIENIEWICZ: Access.

WILLIAM TIBBS: -- access?

TOM SIENIEWICZ: You know, granted it's the university's property and fully aware of that. And I just, if there's a way in which those presumably vacant spaces after hours could be used by citizens of Cambridge, it might support Harvard Square in a really good way.

CATHERINE PRESTON CONNOLLY: The other way they could be used by citizens of Cambridge if the university was to return their commercial parking license to the inventory for reallocation to someone who wanted to operate it commercially. It doesn't have to be in this space.

STEVEN COHEN: Well, my own -- my sense of this is that for so long as they're complying with the Zoning requirements for parking here, while we might have opinions one way or the other about how best to use the excess parking, I don't think we should be imposing a condition on that basis saying, I think I would be inclined to let the university use, designate the parking as they see fit, subject to Zoning requirements and subject to whatever agreements they've reached with the City over the years.

H. THEODORE COHEN: Well, perhaps we'll hear from the public now and then we can inquire from Traffic and Parking if they have a position on this.

Was there a sign-up sheet?

LIZA PADEN: Yes.

H. THEODORE COHEN: Donald Sheehan.

DONALD SHEEHAN: Good evening, Mr. Chairman, how you doing tonight?

My name is Donald Sheehan --

H. THEODORE COHEN: People in general will be able to speak for three minutes. There's no one else on the list, but if there's anyone else who wishes to speak, just raise your hand afterwards and we'll take you in order.

DONALD SHEEHAN: Mr. Chairman, my comments are very brief. My name is Donald Sheehan. I'm with the electrical workers in

the Greater Boston area. And also representing tonight the building trade from Boston and Cambridge. We've worked with Harvard University for many, many years as well as myself very recently, and part of the presentation they put on tonight with the Quincy House moved to McKinlock also having deep discussions in the last couple of weeks with the Dunster House project. And also as they presented, the houses that they're speaking which are definitely the mechanical systems are in disarray. It's not a project that you could take lightly and just do part-time work, summertime work. It really needs to be a full blown out year just like the Quincy House was. So, with that, we'd like you to hopefully pass this Special Permit and take into consideration the burden of moving students and faculty and employees

around for them. And so we get this probably project underway soon and put some of the people back to work that we've had in the building trades here in Cambridge and in Boston where we're still experiencing 20 percent to 25 percent unemployment. Even though you see a lot of projects starting out there, we're still behind the curve. So with that, I hope you guys would look forward to solving your problems with parking garage and move this project forward for us.

Thank you.

H. THEODORE COHEN: Thank you.

Yes.

ATTORNEY ROBERT LA TREMOUILLE:

Robert La Tremouille, 75 Mass. Ave. I'm here for the eight o'clock hearing. It's rather flabbergasting to see Zoning that I wrote in front of you on a building that Harvard

wanted to be, I think, it was 72 percent larger before they got the Zoning change through. Listening to what I just heard, it sounds like the only questions were on parking and it sounds like there is no increase in floor construction in this building. Would that be accurate? That's all I need to know.

Thank you.

H. THEODORE COHEN: Anyone else who wishes to speak?

(No Response.)

H. THEODORE COHEN: Sue, could you speak about the traffic and parking issue?

SUSAN CLIPPINGER: Sue Clippinger, Traffic and Parking.

We're sort of in a funny position on this. This inn had a commercial parking permit for the 50 spaces meaning what you

were saying exactly, open to general public for a fee. And but those spaces were also necessary to meet the Zoning requirement for the hotel. So they were really also functioning as accessory uses for the hotel. When Harvard is making these changes, I am lobbying strongly that they have -- maintain their 50 commercial parking spaces with the full flexibility to use them however they wish. So it could be as Alexandra is saying they don't intend to use them, probably won't as a public parking lot or it could be for any function within the university. One of the things that's happened over the last several years is there aren't a lot -- there are no commercial parking facilities, new ones, being built at all because a principal use parking facility is incredibly expensive to use and people just aren't interested in

doing that.

And secondly, the PTDM Ordinance which was passed has been incredibly effective with balancing the commitment of users to the various modes here, trying to reduce auto use, and also allowed us to have a lot of conversations with the Planning Board and with proponents about what size parking facility makes the most sense to build a new commercial parking facility now with the PTDM Ordinance is incredibly difficult because you have to figure out how you're going to offset the those parking supplies. And I think that Harvard Square is a place that it's not exactly got a dirt of parking available to it, and I think Harvard has a huge number of variety of needs. They have the faculty club. They have special events. They have professors. They have students. They have a

whole range of things. So my recommendation is that they be allowed this permit that they have had all along that gives them the ultimate flexibility. And we as a city don't have to worry about whether they're violating the conditions or not, and it gives them the maximum flexibility to use that facility today, tomorrow, and in the future, at the way that works the best for them. And I don't think it's going to cause Harvard to suddenly have more people driving.

Universities have very low auto drive share and work very hard and have very good PTDM programs that encourage people. And I don't think 50 spaces in Harvard Square, if -- which would probably never be available to the general public for the whole facility anyway is going to make suddenly everybody want to drive to Harvard Square and see huge

changes in trip activity or motion. So I think I would recommend that they be allowed to have the commercial permit to assume that kind of flexibility. I'm feeling confident that it's unlikely to be abused. And I think in reality they're far more likely to be using it for institutionally-related parking needs that are -- and have that kind of benefit. So that was my take on where we are. So if you have any questions.

WILLIAM TIBBS: I don't have any particular problem with it. I just want to make sure that we as a Board do our due diligence in just understanding how we had set this up. So what is a commercial parking license and what is its intent? And how does that differ from the other parking in their pool? I just want to make sure that when you say "give them flexibility," does that mean

the flexibility to act as if that is in their pool in another kind of way? I just want to be clear.

SUSAN CLIPPINGER: So --

WILLIAM TIBBS: I want to make sure we're not setting some other precedent that MIT or somebody else, you know, I just want to understand what is the definition of commercial license?

SUSAN CLIPPINGER: Whatever precedent we're starting is so teeny that if it's replicating --

WILLIAM TIBBS: Well, precedent's precedent.

SUSAN CLIPPINGER: This facility has always had a commercial parking license.

WILLIAM TIBBS: Yes, I understand that.

SUSAN CLIPPINGER: Which it's been

available to the public for general fee. It's not been part of the institutional supply.

WILLIAM TIBBS: Okay.

SUSAN CLIPPINGER: The institutional supply can only be used for institutional use. But the university has had the flexibility to move them around and to reallocate them.

WILLIAM TIBBS: Even amongst the commercials?

SUSAN CLIPPINGER: No. Amongst the institution. So, you can't -- you really have to do one or the other. You can't do both.

WILLIAM TIBBS: Okay.

SUSAN CLIPPINGER: So this is commercial parking. If it's used for institutional uses, it doesn't suddenly

become institutional parking. It's still commercial parking and it doesn't change the institutional supply by an increase or a decrease. So if they're using it for institutional uses, they're using it under their commercial license. But is this making sense?

If they're using it for institutional space, institutional uses it's as if they had 50 more spaces for institutional use, but it doesn't have any of the flexibility that's allowed for the institutional supply, but it does have the incredible flexibility as a commercial parking facility to be used for any use.

STEVEN COHEN: Well, just to clarify my understanding. So we're basically saying no matter how they use it for technical and legal purposes, you know, it will be deemed

to be commercial parking.

SUSAN CLIPPINGER: Yes.

WILLIAM TIBBS: And I guess my only question is what is our definition of commercial and is it -- and, again, I don't -- just so that the Harvard folks know I have no issue with what you want to do. I just want to make sure that we're -- I'm clear in what our Cambridge intent and regulations are. So it's very -- I understand it from your shoes that it is now because it has a public use. If it doesn't have a public use, is it still commercial?

SUSAN CLIPPINGER: Yes.

WILLIAM TIBBS: That's the clarity that I needed to have.

SUSAN CLIPPINGER: Commercial parking is actually not a Zoning piece. It's in the City Ordinance. So it's not tied to

use.

WILLIAM TIBBS: It's not tied to

use.

SUSAN CLIPPINGER: It's in the City Ordinance that defines commercial. The parking lot open to the general public for a fee. And you can use it in a more restrictive way, but that's the most -- so the least restrictive way.

WILLIAM TIBBS: So more restrictive means not open to the public? That's the key. I just want to make sure if that's the thing that makes it commercial or if just as an understanding of what our Ordinance is doing.

TOM SIENIEWICZ: And I think that goes to the heart of the matter, Bill, because to the extent that this Board is measuring the impacts of the Special Permit,

we absolutely have business talking about the way in which the garage is being used, because it's definitely a change in the way that the city and the public has access to this garage. And so I very much appreciate the definition that a commercial parking garage is available to the general public for a fee, and that's what I'd like to see from time to time to the extent that it can be worked in to the needs of the university. I'm very aware of the fact that, you know, this is a piece of property that they own and control, but I'm also aware of the fact that changing the nature of this garage actually changes, you know, it's only 50 spaces, but 50 parking spaces from that distance to Harvard Square is incredibly valuable and precious. And I think from time to time it would be wonderful to on a rainy night park

there and go to the theatre or restaurants and theatre.

STEVEN COHEN: But, Tom, I'm not sure that I understood you correctly or whether you went understood Sue correctly. If I understand you correctly, you know, again though for licensing purposes, it is deemed commercial. It need not be open to the public. It probably won't be open to the public, though, they have the right to do so if they so please. Is that your understanding?

TOM SIENIEWICZ: No, I appreciate the clarification. What I am saying is it should be open to the public.

STEVEN COHEN: You're saying it should be open to the public?

TOM SIENIEWICZ: Yes, from time to time. I don't know, Sundays, in the

evenings, Saturdays, Sundays. When the university doesn't use it. It's it would be a crime to have that facility sitting there --

STEVEN COHEN: How would you structure a condition or a requirement that it be open to the public from time to time?

H. THEODORE COHEN: Well, can we just go back a minute? Am I correct with regard to Zoning and parking, they're required to have 18 spots.

SUSAN CLIPPINGER: Correct.

H. THEODORE COHEN: And those spots are being provided not necessarily in this building, but in their general institutional allotment someplace in the city?

SUSAN CLIPPINGER: Correct.

H. THEODORE COHEN: And that's a requirement of Zoning. The 50 other spots

are outside of Zoning and they're a commercial parking license that otherwise comes outside of Zoning whether there's Cambridge Ordinances?

SUSAN CLIPPINGER: Yes, I mean nothing is probably outside of Zoning, but it's defined in the City Ordinance.

H. THEODORE COHEN: It's defined in the City Ordinance.

Could they provide, should they choose to, could they use those 50 spots to provide the 18 spots required by the Zoning.

SUSAN CLIPPINGER: Yes, they could, but then they, they would not be commercial. So if they are --

H. THEODORE COHEN: So then they'd have 32 commercial spots?

SUSAN CLIPPINGER: If they're the 18 accessory spaces that are being used to meet

the Zoning minimum for the building, then the commercial supply would be reduced by 18.

H. THEODORE COHEN: Okay.

Ahmed.

AHMED NUR: Yes, I really don't want to add on to this because I think we spent way too much time on the parking space but I also understand it's extremely important, and in support to Tom's comment, the location where these parking spaces, even if it's 10 parking spaces next to that church where, you know, we take our kids to do ballet or, you know, or if you have a little breakfast or coffee at the Inn at Harvard, now we're talking about changing the entrance and putting in an access card and then also locking out the parking spaces from the public that we were able to park prior. With all due respect in the ownership and the

owners, we also have to express on the behalf of the public that it would be a nice thing for Harvard to allow to continue for the public space even if it's 10 or 15, just don't close the doors from the public. And that's where I come in. Because when you say commercial, they have this commercial license for this garage issued by the City of Cambridge to give them the flexibility. What about the flexibility of me going around in circles in Harvard Square; right? That's all I have to say.

SUSAN CLIPPINGER: Any other questions?

H. THEODORE COHEN: Yes.

Can we switch to bicycle parking? So you have made a recommendation with regard to an ongoing monitoring. What do you intend to do with it or is there any other condition

that should be placed on the Special Permit if you get different results as a result of this monitoring?

SUSAN CLIPPINGER: That's a good question. The purpose of the monitoring is to try to make sure that we understand the utilization. And I think as Alexandra has said, the university's use of bike parking is a little different than an office building or residential building because of the nature of the shorter trips and the kids and, you know, sometimes they have kind of lousy bikes and they don't care so much. So I think that what is being recommended here makes a tremendous amount of common sense for how it should be set up. And the goal and the monitoring was to just give us a sense of whether that's realistic and really thinking about it in terms of going forward, you know,

what we can learn as we, as we proceed so that in the future decisions we can use that information to inform any recommendations that we had.

H. THEODORE COHEN: Okay.

And do we have any recommendations or comments from the bicycle committee?

I'll take it as a no.

STEVEN COHEN: Mr. Chair.

SUSAN CLIPPINGER: I think Liza was looking.

STEVEN COHEN: Just a technical question. First of all, on the substance, their argument for re-jiggering the portions in favor of short term seems to make a lot of sense, does comport with common sense as well as one would experience. Technically what is it that we have to do? Is it to grant a waiver under the new ordinance, is that the

term?

H. THEODORE COHEN: Yes, we have to authorize the re-allotment in their terms and so when we're ready to vote, we can go through, when we have our discussion, we can go through that they've complied with those conditions and also complied with the conditions of the findings that we need to make for the Special Permit.

Anyone else have any questions?

ALEXANDRA OFFIONG: I just wanted to make one point if I may.

H. THEODORE COHEN: Certainly.

ALEXANDRA OFFIONG: Just circling back to the parking issue. I just wanted to make one note about just the design of the building, and one of the things that we struggled with as we thought about the parking is just the security of the building.

It's a, it's a dormitory. Students are living there. We have a secure -- a security guard at the front entrance. It will be a card swipe on the back. And the circulation to the parking garage is all -- it's integrated within the dorm. So the elevators that service the garage come right up into the dorm. So that was one of the struggles that we had in terms of allowing the greater population in. So, I know -- I just wanted to put that out there. In terms of its flexibility as a more public facility, we would need to have a valet operation and that's something we're not contemplating as a full-time situation. It is something that when we do host events, we have to prepare in advance and have some kind of valet set up. And it would be a time bound operation. And so I just wanted to let you know that that is

something that we're going to need to do for all users that are not within kind of the house community. So I just thought that was important to note.

H. THEODORE COHEN: Okay.

Are we ready to discuss this?

Well, why don't I just start and go through the findings that we're required to make under Section 19.25, the review criteria, which applies to both new construction and change of use. And most of the criteria really don't apply in this circumstance.

There needs to be a traffic study and a determination that the project will have no substantial adverse impact on city traffic within the study area.

From my point of view, I'll give my comments as we go along. Everyone else can

jump in. It's likely to decrease automobile traffic and cab traffic, and it will be an increase in pedestrian traffic and bicycle traffic. So I think there's certainly no adverse impact on city traffic.

We have to determine if the project is consistent with urban design objectives which, you know, are set forth in Section 19.30.

Most all of them in Section 19.31 relate to existing or anticipated patterns of development relating to height and setback, orientation on the lot, mixed use projects with regard to retail or housing. Where relevant, historical context are respected, and we've gotten an opinion from the Historical Commission that the changes are satisfactory.

19.32, development should be pedestrian

and bicycle friendly. And I think we, you know, we are dealing with a repurposed use. And so the building is already there and there's going to be additional bicycle traffic.

CATHERINE PRESTON CONNOLLY: And it's also by re-orienting the main entrance to the side most likely to be approached by pedestrians. They've actually made what changes are feasible to make it more pedestrian.

H. THEODORE COHEN: Right. I mean the guidelines go on to talk about the location on the ground floors, covered parking, the transparency of the ground floors, none of which I think are relevant here.

Entries to buildings are located to ensure the safe pedestrian movement across

streets. And I think, actually, the change is going to comply with that.

Pedestrians and bicyclists are able to access the site safely and conveniently. I think that's true.

And then Section 19.33, building and site design should mitigate adverse environmental impacts upon its neighbors. The only one that I think has any relevance is it talks about the location and design of mechanical equipment, and we've been -- indicated that nothing's changed except two small events.

The way trash is handled, the way loading docks and storm water management and landscaped areas are maintained. I think they're all consistent with the Ordinance. There are no changes in grade.

Projects should not overburden the City

infrastructure systems. I think we've had in the application that it is the case and we've gotten reports from Department of Public Works that they envision no problems.

New construction, which doesn't apply, should enhance the complex urban aspect of Cambridge. I think we're getting more students in the area.

And also expansion of the inventory of housing in the city is encouraged. That seems neither here nor there because we had a hotel use and now we're going to change it to a residential use for students. And, you know, enhancement expansion as well as open space amenities, it's repurpose space and there is no change to that.

So those are the findings that we need to make under Section 19.25. The Bicycle Ordinance you can give me this --

AHMED NUR: 6.108.

H. THEODORE COHEN: I have to get it, sorry. Since it's not yet in my book.

6.108.3: Upon granting Special Permit to modify any requirements, Planning Board shall make general determination that proposal's consistent with the purpose of Section 6.1, and that the bicycle parking plan proposes a quantity design in arrangement of bicycle parking that will serve bicycle users in a way that is sufficiently comparable given the circumstances of the specific project to the bicycle parking that would be required under the regulations of Section 6.100. Where an alternative design or layout of bicycle parking is proposed, Planning Board shall determine that such design or layout shall be durable and convenient for the users for whom

it's intended to preserve. Where modifications to the location or quantity of bicycle parking is proposed, the Planning Board shall determine that the bicycle parking plan will satisfactorily serve the needs of all expected users based on quantitative and/or qualitative evidence provided by the Applicant.

Those are what we are to find. It seems to me that the proposal as suggested by the Applicant and supported by the Traffic and Parking Department makes perfect sense to me and would -- I have no problem in finding that the modifications of the parking is appropriate.

So other comments? We can start down with Steve.

STEVEN COHEN: I have no comments. I think that we can readily make all the

requisite findings to support the review criteria and the three applicable arguments, and as soon as the Board finishes its review, I would be prepared to make a motion to grant the application on that basis.

WILLIAM TIBBS: Okay, back to the parking. Help me out by telling me how you're going to use those parking spaces as of say we pass this as of this fall when the students are back. Just what kind of things are you going to do?

ALEXANDRA OFFIONG: So we know a portion of those spaces will most certainly be used to support the activities within the building that, you know, people --

WILLIAM TIBBS: People coming in and going up to the conference rooms.

ALEXANDRA OFFIONG: People will be working there. People will be visiting

there. And there will be the house master may have a parking space or two there. There will be a range of -- a portion of those uses will certainly relate to the house.

WILLIAM TIBBS: Okay.

ALEXANDRA OFFIONG: We know that the university has events that could benefit from parking close to the core campus. So that we expect that this would be a wonderful location to provide event parking for the faculty club. We also know that there could be other university users, other professors that park there. We -- there may be other opportunities to open it up to a wider public in -- as long as we have advance warning, we have to plan for the valet operation. I think we haven't, we haven't figured out who is going to occupy all 50 of the spaces, but as Sue Clippinger mentioned, the university

has such a range of different events and needs that are -- that this would support all of those things.

STEVEN COHEN: But for purposes of our -- sorry.

WILLIAM TIBBS: Sure.

STEVEN COHEN: For purposes of our discussion here, it's not the university's plan to open the parking lot to the public? The public. Driving to Harvard Square to attend, to go to a restaurant, that's what I mean by the public. You know, it's not your intention to make this parking lot available to such a person?

ALEXANDRA OFFIONG: That would not be our intention.

STEVEN COHEN: Just for clarification.

ALEXANDRA OFFIONG: Yes.

WILLIAM TIBBS: And you're also not intending it to be an institutional parking, i.e., you're going to assign somebody a parking space and that's where they'll come in and park all day long and they're not necessarily associated with that building and that they go there everyday. It's a much more of a -- I guess my concern is that if you're going to maintain the commercial license, even if you're going to not open it to the general public, you can use that general license in a way that benefits the public. For instance, if you have an event, and I who normally cannot park in the Harvard facility were going to that event and you had valet parking there, then as a person, a bona fide institutional user of something or whatever -- I just I want to make sure that you're maintaining at least some semblance of

the commercial definition even though as Sue says it can be wider. And it's not even something that I -- I don't know that it needs to be written into our decision. And that Sue even said she's assuming you won't abuse that flexibility, but I just -- but it sounds like you haven't thought -- you thought about needing to keep it commercial but you haven't thought quite about how it's going to be used. And you know it can -- there's a security issue even for your own people, you don't want random employees in there to go up and down as a result.

ALEXANDRA OFFIONG: Exactly. So I do think we have spent most of our time focusing on how this facility would meet the needs of the university. We do want to maintain the commercial license because of its flexibility. I do think that there would

be an opportunity for time -- from time to time for the university to open it up as a public garage. Though it wouldn't be a day-to-day operation. I think we would -- I would not like to see us being constrained that we couldn't open it up for the general public when, when there's appropriate opportunity to do that.

WILLIAM TIBBS: And your license says you can if you want to do that?

ALEXANDRA OFFIONG: Exactly.

H. THEODORE COHEN: Tom.

AHMED NUR: I have stated before I -- Harvard owns, you know -- and I would have to probably just sort of -- in terms of the Zoning it looks like the Zoning supports it for what you intend to do as well as the traffic supports what you intend to do. And as far as my job's concerned, I think that's

where we go. So I'm in support of this, even though it's really hard to see the Harvard Inn gone and coffee in the morning so on and so forth. Things happen. So, yeah, that's where I stand.

TOM SIENIEWICZ: Since I didn't win the day amongst fellow board members on public access to the garage, I respect the fact that I'm on a Board and we work collectively. I have a couple of questions which actually relate to Quincy Square, the park in front of the building. I noticed your site plan cut off the park. I just -- I'm concerned about maintaining that quality of that park and not that, you know, students are absolutely welcome there, but there is some open space in front of another Harvard building that sits on a triangular site which gets vandalized periodically. I hope that

won't happen. A tree gets cut down from the lampoon every time it's planted. So... I know there won't be that kind of behavior here.

ALEXANDRA OFFIONG: I think one important thing to note regarding that point is that this, this is the main entrance and we will have actually a 24-hour day security guard sitting and looking out that window. So to the extent that, you know, not looking out the window. But that's available to see that park. I think they'll be -- actually be able to see that park. But I think if there are any -- I think there would actually be more eyes on that park than there are today.

TOM SIENIEWICZ: And in the interim condition when you're renovating that building, are you going to need that public space?

ALEXANDRA OFFIONG: I don't know.
No, there are no plans to use that for any
kind of enabling --

TOM SIENIEWICZ: Because the
sidewalks on Memorial Drive are closed from
DeWolfe Street all the way down the river
this morning and requiring like a half mile
detour on my run. It blocked the one
intersection came up to the next intersection
and Harvard said, you know, it's not safe for
you to cross here. I said, you want me to
run back another half mile? It's state
property. I mean, they -- did you really
need to close the whole sidewalk? So please
don't do that to the park when you're
renovating it. So it was the wrong day to
have the Planning Board member shut off from
the river.

ALEXANDRA OFFIONG: We know that the

day after commencement is always a very busy day for the world of construction and trying to squeeze it in the summer, so sorry.

TOM SIENIEWICZ: Great. Thank you. I'm generally in favor. I think to the extent it's going to support the renovation of those amazing buildings, there's a public interest there, and absolutely the Planning Board should be in support of anything that's going to facilitate that critical renovation.

H. THEODORE COHEN: Catherine.

CATHERINE PRESTON CONNOLLY: I appreciated Sue's explanation of the parking, and with that said, I don't have any concerns about this and I'm prepared to go forward.

H. THEODORE COHEN: Okay. Well, I will miss the Inn at Harvard, and I will miss the fact that it's one of the fewest -- one of the very few public or semi-public

restrooms in that end of Harvard Square which I assume will no longer be available.

AHMED NUR: Access card.

H. THEODORE COHEN: If I get an access card, yes.

Would somebody like to make a motion?

STEVEN COHEN: Sure.

Having made the requisite findings under Article 10, 19, and 6, I move that the applications for a Special Permit be granted and that the requested waiver with respect to bicycle parking be granted as well.

H. THEODORE COHEN: And I assume that is subject to the condition of Traffic and Parking, that there be ongoing monitoring of the bicycle parking?

STEVEN COHEN: Yes, subject to the conditions imposed by Traffic and Parking.

H. THEODORE COHEN: Is there a

second?

AHMED NUR: Second.

H. THEODORE COHEN: All those in favor.

(Raising hands).

H. THEODORE COHEN: Six members voting in favor. It's approved.

ALEXANDRA OFFIONG: Thank you very much.

H. THEODORE COHEN: We'll take a five minute break.

(A short recess was taken.)

* * * * *

HUGH RUSSELL: Okay, let's begin again. The next item on our agenda is case 278, 240 Sidney Street, 40 Allston Street, 618 Grove Avenue proposal to construct 107 units. We opened the hearing in April. There were insufficient members of the Board

and so it was adjourned to this date so nobody's said any testimony.

I've also been advised that there might be City Council candidates in the room who wouldn't like to -- have other things to do and might like to speak before the presentation. If that's the case, I would offer that as a courtesy.

AHMED NUR: Craig Kelley is here.

HUGH RUSSELL: Okay, then we'll start with the presentation by the Petitioner.

SCOTT ORAN: Thank you very much. Good evening, I'm Scott Oran, 101 Huntington Avenue, Boston, along with my partner Mark Dufton, and we're Dinosaur Capital Partners and Development for 240 Sidney Street.

I first appeared before this Board in 1988. I hesitate to say I had hair then,

during the initial North Point Rezoning. Today, 25 years later, North Point's being built out still. I next appeared in 1999 to seek approval for three office buildings that were built on land that had been mostly planned 12 years before, the late '80s. Today we're here to talk about 240 Sidney Street in Cambridgeport. It's located in Special District 8-A. That district was created after much discussion, debate, revision, compromise eleven and a half years ago in December of 2001. The goal then was two-fold:

First it was to encourage more housing, specifically more affordable housing. And then second to create a transitional residential zone between the traditional triple deckers of Cambridgeport and the industrial zone where biotech lab space had

been developed, but a much larger scale.

Putnam Green, which is a four-story building with 40 affordable apartments opened just last year. It was the first new construction in this 8-A Zone. It was built ten years after the Zoning was created. And by all accounts it's been a great addition to the neighborhood.

All this is to say is that the city changes slowly. And repeatedly this Planning Board and the Council have proactively planned and necessarily taken a long and very considered view of development. So the City's result is a better place for it. And we hope that 240 Sidney Street will build on that.

We bought the property in February of 2012 after the tenant Vertex Pharmaceuticals announced they're moving to Boston. We think

now that they'll leave at the end of this year. They'll leave behind not only our building, 240 Sidney Street, which is the three addresses encompassed, but three neighboring buildings that are owned by BioMed Realty Trust, the \$4 billion San Diego base (inaudible), and another building as well on Sidney Street. By early next year then, there will be five empty buildings on or near Sidney Street in Cambridgeport. So this is a neighborhood that's going to be in transition.

We have a vision which we're very proud of and excited about of creating a diverse, multi-generational residential community that's reflective of both Cambridgeport and Cambridge generally. It's for 107 families, including 12 modern income families surrounding a 15,000-foot new landscape

courtyard. It can be shared with the larger community. And we see our community being one that's diverse. It has singles, it has couples, members with children, young professionals, empty nesters, and elders. And the traffic should be quiet and convenient location.

We've been talking with city staff about our plans since last March. Last May we sat formally with Roger Boothe and Liza Paden. Last June at their suggestion, we presented a plan to the Cambridgeport Neighborhood Association. And then just last month, after some more local neighbors asked us, we held another neighborhood meeting with our closest neighbors.

So our proposal's been shaped by these meetings and of course by the 2001 rezoning to encourage more housing. So we're

proposing and we hope you'll agree is a modest three- and four-story building with some scaled surroundings. We've tried to respect both our residential neighbors on the one side and our commercial neighbors on the other. And to celebrate and extend the city's newly renovated Fulmore Park which is right at our front door.

So let me tell you a little bit more about the project. First, who are we? Dinosaur Capital Partners, as I said, I've been practicing in Cambridge now for 25 years. My most recent project is with my partner Mark Dufton. We have an historic renovation in Boston for student housing near Suffolk University; 205 and 210 Broadway, which are two buildings which I built about ten years ago at the edge of Kendall Square. And then a current project, Green Park and

Charge, which was Boston's first electrical vehicle charging station; 12 electric vehicle chargers, a bank, and retail space. Our architect is Icon Architecture who really needs no introduction. They've been here many more times than I with you. They're responsible and proud of Putnam Green, which is directly across the street actually from this project. Auburn Court, which is up the street. And most recently two projects about to go into construction, Maple Leaf Lofts and North Point II.

So just to orient you, the project is on Sidney Street about five blocks from the river, about ten blocks from Mass. Avenue. It's about a 15 minute walk to the Central Square T. It's about a 12 minute walk, interestingly people don't think about this, to BU and to the BU Green Line, and it's got

great bus access. The EZ Ride shuttle is right there. The 47 bus, and then the crosstown bus are all very convenient for people. So, you know, it's a typical transitly-oriented location and incredibly convenient. Oh, I should mention -- and of course people can walk to the supermarket. There' the Whole Foods and Trader Joe's, even a Starbucks for people who want to walk there.

The current site, we'd like to say it's beautiful but it truly is not a pretty picture. Unfortunately as you can see in the bottom left, it's bounded by Allston Street, Sidney Street, Putnam Avenue, and then Grove Avenue. On the top you can see -- top left you see Grove Avenue. You can see in the background BioMed's 60-foot building there. This is our property here. We've got right

now a nitrogen tank. You can see this on the corner of Sidney and Allston. One-story former industrial manufacturing building, which is now office and lab, goes right up to the property line, no setback. On the corner here at Putnam and Sidney, a two-story building, and then this is the parking. And the parking really defines the site. And there's a lot of parking. It's basically, the site is either building or parking. It's 66 parking spaces on the site on grade. There are six curb cuts. Right now there's about 125 employees that are employed by Vertex in 35,000 feet of office and lab space in one- and two-story buildings. They will all leave at the end of this year when Vertex moves to Boston.

As for green space, we have one tree. It is not protected unfortunately, and just

five percent open space. It's virtually paved.

And as we said, it's a very interesting location between the larger scale buildings up at University Park as you come down Sidney Street until you get to BioMed's four-story building here. And then across Sidney Street predominantly you can see Fulmore Park here. And then predominantly three- and four-story triple deckers and some spotty apartment buildings.

Again, this is the site. The orientation is different. So north now is at the bottom. This is Fulmore Park here. We have this block here. BioMed owns these two big buildings around here. Vertex is in occupancy there. They're in another building here by a local owner. MIT owns these former California Paint buildings and parking lot.

And this is the new Putnam Green building which was built last year.

So this is something of the balkanization, if you will, that was heavily negotiated rezoning that we've done in 2001. You can see this is the Residence C Zone here, which is primarily again triple deckers, but also there are four-story apartment buildings like this one and townhouses over here. And this is the C-1 District line. You can see the 8-A District line kind of skirts around here. This particular owner, the predecessor to BioMed, was intent on protecting his development rights and was able to negotiate that type of zone.

This zone was always believed to be the transition between C-1 and SD-8. And you can see here on the map exactly how that all

works. And you can see there's 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 zones within four blocks. So there's lots of different activities, uses, and competing interests. And we've tried to be respectful of all of them.

As I said, it was -- this zone was created in 2001. It was talked about. It was debated. I think the whole process took three years from beginning to end. Some of you may remember it. And it -- what it tried to do was to try to figure out a way to be respectful of residents on one side and commercial users on the other. But specifically for this 8-A Zone it encouraged housing to replace the commercial uses. It included incentives for affordable housing, and it hoped to increase the open space, which in the case of our property was very

easy to do because (inaudible). And it's based on the Residential C-1 Zone.

So when we bought the property, we created these goals. We said, we want to create a diverse multi-generational residential community; singles, couples, families of three or four, empty nesters, elders, young professionals. We think all of these people have a place in the city and have a place in our community within this building.

The apartments were designed to meet the needs of a growing city. I mean, this Board has now approved obviously several new buildings in Kendall Square and University Park which will attract great highly-skilled workers, lab workers, office workers. But these people need places to live, too. And since 1980, in fact, the stock of rental

housing has dropped in the city. There was something under 30,000 units then, and we're now just creeping almost back to that, but it hasn't replaced mostly due to condo conversions.

So, again, we've proposed 107 apartments, including 12 affordable ones. There will be a mix of unit types; eight studios, 56, one-bedroom apartments, 43, two-bedroom apartments. All the parking will be in an underground garage for 96 vehicles and 112 bicycles. The bicycle parking is designed to meet the new Ordinance. And over a third of an acre, 15,000 feet, will be landscaped for open space. Various community amenities, and of course LEED Certifiable.

So the proposal will meet all of the Zoning requirements. As you've seen in the package you've received, the height limits

are 45 or 60 feet. We've tried to be respectful and keep it to 35 or 45 feet. Setbacks from the street require 10. We've set back 21 feet, as we talked about, Grove Avenue to give us some more distance from the commercial uses. And, again, we're only five percent open space is required. We provided 30.

The only request that we have is to reduce the parking by 11 spaces to 0.9 which is in line with the recommendations by TPT. And we hope that you'll consider that favorably.

So to recap, then, the permits we seek tonight are for a multi-family Special Permit for constructing more than 12 units obviously.

The project review Special Permit for constructing over 50,000 feet.

And then for the reduction of required parking from one per unit to 0.9.

I'd like to introduce Nancy Ludwig from Icon who we think has done an incredible job designing the project and will tell you more about it.

Thank you very much.

NANCY LUDWIG: So let me walk you through the design concept. My apologies.

So the design -- the urban design concept is actually very straight forward and has two simple components. As Scott mentioned, we really felt in looking at the neighborhood that Fulmore Park was a terrific amenity, and we envisioned extending it across Sidney Street, doubling the size of it and really sharing that green space between our development and the neighborhood.

The second part of the concept was to

wrap the U of housing around that open space and relate it to the neighborhood surrounding it. So as we're adjacent to the row houses beyond and Allston and on Putnam, we've chosen to keep the scale of the building to match those at 35 feet that you can see on the model. And then as we set back at the edge of the new park, we've stepped up the building to 45 feet.

We are lining up with the fronts of the building surrounding us. We are engaging the open space with patios and decks that extend out into that open space as well as Scott mentioned, creating a buffer here along Grove Street which I -- I'm not sure he mentioned is actually a private way.

As Scott mentioned, the Zoning envelope actually allows us a bit more height. We in the SD-8A in that first 100 feet are allowed

to be up at 60 feet, and we are at 35 and then we step up to the 45 feet in an area that could be allowed to go up to 60 feet.

What we create is 30 percent of our site is open space. We are envisioning a sort of combination of formal courtyard and approach to the building where we've kind of allowed residence and pedestrians to come in an area which would be -- have a sitting area and hardscape, and then create a kind of a center realm landscaped. And then obviously as we edge this area, we have more trees and more grass because we're really creating what becomes a fairly inviting public area to areas around the edges which are a bit more semi-private.

This space is 150 feet wide and actually sits back from Sidney Street, a depth of 100 feet.

You can see that there's a lot of trees, a lot of grass space, and the ability to sit and engage and have a conversation in this open space. And the stepping does seem to engage the surrounding neighborhood from continuing the height of the triple deckers here, and then stepping up to the BioMed buildings in the back. And I -- Scott did mention we were the architects for Putnam Green, which does sit up at this 45 feet as well. In fact, an interesting story about that building. It actually -- the line between the C-1 District and the SD-8A District cut right through that. So we did deal with these height issues there, too.

The parking will be entered from what is an existing curb cut. We've chosen to get rid of five curb cuts and leave one. The site actually slopes over five feet from this

corner down Grove Street in this direction. So in fact, by entering off this existing curb cut, that is the lowest point on the site. It means we can tuck our parking down under. We slope our courtyard up. And so really the only wall that you begin to see of the garage pops up about a half level in this location. The primary public areas of the building, the amenity spaces for the residence occur in the central area. And because we kind of see two front doors both on Sidney and off of Grove Street, the lobby actually comes through, through the building, and so we've added a sloped garden area that brings you up to a door of Grove Street as well.

Again, an aerial view. You see the park and the step in the building and understand the streets.

Looking from the side, we've taken the expression of the triple deckers in the neighborhood that have a corner, typically a corner bay -- sorry, going back. And use that as a referential element on the sides. We've established a base of masonry. We then shift to siding above that. We've pulled up the height of the entry where we're proposing a roof deck and a trellis that would have an expression of that off the courtyard, and we've also used the gesture of the whip of a triple decker pulling out on those corners to begin to define a break down in the massing of the building on the linear planes.

There will be no shadows that are cast on Fulmore Park based on the orientation of the building.

And now I just want to walk you through images of the building superimposed over

actual photographs that we've taken from this the street.

So here I am on Sidney Street looking south, and you see the triple -- neighboring triple deckers, the existing building. And what we are proposing is -- oh, that makes it so much better and brighter. Thank you whoever did that.

And so you see that we're proposing similar height to the neighboring homes, and you also see this expression of bay at the corner.

This is the point where you're seeing about a half a level of the underground parking structure. And, again, we've stepped the masonry that comes out of the courtyard down and around and engaged the base with some patio elements.

I'm now looking on Grove Street which

is this street that is adjacent to the BioMed property. You can see that currently it's a rather undefined street that just feels like a sea of parking and people do parallel park along here, and you see kind of the minimal area between the existing parking lot and that edge. And what we -- and you see Putnam Green in the background. And so what we are proposing is actually a deep landscaped area, 21 feet to our building from what will now be a proper sidewalk. And, in fact, the overall dimension between the existing BioMed building to the left and our building is 66 feet. And you can -- you can see that the parking that's here is actually a part of that property.

On Putnam looking west, this is the one tree that Scott mentioned that landscapes the site. And so now, again, you see this

typical 10-foot setback of the neighborhood landscaped. You begin to see the stoops and patios coming off the building. You clearly see the step, the corner expression, and a marker for the address along....

And now on Sidney looking north you see the other corner of the building. The 150-foot wide recess that becomes our courtyard and extension of the park beyond.

And looking into the courtyard. I don't know if we're really doing a dinosaur, but that was a tad bit tongue in cheek. It's not on the model. But we've really tried to soften the edges of the park and used the slope of the grading here to obscure the level of parking below and engage active as well as some passive areas within the building.

We intend to meet the stretch code and

we will be incorporating many of the features in the envelope in the windows and high efficiency MEPs; mechanical, electrical, and plumbing fixtures, as well as in our approach to the open space and the landscaping.

And with that let me introduce Keri Pyke from Howard/Stein-Hudson.

KERI PYKE: I think I was as technologically challenged as Nancy. Keri Pyke with Howard/Stein-Hudson. I want to touch briefly on the parking and traffic.

So the modest traffic impact for this project, the chart on the top shows our trip generation based on the IT land use codes and also on the mode splits that were given to us by the city. And on the bottom our actual counts that we did for Cambridge Commons, which is just a couple blocks away from our project site. So you can see that on the

left for Cambridge Commons is the predicted trip numbers for the a.m. and p.m. peak, and what we observed are very close to those. So this methodology actually replicates very well what's going on in Cambridge so we expect this to be very close to the actual trip generation were we to count it once the project were open.

In the a.m. peak hour, 21 trips. So that's about one vehicle every three minutes. And in the afternoon rush 29, which is about a vehicle every two minutes.

These numbers don't exceed the requirements for Cambridge TPT which they're far below them. So we think that this is a reasonable very modest traffic impact.

As Nancy described to you, here's our site again. And so we have -- the garage entrance would be on Allston Street and we're

proposing that that would be a right in and right out. So we're going to have only one entrance instead of the six driveways that currently exist. So there will be some consolidation which will then create some new on-street spaces, public spaces on Sidney Street and -- not on Putnam, excuse me, but on Sidney Street. So that would be an advantage to the neighborhood.

And then here is the underground layout of the 96 parking spaces that we are proposing for residences and guests -- for residents and guests. And this also shows the location of the bicycle parking which are the areas indicated in orange. So 75 spaces for bicycles here, 19 on this corner, and 18 on this corner. And in addition to those, there would also be 11 on public racks outside the entrances to the building for

visitors of the residence.

UNIDENTIFIED MALE: Could I ask a quick question on that previous slide?

HUGH RUSSELL: Excuse me, sir, you'll have a chance to speak later.

UNIDENTIFIED MALE: I just had a question. Okay.

HUGH RUSSELL: Right. Well, we're kind of structured the way we do things.

KERI PYKE: Also I just want to go over as Scott mentioned at the beginning, we are asking for a slight reduction in the parking ratio. So we are asking that ratio be reduced to 0.9 spaces per unit, which is what we're showing in the previous slide. And this is actually supported by some of the census data. The average for this area for the census tracts in this area, renter-occupied household has 0.9 vehicles per unit

which is what we're proposing. And approximately 27 percent of the renter-occupied households in this neighborhood have no vehicle. It's also comparable to other recent apartment projects, and we do have 12 affordable units that typically we found that affordable apartments typically have less of a need for a vehicle and, therefore, a parking space on Putnam Green we actually did contact them and found that they have -- let me see if I get the numbers right. There were 40 units and I believe they have --

SCOTT ORAN: 14.

KERI PYKE: -- 14. They had 14 vehicles in the 28 parking spaces I think is right. So the math works out to 0.35 vehicles parked per unit at Putnam Green.

And this request was supported by

Cambridge Planning and TPT.

And one other item related to parking. We did go out in April and do a study of overnight parking occupancy on the blocks that you see up here. Let me see if I can orient you to this map.

So here, north is to the top. So Central Square is up in here. Here's the site here in this little blue square. And the color codes on each of these blocks, I had a staff person go out between eleven p.m. and two a.m. and count how many cars were parked. He had a long walk that evening. And so the color codes correspond to the occupancy on each block. So the red blocks, for example, like Erie Street up here, this block, between Pearl Street and Brookline. It's actually Brookline Avenue? No, Brookline Street. Okay. That block was

fairly occupied nearly 90 to 100 percent. So almost every space on that block was taken. On the opposite end of the spectrum the blocks in green, like these ones which are near our site, were less than 50 percent occupied. So they're half the spaces on those areas in green were available for someone to be able to park overnight.

In general what we found in this whole area, about 30 percent of the spaces, and there were 1,151 on-street spaces, of those about 30 percent were unoccupied. So we do think there is some availability of on-street parking, but we don't think we would need it in any case. We think the 0.9 will be sufficient for our project.

With that I will turn it back to Scott to wrap up.

SCOTT ORAN: Thank you all for

listening so carefully.

Again, just to summarize, we really are very proud of this project and we hope that we can really create a diverse multi-generational residential community. The 107 apartments and 12 affordable units are going to replace what's an aging building which frankly will be vacant at the end of the year when Vertex leaves, and we think that replacing and creating a beautiful park to replace the lack of open space is a real amenity. And most importantly, we really carefully tried to respect and follow the goals and regulations of the 2001 citywide Rezoning or in this case downzoning. This site was downzoned roughly 20 percent at that point. And as you know, it takes a long time for these changes to be seen in the city, but the very thoughtful process it was engaging

at that point I think gives us a building today which is really respectful for the residential and the commercial neighbors. And the 96 parking spaces in the ground, underground garage, obviously will not make the traffic or parking worse. 112 indoor bicycle parking spaces we think will be a terrific amenity for the building and the type of people we're hoping to attract who are active and who will commute, we hope, by walking or using the bike to work. And, of course, we're proud that it's going to be sustainable and environmentally conscious.

Thank you very much for your consideration and your time this evening.

HUGH RUSSELL: Okay, thank you.

If there are no questions by the Board, I think we might go to public testimony.

So there's a sign-up list?

LIZA PADEN: Yes.

HUGH RUSSELL: And I will go through this sign-up list and then I'll ask if there are people who didn't sign up who want to speak. So you may speak once when you're recognized. You may speak for three minutes. And is anybody keeping time?

AHMED NUR: Right here.

H. THEODORE COHEN: Ahmed.

HUGH RUSSELL: Ahmed is our time keeper tonight. And so I -- and when you come up, please state your name and your address and give any assistance needed so that the spelling of your name is correct in the record.

So the first name on the list is Mike Stead.

MICHAEL STEAD: First of all, I'd like to say could I have a little more than

three minutes? They because I'm -- let me just explain. I am the abutter that abuts that property and my father passed away in August. I am just coming on to all of this literally. And so as the new owners, me and my daughter, we -- three minutes is just not enough time for us to go through this. Again, we're just coming on. So could I have a few more minutes? They had how many minutes?

HUGH RUSSELL: Sir --

MICHAEL STEAD: I'm the next abutter.

HUGH RUSSELL: -- if you'd like to argue the Planning Board rules instead of speaking, you can do that. But I would just ask you to speak for three minutes.

MICHAEL STEAD: Well, I'll speak and when the time is up, then I guess we'll have

to convene. But --

AHMED NUR: I'll tell you what, to be fair I'll just start right now. You're already about 45 seconds, all right?

MICHAEL STEAD: Okay, I'm just going -- we're going to get going. First of all --

HUGH RUSSELL: There are 40 people in this room that have a lot of points of view.

MICHAEL STEAD: That's your time then. Here we go. I mean I'm an owner next-door. So, you know, I've got some rights, too. That's why we have the state. Anyways, okay, let's start off --

WILLIAM TIBBS: Excuse me, you have to give your name and address.

MICHAEL STEAD: Michael Stead, 598-602 Putnam Ave. I'm the three-family house across the street from the property.

Okay, first of all, the big concern is the parking. This woman just said it's going to help the parking. You're adding 107 units; friends, relatives. The parking is already too tight there. And when we talked to Scott, it was agreeable to Scott that we could walk 10 or 15 minutes to Central Square. My daughter and her mother now have to walk, or the tenants walk, you know, 10 minutes. Safety issues, first and foremost.

Second of all, when I got this information, I looked at it, I saw nothing to do about building. Okay? You know, it just tells about the code. So our concern is if this project were to go on, it starts the building, the health issues. Once the ground is dug up, the rats that will be running around. Major issue for us. Okay?

Noise. Another major issue for us.

Okay?

And also environmental issues. What kind of machinery is gonna be on the roofs of these buildings? I'm seeing, you know, great pictures. It tells me nothing of what machinery is going to affect our health. We have no idea what's or what is happening on that level.

Okay, also the other issue is that as a community, you know, Scott mentioned -- it's never mentioned anything about the community. This whole group, it's not once in their presentation mentioned anything about the community. Okay? That's another issue.

Also, we were talking about -- on the parking issue it was told by us that, we asked as a community -- like he mentioned that the parking, they're going to be selling their parking spots. So the illusion is that

their parking spots are going to go with the units. No, that's not the case. They're going to be sold or rented. So that's going to push people onto the street. \$200 a spot underground.

We talk about low income. They started the presentation with 40 low income houses that were built or units that were built. They're doing 15. So let's not go with the low income pitch because you're going to the bare minimum. Scott said it himself. He's not concerned about the low income. It's about \$3500 a month for two bedroom apartments. That's the concern. He made it clear that we're not concerned about how far people have to travel for parking, it's about the money. Okay?

Also the height of the buildings. 35, the ones that are the same level as the three

families, we're okay with that, but the other ones, 45? Sunlight. The quality of life, the people that have right now that exists, goes. For profit? So we just don't -- we don't see that as a fair option for us at 598-602 Putnam Avenue.

AHMED NUR: Your time is up, sir, sorry.

MICHAEL STEAD: Thank you very much.

HUGH RUSSELL: Thank you.

Did your daughter also sign up? You want to say something?

MICHAEL STEAD: Anything that comes to your mind. You live there. You know, the park. You know what I'm saying?

AKAYLA STEAD: The building is too big.

MICHAEL STEAD: And you know what --

H. THEODORE COHEN: What's your

name?

MICHAEL STEAD: She lives there.

We're talking from experience, folks. We're not talking from people that just did a little survey. We've owned the property for over 50 years so we have seen the change.

Thank you very much.

H. THEODORE COHEN: Could you say her name, please?

AKAYLA STEAD: Akayla.

HUGH RUSSELL: Charles Eccles.

CHARLES ECCLES: Hi, my name is Charles Eccles, E-c-c-l-e-s. I live at 62 Allston Street, the building -- three-story directly across from the building project and I just I'd like to say that we weren't properly notified about what was going on here. And the original meeting was postponed and many of the neighbors that I spoke to

when I found out just this morning that there was going to be a meeting, had no idea that there was going to be another meeting. And I would like, I would like to respectfully request that you postpone this meeting so that some of the members of our neighborhood who are directly affected by this project can voice their opinion. There's at least six other people that I spoke to that live right directly across from this that would be seriously affected. Especially one of our dearest neighbors and oldest, she's been there 65 years and she's 95-years-old. They just built the Putnam Green right around her house on the corner and I mean, she should have something to say about this. So please have some respect for us. We as a neighborhood wouldn't do that. We wouldn't build up a big ugly structure in front of

your house and not say nothing to you or at least let you know. The last meeting they gave us two hours' notice of the meeting about the fact that they were gonna put a building there. And the -- Scott, you were very, very rude to some of my neighbors. I didn't appreciate that. I had to --

AHMED NUR: Excuse me, I'm sorry, you cannot have a conversation with him. You're addressing us.

CHARLES ECCLES: Well, Scott was very rude to some of our neighbors. I didn't appreciate it. I had to leave. I didn't know he was so bad with some of them. I just, I just think that, I think that at least we should -- to be fair there must be some kind of rules to let you know not just a day or two days ahead of time. That notice was not there last week. They just changed

it, and I just found out this morning. I'm glad that I was able to get here, but I -- we're not prepared. None of us are here that would really like to speak and have something to say about it. And I'm only speaking -- I'm just, I'm just recent to the neighborhood. I've only been there 60 years. And it will be next year we'll have owned, we'll have lived in that property for 100 years. My family has a rich history in the neighborhood, right in that very little community there. Us old greasy villagers. Now remember that name because that's what they called it, the greasy village. I don't think many of you know about that. We had a rendering company right next to Fort Washington. And because of that the streets were all slick all around the neighborhood.

I just, and also --

AHMED NUR: Time is up, I'm sorry.

CHARLES ECCLES: Thank you very much.

AHMED NUR: You're very welcome.

HUGH RUSSELL: Robert La Tremouille.

ROBERT LA TREMOUILLE: Mr. Chair, I also gave a copy to the secretary. Robert La Tremouille, 75 Mass. Ave. As a lawyer, I have written more Zoning changes than anybody else not employed by the City of Cambridge. I have two years of right-of-way management experience. Building off of that, I worked on the Red Line, I've worked on the urban ring.

The Zoning in this area is very clearly transit-oriented developed. It is zapped around the Putnam Avenue Station on what was proposed as one of the two possibilities under the urban ring. The trouble is at no

time to the best of my knowledge has the staff ever communicated to the fact that there are two possible routes on the urban ring. And the alternate route is now subsidized by the state, and it is very unlikely you're going to get that Putnam Avenue stop. That Putnam Avenue stop could possibly justify the 0.9 parking spaces. Without that Putnam Avenue stop, you don't have the justification. The building size is justified in theory because of the Putnam Avenue stop, but that Putnam Avenue stop is not likely to get built. The alternative is being subsidized by the state, by the location of the Yawkey Station by Fenway Park. The city-proposed version on the urban ring would move Yawkey Station. The state is subsidizing the expansion of Yawkey Station and the alternative that would create Putnam

Avenue is highly unlikely. The neighbors have submitted a Zoning change for this area which would reflect the realities of not having that Putnam Avenue station. I should hope that this matter would not be passed at this time, perhaps put it on the table, perhaps vote it down with the allowance to come back after that Zoning change is considered. But I would strongly request that you not go forward with an approval on here with that Zoning change pending, and the reality being there ain't no Putnam Avenue station.

Thank you.

HUGH RUSSELL: Okay, thank you.

The next name looks like Jeff Petack (phonetic) and I'm not sure that person wishes to speak.

JIM PATEL: Jim Patel.

HUGH RUSSEL: Patel. Okay.

JIM PATEL: I live at 591 Putnam Avenue. More of it was really just a question on this thing is that I get they're looking for a special request to reduce the number of parking spots, but from the plans I see, you're taking away street parking. And one of the ladies also did a, send somebody out in the middle of the night. I'm actually surprised to see that as a blue because I do park my car on the street, and sometimes it's tough for me to find parking. And I actually -- as I said, on the corner of Putnam and Brookline, so I don't know how that stat came in. Maybe it was just for one day and it was a bad day for whatever reason.

The other thing is, as a gentleman brought up earlier, is that these people are going to charge for rental spots. Okay.

That's what they are, rental spots at this building at \$175 or \$200, whatever they decide to charge. A lot of people are actually going to park in the street. I've seen that happen at Magazine Street. The Magazine church corner apartments. They rent out their spots. They charge. That's why you see that area all full. You can't even get spots out there. So I get you're trying to request a 0.9 or whatever, but I think it's going to be less than that with, you know, the parking spots that you're going to get rid of from the street and pushing people that can't afford it, which is going to be, you know, people that are going to be affordable housing or just about to afford, you know, living in this place because there's nowhere else to live and you're creating, you know, space for the new workers

that are meant to come in. I'm sure there's going to be people at different levels there. They're not going to be getting any spots. If you're using the Putnam Green one, I think it's going to be, like you said, there's a lot of empty spaces. The reason being is because there's probably they can't afford it so they're pushing out onto the street. And since Putnam Green is on there, it's even harder to find parking. So, I get this isn't all about parking, but this is about the whole thing, but my concern is really more parking and the way that you're doing the parking spot. Reduce the units, get your parking in there, it would be okay. But not the way it is right now.

That's it, thank you.

HUGH RUSSELL: Okay, thank you.

Bill Kane and Ryan Gage (phonetic). So

on one line are two people so you can both speak for a period of time.

BILL KANE: Actually, my name is Bill Kane, K-a-n-e. I'm with BioMed Realty Trust and I represent 40 Erie Street which is an abutter. By way of background we did recently appear before the Zoning Board of Appeals to vote for an increase in height on affordable housing project presented by Capstone Community Partners. And so despite being a \$5 billion read and my showing up with my attorney here, we do have a beating heart. The reason I'm here is to further emphasize some of the positions that we've already stated in our submittal on May 28th. It's just a few points of emphasis.

We represented industrial property, okay, that abuts this proposed development.

HUGH RUSSELL: Could you point that

out in the model?

BILL KANE: Well, I'm reluctant to point it out on that model, because that model doesn't accurately reflect our building. It's actually -- it's positioned here. Okay?

HUGH RUSSELL: Okay.

BILL KANE: But it doesn't have a penthouse. It's actually lower than what's reflected there. And it's lower than what's on that visual up there. It's actually -- that looks like a two level structure behind it, but it's not a one level structure. Okay?

We're also the owner of the 60-foot height 200 Sidney, but that's not what I'm here to talk about. It's really this high-intensity industrial use that immediately behind the property. Okay.

We -- we're long-term owner/operator. We don't flip properties. We're here for the long term and we think about the way we interact with the community and the way we involve ourselves with our abutters, and that's the basis of our concern tonight. Since we think there's a negative dynamic between the new residential use that encroaches upon a preexisting industrial use and vice versa. And we do that. There are examples within the City of Cambridge where we have issues with noise and activity and that kind of activity without the proper buffer and transition.

We've met with the applicant since their investment in the property. We've met several times to talk about different ideas that we can engage in. Different ways we can involve a responsible buffer or transition

between those two pre-existing uses. We knew they had plans of development, but we were surprised to receive this notice for this hearing. We were expecting to continue some form of a dialogue.

So we're in a position where we are stating our position as it's currently developed.

40 Erie is a high-intensity industrial laboratory facility. It has trucking. It has loading bays. It has commercial lights, high pressure gas storage, chemical storage, and laboratory exhaust. And all of that occurs right along here abutting that property. There's a loading dock there. That's where that's the most intense use.

AHMED NUR: Conclusion, please, you've got 20 seconds.

BILL KANE: Okay.

So I'll just wrap up with my statement. The reason I'm here tonight is to not only express the proposed development does not satisfy the Special Permit criteria because it is not responsive to the existing pattern of development in the neighborhood. It will adversely affect permitted adjacent uses and, therefore, we don't think the Special Permit should be granted. In addition we think some of the information presented is not accurate. Okay? There's differences in opinion as to what the buffer is in the distance between our two buildings, and how it's reflected graphically in relation to the two buildings.

AHMED NUR: Thank you very much, time is up.

BILL KANE: I'm done. Thank you very much.

HUGH RUSSELL: Does Ryan wish to

Speak?

RYAN GAGE: No.

HUGH RUSSELL: Next name is Matthew Ponzio.

MATTHEW PONZIO: Planning Board members, thanks for your time tonight. I'm here to speak in opposition of the Special Permit request. And to be honest, I actually wish I could speak in favor of it. Me and my neighbors appreciate the efforts of Dinosaur Capital.

WILLIAM TIBBS: Name and address.

HUGH RUSSELL: Could you give us your name and address?

MATTHEW PONZIO: My apologies.
Matthew Ponzio, P-o-n-z-i-o, 68 Allston.

So we appreciate the Dinosaur Capital and the architect's efforts to mirror the triple decker style in addition to the green

space. We like that quite a lot, and we think the aesthetics of what they're proposing will actually enhance the beauty of the neighborhood. But despite some of these agreeable aspects, I still have to oppose the project in its current form as we sort of firmly believe that it is not in keeping with the -- despite what they claim, with the size, scale, and character of the neighborhood. At the end of the day, it really is more of just a large apartment building as opposed to the character of the triple deckers around it. The site the city's growth policy documents were to assemble a future policy, one as existing residential neighborhoods, or any portion of the neighborhood, having identifiable and consistent build character should be maintained at the prevailing pattern

development and building density and scale.

So I would submit that this proposal does not conform to that policy. Adding 107 units effectively triples the density around Fulmore Park area. Additionally, building 107 units requires building 96 spaces for the Special Permit for the parking reduction is granted. In order to fit those spaces, which we are of course in favor of, the design due to the property elevations as they mentioned requires the parking entrance on Allston Street. The traffic study, which they did not mention, that site that -- on Allston Street is not wide enough for two-way traffic. Allston Street right here on the left. So we feel that even with the right turn out of the parking garage, which really is going to be a suggestion that's a -- not just a sign that says please turn right. It

is a two-way street, they can turn left. It's going to be a traffic safety hazard. So at this time we would request that we table it, come back to the table. We think that we would like to see some development. We like this development. We think we can come back, we think it could be better. We think maybe reduce the number of units, get the number of parking spaces on par with the number of units, and I think we can have something that the community can really live with.

Thank you very much.

HUGH RUSSELL: Okay, Ann McKinney, please. Do you wish to speak?

So the next name is Jim Rissling.

JIM RISSLING: I'm Jim Rissling, R-i-s-s-l-i-n-g and I'm at 64 Allston Street.

Thank you, Planning Board members. I myself am an architect. I've been practicing

for over 20 years. I appreciate what Nancy's firm has done. I think they've done some very nice moves. I do question the over sale of the open space as something that would be inviting for neighborhood residents to use. Urban principles of defensible space would apply to Fulmore Park because it has two ways in and out. This private park would be that, it would be a private space.

Secondly, I question the emphasis of this 21-foot buffer on Grove Street which is a private street. So I'm not sure that a 21-foot green buffer back there is so important when it could maybe provide some of the parking spaces that they're asking relief for.

I'd like to jump to Ms. Pyke's traffic study. In the traffic study three projects were cited in which you the Planning Board

have allowed reduction in parking. One of them is the Maple Leaf building, which Dinosaur is very proud of. But that's -- there's no residential area around that, and it's just hundreds of feet from the Lechmere stop.

The next one is 159 First Street. Again, not a residential area. Again, very close to the Lechmere T Stop.

The third one is Fawcett Street which is by Fresh Pond. Again, not very residential at all. I think given the nature of this neighborhood and the -- emphasize the data using rental, renter-owned or renter-occupied and the correlation of parking to renter-occupied. But let's think about owner-occupied apartments in the neighborhood where we rely on the street parking to have a functional residence.

I'd also like to comment on the scale. The block that Fulmore Park is in has 40 units in it. It looks pretty dense except for the opening of the green space. That's 40 units. Now you're adding 107 across the street. You're almost tripling the number of residences across the street from this park. So I urge the Board to consider these things and I thank you for your time.

AHMED NUR: Thank you.

HUGH RUSSELL: Thank you.

I can't read the next name, but the address is 59 Allston Street and you don't wish to speak.

Next is Vivek Sikri.

VIVEK SIKRI: Good evening, Planning Board. Spelling of the name is Sikri, S-i-k-r-i, 64 Allston Street. Vivek, V-i-v-e-k. I have three points to make which

I'll attempt to do briefly.

The first one is about the garage entrance. Allston Street is a tiny street. HHH traffic study says cars cannot pass each other on that street, yet the garage entrance is there. I asked why is the garage entrance there? Well, it's because that's four feet lower, you get a shorter ramp, you get more cars in the garage, you get to build more apartments. Pretty simple. The only problem is that I live there. And that's a public safety problem. Cars going like this, not a good thing. One car has to back up. You know, there are kids in the neighborhood. There's a park next-door. It's just not a nice situation. So we've been in discussions with the developer and asked them to perhaps relocate the garage entrance to Putnam Ave., a two way street, arterial road, direct

access towards the Mass. Pike, much better situation in my opinion. Unfortunately it seems to be about building more apartments, not public safety.

The second point I'd like to make is about community outreach. I respectfully submit that this project has not yet gone through the necessary community outreach process. They did present some plans to the Cambridgeport Neighborhood Association in June 2012. No notes were maintained from that meeting. I asked for these notes. There were none there. Even without that, in the application it says the meeting was overall positive. Based on the experience since then I highly doubt that.

The developer made no attempt to contact abutters before submitting the Special Permit application. As an abutter, I

took exception to this and I took it upon myself to inform my neighbors of this project. You can see just by show of hands people who got flyers from me, e-mails? You can see these are people that I did the outreach for.

The developer took great offense to this. I wrote a letter to you guys, the Planning Board, before the April 16th hearing. And I had a meeting with the developer right around the same time because the best situation is where the community and the developer work out any concerns between themselves and then we come here and we hug each other and it's all great, you know? They took great exception to that. They accused me of acting in bad faith because I wrote to you guys and didn't tell them. Well, I hold that they didn't tell me they

were going to build a giant building next-door so why do I have to tell them I wrote you guys a letter? I suggested some three-bedroom apartments would be a better addition, you know, and better reflect the neighborhood character. Again, they took great offense. They called my views old fashioned and bigoted.

Now Section 19.36 of the Zoning Ordinance encourages larger family size units, and a three-bedroom would certainly be considered that.

AHMED NUR: Five seconds.

VIVEK SIKRI: The last thing is about public hearing notices, as of last Thursday, they were inaccurate. I sent over the notice to Ms. Paden and photos documenting that. I ask, please, for a continuance for final doing some community

outreach, scheduled a meeting with the Traffic and Transportation --

AHMED NUR: Thank you very much.

VIVEK SIKRI: Thank you for your time.

HUGH RUSSELL: Okay. Next is Carolyn Shipley.

AHMED NUR: I would just like to add one comment to the public. Traditionally we don't take clapping. As much as it's needed, if you could not clap, it would really -- we appreciate it. The Board would appreciate that from experience.

CAROLYN SHIPLEY: Good evening. Carolyn Shipley with a Y-N, 15 Laurel Street, Cambridgeport. I want to say what a nice presentation this evening. They almost swayed me. The presenters this evening made some statements which in my view bend

reality. You, too, must see through these statements. The green space in front of the building does not double Fulmore Park. What an absurd statement. Are the children going to run across Putnam Avenue? Most of it is concrete. It doesn't look like a park at all to me. Scott said that they met with neighborhood groups. Well, maybe so. I don't -- I never heard from them. Scott said the building is 107 families, that's what he said, I took it down. Huh? How many children can you fit into a studio apartment? Scott said that this is for a diverse multi-generational community. What? Are you going to advertise the studios and the one bedrooms for single, elderly women only? Can you do that? How are you going to get this diverse population?

One thing that wasn't mentioned was the

size of the rooms and the square footage of the units. You can have a two-bedroom unit, but they could be nine-by-ten rooms. I don't think you're going to get two children in those rooms with their toys, all their stuff, bunk beds, and so on and so forth. The building doesn't fit in with the architectural history of Cambridge which is Greek revival housing, Queen Anne, and Victorian, and then later some three deckers. But most of them you'll notice are clapboard. This building in the renderings looks like a factory to me and it reminds me of a building that Scott mentioned, showed you, that is at 210 Broadway. It's one of the ugliest buildings I've ever seen. It's got these orange plastic sides. I see red plastic on there. This does not -- Cambridgeport houses are not built with plastic slabs that are

rectangles. They aren't. I'm sorry, it doesn't fit in.

Let me see if I have any other points. The problem with whatever is going up in Cambridge now, which is being approved by the city, are small units, not family-sized units. The affordable units here could very well be studios and one bedrooms and we still don't know the square footage and the size of those. And it will not be 12 affordable units. What.

Are we trying to do? Reduce the school population? Bring down taxes? There's no way there will be any families in this building.

AHMED NUR: Ten seconds.

CAROLYN SHIPLEY: Not for long. So before the kids are ready to go to school, they'll move once they're no longer toddlers.

This is everywhere in Cambridge. That buildings are having one, one-bedroom and two-bedroom, they're not family size.

AHMED NUR: Thank you very much.

Time's up.

CAROLYN SHIPLEY: You're welcome.

Thank you for the opportunity to speak.

HUGH RUSSELL: Next person is Jonathan King.

JONATHAN KING: Good evening.

Members of the Planning Board, my name is Jonathan King, J-o-n-a-t-h-a-n K-i-n-g, 40 Essex Street in Central Square. I'm an officer of the Cambridge Residence Alliance. As you know, we've been here before you in Forest City and other projects and we've been looking closely at the integrated effects of all the new projects coming into play which involves having done our own traffic study

and showing that, you know, the BU Bridge is already terribly congested. So I just want to speak to the notion that there's no traffic problems here. That comes from ignoring what's coming with the Forest Hill and Forest City project and a thousand additional residential or car traffic that will be coming up and down Sidney Street and completely ignores the thousands of units that are planned for Central Square. And it's already getting congested in this area and, and your considerations need to reduce the density, give -- you know, get rid of the curb cut on Allston Street and, you know, make sure these parking spaces are not rented out that they go with the units.

Thanks.

AHMED NUR: Thank you.

HUGH RUSSELL: Thank you.

Does anyone else wish to speak? Okay, let's go this way tonight.

CHARLES TEAGUE: Thank you. Charles Teague, 23 Edmund Street. I'm speaking tonight as Vice President of the Association of Cambridge Neighborhoods. I too was going to cite the city's growth policy document towards the sustainable future which doesn't seem to get a lot of traction these days. The mentioned policy one about fitting in with the character. But I was going to look at policy 22 which is reducing congestion and noise. And it seems to me that the, that in the minor arterials with the residential character should be protected. But it just seems that the Allston Street ramp should be really thought of more carefully.

The second, policy 27 it says: Where possible construct new affordable housing

that fits in the with the neighborhood character of course. And then it goes on and says emphasize structure affordable housing design for families with children. There's no three-bedroom units in this.

And then I just wanted to go on and quote your Tom Anninger where he's talking about the Cambridge Lumber which had a very wonderful redesign that you really pushed the architect for where it just all completely impressed with the redesign on Harvey Street. And I want to quote him, and he says: When they first came to the Planning Board, he says, we're seeing a number of projects like this; Bolton Street now Harvey Street, Cottage Street, to a certain extent all multi-dwelling multi-unit projects where we actually have to make some difficult decisions because it represents major change

to the neighborhood. Therefore, threatening and always difficult, and it requires a certain balancing on our part as to what kind of density is appropriate in these areas.

And he goes on and says: The feeling I get about this project -- and this is the project that Cambridge Lumber reduced from 29 to 20, 30 percent reduction -- is -- but it's the feeling I have gotten for all of them, is that the proponent is negotiating with us in the sense that they're asking for a lot. It feels like a Swiss clock the way it's been designed, very tight. And there's a sense that we're going to be asked and somehow we'll require shrinkage, and the problem with that for me is the project lacks a bit of integrity the way it's proposed to us because of it. So, and I take one of his last lines, so my impression is that we're going have to

do something about what is a congested site.

So I ask you to consider what they said about the surrounding area and the density and the whole concept of the transition.

Thank you.

HUGH RUSSELL: Thank you.

John, you want to speak?

JOHN HAWKINSON: John Hawkinson, 84 Mass. Ave. I have a question that you might pose to Ms. Pyke and Mr. Oran, and that's would the proponent be prepared to stipulate to the city that they will contractually require appropriate number of owners of tenants to not obtain parking permits, residential parking permits from Traffic and Parking, to guarantee the requisite parking limit? MIT's agreed to a similar condition as part of their commitment letter for their recent Zoning change for PUD KS-5. And of

course if the traffic studies are accurate predictions, it shouldn't be an imposition. And if they're not....

HUGH RUSSELL: Okay. Yes, you wish to speak? Please come forward.

ISABEL ECCLES: Hi, my name is Isabel Eccles and I'm not related to the other Eccles. I live across the street from him at 63 Allston. E-c-c-l-e-s. And Isabel, I-s-a-b-e-l. And I think I want to focus on the parking because it sounded like there's plenty of parking on Allston Street from the study, and I have lived there for a year now, and can rarely park on the street. There's lots of curb cuts on the street, so it might look like there's open spaces and -- but it's a lot of driveways you can't park in front of. And I am -- can hardly ever park on Allston Street. Always end up having to park

on Sidney and usually I'm the last person to get into a space there. So I question whether -- I wonder if that study was done a bunch of times -- excuse me. Whether that would -- sorry. Whether those numbers would show up again, the same numbers. And I also find the design really unappealing and changing the character, and don't feel that that park can be inviting to the public at well. It looks like another big anonymous glitzy place that's being built for Google people or, you know, outside -- not for residents but it's a slicker thing and it's just not that appealing. I like the little building that that's there now. I know it can't stay, but I think there's other materials that could be used. I think it could be lower. And if they want to make a place for the community, why not make a big

community garden there or something that would be useful to the community.

HUGH RUSSELL: Thank you.

Yes.

JOHN WALKER: My name is John Walker. I live at 150 Whittemore Ave., Cambridge. I've also been an architect for 40 years. Just looking at this project I've only seen for the first time, I don't live in the neighborhood so it doesn't affect me directly, but it does affect me in that this is being duplicated all over Cambridge, various sizes to the tune of probably 3,000 units. I wanted to put a -- point out a few things.

One, the park, two people have spoken to it already. It's the most uninviting thing I've ever seen. And it just says us and them. And if they wanted to integrate it

with the park across the street, they should put the benches and tables right out on the sidewalk. Because people who live in places like that want to see and be seen. Go sit outside, watch the traffic, see neighbors, talk to somebody. But if you have all the benches down by the entrance, you know, it's like their entrance. It's not my entrance and it's, you know, it's silly.

Roofscaping, there's going to be a lot of junk up on the top of the roof. And I think they mentioned a possible plaza or a deck or whatever. You have to put screening up because it looks horrible when you see these things. On top of that they've got four parking spaces on the dead ends of the garages that you can't get the cars out. They're backed right up against the wall. There's two solutions. You can eliminate two

spaces and make sure that the car that parks in the dead corner can back in the other space to get out or he can back all the way around to wherever or come up the ramp backwards. Or you can dig a pit and put a subterranean hole that you can swing the car in, but it's silly, it would work the way it's working.

Also on the back of the project which you know I saw the photograph, it's -- if you put a sidewalk in in Cambridge, we usually make the sidewalks about six feet, that way you can plant a tree on the sidewalk and have a handicap person get past the tree. They look fantastic when the city does that. And that's what they should do in that little sidewalk. If they don't do it, they're going to have cars driving up on the curb parking on the sidewalk, all cars that, you know, you

saw on that street before, before construction.

The other just quick thing is it's a good idea to mimic the facades of the three deckers that Cambridge and Somerville and South Boston, East Boston all have. And I can see the proportions on the building. But one of the celebrations on a three decker is the top three feet on the front of the building, they're just, they're exuberant. And I, I go around looking at them all the time. I'm a little strange like that. And I can point out streets in Cambridge all over the place that have phenomenal ones. In these buildings, I call them auto-cad buildings, and they have no detail at all. And I don't anyone knows how to do an eave or a cornus or an overhang or, you know, any kind of embellishment in the entrance. Look

at the entrance to that. It looks like, I don't know little tiny door. You've got a big shaft up --

AHMED NUR: Your time is up.

JOHN WALKER: My time up? Certainly doesn't reflect three deckers except the end bays.

Thanks.

AHMED NUR: Thank you.

HUGH RUSSELL: Thank you. Yes, Ma'am.

BELINDA HAAS: Hello. My name is Belinda Haas, H-a-a-s. I live at 19 Peters Street. That's the street that you see the trees running along the bottom there. It was also -- well, it was also represented in red in the parking survey which I think is probably one of the only accurate ones in my opinion because living on the red street, I'm

always looking for parking on the other ones. And they're usually pretty red as well. I notice one of the ones that was shown at green is actually a two-hour parking. It's not resident permit parking. So.... And also some of those streets that were other colors were quite far away, when I come home from work late at night, frankly, I don't want to be walking for 10 minutes by myself. So, I don't have any -- I didn't have prepared comments because like many other people here, I just found out about this meeting. So I do want to say that I feel that there should be another meeting for other people in the neighborhood who couldn't change their plans at the last minute to come here and speak.

I may be naive and I don't have a lot of experience with Planning Boards, but I

would assume that one of your primary intentions is to retain a high quality of -- quality of life, quality of living standards for people who live in the neighborhood. And I think that there are many ways that this building will negatively impact the quality of living for people in the neighborhood. I know that it might not be -- it might not be great to talk a lot about parking, but that certainly is an issue. And I would say that the fact that people will be asked to pay some as yet unspecified rent for those parking spots will be a highly -- will be a big negative in terms of getting them to want to pay for those spots, and people will spend time looking on the street for spots rather than pay whatever it is they're charged. So I don't -- I think that, and also of course all their friends. There wasn't anything

mentioned that I saw when they showed the parking lot where there were spots set aside for guests. Although it was mentioned there was guest parking, I didn't see where that was.

So, the other thing I will reiterate that was said before was that the size of the apartments, I think does lead to it being more likely that there will be young transient people living there as opposed to families. Hopefully kids in school that we'd like to have in the neighborhood. And I think that's about all that I can think for saying right now.

Thank you.

HUGH RUSSELL: Thank you.

Does anyone else want to speak? Sir, you'll be next.

DENISE SIMMONS: Good evening.

Denise Simmons, 188 Harvard Street,
Cambridge. I'm also Vice Mayor of the City
of Cambridge. I believe you have letters
from -- that I've provided for you so I will
not read those into the record because you
have those in front of you. I also want to
say that I own a small business at the corner
of 195 Brookline Street. At the corner of
Brookline and Erie, so this project does have
an impact on me as someone who owns a
business in the area. Again, I'm not going
to read my comments that you have in front of
you in writing, but I do want to ask you for
this: As several of my neighbors from that
area came into my office on Brookline Street
today, one of the things that they asked for,
and I'm going to ask of you, is before the
Planning Board takes any action to allow the
community to have more opportunity to have

what I want to call a robust conversation around the project where there's a shared vision of the project rather than an input on the vision that the developer has. You've heard from a number of people that have testified this evening that they feel as though they've not been heard, they've have not had enough opportunity to have their points of view heard or mitigated in this process. So I would strongly ask the Planning Board not to take action on this until that has happened.

Three other things I just want to add around the parking which concerns me. I understand that with the affordable housing -- with the affordable units, of course, there comes parking. But those parking spaces are often prorated. And what happens is those -- the members of those units do not

tend to buy the parking because it's cost-prohibitive for them. That's happened at North Point. It's happened in other projects. So that what happens is those folks will go to the street. And contrary to how the developer feels as someone who spends -- who lives on Brookline Street and still has an interest on Brookline Street, the parking is already very tight. Very tight. So I have a real concern about that. I also have a concern about the unit size. The City Council has been talking a lot to developers as they've come forward to us about larger units, three-bedroom units, because those are units that are going to sustain families. These are rentals, so it's not home ownership. Home ownership says I'm going to be here for a while, rental does not necessarily say that. So for me and members

of the Council to have testified to this point, we're looking for larger units. So I would like to see larger units in it project. And then I also ask that you look at this in the context of what's happening across the city. We just had K2-C2. Everyone's talking about building more houses. There's more people coming into the neighborhoods. That's going to be more people on the street, and I'll go back to the whole idea of parking and congestion. So please I would respectfully ask that you leave this on the table, allow more community conversation so that we can have a project that we all can live with.

Thank you for your time.

HUGH RUSSELL: Thank you.

Yes, sir.

DON GROSSMAN: Don Grossman, 179

Sidney Street. I actually lived at 22 Peters

Street for 20 years and now live two blocks north of the project so I've got both perspectives. In terms of the small picture item, I think parking is the one lever that they're looking to really push. And it was interesting to me that the Photoshop drawings showing the building dropped into existing conditions, virtually every parking space in those drawings was full. So you talk about nighttime parking vacancy, but the really critical problem in the area is daytime parking vacancy. So if you're leaving 107 units with 96 cars and 112 happy bikers going to work, you're going to have a lot of people leaving their cars on the street during the day which is problematic.

In terms of the fee which has already been mentioned for parking, it seems to me that maybe this is a project specifically or

maybe it's a citywide issue that the default condition should be that the parking goes with the rental unit and then you certify somehow that you don't have a car and can then trade it back or get a rebate on to your rent.

In terms of solving the problem with parking and mitigating it, they could, and I'm happy to spend their money easily excavate under the courtyard and put in additional underground parking and then this -- that whole issue becomes moot.

And then finally the last thing which is a big picture issue, you're hearing mostly from community residential members, I think BioMed has got an astounding point, which is that you're abutting an industrial or research and development use. I live across the street from property that used to be

Boston Pipe and Fittings that has been converted to biotech. There are, you know, operations going on day and night and a lot of HVAC units which create a significant amount of disturbance. So having those in proximity has to be carefully thought out.

Thank you.

HUGH RUSSELL: Thank you.

COUNCILLOR CRAIG KELLEY: Good evening, Planning Board members. My name is Craig Kelley. I live at 60 St. George Terrace in Cambridge, and I'm one of the people that gave you this mess because it is the Cambridge Zoning Code and that's something that the Council is responsible for. For that and to everyone in this room, I apologize. And that being said, you do have some discretion over this, and it strikes me that our SD districts, in many

cases, are probably acronyms at this point. They're outdated. The desire to have housing is so strong and the value of housing is so large that the need to incentive it really isn't there anymore. And with the larger developments, larger residential developments, larger residential developments, we're seeing an ongoing constraint on parking and it's not something that you can particularly solve, but -- and you've heard many more of these cases than I ever have. The reframes are constant. It's traffic and parking and the neighbors don't feel that they have the expertise beyond their personal expertise with living in the area to counter the paid expertise of people that come in and do studies and say this will work depending on the distance that the study goes and so forth. And at some point I think that you have the discretion to say, you know

what, this just doesn't feel right. And I'm looking at this and I go down to the neighborhood and I look at the neighborhood that goes up to the current property and I envision something like this going into the current property and it's not a fit. And I think that given the residential market, given the market polls toward a residential community I don't know why we can't build something that better fits within the neighborhood and has less of an impact on daily life such as traffic and parking which, you know, sounds kind of mundane, but honestly that's what a lot of people care about, as well as simply looks better and is more inviting to the community. So I -- we're seeing these go up a lot. I look to the Planning Board and the Community Development Department to help us Councillors

to figure out where breaks like this occur so that we can go fix them. But looking at this it really does seem like this is one of those breaks and I hope you could find the discretion not to approve the project.

HUGH RUSSELL: Thank you.

So who else wishes to speak? This is a record.

MINKA VAN BEUZEKOM: My name is Minka van Beuzekom, v-a-n B-e-u-z-e-k-o-m. And I live in Central Square. Not down here, but I've walked by here many, many times and watched the development of this park, Fulmore Park and wondering why it's not open yet. That's not relevant to this discussion. So many of the things that I would have said have already been said. And, you know, one of the main things is as a new City Councillor, for me sometimes the way the

Zoning is put together makes no sense. So I'm not going to apologize the way Craig did because I wasn't here when this mess was made. But I'm hoping that I will be here to try to unravel it.

In addition to the comments about the park not really being open and not mirroring what's on the Fulmore Street side, the fact that, you know, this is a Special Permit so you have to look at this as compatible with the form and density of the neighborhoods, those issues were already brought up. We also heard from BioMed -- I mean BioMed Realty saying that that part of Grove is their most intense use. And think about how many times we've had the conflict of commercial use with residential. So I'm not sure that they've solved those problems. The buffer's gone. So I would ask you to look

into that and listen to what people say in terms of whether adequate public notice was given. It's amazing to me how many neighborhoods can kind of pull together when they feel that there's a project that's coming in their midst that they can really do something about to improve it. And look at how many projects we've -- we. I didn't do it, but you guys did to really improve them and, you know, we want more people to live in Cambridge. But we also need to respect the people that live here already.

So thank you for doing your job on the Planning Board.

HUGH RUSSELL: Okay, thank you.

Does anyone else wish to speak?

(No Response.)

HUGH RUSSELL: Okay. So now it's our turn. So I guess we would lay out what

we think are the issues and questions. I don't think anybody here is probably going to suggest that we're ready to vote on this project.

So we want to look forward to see what do we need to know what has to happen before it comes back to us.

So, I don't know, let's start in the middle and work outward, a different pattern.

AHMED NUR: I just wanted to probably -- just so that I can incorporate this into my way of thinking Susan from Traffic to respond to the issue of Sidney Street parking entrance.

HUGH RUSSELL: Okay. Sue? It's Allston Street.

AHMED NUR: It's Allston Street? I apologize. I'm sorry. I remain corrected.

HUGH RUSSELL: Sue, can you come up

and tell us about Allston and maybe also tell us about why you think that this proposal, parking proposal makes sense at 0.9 cars.

SUSAN CLIPPINGER: So the parking entrance, generally we're comfortable with parking entrances on a small street. I think this building you could, you know, I don't know if there's a right street or a wrong street to have the parking entrance on.

Allston is a street similar to the very many streets in the city with two-sided parking, essentially one travel lane, two directions. It's the cheapest traffic program we have. Cars go very slowly on streets like that so there's a level of safety based on the low speeds. But obviously it's difficult when, you know, people are trying to pass each other.

AHMED NUR: So you had a chance to

review that?

SUSAN CLIPPINGER: Yes. I mean I don't have any problem with the driveway being on Allston Street. You know, it's got to be on one of the three public streets. So it's either Sidney, Allston, or Putnam.

In terms of the parking, the 0.9 ratio I think is reasonable for this location. It's a 11 spaces fewer than the one per one for the number of units would be so it, you know, we're not seeing that every building in the city is having one vehicle for every unit. It is the citywide average, and also the average for this subarea of the city in terms of car ownership. So it seems like a reasonable number and it's manageable. And the work that the proponent did on looking at parking availability, and I don't know how much you got that detail stuff in the

Planning Board submission, but there is a listing of every block including the number submission spaces and number of available spaces during the survey as well as the colored map that was put up. And there are streets that are close to the project that are very hard to find parking on, and there's others that are a little easier. But I think that there's also the opportunity for most of the cars to be in the garage associated with the project.

WILLIAM TIBBS: I have a question before you leave. Do you have any comment on the issue of the renting of the parking spaces and it's putting more people on the streets?

AHMED NUR: Or selling them.

WILLIAM TIBBS: Or selling the parking spaces or renting them I guess.

SUSAN CLIPPINGER: I mean, it -- you know, it's an issue that we see in parts of the city and it varies from area to area. When the price of the parking is disconnected from the price of the unit, some people will choose not to pay for the parking depending on what the price is, and get a permit. If the parking is difficult on the street, then the person's willing to pay a higher price. If the parking's easier on the street, they're not willing to pay. So the market is sort of playing a role in that and it can vary from neighborhood to neighborhood. When we look at condos because the parking has been tied to the units, it's less than an issue. The rental units, it's more of a concern, and I think people have recommended a different ways of trying to incentivize that arrangement to try to minimize the

impact.

TOM SIENIEWICZ: I have a question. If you're going to stay up late, we might as well make you work. Just quickly because there's -- there was a lot of concern about the volume of traffic with this particular development that would impose on the neighborhood, yet the traffic engineering indicated at least a couple of cars in the morning, two, three cars -- one car per three minutes in the morning and two cars per minute at night. It doesn't sound like a lot of traffic. Can you just speak of back a little bit first principles? You analyze the mathematics by which that engineer makes the statements; right? You review that for the city?

SUSAN CLIPPINGER: Correct. For the traffic studies -- we actually have some

written criteria that are used and then we review the work that's done, you know, the Zoning requires us to determine that it's a -- I forget the words, accurate and reliable.

STUART DASH: Complete and reliable.

SUSAN CLIPPINGER: What?

STUART DASH: Complete and reliable.

SUSAN CLIPPINGER: Complete and reliable traffic study. So we're looking at it to, you know, to evaluate the validity and the accuracy of those. And, you know, that is a reasonable summary of what the traffic impacts were. And we're looking at the impacts of the housing, but there was a use here that also had activity. And generally the office R&D type uses tend to have higher peak hour trips where residential uses may be off peak as well unless right on peak.

HUGH RUSSELL: Sue, what would be

the number of vehicles going down Putnam Avenue in a rush hour?

SUSAN CLIPPINGER: I'm going to make Keri answer that question.

HUGH RUSSELL: And the city street? I'm just curious.

KERI PYKE: Let me look it up for you. You want to know -- sorry, let me get up to the microphone.

HUGH RUSSELL: Sure.

KERI PYKE: So you want to know the peak hour volume currently? Today?

HUGH RUSSELL: Right.

KERI PYKE: One second. All right, so on which street?

HUGH RUSSELL: Putnam and Sidney.

KERI PYKE: Okay. Putnam at Sidney has about 150 vehicles in the morning rush hour and about 65 vehicles in the afternoon

rush hour today.

And those are 2012 numbers. We did our counts before Christmas last year. And then on Sidney Street at the same location approaching Putnam Avenue, the numbers are about, let's see if I can do math in my head. 275 plus or -- sorry. Yeah, 275 if I did the math right, I hope, in the morning. And in the afternoon that number is 680. There we go. Sorry, I'm not good at doing math in my head. Hopefully I've got those numbers correct for you.

HUGH RUSSELL: This project adds some proportion of the 29 cars?

KERI PYKE: Correct.

HUGH RUSSELL: 21 for each of those streets. As they represent, it's a very small change.

H. THEODORE COHEN: I'm sorry, could

that last number be correct that it jumps from 275 in the morning to 680?

KERI PYKE: Yes. It's because it's very directional.

H. THEODORE COHEN: Okay.

KERI PYKE: And it is a one way street.

WILLIAM TIBBS: We created Sidney Street to be the major vehicle to get the stuff out of Central Square when we did University Park and others so that doesn't surprise me at all.

AHMED NUR: Are you going to apologize then?

HUGH RUSSELL: One lane can carry that kind of traffic.

KERI PYKE: Say again?

HUGH RUSSELL: One lane can carry --

KERI PYKE: Correct.

HUGH RUSSELL: -- can easily carry that traffic.

KERI PYKE: Correct.

STEVEN COHEN: So I had a question about Allston Street. Again, it's shown as a two-way street, clearly only one car can pass at a time. The project plans show the parking garage as right in and right out, but I assume that that's not enforceable in any way. And that in fact one can enter and exit the garage in either direction. So I guess I have two questions for you: First of all --

KERI PYKE: For me or for Sue?

STEVEN COHEN: For Sue, please.

KERI PYKE: If you need me again, I'm here.

HUGH RUSSELL: Thank you.

STEVEN COHEN: My first question is

that I clearly -- you're right, I mean cars will travel slowly in a scenario. I like that and it perhaps enhances safety in that respect, but what do you do in that situation when you have two cars going in opposite directions? They can't pass. Somebody has to back up and they're backing up into highly traffic arteries. So that that was a safety concern which has been raised, not to mention a convenience concern. Which it does seem to be a legitimate question.

And my second question related to you is given this set of circumstances, should the city consider -- would it be advantageous to make it one way so that you don't have that sort of conflict. And then in fact the garage would be right in and right out?

SUSAN CLIPPINGER: So, you know, people are able to pass or not pass based on

driveways, fire hydrants, or anything else that might be available to let them pull off and get around each other. You know, these, these -- the decision to make that a one way street would be one that we would do in a process with the neighbors trying to weigh in the pros and cons of the, you know, the seeming advantage of not having to pass each other when it's only one way which can make people speed up and not be as careful, and then you need to decide which way it goes and that has to do one with whether the fire department has an opinion about it in terms of their response route. And secondly, residents feelings about the ability to access their neighborhood. And it's been a little more complicated by the road being so-called private, but if -- I believe that it's actually a city-owned right of way

that's never been accepted as a city street. And so it could not be prevented from being, you know, a roadway so you still have that access option. But it's something that we would, we would do, you know, in consult with the neighbors on the street about, you know, which environment they're feeling is most compatible with what they want for their neighborhood.

STEVEN COHEN: Do you have an opinion on the desirability of that option?

SUSAN CLIPPINGER: I think we've shied away from making one way streets and have not had real strong community support in many cases where just -- because it does change the character of that street and especially if it changes speeds. I mean, it's such a small segment that, you know, each case is different. But, you know, we

haven't made any assessment one way or another. I don't really have an opinion about what it is.

STEVEN COHEN: One follow-up question. You've said that you're okay with the access on Allston Street. It's been suggested that access would be preferred on Putnam. What's your assessment of that option? I mean, would you also be okay with that option and do you think it's preferable or inferior to the Allston Street option in any way?

SUSAN CLIPPINGER: I mean, in some ways the Allston Street option is kind of tucked away out of sight, relatively low speed, quiet kind of entrance/exit. You get in and out of Putnam as well. I mean, you're at the end of Putnam, so it's not like you're in the middle of a long stretch of Putnam.

So, you know, there's, there's a variety of ways, you know, that it could be approached depending on the sort of the pros and cons of the different ways. So it's, you know, it's -- that's something that, you know, the proponent is proposing based on meetings that we've had. We can look at it in more detail. You know, make sure we think it makes sense. I don't see any big reason why there's a big difference between.

STEVEN COHEN: You're indifferent as we see the two options?

SUSAN CLIPPINGER: Yes.

CATHERINE PRESTON CONNOLLY: Before you go. Since the issue of enforceability of right in and right out has come up, well, it's not enforceable per se. One could strongly encourage right in and right out with curbs that basically directed your car a

particular way, and would that be the kind of thing that the Traffic and Parking would look to do in order -- if the right in and right out was the desirable way for cars to go?

SUSAN CLIPPINGER: Well, I don't think we were even looking or thinking about the right in or right out before tonight. I don't know that it matters. The driveway, as it's designed in the building, is pretty narrow so trying to do some kind of splitter island that makes it hard, is going to potentially have a significant impact on the building itself. You know, it can always be signed and you hope most people do it, but you know, somebody has a strong desire to go against a regulation on a small street like that, they're probably just going to go whatever they want.

STEVEN COHEN: I'm sorry, Sue, I

heard it suggested tonight and perhaps at another meeting, this option of the idea that residents of a new building give up their right to a parking sticker in the city. Has that ever actually been implemented or discussed or evaluated and what are your thoughts about that?

SUSAN CLIPPINGER: Well, in conversations with the Law Department, they're very concerned that that's not defensible. There are some specialized agreements with Harvard and MIT, each one totally different in an attempt to get at that in a way that provides as much legal support as possible.

STEVEN COHEN: Okay.

FROM THE AUDIENCE: May I ask a question about visitor parking being included in that 0.9?

WILLIAM TIBBS: You could actually let him know that we tend to incorporate their questions with ours.

HUGH RUSSELL: Right. It's not a dialogue here.

FROM THE AUDIENCE: I understand.

HUGH RUSSELL: And, you know, I've got 12 points on my list. I think everybody else has 12 points and we've only covered some of them. So I mean, I think it's handy to actually to go subject by subject rather than person by person. Shall we try that tonight?

CATHERINE PRESTON CONNOLLY: Sure.

HUGH RUSSELL: So, then I guess I'm going to pick another subject which is landscape design of the courtyard which I feel is very sort of cartoon-like, and at this point in time it really needs a lot of

development. And in my opinion that should be part of a discussion with the neighborhood about what, what additional amenities? We had one suggestion of community gardens as one object. I would think that would be very tough for a developer to get unless they're actually trying to get people to think community gardens are a good thing. Because community gardens are messy, but, you know, maybe that's the kind of mess you'd like to see around. So I don't know if other people have thoughts about that, the open space and what needs to be done to it and what process needs to go.

Bill.

WILLIAM TIBBS: That is on my list. I think the equally important question is if you're trying to design for a multi-generational set of occupants there,

what, what are the people who live there going to do in that green space?

Particularly I walk through Auburn Court a lot. I live in -- I live on Pearl Street higher up in the area and I walk through Auburn Court to go to the Star Market, and I'm interested in this layout of those green spaces. And in particular they do have kids living there and what the kids do and how they play. Your circular little circle oval reminded me of the circle that's in the Auburn Court with the turtle as opposed to the dinosaur. But it's, I think that's marginal relative to you see the kids trying to play there but it's kind of hard to do. I remember at that time being also concerned about how much is in and how much is out? We had some conversation at that time about where the fence was and can people sit on the

inside or the outside of the fence? And I wasn't quite happy with how that resolved in the end. Not that you had anything to do with that. But those kinds of issues I think are very, very important relative to not only what it's doing for the neighborhood but what it's doing for the occupants of the building.

The idea of the green space, I think, is great. It's just how it's configured and how it works. Obviously we could have a very different kind of open space and using of green space given the size of the lot and the size of the building, but for me as it is, it looks awfully corporate and I particularly, it's moving towards what I call the corporate front yards of University Park which I really dislike. And unfortunately I can safely say I was a cause of it because I remember being at a meeting where they asked to eliminate

the road in front of the building which would have separated the courtyard and made it a more distinct courtyard, and they convinced me and the Chair of the Board at the time it was a great idea, and I now see the ramifications of that almost, whatever it is, 15 years later, it is a corporate front yard. And I walk through it all the time and you rarely see anybody in there doing stuff. So I just want to make sure that this doesn't turn into that kind of space.

HUGH RUSSELL: Other comments?

CATHERINE PRESTON CONNOLLY: If we're talking about landscaping of the whole lot?

HUGH RUSSELL: Yes.

CATHERINE PRESTON CONNOLLY: Yes. I guess I would be interested in making sure that we do -- that we see that the sidewalks

on all four sides are in fact city standard sidewalks with planting strips and that that kind of separation is honored all the way around. I thought that was a good comment from the public that even on the Grove Street side, they would want to see that.

STEVEN COHEN: The sidewalk on the Grove Street side looked to be on the renderings to be no more than two feet wide.

CATHERINE PRESTON CONNOLLY: Exactly. I want to see a city standard with planting strips.

TOM SIENIEWICZ: I think what has to be clarified, I really appreciate Bill's comments, what's the nature of that space? What's the program for that space for? Somebody said it doesn't feel public. I agree, it's not public. But maybe it appropriately shouldn't be public. It's

semi-private. It relates to the tenants that are in the building, and so your comments of how that's programmed, Bill, is right to the point and I second those. What relates to open space but it's actually the roof terrace which is I have some questions about at that level. It counts as FAR I want to be sure that -- I believe it counts as FAR. I want to be sure about that, that it's calculated there. And those tend to be potentially a nuisance because you can project noise from that, but maybe given that it's overlooking the industrial site and maybe less of an issue, but I would like to understand that.

AHMED NUR: I think my colleagues picked up on landscape, also I second that use of it. I would like to see it more open to the local resident street at least if not available by use by visionary in terms of

scenery and (inaudible) finds that one finds pleasant to see from a distance.

H. THEODORE COHEN: Well, unfortunately my comments about the landscaping really go into larger areas and if --

HUGH RUSSELL: Well, then you can lead us on to the next topic.

H. THEODORE COHEN: All right. Okay, well, I think the whole issue of Grove Street and the issues that have been raised by BioMed are things that have to be addressed. Perhaps they could be disputed and that's addressing them, but I think that we need to get some response to, you know, what really happens. And apologies to Steve who mentioned it earlier, it's like if you move next to a pigsty, do you have a right to complain about a pigsty being next-door to

you? This was intended to be a Transitional Zone, and there is commercial, biotech there now. And it's going to front that. And I think it is an issue of if that is going to remain as an industrial biotech to a certain extent, you know, what does it mean for people who are on the back side? And does that mean that there needs to be some redesign of the rear portion of the building? I actually like the three-story and the four-story. I think it works well. But if that is indeed a problem, and I don't know what the solution is because, you know, if the building behind it is only one or two stories and has, you know, smokestacks there, does that mean you can only have a two-story building in the back? And so I think that's something that has to be, you know, analyzed and us given more information about it. And

if that means that there is then some reconfiguration of the rear part of the building, then that may affect the landscaping and the center courtyard which I actually like quite a bit at the moment. I think it mirrors the set up across the street of the park and the triple deckers around it. And so that's really my concern about the landscaping. You've raised issues about the roof deck, and the issues I'm concerned about are what the mechanicals would be on the roof and how they will be screened, what they will look like visually, you know, to the people across the street, to the people in the building. And, you know, that's sort of all works together. If, and you know in talking about the landscaping and what is the program for it, gets back to the issue of whether they're going to be lots of children in this

building. And if there are, does there need to be some landscaping for them or do we say the park across the street is good enough? You know, there aren't that many people that live across the street from the park, and I'm sorry to mix up so many things, but you know, children takes you to three- and four-bedroom apartments which I've been looking for all the time I've been on the Board. And I think fortunately we're now getting a lot more people talking about having larger apartments which if you get, you know, if you were to take several of your singles and doubles and convert them into triples, that may do away with your parking problem because you will need fewer parking spots. So I would really like to see what can be done about, you know, getting larger family units and, you know, that may have some impact on the parking,

too.

I think those were my comments that I'll throw out to everybody else now to run with.

HUGH RUSSELL: So let me sort of follow up on a couple of those. I was quite concerned when I read the report that BioMed commissioned about the plumes from the vents. It's also my understanding that the present tenants aren't moving. There will be new tenants. We don't actually know what materials are coming out of those vents. There was an assumption made in the study that it may be, you know, we don't know how it will correspond but obviously somebody was trying to make, you know, something that was a reasonable decision. When I did a lab building 50 years ago, we had fans on the roof and the engineer said you don't have to

worry about it, those fans will blow the pollution 500 feet up before it starts to disburse. And, you know, there were special inline fans, there were 30 feet that got to get the stuff going, and I believed them. But I don't believe that's the way the present fans are designed, you know, to -- on the two-story building next-door or the one-story building because that wasn't necessary to do it that way.

I think it's a general principle that if you build a building that damages your neighbor's chimney, that you fix the neighbor's chimney. And I think maybe that's the kind of principle that's involved here. That if you're building a four-story building and your tenants will be poisoned by what's coming out of your, you know, next-door neighbor, that you have to address that. I

think we would have difficulty saying that it met the health and welfare standards if we didn't see some response to that, and that the language in the Ordinance which says that we have to find that existing uses are not adversely impacted is also part of it.

The -- I'm -- I think some three-bedroom units is a good idea at the rent level that's proposed. I would be concerned that three-bedroom units would contain three working individuals would create perhaps more cars because it per person rents become more affordable, and I don't know where that balance point is. And it's -- the market would tell us in this building I think we should give the market a chance to operate. There should be some three-bedroom units.

Bill, you wanted to speak on that

issue?

WILLIAM TIBBS: Yes. I agree with you. It's rather unusual to have a BioMed use that's only one story and we're building a four-story thing above it and whatever is coming out of the exhaust of that building could go right into the windows of the building that is there. I mean, that's typically the BioMed use is much higher than the stuff around it so you can work that out.

SCOTT ORAN: They could make extended chimneys, too.

WILLIAM TIBBS: That has to be something that's worked out. And I agree with you on the three-bedroom units.

I actually had a question for the proponents which they don't have to answer now, but when they come back, which is when you use the word multi-generational and when

you have this current mix of occupants and the current mix of bedrooms, what's in your mind as to what you think those folks are going to be and what are you trying to attract? Again, you don't have to answer it now.

SCOTT ORAN: I could.

WILLIAM TIBBS: We don't have time. No, we don't want you to. I don't want you to. I would like to get -- I think everybody would like to get to bed at some reasonable time tonight. But that's something you can put on your list of stuff to do.

You know, if you don't mind I'll transition to another area and that is stuff I'd like the staff to look into before I forget.

And one is the just SD-8 works -- this multiple SD-8 Zoning, I'd like to at least

get a better understanding of what the intent was at the time of the Zoning and what we're trying to accomplish, and are they indeed transitional zones? As best you can decipher, was there -- was there some defensiveness of some of the stuff in that area? I do remember the rezoning of that area, and it was a little dicey down there. So I'd like to just get the sense. Because unlike the -- I applaud our lovely City Councillors, but we do have a Zoning Ordinance which we at the Planning Board have to deal with. So that we can't just willy-nilly. There are items like the ones that you just mentioned that we can agree to, but the fact that 107 units are allowed. The fact that much higher height that is allowed, these are all things that we have to be mindful of. And anybody who owns property in

the city would also want to make sure that they have the development rights that the Zoning says they have. So I think that those are the overall things that we want to just make sure we understand what the Zoning intent was and what we're trying to do with a multi-family housing. As we're trying to encourage housing, I think, and indeed this proposal is doing what the Zoning is incurring to do. Transition Zone and doing housing there. And the real question is how is it doing it and what is -- so I think I'll leave it to that if you want to go to another topic.

HUGH RUSSELL: Have we exhausted the ones we've gone through?

Catherine.

CATHERINE PRESTON CONNOLLY: This may be just a topic for me because I'm

relatively new to the Board, but I'm still trying to get my head around the calculations on the affordable housing units. 12 seems very low to me. I don't know how -- I'd like to see the math on how we're doing that to make sure that that's the right number of units. And I'd like to know, you know, given the unit makeup that they're planning, how those units are distributed to make sure that some of them are about the bigger units.

HUGH RUSSELL: Right. I mean, the rule of thumb is that it should be 13 percent. That doesn't quite -- 12 out of 107 is actually around 11 percent. So I would second that.

WILLIAM TIBBS: The issue of the dialogue with the community is one I think we should talk about.

STEVEN COHEN: Are we wide open to

comments now?

HUGH RUSSELL: We're drifting to wide open.

STEVEN COHEN: Just some general comments. We've heard concerns about the size of the building. It's too big. It's too tall, I think, so forth. And but, you know, the building does conform with the Zoning in a district which is, you know, very heavily analyzed and Zoned as is the outcome of a pretty extensive political process. The height is significantly less than what's permitted by Zoning. It is a transitional location, I mean, between a residential and industrial and zoning, and I think that the design of the building kind of reflects that.

There have been concerns about the style of the building. And it's kind of quasi-industrial style which many people like

and that's a subjective matter. I think it's an appropriate style to use in this sort of transitional location.

You know, there have been concerns expressed about traffic. Well, if the building, you know, of that massing and that number of units and so forth really generates a certain amount of traffic, so be it. It comes with the territory. Our traffic department says that traffic will not be significant and will not be a significantly detrimental impact. So the last area of concern expressed by the great majority of people is in parking. And there I have more difficulty with parking. It's difficult to really project reliably, I mean, how parking is going to play out. We've heard from Sue in the Traffic Department, and that she thinks that 0.9 is okay. But I think that

there's some uncertainty about parking and some risk about how that actually plays out and, you know, how many cars will actually give the associated with each apartment. And frankly, again, if the applicant were conforming to the Zoning requirement, I'd say look, that's the Zoning, you know, so be it. But where the applicant is, you know, you're proposing to provide fewer parking spaces than Zoning, you know, I'm a little more skeptical and I'm a little bit more inclined to defer to the concerns expressed by the neighborhood on that one. And so I guess I'd really like to hear from the applicant more on that and why we shouldn't be deferring to the neighborhood on the parking issue. Because as I say, there are certain doubts and risk there and who should bear that risk if parking demand turns out to be actually

more than we think. And frankly, we planning people, we want to see fewer cars around and so we're kind of inclined to support proposals that contemplate, you know, fewer cars. But it seems that the folks who actually live there and who are actually living in the real world rather than our ideal world, are really concerned about parking over there. And, you know, they're going to have to accept other elements of this project which they're not thrilled about but which, you know, we think is fine and appropriate. But on the parking issue, I think perhaps we need to be more attentive to their concern. And whether that gets addressed by having fewer units perhaps with larger units and simply more fewer square footage, you know, that would be up to the applicant to figure out where to go on that.

But I'm -- I look at that with a jaundiced eye reducing the parking spaces.

The one other thing I'd want to address is the BioMed issue. Again, it's a weird issue. I mean, this is a transitional location. And so by definition it being a transition the way we're going to have residential uses abutting up against non-residential uses, and there could be some friction there. And there will be some friction in this location. So what are the issues that that friction raises and how should we address it? I think one concern that probably wasn't explicitly stated by you, the BioMed -- you folks, but was implicit in what they're saying is that the residential folks are going to come in and they're going to complain about the neighboring uses; it's too noisy or there are

smells or there are trucks coming at all hours. And, therefore, you know, the BioMed who's engaging in a perfectly legal existing use is concerned that, you know, their use might be restricted in the future because of the their complaining neighbors. And I don't blame their concern about that. They're engaging in a legal use and it shouldn't be put on risk by the fact that some folks are moving next-door. It is as Ted pointed out the old story of them, you know, moving next-door to the pig farm, and then saying, hey, there's a pig farm next-door and it's a nuisance and you have to put an end to that. On the other hand, those uses will be problematic to the residential residence next-door. Is that a problem that we need to be addressing or is it a risk and problem to be assumed by the applicant? Is it a purely

private matter? I mean, again, it is a transitional use. I mean, there is going to be friction where these uses intersect. So I'm -- I think it's a thorny question. I think that the non-residential uses have to be protected from future claims of noise and inconsistent uses, and I'm not sure how to protect them, but perhaps there should be some sort of acknowledgement or acceptance of those uses whether it be in our permit or in some sort of private thing between the parties. And this notion of the residential uses assuming the risk here, which is a nice legal concept, I'm, I'm not sure to what extent we should be addressing that because the friction is going to be there no matter what we say about it. So I'm, I think that's a thorny issue which I'd really like to hear the applicant address in some depth.

WILLIAM TIBBS: Just relative to that I think the -- if it's kind of like nuisance kind of issues, I agree. But if it's the health and safety and I think it's a different issue. I think we do have responsibility to make sure that things are done in a health and safety perspective. If it's just like noise or smells that are not in any way health related, we just need to make sure that what's happening, that we're not, we're not encouraging development which cause that. So I kind of agree with you. And we just need to have a better understanding and maybe staff can help us with that one, too.

I think the, you know, there was talk about what the room size is. I think it would be good for us to get a good emphasis on that. And, again, that relates to my

question as to what kinds of occupants were you thinking of because your room sizes will focus on that. Clearly the Zoning allows for your room sizes, so it would be interesting to see how that works. And in terms of how the -- how it looks, I too, I too -- I'm not as enthusiastic about the treatment of the design of the building in terms of its facade. It does seem a little bit more commercial and factory-like to me than it does residential. The Putnam Green, for instance, even though it's kind of similar, it does have some projections and things on it that give it a little bit more of a residential flair. When you look at that, one of the things that we did do at Harvey Street was -- that we separated some of the Harvey Street -- you're not familiar with that project, but it came in as one big

building and it kind of got separated into smaller components even though it wasn't all individual little, teeny buildings. And when I look at that I almost, like, I kept looking to see if there was a gap between the three-story buildings either physically or psychologically designed then between the three-story piece and the -- somebody's --

HUGH RUSSELL: Changing color.

WILLIAM TIBBS: I was actually referring to the one I was on.

SCOTT ORAN: Sorry, I was trying to be helpful.

WILLIAM TIBBS: Yes, there was a gap between the lower portion and the upper portion because if there was at least a visual separation, you know, that begins to break it up some. And there is just a little flatness there to me. I think the comments

that was made about the taking cues from the three stories which have a very interesting tops was very interesting. I don't have any particular problem with the massing that you have and the echo of the three, the triple deckers in the lower part and even maybe having something that's maybe not quite as residential in the back part. But I think there needs to be, I did react to it as being awfully -- it tended to me to be way towards the commercial side and not towards the residential side in my perspective.

Getting back to the dialogue, I think we as a Planning Board, we almost always encourage to be as much dialogue as you can particularly with the abutters. I wouldn't necessarily use the words that Councillor Simmons used which is mitigate, because it's not really a mitigation. It's not like a

negotiation. It's just that you're hearing what the concerns are and seeing if there's some, some issues that you can work out, particularly relative to allowed densities and allowed heights and stuff like that. I agree with you. You're already under your heights. The density is allowed. We want to see if that's packaged in a way. But for me personally I tend to don't see it as a mitigation with -- it's just really trying to hear and see if you can make a project that actually works in the neighborhood as best as is possible.

And relative to -- back to the city in terms of it's not an issue that we have to go into great detail relative to this petition, but I do have the concern that we as a Board tend to deal with traffic very contained within the projects that we're doing. And

when you look at the decisions we made in University Park and how we rerouted the traffic down to Sidney and changed that, and a lot of which I think and the traffic coming on Brookline I think a lot of that works. But you're looking at the C2. You're looking at -- there's a lot of stuff. And I think it's really up to the city and with traffic and come back and say is this working, you know, overall? For instance, this is on the far end of Putnam, and obviously this project may not affect the traffic flow but my God, the traffic is pretty nasty when you go down Putnam just a few blocks. And we just have this continual problem that I just want to make sure that it would be great to see if -- I think there was one project where somebody actually said that they -- actually based on traffic studies that had been done or at the

time were doing it, is actually less than we predicted. That kind of thing is really helpful because it's really hard for us -- the way we have defined the traffic study, and Sue was very clear in saying she certifies that what they did was correct, she's not certifying whether or not it's a mess. And so I think that people can come to us are always talking about the fact that it's a mess. And, you know, anecdotally from what they say see. So I think it's up to the city staff to kind of look at this whole area and see if that's the -- that's okay for me at the time being.

HUGH RUSSELL: Okay. I'm going to -- so, for example when I design buildings that are next to noisy roads or streetcar turnarounds in the case of Lechmere Station, we put acoustic windows. And we actually

hire an acoustical engineer. And did a huge project down in Connecticut, and this is this side of that building and that side of that building and different standards. So it's a -- it might be a very good idea to put acoustic windows on the Grove Street side of this building because of the abutter. I mean, that abutter can't make more than 50 decibels, but living across the street from 50 decibels is not great, and appropriate windows can make it acceptable. We haven't heard that.

In terms of the design issues, my take on it is very similar to Bill's that it's a basic massing and is reasonable for this number of units. The units are permitted. I would -- I would think about it -- I have a different way of thinking about it. There's not a lot of detail in the drawings. These

are schematic details drawings. The direction and intent seems like it's going in the right direction to express like the verticality and the modules that are inside the building. They don't -- the colors and things don't always, you know, correspond exactly to the unit divisions but they, they suggest divisions. Those could be, I think, enhanced. I would direct you to Lowell House at Harvard University where there's some very small changes in plane that make a big difference in the way you perceive the building and massing and distances of a foot or two feet cornices, water tables, things like that. There isn't -- at this kind of a presentation we don't see those. And you can either assume they're never going to be there or they're not there yet. I would really like to know what more about what's going to

be there and to try to pick up on some more domestic vernacular in the way some of those things happen.

Apartment size. Apartment sizes are decreasing in the marketplace. These are -- the ones- and two-bedroom apartments are like 100-square foot smaller than my clients are having me design out in the burbs. It was radical and MHFA said 25 years ago that a one-bedroom apartment had to be 600 square feet or they wouldn't finance it. Some of your apartments are smaller than that. Some of your one bedrooms are smaller. They probably average about 600 feet. The two-bedroom apartments only about 950 feet or a little smaller. Those are fairly tight two-bedroom apartments. The room sizes are necessarily relatively small. I think the argument that you're going to have in that

two kids sharing a bedroom in that environment is well, I mean, it's not Hong Kong, but it's also not the kinds of room sizes that we want in the three deckers.

Let's see, guest parking. I think that's a good question. How are you going to manage that? My suggestion would be to take some of the green space on Grove Street and put on your property a parallel guest parking. So that could be saying that this is parking for just for guests. And now that may or may not appeal to the traffic professionals here, but I think it's a way of having a definite place that's under your control. And it would also potentially add a few parking spaces and would, I think, it's quite likely that 0.9 spaces are in luck, but if it's not, then why should we take that risk?

It's -- if you've built, you know, 90 some odd parking spaces and 30 percent of them are empty, you're not managing the building terribly well and you're probably not getting the maximum income you could get from a parking facility. So there's some people who, one client that says 30 percent of the tenants will pay anything for a parking space and the hard part is that there's another 30 percent who, you know, just want to get their car in someplace and they'd rather not pay more money for it. And there are people in the middle. So when you're -- when all of your parking is underground, that is a great. There is a risk that people who are really stretching to rent the apartment will try to go the parking sticker route. And I've never had an off street parking place in Cambridge in 50

years. I understand what that's like. I live on a red street and at eleven o'clock at night it's very difficult to find parking space. The streets are different and uses are different. And those are the points that I started from the testimony and my own observations.

So moving along.

AHMED NUR: Okay. I'll be very quick because I know it's getting very late. So first of all, I want to just thank for all the people who showed up tonight. It's really breaking records with Councillors and everything else. I thought the neighborhood abutters need the developer to sort of rebuild on these giant raggedy old buildings that are not being used. Also the developers need the neighborhood because they are the fabric. It's like a quilt. You know, you

have this fabric that's already existing and you want to sew into it. And so everything -- we all need each other basically. And having said that, I agree with Councillor Craig Kelley that there are breaks in our Zoning. It's our Zoning that makes these difficult choices and sometimes the Planning Board are faced with such as the developers are very kind, and you've heard him say, look, we only need to give you five percent of open space. We're going to give you 30. How come we didn't see that before coming, right? We can go up to 65 feet. We're going to go 45. Oh, thanks. So developers when they're looking for a place, they're looking for a place that would maximize their, you know, capital. So we're not surprised to this. And I think we should look into it. As well as I participate in a

client board, buildings that big, maybe three or four times now, and every time I drive by Alewife Train Station, I go up on Route 2 to go to work, and I just go like this. These buildings are really giant. They really are. And they need to be breaking them apart, and they can't be breaking them apart because you get the energy. And you get air conditioning and heating and you want everything to flow and we want to maximize as well. And our own Zoning prevents the developers from taking them apart because of setbacks and so on and so forth. So having said that, I wanted to make four points for the future for the developer to be answered.

One, was -- so we've got the entrance. Yes, there was an abutter that took off with his young daughter who is worried about the pest control. So the Department of Public

Works will take care of all the Noise Ordinance, the enforcement of the noise, pest control before they start construction. They will make sure that in Cambridge we capture the rodent. We don't kill them. Take them to the environment. Right? So no worries about noise. No worries about what equipment they're going to use or what chemicals they're going to use. Everything is pretty much regulated.

Last comment is the roof, also there's a rooftop deck, and I'm thinking there is a -- maybe somebody already mentioned it. So there's a private -- privacy involved. And I think one of the abutters is looking at this rooftop deck and I would like to see some sort of screening, planting whether it's local vegetation that would give them the privacy of that rooftop unit, rooftop deck

rather. And that's all.

TOM SIENIEWICZ: Just very quickly, I'm organizing my thoughts relative to the three requests, the multi-family Special Permit. I think absolutely the size of the units that's appropriate for us to question the mix of the units and size of units. I think it's also appropriate for us to ask the proponent to speak directly with his abutter and figure out ways in which he might actually mitigate some of the issues coming from the industrial abutter.

Second request is for review of a project in excess of 50,000 square feet. Always never appear on stage with children. Akayla I think absolutely had it right when she said the building is too big. It is too big, but it conforms to the Zoning. It's the right number of units and the right FAR and

it's below the height. But it appears too big. And there's been a lot of suggestions from my fellow Planning Board members, I won't reiterate those, except add one additional one which was the bays were described as expressions of bays. I was thinking, well, why don't you just put bays on instead of expressions of bays. This is a very skilled architect that can take this massing, and through some of the techniques that my fellow board members have suggested can make it look much, much smaller and actually not I think change the FAR, FAR or height. So I'd love to see some bays.

And finally, the final request is for a reduction in parking, and I'm struck by this as a little bit more than 10 percent request for the reduction in parking. I'm an urban planner as well as architect by trade.

Cambridge residents to their credit are relying less and less on cars. I would love for the proponent do what Councillor Simmons has suggested is to make sure the community is heard and talk to them and talk to them about the way parking used in multi-family development in Cambridge. Show them whatever statistics that Howard/Stein-Hudson can come up with, a very reputable engineering group in town to try to win them over on that issue, to run the risk out and prove it out. So I know I said I was going to be brief, but one last question -- and not a question, an observation. There's an awful lot of people here tonight and I really -- it's eleven o'clock, you're still here. It's a measure of how much you're concerned and care about your community, but it's also for me an indication that there's been very little

dialogue with this community, bona fide dialogue with this community and I don't appreciate that. We contrast that to the first proponent tonight who often has issues with our community, Harvard University. They talk to everybody because they didn't have this kind of a concern from the citizens. And so, I think we can do a lot better.

CATHERINE PRESTON CONNOLLY: As usual you have all made my job very easy. I don't have anything to add that I haven't already said tonight. I would think we've all raised excellent points and I look forward to hearing the proponent and staff answers.

HUGH RUSSELL: Ted.

H. THEODORE COHEN: No, everything's been covered.

HUGH RUSSELL: Okay. Liza is going

to remind me that now we're going to talk about when you can come back and that's going to result in a time deadline expiring and a need to extend that which we need to tonight.

LIZA PADEN: Yes, please. The 90 days for filing the decision on this is July 15th. And looking at the Planning Board agenda and the fact that the Phillips Petition has not started and I'm assuming is going to be continued tonight. The --

SCOTT ORAN: Did you say July or June?

LIZA PADEN: I have it at July. It's July 15th is the 90 days. So I would like to suggest --

HUGH RUSSELL: It's the 90 days from April 16th.

LIZA PADEN: Yes, from when the hearing was opened.

So we need an extension, and looking at the schedule, I see it as being the second hearing on August 6th. And then asking for an extension until August 27th to make sure that we have time to write any decision. And then if a problem arises, we still have the August 20th meeting.

HUGH RUSSELL: Right. And it is -- sometimes we have multiple extensions. It depends on how much work has gone, and as Tom said, there's a lot of work to be done talking to everybody in the room talking together.

So, we need a request -- is that timing acceptable to you?

SCOTT ORAN: Yes, thank you.

LIZA PADEN: Okay.

HUGH RUSSELL: You'll get it in writing; right?

LIZA PADEN: I'll get it in writing if you -- if somebody wants to make a motion based on what I'm going to get in writing.

HUGH RUSSELL: Which is an extension to August 27th; right?

LIZA PADEN: Extension would be August 27th and I would put this item on the August 6th agenda.

HUGH RUSSELL: Okay.

LIZA PADEN: Okay, thank you.

HUGH RUSSELL: Okay. So we have a motion to --

WILLIAM TIBBS: Second.

HUGH RUSSELL: Discussion?

All those in favor?

(Raising hands).

HUGH RUSSELL: Okay.

(All Members Voting in Favor.)

HUGH RUSSELL: That concludes our

discussion of this item this evening. And the question comes shall we go to the Phillips Petition or -- I guess my question would be actually how many people who are sitting out there are here because of the Phillips petition and want to be talking about it?

(Raising hands).

HUGH RUSSELL: Do you want to give us a time for the Phillips Petition?

LIZA PADEN: Looking at the schedule, the Phillips Petition, we could do something that we're going to be doing on June 11th. We could move it to the Kendall Square Central, the K2-C2 meeting scheduled for July 9th. Seven o'clock on July 9th.

HUGH RUSSELL: How about that?

LIZA PADEN: You want to do that?

STEVEN COHEN: What's our timing on

this? Is there some sort of limitation?

LIZA PADEN: Yes, there is. We're within the limit.

HUGH RUSSELL: All right, so it's awkward because of the City Council's summer schedule that they don't have enough meetings to address it. So --

LIZA PADEN: So we need to formally open the Phillips Petition hearing and continue it until July 9th.

HUGH RUSSELL: Okay, so we're opening Michael Phillips Petition, Section 17.20 of the Ordinance.

Do I hear a motion to postpone the discussion?

WILLIAM TIBBS: So moved.

TOM SIENIEWICZ: Can we have some discussion on the motion to postpone. There are people who sat here like us all evening.

I just want some recognition. Not that we can hear the testimony, but just some acknowledgement from the Planning Board that we appreciate the effort.

HUGH RUSSELL: Right. I guess I think we're learning that we can't have three public hearings in an evening. It's something that I learned actually sometime ago.

AHMED NUR: Tonight was a special night. I'm willing to listen to it.

H. THEODORE COHEN: I think it's appropriate to postpone it because I think it's a significant petition that requires, you know, us to seriously consider it and to seriously listen to what everybody has to say. And I think that after eleven o'clock at night it wouldn't get the proper attention. So I think -- I'm sorry for

everybody who has been sitting here waiting for this. I mean, this last hearing went, you know, a lot longer than we might have anticipate. But I think in fairness to everybody, in fairness to the Petitioner and to the people who are on either side of it, they should get a full hearing from a fresh Planning Board that's really ready to look at it and address it.

JOHN HAWKINSON: Are the issues the Council schedule and some of the (inaudible)?

HUGH RUSSELL: So Liza says it's not a problem.

So we have a motion that's been seconded. Date is July 9th.

On the motion, all those willing to postpone the hearing?

(Raising hands.)

HUGH RUSSELL: Everybody voting in

favor.

STEVEN COHEN: I'm just curious, how does this affect the Special Permit that we already issued? Is that sort of then just held abeyance pending the resolution of this petition?

HUGH RUSSELL: Because it was filed -- so this is a legal question and you need a lot of facts and I have a legal expert sitting in the third row who's saying one thing.

STEVEN COHEN: Wake him up.

WILLIAM TIBBS: We can get him to say something for the night.

ATTORNEY JAMES RAFFERTY: Well, I mean the Special Permit is an independent decision. There could be, depending on if any or a portion of this passed, it may tend to negate some of the rights contained for

the Special Permit. But it doesn't hold it in abeyance. A Special Permit is has independence significance.

HUGH RUSSELL: Right.

ATTORNEY JAMES RAFFERTY: You can't get financing.

STUART DASH: And the only thing you might mention is the City Council often hopes to have some Planning Board input while they're in their consideration phase and there's no responsibility in a timely manner and sometimes it works and sometimes it doesn't. But they do care about it but, you know. And sometimes we'll characterize the Planning Board conversation if we've had a chance to have a conversation. But if we haven't, then we don't. We say they haven't heard it yet. They move ahead regardless, but they do actually care about your Planning

Board comments.

HUGH RUSSELL: And I think if I can guess what's on the paperwork, the date the Council has to act on this is in September.

LIZA PADEN: For the Phillips Petition?

HUGH RUSSELL: Yes.

LIZA PADEN: August 20th.

JOHN HAWKINSON: And they can't extend it because of this similar issue?

HUGH RUSSELL: No, they can't.

JOHN HAWKINSON: It can't be re-filed.

HUGH RUSSELL: Oh, it can be re-filed.

LIZA PADEN: Right, it can be re-filed.

JOHN HAWKINSON: But in the Special Permit the validity changes.

LIZA PADEN: Well, I'm not going to get into that.

JOHN HAWKINSON: It's a practical matter.

HUGH RUSSELL: Right. The Council is free to act after 30 days of the last time of their hearing. And without our report they can, you know, hear it on July 9th for a decision and we'll get to them in the mid-summer meeting which will certainly be before their final action. What they do, you know, I have two councillors here. I'm not going to ask them because they don't know either. It's a group. They do it and they talk and that's how the laws are made. And nobody's in back rooms making, you know, it all happens out in public.

All right, we are adjourned.

(Whereupon, at 11:10 p.m., the
Planning Board Adjourned.)

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<p style="text-align: center;">\$</p> <p>\$175 [1] - 140:2 \$200 [2] - 130:4, 140:2 \$3500 [1] - 130:13</p> <p style="text-align: center;">.</p> <p>'80s [1] - 93:6</p> <p style="text-align: center;">0</p> <p>0.35 [1] - 120:17 0.9 [12] - 106:10, 107:2, 119:14, 119:19, 122:15, 137:8, 140:10, 191:3, 192:7, 207:19, 228:19, 244:17</p>	<p>21:8, 25:19, 39:16 125 [1] - 100:13 12th [1] - 268:11 13 [1] - 226:12 130 [3] - 12:17, 34:11, 34:13 13th [1] - 4:8 14 [3] - 120:14, 120:15 141 [2] - 14:6, 14:10 147703 [1] - 268:15 15 [7] - 7:6, 68:4, 98:16, 128:7, 130:9, 158:15, 212:7 15,000 [1] - 105:14 15,000-foot [1] - 95:19 150 [3] - 109:17, 170:6, 197:18 150-foot [1] - 115:8 159 [1] - 152:7 15th [2] - 254:7, 254:14 16 [2] - 3:6, 36:1 16th [4] - 11:17, 13:17, 156:9, 254:17 17.20 [2] - 3:8, 258:13 17.26 [1] - 3:12 17.27 [1] - 3:12 17.28 [1] - 3:13 17.28.2 [1] - 3:14 179 [1] - 181:18 18 [6] - 46:11, 65:11, 66:12, 66:18, 67:2, 118:16 188 [1] - 178:1 18th [3] - 12:18, 13:11, 13:12 19 [3] - 90:9, 118:16, 174:13 19.20 [3] - 2:13, 3:4, 20:10 19.25 [2] - 73:9, 77:18 19.30 [1] - 74:9 19.32 [1] - 74:19 19.33 [1] - 76:6 19.36 [1] - 157:9 1900s [1] - 23:7 1930 [1] - 22:13 195 [1] - 178:8 1979 [1] - 26:10 1980 [1] - 104:19 1988 [1] - 92:19 1991 [1] - 26:11 1999 [2] - 14:13, 93:3</p>	<p style="text-align: center;">2</p>	<p>344 [1] - 1:5 35 [4] - 106:2, 108:6, 109:1, 130:18 35,000 [1] - 100:14 37 [1] - 23:4 39 [1] - 2:7</p>	<p>60 [5] - 106:1, 109:1, 109:3, 135:7, 184:11 60-foot [2] - 99:18, 143:15 600 [2] - 243:10, 243:14 617.786.7783/617.639.0396 [1] - 1:18 618 [2] - 3:4, 91:17 62 [1] - 132:13 63 [1] - 168:9 633 [1] - 13:18 64 [2] - 150:17, 153:18 65 [3] - 133:13, 197:19, 247:13 66 [2] - 100:11, 114:13 67 [3] - 34:2, 34:10, 34:13 68 [1] - 147:16 680 [2] - 198:9, 199:2 6th [3] - 13:19, 255:3, 256:8</p>	
<p style="text-align: center;">1</p>	<p>1 [2] - 2:4, 103:1 1,151 [1] - 122:11 10 [9] - 67:10, 68:4, 90:9, 103:2, 106:3, 128:7, 128:9, 175:9, 251:17 10-foot [1] - 115:1 100 [5] - 16:19, 108:19, 109:19, 122:1, 135:9 100-square [1] - 243:7 101 [1] - 92:14 107 [13] - 3:4, 91:17, 95:17, 105:6, 123:6, 128:3, 149:3, 149:6, 153:5, 159:10, 182:12, 224:16, 226:13 11 [5] - 103:2, 106:10, 118:18, 192:9, 226:14 110 [1] - 23:8 112 [3] - 105:12, 124:6, 182:13 11:10 [1] - 265:1 11th [1] - 257:14 12 [15] - 22:7, 37:10, 93:6, 95:18, 98:2, 98:17, 105:7, 106:16, 120:6, 123:6, 161:10, 208:8, 208:9, 226:3, 226:13 1201 [5] - 2:11, 20:5,</p>	<p>2 [5] - 2:6, 3:15, 23:5, 103:1, 248:3 20 [7] - 36:13, 52:5, 123:16, 145:18, 151:1, 166:7, 182:1 200 [1] - 143:16 2001 [5] - 93:12, 96:18, 102:5, 103:8, 123:14 2012 [3] - 94:18, 155:11, 198:2 2013 [3] - 1:4, 3:6, 268:11 2015 [1] - 268:16 205 [1] - 97:16 20th [2] - 255:7, 263:8 21 [4] - 106:4, 114:10, 117:9, 198:16 21-foot [2] - 151:11, 151:13 210 [2] - 97:16, 160:15 22 [2] - 164:12, 181:19 23 [2] - 164:4, 268:16 24-hour [1] - 87:8 240 [6] - 3:3, 91:16, 92:17, 93:7, 94:15, 95:3 25 [4] - 52:6, 93:2, 97:12, 243:9 250 [1] - 16:6 266 [1] - 267:7 27 [2] - 120:2, 164:18 270 [1] - 14:1 275 [3] - 198:7, 199:2 278 [1] - 91:16 27th [3] - 255:4, 256:5, 256:7 28 [1] - 120:16 281 [1] - 20:4 28th [1] - 142:15 29 [3] - 117:11, 166:7, 198:14</p>	<p style="text-align: center;">4</p>	<p>4 [2] - 95:6, 103:1 40 [13] - 3:3, 41:7, 91:16, 94:3, 120:12, 127:7, 130:7, 142:5, 145:9, 153:2, 153:5, 162:12, 170:8 41 [1] - 37:3 43 [1] - 105:9 45 [8] - 106:1, 106:2, 108:9, 109:2, 110:10, 127:4, 131:2, 247:14 47 [1] - 99:2 48 [1] - 36:17</p>	
<p style="text-align: center;">1</p>	<p>1 [2] - 2:4, 103:1 1,151 [1] - 122:11 10 [9] - 67:10, 68:4, 90:9, 103:2, 106:3, 128:7, 128:9, 175:9, 251:17 10-foot [1] - 115:1 100 [5] - 16:19, 108:19, 109:19, 122:1, 135:9 100-square [1] - 243:7 101 [1] - 92:14 107 [13] - 3:4, 91:17, 95:17, 105:6, 123:6, 128:3, 149:3, 149:6, 153:5, 159:10, 182:12, 224:16, 226:13 11 [5] - 103:2, 106:10, 118:18, 192:9, 226:14 110 [1] - 23:8 112 [3] - 105:12, 124:6, 182:13 11:10 [1] - 265:1 11th [1] - 257:14 12 [15] - 22:7, 37:10, 93:6, 95:18, 98:2, 98:17, 105:7, 106:16, 120:6, 123:6, 161:10, 208:8, 208:9, 226:3, 226:13 1201 [5] - 2:11, 20:5,</p>	<p style="text-align: center;">3</p>	<p style="text-align: center;">5</p>	<p style="text-align: center;">7</p> <p>7 [1] - 103:2 72 [1] - 53:1 75 [3] - 52:16, 118:15, 136:8 7:10 [1] - 1:4 7A [1] - 15:17 7B [2] - 15:17, 16:5</p>	
<p style="text-align: center;">1</p>	<p>1 [2] - 2:4, 103:1 1,151 [1] - 122:11 10 [9] - 67:10, 68:4, 90:9, 103:2, 106:3, 128:7, 128:9, 175:9, 251:17 10-foot [1] - 115:1 100 [5] - 16:19, 108:19, 109:19, 122:1, 135:9 100-square [1] - 243:7 101 [1] - 92:14 107 [13] - 3:4, 91:17, 95:17, 105:6, 123:6, 128:3, 149:3, 149:6, 153:5, 159:10, 182:12, 224:16, 226:13 11 [5] - 103:2, 106:10, 118:18, 192:9, 226:14 110 [1] - 23:8 112 [3] - 105:12, 124:6, 182:13 11:10 [1] - 265:1 11th [1] - 257:14 12 [15] - 22:7, 37:10, 93:6, 95:18, 98:2, 98:17, 105:7, 106:16, 120:6, 123:6, 161:10, 208:8, 208:9, 226:3, 226:13 1201 [5] - 2:11, 20:5,</p>	<p>3 [3] - 2:4, 2:7, 103:1 3,000 [1] - 170:13 30 [11] - 106:8, 109:4, 122:10, 122:12, 166:8, 220:4, 245:2, 245:7, 245:10, 247:12, 264:6 30,000 [1] - 105:2 300 [3] - 2:8, 13:18, 14:7 32 [2] - 36:13, 66:17</p>	<p style="text-align: center;">5</p>	<p style="text-align: center;">8</p> <p>8 [1] - 103:2 8-A [4] - 93:9, 94:5, 102:11, 103:15 80 [1] - 23:7 84 [1] - 167:8</p>	
<p style="text-align: center;">1</p>	<p>1 [2] - 2:4, 103:1 1,151 [1] - 122:11 10 [9] - 67:10, 68:4, 90:9, 103:2, 106:3, 128:7, 128:9, 175:9, 251:17 10-foot [1] - 115:1 100 [5] - 16:19, 108:19, 109:19, 122:1, 135:9 100-square [1] - 243:7 101 [1] - 92:14 107 [13] - 3:4, 91:17, 95:17, 105:6, 123:6, 128:3, 149:3, 149:6, 153:5, 159:10, 182:12, 224:16, 226:13 11 [5] - 103:2, 106:10, 118:18, 192:9, 226:14 110 [1] - 23:8 112 [3] - 105:12, 124:6, 182:13 11:10 [1] - 265:1 11th [1] - 257:14 12 [15] - 22:7, 37:10, 93:6, 95:18, 98:2, 98:17, 105:7, 106:16, 120:6, 123:6, 161:10, 208:8, 208:9, 226:3, 226:13 1201 [5] - 2:11, 20:5,</p>	<p>3 [3] - 2:4, 2:7, 103:1 3,000 [1] - 170:13 30 [11] - 106:8, 109:4, 122:10, 122:12, 166:8, 220:4, 245:2, 245:7, 245:10, 247:12, 264:6 30,000 [1] - 105:2 300 [3] - 2:8, 13:18, 14:7 32 [2] - 36:13, 66:17</p>	<p style="text-align: center;">5</p>	<p style="text-align: center;">9</p>	<p>9 [1] - 103:2 90 [5] - 122:1, 245:1, 254:5, 254:14, 254:16 90-degree [1] - 13:7 95-years-old [1] - 133:13 950 [1] - 243:15 96 [5] - 105:11, 118:11, 124:4, 149:6, 182:13 98 [1] - 22:10 9th [6] - 13:16,</p>
<p style="text-align: center;">1</p>	<p>1 [2] - 2:4, 103:1 1,151 [1] - 122:11 10 [9] - 67:10, 68:4, 90:9, 103:2, 106:3, 128:7, 128:9, 175:9, 251:17 10-foot [1] - 115:1 100 [5] - 16:19, 108:19, 109:19, 122:1, 135:9 100-square [1] - 243:7 101 [1] - 92:14 107 [13] - 3:4, 91:17, 95:17, 105:6, 123:6, 128:3, 149:3, 149:6, 153:5, 159:10, 182:12, 224:16, 226:13 11 [5] - 103:2, 106:10, 118:18, 192:9, 226:14 110 [1] - 23:8 112 [3] - 105:12, 124:6, 182:13 11:10 [1] - 265:1 11th [1] - 257:14 12 [15] - 22:7, 37:10, 93:6, 95:18, 98:2, 98:17, 105:7, 106:16, 120:6, 123:6, 161:10, 208:8, 208:9, 226:3, 226:13 1201 [5] - 2:11, 20:5,</p>	<p>3 [3] - 2:4, 2:7, 103:1 3,000 [1] - 170:13 30 [11] - 106:8, 109:4, 122:10, 122:12, 166:8, 220:4, 245:2, 245:7, 245:10, 247:12, 264:6 30,000 [1] - 105:2 300 [3] - 2:8, 13:18, 14:7 32 [2] - 36:13, 66:17</p>	<p style="text-align: center;">5</p>	<p style="text-align: center;">9</p>	<p>9 [1] - 103:2 90 [5] - 122:1, 245:1, 254:5, 254:14, 254:16 90-degree [1] - 13:7 95-years-old [1] - 133:13 950 [1] - 243:15 96 [5] - 105:11, 118:11, 124:4, 149:6, 182:13 98 [1] - 22:10 9th [6] - 13:16,</p>
<p style="text-align: center;">1</p>	<p>1 [2] - 2:4, 103:1 1,151 [1] - 122:11 10 [9] - 67:10, 68:4, 90:9, 103:2, 106:3, 128:7, 128:9, 175:9, 251:17 10-foot [1] - 115:1 100 [5] - 16:19, 108:19, 109:19, 122:1, 135:9 100-square [1] - 243:7 101 [1] - 92:14 107 [13] - 3:4, 91:17, 95:17, 105:6, 123:6, 128:3, 149:3, 149:6, 153:5, 159:10, 182:12, 224:16, 226:13 11 [5] - 103:2, 106:10, 118:18, 192:9, 226:14 110 [1] - 23:8 112 [3] - 105:12, 124:6, 182:13 11:10 [1] - 265:1 11th [1] - 257:14 12 [15] - 22:7, 37:10, 93:6, 95:18, 98:2, 98:17, 105:7, 106:16, 120:6, 123:6, 161:10, 208:8, 208:9, 226:3, 226:13 1201 [5] - 2:11, 20:5,</p>	<p>3 [3] - 2:4, 2:7, 103:1 3,000 [1] - 170:13 30 [11] - 106:8, 109:4, 122:10, 122:12, 166:8, 220:4, 245:2, 245:7, 245:10, 247:12, 264:6 30,000 [1] - 105:2 300 [3] - 2:8, 13:18, 14:7 32 [2] - 36:13, 66:17</p>	<p style="text-align: center;">5</p>	<p style="text-align: center;">9</p>	<p>9 [1] - 103:2 90 [5] - 122:1, 245:1, 254:5, 254:14, 254:16 90-degree [1] - 13:7 95-years-old [1] - 133:13 950 [1] - 243:15 96 [5] - 105:11, 118:11, 124:4, 149:6, 182:13 98 [1] - 22:10 9th [6] - 13:16,</p>
<p style="text-align: center;">1</p>	<p>1 [2] - 2:4, 103:1 1,151 [1] - 122:11 10 [9] - 67:10, 68:4, 90:9, 103:2, 106:3, 128:7, 128:9, 175:9, 251:17 10-foot [1] - 115:1 100 [5] - 16:19, 108:19, 109:19, 122:1, 135:9 100-square [1] - 243:7 101 [1] - 92:14 107 [13] - 3:4, 91:17, 95:17, 105:6, 123:6, 128:3, 149:3, 149:6, 153:5, 159:10, 182:12, 224:16, 226:13 11 [5] - 103:2, 106:10, 118:18, 192:9, 226:14 110 [1] - 23:8 112 [3] - 105:12, 124:6, 182:13 11:10 [1] - 265:1 11th [1] - 257:14 12 [15] - 22:7, 37:10, 93:6, 95:18, 98:2, 98:17, 105:7, 106:16, 120:6, 123:6, 161:10, 208:8, 208:9, 226:3, 226:13 1201 [5] - 2:11, 20:5,</p>	<p>3 [3] - 2:4, 2:7, 103:1 3,000 [1] - 170:13 30 [11] - 106:8, 109:4, 122:10, 122:12, 166:8, 220:4, 245:2, 245:7, 245:10, 247:12, 264:6 30,000 [1] - 105:2 300 [3] - 2:8, 13:18, 14:7 32 [2] - 36:13, 66:17</p>	<p style="text-align: center;">5</p>	<p style="text-align: center;">9</p>	<p>9 [1] - 103:2 90 [5] - 122:1, 245:1, 254:5, 254:14, 254:16 90-degree [1] - 13:7 95-years-old [1] - 133:13 950 [1] - 243:15 96 [5] - 105:11, 118:11, 124:4, 149:6, 182:13 98 [1] - 22:10 9th [6] - 13:16,</p>
<p style="text-align: center;">1</p>	<p>1 [2] - 2:4, 103:1 1,151 [1] - 122:11 10 [9] - 67:10, 68:4, 90:9, 103:2, 106:3, 128:7, 128:9, 175:9, 251:17 10-foot [1] - 115:1 100 [5] - 16:19, 108:19, 109:19, 122:1, 135:9 100-square [1] - 243:7 101 [1] - 92:14 107 [13] - 3:4, 91:17, 95:17, 105:6, 123:6, 128:3, 149:3, 149:6, 153:5, 159:10, 182:12, 224:16, 226:13 11 [5] - 103:2, 106:10, 118:18, 192:9, 226:14 110 [1] - 23:8 112 [3] - 105:12, 124:6, 182:13 11:10 [1] - 265:1 11th [1] - 257:14 12 [15] - 22:7, 37:10, 93:6, 95:18, 98:2, 98:17, 105:7, 106:16, 120:6, 123:6, 161:10, 208:8, 208:9, 226:3, 226:13 1201 [5] - 2:11, 20:5,</p>	<p></p>			

257:16, 258:10, 260:15, 264:8	according [1] - 47:9 accounts [1] - 94:7 accuracy [1] - 196:11 accurate [7] - 53:7, 146:10, 168:1, 174:18, 196:4, 267:17, 268:9 accurately [1] - 143:4 accused [1] - 156:17 acknowledgement [2] - 233:9, 259:3 acoustic [2] - 240:19, 241:6 acoustical [1] - 241:1 acquired [1] - 26:10 acre [1] - 105:14 acronyms [1] - 185:1 act [3] - 58:1, 263:4, 264:6 acting [1] - 156:17 action [3] - 178:18, 179:11, 264:11 active [3] - 37:13, 115:16, 124:10 activities [4] - 22:19, 43:14, 80:14, 103:4 activity [4] - 57:1, 144:12, 144:13, 196:15 actual [3] - 113:1, 116:16, 117:6 add [8] - 23:11, 38:9, 67:6, 158:8, 179:13, 244:15, 251:4, 253:11 added [2] - 33:9, 111:14 adding [3] - 128:3, 149:3, 153:5 addition [7] - 35:12, 94:7, 118:17, 146:9, 147:19, 157:5, 188:6 additional [6] - 22:4, 75:4, 163:7, 183:11, 209:3, 251:5 additionally [1] - 149:5 address [13] - 17:13, 115:5, 125:13, 127:16, 147:12, 147:14, 153:13, 220:19, 231:3, 231:13, 233:19, 258:7, 260:9 addressed [2] - 215:13, 230:16 addresses [1] - 95:4 addressing [4] - 134:10, 215:14, 232:18, 233:15	adds [1] - 198:13 adequate [1] - 189:2 adjacent [7] - 3:10, 16:7, 27:1, 28:1, 108:3, 114:1, 146:7 Adjourned [1] - 265:2 adjourned [2] - 92:1, 264:19 adjust [2] - 2:14, 20:11 adopted [3] - 19:12, 21:14, 35:16 Adoption [1] - 2:7 advance [2] - 72:17, 81:15 advantage [2] - 118:9, 202:8 advantageous [1] - 201:14 adverse [3] - 73:16, 74:5, 76:7 adversely [2] - 146:7, 221:6 advertise [1] - 159:15 advertised [1] - 2:14 advised [1] - 92:3 aerial [1] - 111:17 aesthetics [1] - 148:2 affect [7] - 129:6, 146:7, 170:10, 170:11, 217:3, 239:12, 261:3 affected [2] - 133:7, 133:11 afford [3] - 140:14, 140:16, 141:7 affordable [17] - 93:15, 94:3, 103:17, 105:7, 120:6, 120:7, 123:6, 140:16, 142:9, 161:7, 161:10, 164:19, 165:3, 179:15, 179:16, 221:13, 226:3 afternoon [3] - 117:11, 197:19, 198:9 afterwards [1] - 50:15 agenda [6] - 4:4, 14:3, 19:5, 91:15, 254:8, 256:8 aggregate [1] - 37:10 aging [1] - 123:7 ago [5] - 93:12, 97:18, 219:18, 243:9, 259:9 agree [10] - 38:17, 97:1, 213:18, 222:2, 222:14, 224:15, 234:3, 234:12,	238:6, 247:4 agreeable [2] - 128:6, 148:5 agreed [1] - 167:17 agreements [2] - 49:18, 207:12 ahead [2] - 134:18, 262:18 AHMED [38] - 9:15, 9:18, 10:8, 10:14, 11:3, 17:9, 18:5, 67:5, 78:1, 85:13, 90:3, 91:2, 92:9, 125:8, 127:2, 131:7, 134:8, 136:1, 136:4, 145:17, 146:15, 153:10, 157:13, 158:3, 158:8, 161:16, 162:4, 163:18, 174:4, 174:9, 190:10, 190:17, 191:19, 193:17, 199:13, 214:15, 246:9, 259:10 Ahmed [4] - 1:10, 67:4, 125:9, 125:10 ain't [1] - 138:12 air [1] - 248:8 AKAYLA [2] - 131:16, 132:10 Akayla [1] - 250:16 akayla [1] - 132:10 al [1] - 3:8 Alewife [1] - 248:3 ALEXANDRA [31] - 20:19, 21:4, 24:16, 25:1, 25:9, 35:12, 39:10, 39:18, 40:7, 40:13, 40:16, 42:5, 42:17, 43:7, 44:1, 44:15, 45:10, 46:6, 71:11, 71:14, 80:12, 80:18, 81:6, 82:15, 82:19, 84:14, 85:11, 87:5, 88:1, 88:19, 91:8 Alexandra [3] - 21:5, 54:10, 69:7 Alexandra's [1] - 30:6 Alliance [1] - 162:14 allocate [1] - 45:16 allocation [1] - 46:14 allotment [2] - 65:16, 71:3 allow [3] - 68:3, 178:18, 181:12 allowance [1] - 138:7 allowed [15] - 5:7, 46:16, 55:6, 56:2, 57:2, 60:12, 108:19,	109:3, 109:8, 152:1, 224:16, 224:17, 238:4, 238:5, 238:7 allowing [1] - 72:9 allows [2] - 108:18, 235:3 Allston [30] - 3:3, 91:16, 99:14, 100:2, 108:4, 117:19, 132:14, 147:16, 149:11, 149:13, 149:15, 150:17, 153:13, 153:18, 154:3, 163:14, 164:16, 168:9, 168:12, 168:19, 190:16, 190:17, 191:1, 191:10, 192:4, 192:6, 200:6, 204:6, 204:11, 204:14 almost [9] - 21:17, 32:2, 105:3, 122:2, 153:6, 158:17, 212:6, 236:4, 237:14 along... [1] - 115:5 alternate [1] - 137:4 alternates [1] - 20:16 alternative [3] - 78:16, 137:13, 137:19 altogether [3] - 34:2, 36:16, 37:9 amazing [2] - 89:7, 189:3 amend [2] - 3:8, 3:14 amended [1] - 19:16 amenities [3] - 77:15, 105:16, 209:3 amenity [4] - 107:15, 111:9, 123:12, 124:8 amount [5] - 30:19, 42:10, 69:15, 184:5, 228:8 analysis [2] - 40:18, 41:6 analyze [1] - 195:14 analyzed [3] - 41:16, 216:18, 227:10 AND [2] - 266:1, 266:17 AND/OR [1] - 268:19 anecdotally [1] - 240:10 Ann [1] - 150:13 Anne [1] - 160:9 Annex [1] - 1:6 Anninger [1] - 165:7 announced [1] -
A				
<p>a.m [3] - 117:2, 117:9, 121:12 abeyance [2] - 261:5, 262:2 ability [3] - 110:2, 202:15, 268:10 able [9] - 37:7, 50:12, 67:18, 76:3, 87:13, 102:15, 122:8, 135:2, 201:19 absolutely [5] - 63:1, 86:16, 89:8, 250:5, 250:16 absurd [1] - 159:4 abuse [1] - 84:6 abused [1] - 57:5 abuts [2] - 126:2, 142:18 abutter [9] - 126:2, 126:13, 142:6, 155:19, 241:7, 241:8, 248:17, 250:9, 250:12 abutters [5] - 144:5, 155:18, 237:16, 246:15, 249:15 abutting [4] - 3:9, 145:14, 183:17, 231:8 academic [2] - 24:2, 27:5 accept [1] - 230:10 acceptable [2] - 241:11, 255:15 acceptance [1] - 233:9 accepted [1] - 203:1 Access [1] - 3:12 access [17] - 6:14, 30:19, 31:6, 48:11, 48:12, 63:4, 67:16, 76:4, 86:8, 90:3, 90:5, 99:1, 155:1, 202:16, 203:4, 204:6, 204:7 Accessible [1] - 3:14 accessible [1] - 37:4 accessory [3] - 16:6, 54:5, 66:19 accommodate [1] - 22:10 accommodated [1] - 23:19 accomplish [1] - 224:3 accordance [1] - 16:4</p>				

<p>94:19 annual [1] - 38:16 anonymous [1] - 169:10 answer [5] - 15:12, 39:4, 197:4, 222:17, 223:5 answered [1] - 248:15 answers [1] - 253:15 ANTHONY [2] - 16:12, 18:19 Anthony [1] - 16:12 anticipate [1] - 260:4 anticipated [2] - 39:8, 74:11 ANY [2] - 268:18, 268:18 anyway [3] - 18:4, 31:9, 56:18 anyways [1] - 127:14 apart [3] - 248:6, 248:7, 248:12 apartment [11] - 8:14, 101:10, 102:9, 120:5, 148:11, 159:12, 229:4, 243:4, 243:10, 245:17 apartments [21] - 34:14, 94:3, 104:12, 105:7, 105:9, 105:10, 120:8, 123:6, 130:14, 140:6, 152:17, 154:10, 155:3, 157:4, 177:8, 218:8, 218:11, 243:6, 243:12, 243:15, 243:17 apologies [3] - 107:9, 147:15, 215:16 apologize [4] - 184:17, 188:2, 190:18, 199:14 Appeal [4] - 2:4, 4:5, 4:7, 9:13 appeal [1] - 244:12 appealing [1] - 169:14 Appeals [1] - 142:8 appear [2] - 142:7, 250:15 appeared [2] - 92:18, 93:3 applaud [1] - 224:10 apple [1] - 16:18 applicable [1] - 80:2 applicant [7] - 144:15, 229:5, 229:8, 229:14, 230:19, 232:19, 233:19 Applicant [6] - 2:16,</p>	<p>3:6, 14:17, 20:7, 79:8, 79:11 application [4] - 77:2, 80:5, 155:14, 155:19 applications [1] - 90:10 applies [1] - 73:10 APPLY [1] - 268:18 apply [3] - 73:12, 77:5, 151:7 appreciate [12] - 63:5, 64:13, 134:7, 134:13, 147:10, 147:17, 151:1, 158:12, 213:14, 253:3, 259:4 appreciated [1] - 89:13 approach [2] - 109:7, 116:4 approached [2] - 75:8, 205:2 approaching [1] - 198:5 appropriate [11] - 5:3, 79:15, 85:7, 166:4, 167:13, 228:2, 230:13, 241:10, 250:6, 250:8, 259:13 appropriately [1] - 213:19 approval [6] - 2:9, 18:15, 30:14, 35:14, 93:4, 138:10 approve [4] - 12:2, 12:7, 18:8, 187:5 approved [6] - 4:17, 14:14, 21:19, 91:7, 104:14, 161:5 april [1] - 268:16 April [6] - 3:6, 11:17, 91:18, 121:3, 156:9, 254:17 architect [6] - 98:4, 150:19, 165:10, 170:7, 251:9, 251:19 architect's [1] - 147:18 architects [1] - 110:9 architectural [2] - 23:10, 160:8 Architecture [1] - 98:4 area [41] - 10:9, 15:3, 15:4, 15:7, 32:7, 33:7, 51:1, 73:17, 77:8, 109:2, 109:9, 109:12, 109:14,</p>	<p>111:10, 111:14, 114:6, 114:9, 119:17, 119:18, 122:10, 136:15, 138:2, 140:8, 149:5, 152:4, 152:8, 163:11, 167:3, 178:11, 178:15, 182:11, 185:15, 194:3, 210:5, 223:15, 224:7, 224:8, 228:12, 240:12 Areas [1] - 3:15 areas [10] - 35:6, 35:8, 76:16, 109:15, 111:8, 115:17, 118:15, 122:7, 166:4, 215:5 argue [1] - 126:15 argument [2] - 70:14, 243:19 arguments [1] - 80:2 arises [1] - 255:6 arrangement [2] - 78:10, 194:19 arterial [1] - 154:19 arterials [1] - 164:14 arteries [1] - 201:8 Article [1] - 90:9 aside [1] - 177:2 aspect [1] - 77:6 aspects [1] - 148:5 asphalt [1] - 10:11 assemble [1] - 148:15 assessment [2] - 204:1, 204:8 assign [1] - 83:3 assistance [1] - 125:13 Assistant [2] - 1:12, 2:6 Associate [1] - 1:10 associated [3] - 83:6, 193:10, 229:4 Association [3] - 96:13, 155:10, 164:5 assume [6] - 57:3, 90:2, 90:13, 176:1, 200:10, 242:17 assumed [1] - 232:19 assuming [4] - 39:12, 84:5, 233:13, 254:9 assumption [1] - 219:13 astounding [1] - 183:16 Athenaeum [2] - 2:8, 14:7 atrium [1] - 33:4</p>	<p>ATTACH [1] - 267:1 attempt [3] - 154:1, 155:17, 207:13 attend [2] - 22:12, 82:11 attention [1] - 259:19 attentive [1] - 230:14 ATTORNEY [3] - 52:15, 261:15, 262:5 attorney [1] - 142:12 attract [3] - 104:16, 124:9, 223:5 Auburn [4] - 98:9, 210:3, 210:6, 210:12 AUDIENCE [2] - 207:17, 208:6 August [10] - 13:19, 126:4, 255:3, 255:4, 255:7, 256:5, 256:7, 256:8, 263:8, 268:11 authorize [1] - 71:3 auto [3] - 55:5, 56:12, 173:15 auto-cad [1] - 173:15 automobile [1] - 74:1 automobiles [1] - 40:12 availability [2] - 122:13, 192:18 available [13] - 46:17, 47:17, 55:15, 56:16, 59:1, 63:7, 82:13, 87:11, 90:2, 122:7, 193:3, 202:2, 214:19 Ave [9] - 21:8, 26:1, 28:14, 52:16, 127:18, 136:8, 154:18, 167:9, 170:6 Avenue [33] - 2:11, 3:4, 6:1, 6:4, 8:7, 8:10, 10:5, 13:18, 20:6, 27:18, 91:17, 92:15, 98:15, 99:15, 99:16, 99:17, 106:5, 121:18, 131:6, 136:17, 137:7, 137:9, 137:12, 138:1, 138:4, 138:12, 139:3, 159:5, 197:2, 198:5 average [4] - 119:17, 192:13, 192:14, 243:14 aware [3] - 48:15, 63:11, 63:13 awful [1] - 252:14</p>	<p>awfully [2] - 211:14, 237:10 awkward [1] - 258:5</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p>B-e-u-z-e-k-o-m [1] - 187:10 backed [1] - 171:18 background [3] - 99:18, 114:8, 142:6 backing [1] - 201:7 backwards [1] - 172:5 bad [4] - 13:6, 134:14, 139:16, 156:17 balance [2] - 34:8, 221:14 balancing [2] - 55:4, 166:3 balkanization [1] - 102:4 ballet [1] - 67:12 balsamic [1] - 17:6 bank [1] - 98:3 Baptist [1] - 28:3 bare [1] - 130:11 base [3] - 95:7, 112:6, 113:17 based [11] - 29:4, 79:6, 104:2, 112:16, 116:14, 155:15, 191:15, 201:19, 205:6, 239:18, 256:3 basement [3] - 31:19, 36:19, 38:10 basic [1] - 241:15 basis [4] - 41:5, 49:14, 80:5, 144:6 bathrooms [2] - 33:14, 35:1 bay [4] - 5:12, 6:13, 112:4, 113:11 bays [7] - 145:11, 174:7, 251:5, 251:6, 251:7, 251:8, 251:14 Beaker [4] - 2:9, 15:6, 16:14, 17:1 bear [1] - 229:18 beating [1] - 142:12 beautiful [2] - 99:12, 123:10 beauty [1] - 148:3 became [1] - 8:12 become [2] - 60:1, 221:13 becomes [3] - 109:14, 115:8, 183:12 bed [1] - 223:11</p>
--	---	--	--	---

<p>bedroom [20] - 105:9, 105:10, 130:13, 157:4, 157:11, 160:2, 162:2, 162:3, 165:5, 180:14, 218:7, 221:8, 221:10, 221:18, 222:15, 243:6, 243:10, 243:15, 243:17, 244:1</p> <p>bedrooms [6] - 33:18, 34:1, 159:16, 161:8, 223:2, 243:13</p> <p>beds [2] - 24:8, 160:6</p> <p>begin [4] - 91:14, 111:6, 112:13, 115:2</p> <p>beginning [3] - 24:9, 103:10, 119:11</p> <p>begins [2] - 12:19, 236:17</p> <p>behalf [3] - 3:6, 21:6, 68:1</p> <p>behavior [1] - 87:3</p> <p>behind [5] - 52:8, 95:2, 143:12, 143:19, 216:14</p> <p>BELINDA [1] - 174:12</p> <p>Belinda [1] - 174:13</p> <p>Belle [2] - 28:7, 28:10</p> <p>below [3] - 115:16, 117:15, 251:1</p> <p>benches [2] - 171:2, 171:7</p> <p>bend [1] - 158:19</p> <p>benefit [2] - 57:9, 81:7</p> <p>benefits [1] - 83:12</p> <p>best [7] - 49:12, 56:9, 137:1, 156:12, 224:4, 238:12, 268:10</p> <p>better [11] - 94:14, 113:7, 150:7, 155:1, 157:4, 157:5, 186:10, 186:15, 224:1, 234:13, 253:8</p> <p>between [21] - 6:12, 39:12, 93:17, 101:4, 102:18, 107:17, 110:13, 114:6, 114:12, 121:17, 121:11, 121:17, 144:8, 145:1, 146:12, 156:13, 205:10, 227:14, 233:11, 236:5, 236:7, 236:15</p> <p>BEUZEKOM [1] - 187:9</p> <p>Beuzekom [1] -</p>	<p>187:10</p> <p>Beyer [2] - 28:7, 28:10</p> <p>beyond [4] - 40:4, 108:4, 115:9, 185:13</p> <p>Bicycle [2] - 2:14, 77:18</p> <p>bicycle [22] - 2:15, 20:12, 32:6, 35:19, 37:16, 68:16, 70:7, 74:3, 75:1, 75:4, 78:8, 78:10, 78:11, 78:14, 78:16, 79:3, 79:4, 90:12, 90:16, 105:12, 118:14, 124:7</p> <p>bicycles [2] - 105:12, 118:16</p> <p>bicyclists [1] - 76:3</p> <p>big [18] - 101:16, 128:1, 131:17, 133:19, 169:10, 169:19, 174:3, 176:14, 183:14, 205:9, 227:6, 235:19, 242:11, 248:1, 250:17, 250:18, 251:2</p> <p>bigger [1] - 226:10</p> <p>bigoted [1] - 157:8</p> <p>Bike [1] - 19:12</p> <p>bike [16] - 21:14, 30:5, 35:16, 36:7, 36:11, 36:13, 36:17, 37:1, 37:3, 37:6, 37:10, 37:18, 38:7, 38:9, 69:8, 124:11</p> <p>bikers [1] - 182:13</p> <p>bikes [1] - 69:12</p> <p>biking [1] - 37:13</p> <p>BILL [6] - 16:1, 142:3, 143:2, 143:8, 145:19, 146:17</p> <p>Bill [7] - 16:1, 62:17, 141:19, 142:4, 209:15, 214:3, 221:19</p> <p>Bill's [2] - 213:14, 241:14</p> <p>billion [2] - 95:6, 142:11</p> <p>Biomed [18] - 16:2, 95:6, 101:15, 102:13, 110:7, 114:1, 114:12, 142:4, 183:16, 188:13, 215:12, 219:7, 222:3, 222:9, 231:4, 231:15, 232:2</p> <p>BioMed's [2] - 99:18,</p>	<p>101:6</p> <p>biotech [4] - 93:19, 184:2, 216:2, 216:5</p> <p>bit [16] - 22:4, 27:15, 35:15, 36:4, 40:11, 97:9, 108:18, 109:15, 115:12, 166:16, 195:14, 217:5, 229:11, 235:9, 235:14, 251:17</p> <p>blame [1] - 232:7</p> <p>Blinder [2] - 28:7, 28:10</p> <p>block [7] - 101:15, 121:15, 121:17, 121:19, 122:2, 153:2, 193:2</p> <p>blocked [1] - 88:8</p> <p>blocks [10] - 98:14, 98:15, 103:3, 116:18, 121:4, 121:10, 121:15, 122:4, 182:1, 239:14</p> <p>blood [1] - 268:6</p> <p>blow [1] - 220:1</p> <p>blown [1] - 51:15</p> <p>blue [5] - 42:18, 44:18, 121:9, 139:10</p> <p>Board [69] - 2:4, 4:4, 4:5, 4:6, 9:13, 11:10, 12:19, 13:11, 14:6, 14:9, 14:10, 14:14, 14:17, 15:8, 19:16, 19:17, 20:2, 20:4, 47:6, 55:7, 57:13, 62:18, 78:5, 78:17, 79:4, 80:3, 86:9, 88:17, 89:9, 91:19, 92:18, 94:11, 104:14, 124:17, 126:15, 142:7, 147:5, 150:18, 151:19, 153:8, 153:17, 156:9, 158:12, 162:11, 165:13, 178:18, 179:11, 184:10, 186:18, 189:14, 193:1, 212:4, 218:9, 224:12, 226:1, 237:14, 238:17, 247:8, 251:3, 254:7, 259:3, 260:8, 262:9, 262:15, 263:1, 265:2, 266:12, 267:4, 267:16</p> <p>BOARD [2] - 1:2, 267:1</p> <p>board [4] - 20:15,</p>	<p>86:7, 248:1, 251:11</p> <p>Board's [1] - 35:14</p> <p>Boards [1] - 175:19</p> <p>Bolton [1] - 165:15</p> <p>bona [2] - 83:16, 253:1</p> <p>book [1] - 78:3</p> <p>Boothe [1] - 96:10</p> <p>Boston [10] - 51:1, 51:3, 52:5, 92:15, 94:19, 97:15, 100:17, 173:6, 184:1</p> <p>Boston's [1] - 98:1</p> <p>bottom [4] - 99:14, 101:14, 116:16, 174:15</p> <p>bought [2] - 94:17, 104:3</p> <p>bound [1] - 72:18</p> <p>bounded [1] - 99:14</p> <p>Bowl [1] - 16:8</p> <p>break [3] - 91:11, 112:13, 236:18</p> <p>breakfast [1] - 67:13</p> <p>breaking [3] - 246:13, 248:6, 248:7</p> <p>breaks [3] - 187:1, 187:4, 247:6</p> <p>Brian [3] - 1:12, 2:6, 12:12</p> <p>BRIAN [4] - 12:14, 19:9, 19:15, 19:18</p> <p>Bridge [1] - 163:1</p> <p>brief [3] - 22:3, 50:18, 252:12</p> <p>briefly [3] - 28:11, 116:11, 154:1</p> <p>brighter [1] - 113:7</p> <p>bring [1] - 161:13</p> <p>brings [1] - 111:15</p> <p>BRISTOL [1] - 268:3</p> <p>Broadway [3] - 1:5, 97:16, 160:15</p> <p>Brookline [10] - 121:17, 121:18, 121:19, 139:14, 178:8, 178:9, 178:15, 180:7, 180:8, 239:5</p> <p>brought [2] - 139:18, 188:12</p> <p>BU [3] - 98:19, 163:1</p> <p>buffer [6] - 108:14, 144:14, 144:19, 146:12, 151:11, 151:13</p> <p>buffer's [1] - 188:19</p> <p>build [9] - 45:16, 55:9, 94:15, 133:19, 148:18, 154:9,</p>	<p>157:1, 186:9, 220:12</p> <p>building [140] - 13:4, 25:4, 25:5, 26:11, 26:12, 26:19, 27:16, 29:6, 29:13, 29:14, 32:8, 32:13, 32:19, 37:5, 38:6, 38:8, 38:11, 41:1, 45:14, 46:4, 46:10, 51:2, 52:4, 52:19, 53:7, 65:15, 67:1, 69:9, 69:10, 71:17, 71:19, 75:3, 76:6, 80:15, 83:6, 86:12, 86:18, 87:18, 94:3, 95:3, 95:7, 97:2, 99:18, 100:3, 100:7, 100:10, 101:7, 101:17, 102:1, 104:11, 108:5, 108:9, 108:11, 109:7, 110:12, 111:9, 111:13, 111:18, 112:14, 112:17, 112:19, 113:5, 114:10, 114:13, 115:3, 115:7, 115:18, 118:19, 123:7, 124:1, 124:8, 128:13, 128:16, 131:16, 132:14, 132:15, 134:5, 136:12, 137:10, 140:2, 143:5, 148:12, 149:1, 149:5, 149:6, 152:2, 155:3, 157:1, 159:3, 159:10, 160:7, 160:12, 160:13, 161:15, 169:15, 173:7, 173:10, 176:6, 181:7, 182:7, 191:7, 192:11, 206:9, 206:13, 207:3, 211:7, 211:13, 212:1, 214:2, 216:9, 216:14, 216:17, 217:3, 217:15, 218:1, 219:18, 220:8, 220:9, 220:12, 220:16, 221:16, 222:4, 222:6, 222:8, 227:6, 227:8, 227:16, 227:18, 228:6, 235:8, 236:1, 241:3, 241:4, 241:7, 242:5, 242:13, 245:4, 250:17</p>
---	--	--	---	---

<p>Building [1] - 1:6 buildings [35] - 15:16, 23:5, 24:14, 25:6, 27:7, 27:12, 45:17, 75:18, 89:7, 93:4, 95:5, 95:9, 97:17, 100:15, 101:4, 101:11, 101:16, 101:19, 102:9, 104:15, 110:8, 129:4, 130:18, 146:13, 146:14, 160:16, 162:2, 173:15, 173:16, 236:3, 236:6, 240:16, 246:16, 248:1, 248:5 built [15] - 9:6, 23:6, 54:17, 93:3, 93:5, 94:5, 97:17, 102:2, 130:8, 133:14, 137:13, 160:19, 169:11, 245:1 bunch [1] - 169:4 bunk [1] - 160:6 burbs [1] - 243:8 burden [1] - 51:18 bus [3] - 99:1, 99:2, 99:3 Business [1] - 14:6 business [3] - 63:1, 178:7, 178:11 BUSINESS [1] - 2:3 busy [2] - 14:3, 89:1 buy [1] - 180:1 BY [1] - 268:18 BZA [4] - 4:17, 4:19, 5:10, 11:3</p>	<p>61:9, 66:4, 68:9, 77:7, 95:17, 97:12, 116:17, 117:1, 117:5, 117:14, 121:1, 136:10, 144:11, 160:8, 161:5, 162:1, 162:14, 164:6, 165:8, 166:7, 170:7, 170:12, 172:11, 173:5, 173:13, 178:2, 178:3, 184:12, 184:14, 189:11, 245:19, 249:4, 252:1, 252:7 CambridgePark [1] - 12:17 Cambridgeport [8] - 93:8, 93:18, 95:10, 95:16, 96:12, 155:10, 158:16, 160:18 campus [5] - 23:12, 27:1, 27:3, 28:2, 81:8 candidates [1] - 92:4 CANE [1] - 16:1 Cane [1] - 16:1 cannot [9] - 6:14, 23:19, 31:8, 45:16, 45:17, 45:18, 83:14, 134:9, 154:4 Capital [5] - 3:5, 92:16, 97:11, 147:11, 147:17 capital [1] - 247:17 Capstone [1] - 142:10 capture [1] - 249:4 CAPTURING [1] - 1:17 car [16] - 9:11, 9:12, 9:15, 10:1, 10:4, 139:11, 154:13, 163:7, 172:1, 172:6, 183:4, 192:15, 195:10, 200:7, 205:19, 245:11 card [6] - 30:18, 31:5, 67:16, 72:4, 90:3, 90:5 care [6] - 69:13, 186:14, 249:1, 252:17, 262:13, 262:19 careful [1] - 202:10 carefully [4] - 123:1, 123:13, 164:17, 184:6 Carolyn [2] - 158:7, 158:15 CAROLYN [3] -</p>	<p>158:14, 161:17, 162:6 carry [3] - 199:15, 199:19, 200:2 cars [28] - 8:17, 10:15, 28:18, 47:13, 121:12, 154:4, 154:9, 154:12, 171:17, 172:18, 172:19, 182:13, 182:15, 191:3, 191:14, 193:10, 195:9, 195:10, 195:11, 198:14, 201:1, 201:5, 206:4, 221:12, 229:3, 230:2, 230:5, 252:2 cartoon [1] - 208:18 cartoon-like [1] - 208:18 CASE [2] - 2:2, 3:2 case [10] - 14:6, 77:2, 91:15, 92:7, 103:19, 122:15, 123:15, 130:2, 203:19, 240:18 cases [5] - 4:5, 4:7, 185:1, 185:10, 203:15 Cases [1] - 2:4 cast [1] - 112:15 casual [1] - 29:5 CATHERINE [12] - 8:2, 44:9, 49:1, 75:6, 89:12, 205:14, 208:14, 212:13, 212:17, 213:10, 225:18, 253:9 Catherine [5] - 1:11, 89:11, 225:17, 268:4, 268:13 CAZ [1] - 267:2 celebrate [1] - 97:6 celebrations [1] - 173:8 cell [1] - 11:6 census [2] - 119:17, 119:18 center [2] - 109:11, 217:4 Center [6] - 4:9, 4:10, 13:1, 13:10, 13:12, 17:11 Central [8] - 98:16, 121:8, 128:7, 162:13, 163:10, 187:11, 199:10, 257:15 central [1] - 111:10 certain [6] - 14:14, 165:16, 166:3,</p>	<p>216:5, 228:8, 229:17 certainly [8] - 71:13, 74:4, 80:13, 81:4, 157:11, 174:5, 176:10, 264:10 Certifiable [1] - 105:16 CERTIFICATION [1] - 268:17 certification [1] - 32:17 Certified [2] - 268:4, 268:14 certified [1] - 11:18 certifies [1] - 240:6 certify [3] - 183:3, 268:5, 268:8 certifying [1] - 240:7 CERTIFYING [1] - 268:19 chair [2] - 70:9, 136:6 Chair [4] - 1:8, 1:8, 19:8, 212:4 Chairman [2] - 50:9, 50:17 challenged [1] - 116:9 challenging [1] - 13:7 chance [4] - 119:5, 191:19, 221:17, 262:16 change [31] - 5:15, 21:8, 21:10, 29:3, 29:6, 29:11, 30:13, 30:17, 31:10, 35:6, 35:13, 40:15, 41:18, 53:2, 60:2, 63:3, 73:11, 76:1, 77:12, 77:16, 132:6, 138:2, 138:8, 138:11, 165:19, 167:19, 175:16, 198:18, 203:16, 251:13, 267:4 CHANGE [6] - 267:9, 267:10, 267:11, 267:12, 267:13, 267:14 changed [3] - 76:12, 134:19, 239:3 changes [19] - 21:19, 29:7, 31:6, 31:13, 35:8, 54:6, 57:1, 63:15, 74:17, 75:10, 76:18, 94:10, 123:18, 136:9, 203:17, 242:11, 263:19, 266:12, 267:17 changing [5] - 41:2, 63:14, 67:15, 169:8,</p>	<p>236:9 character [10] - 23:11, 148:9, 148:12, 148:18, 157:6, 164:11, 164:15, 165:2, 169:8, 203:16 characterize [1] - 262:14 charge [3] - 139:19, 140:3, 140:7 Charge [1] - 98:1 charged [1] - 176:17 chargers [1] - 98:3 charging [1] - 98:2 Charles [3] - 132:11, 132:13, 164:3 CHARLES [4] - 132:12, 134:11, 136:2, 164:3 chart [1] - 116:13 CHC [1] - 30:14 cheapest [1] - 191:13 check [1] - 30:12 check-in [1] - 30:12 check [1] - 115:12 chemical [1] - 145:12 chemicals [1] - 249:8 children [8] - 96:4, 159:4, 159:12, 160:4, 165:4, 217:19, 218:7, 250:15 chimney [2] - 220:13, 220:14 chimneys [1] - 222:12 chocolate [1] - 16:17 choices [1] - 247:7 choose [2] - 66:10, 194:6 chosen [2] - 108:5, 110:17 Christina's [1] - 17:4 Christmas [1] - 198:3 church [3] - 28:3, 67:11, 140:6 cider [1] - 16:18 circle [2] - 210:10, 210:11 circles [1] - 68:11 circling [1] - 71:14 circular [1] - 210:10 circulating [1] - 47:13 circulation [1] - 72:4 circumstance [1] - 73:13 circumstances [2] - 78:13, 201:13 cite [1] - 164:7 cited [1] - 151:19 citizens [3] - 48:17,</p>
C				
<p>C-1 [4] - 102:10, 102:18, 104:2, 110:13 C-2B [1] - 2:13 C2 [3] - 12:18, 13:17, 239:6 cab [1] - 74:2 cad [1] - 173:15 Cafe [3] - 2:9, 16:14, 16:15 calculated [1] - 214:9 calculations [1] - 226:2 California [1] - 101:19 CAMBRIDGE [1] - 1:2 Cambridge [47] - 1:6, 3:9, 4:3, 4:12, 14:11, 15:7, 22:1, 28:2, 38:13, 48:17, 49:3, 51:3, 52:4,</p>				

<p>49:2, 253:7 CITY [1] - 1:2 city [35] - 23:12, 56:4, 63:4, 65:16, 73:16, 74:5, 77:10, 94:9, 96:8, 104:9, 104:13, 105:1, 116:16, 123:18, 137:16, 161:6, 167:12, 172:15, 181:6, 191:11, 192:12, 192:14, 194:3, 195:17, 197:5, 201:14, 202:19, 203:1, 207:4, 213:1, 213:11, 225:1, 238:14, 239:8, 240:12 City [24] - 1:6, 1:12, 2:6, 3:8, 19:11, 46:15, 49:19, 61:19, 62:4, 66:7, 66:9, 68:8, 76:19, 92:4, 136:10, 144:11, 162:16, 163:6, 178:2, 180:11, 187:18, 224:10, 258:5, 262:8 City's [1] - 94:14 city's [3] - 97:7, 148:14, 164:7 city-owned [1] - 202:19 city-proposed [1] - 137:16 citywide [3] - 123:14, 183:1, 192:13 claim [1] - 148:8 claims [1] - 233:6 clap [1] - 158:11 clapboard [1] - 160:11 clapping [1] - 158:10 clarification [2] - 64:14, 82:18 clarified [1] - 213:14 clarify [2] - 3:10, 60:16 clarity [2] - 48:2, 61:15 classes [1] - 38:3 clear [5] - 9:11, 58:3, 61:8, 130:15, 240:5 clearly [5] - 115:3, 136:15, 200:7, 201:1, 235:3 client [2] - 245:7, 248:1 clients [1] - 243:7 CLIPPINGER [33] - 53:15, 58:4, 58:10,</p>	<p>58:15, 58:19, 59:5, 59:12, 59:17, 61:2, 61:14, 61:17, 62:4, 65:12, 65:17, 66:5, 66:13, 66:18, 68:13, 69:4, 70:10, 191:4, 192:2, 194:1, 195:18, 196:6, 196:8, 197:3, 201:18, 203:12, 204:13, 205:13, 206:5, 207:8 Clippinger [2] - 53:15, 81:19 clock [1] - 166:12 close [10] - 27:4, 27:6, 37:18, 68:5, 81:8, 88:14, 117:3, 117:6, 152:9, 193:6 closed [1] - 88:5 closely [1] - 162:17 closer [2] - 29:18 closest [1] - 96:16 club [3] - 44:5, 55:18, 81:11 code [3] - 23:16, 115:19, 128:14 Code [1] - 184:14 codes [3] - 116:14, 121:10, 121:14 coffee [3] - 15:1, 67:14, 86:3 Cohen [2] - 1:8, 1:10 COHEN [83] - 7:11, 7:14, 8:6, 12:3, 12:5, 17:10, 17:18, 18:10, 19:14, 19:17, 20:3, 21:2, 39:6, 39:14, 40:5, 40:10, 40:14, 43:4, 43:18, 49:8, 50:1, 50:7, 50:11, 52:13, 53:10, 53:13, 60:16, 64:3, 64:16, 65:5, 65:8, 65:13, 65:18, 66:8, 66:16, 67:3, 68:15, 70:5, 70:9, 70:12, 71:2, 71:13, 73:5, 75:12, 78:2, 79:18, 82:4, 82:7, 82:17, 85:12, 89:11, 89:16, 90:4, 90:7, 90:13, 90:17, 90:19, 91:3, 91:6, 91:10, 125:9, 131:19, 132:8, 198:19, 199:5, 200:5, 200:15, 200:19, 203:10, 204:4, 205:11, 206:19, 207:16, 213:7, 215:3, 215:9, 226:19, 227:4,</p>	<p>253:17, 257:19, 259:12, 261:2, 261:12 cohesion [1] - 22:15 colleagues [1] - 214:15 collection [1] - 27:11 collectively [1] - 86:10 College [3] - 2:16, 20:7, 22:12 college [1] - 22:16 color [3] - 121:10, 121:14, 236:9 colored [1] - 193:5 colors [2] - 175:7, 242:5 combination [3] - 35:17, 42:13, 109:6 comfortable [2] - 36:8, 191:5 coming [20] - 12:15, 30:2, 38:1, 38:3, 80:16, 115:3, 126:4, 126:8, 162:18, 163:5, 163:8, 181:8, 189:6, 219:12, 220:18, 222:6, 232:1, 239:4, 247:13, 250:11 commencement [1] - 89:1 Cohen [8] - 5:18, 7:16, 67:9, 153:1, 158:9, 193:13, 213:4, 249:11 comments [17] - 50:18, 70:7, 73:19, 79:16, 79:18, 175:11, 178:12, 188:6, 212:12, 213:15, 214:2, 215:4, 219:2, 227:1, 227:5, 236:19, 263:1 commercial [55] - 28:4, 32:17, 42:8, 42:11, 43:1, 43:4, 43:8, 43:12, 44:13, 44:14, 45:7, 45:14, 45:15, 49:4, 53:18, 54:8, 54:16, 55:10, 57:3, 57:15, 58:9, 58:16, 59:18, 60:2, 60:6, 60:14, 61:1, 61:5, 61:13, 61:17, 62:5, 62:13, 63:6, 64:8, 66:2, 66:14, 66:17, 67:2, 68:7, 83:9, 84:1, 84:8, 84:18, 97:5, 103:14, 103:16, 106:6,</p>	<p>124:3, 145:11, 188:17, 216:2, 235:10, 237:11 commercially [2] - 45:6, 49:6 commercials [1] - 59:11 Commission [4] - 22:1, 36:5, 74:17, 268:16 commissioned [1] - 219:8 commitment [2] - 55:4, 167:18 committee [1] - 70:7 common [2] - 69:15, 70:16 Commons [2] - 116:17, 117:1 COMMONWEALTH [1] - 268:2 communicated [1] - 137:2 communities [1] - 22:17 community [38] - 73:3, 95:15, 96:2, 104:6, 104:10, 105:15, 123:5, 129:10, 129:11, 129:14, 129:17, 135:12, 144:4, 150:11, 155:6, 155:8, 156:12, 157:19, 159:14, 169:19, 170:1, 170:2, 178:19, 181:13, 183:15, 186:9, 186:16, 203:14, 209:4, 209:8, 209:9, 226:17, 252:4, 252:18, 253:1, 253:2, 253:5 Community [7] - 1:12, 1:13, 2:6, 142:10, 186:18, 266:3, 266:8 commute [1] - 124:10 company [1] - 135:16 comparable [2] - 78:12, 120:5 compatible [3] - 3:10, 188:10, 203:8 competing [1] - 103:4 complain [2] - 215:19, 231:18 complaining [1] - 232:6 complete [5] - 11:18, 20:2, 196:5, 196:7,</p>	<p>196:8 COMPLETED [1] - 266:17 completed [2] - 39:17, 266:6 completely [2] - 163:9, 165:10 complex [1] - 77:6 complicated [1] - 202:17 complied [2] - 71:6, 71:7 comply [1] - 76:2 complying [1] - 49:10 components [2] - 107:12, 236:2 comport [1] - 70:16 comprehensive [3] - 23:18, 24:5, 39:1 comprise [1] - 26:4 comprised [1] - 45:11 compromise [1] - 93:11 concept [5] - 107:9, 107:11, 107:19, 167:4, 233:14 concern [19] - 83:8, 128:1, 128:14, 130:14, 141:12, 144:6, 180:10, 180:11, 194:17, 195:5, 201:9, 201:10, 217:8, 228:13, 230:15, 231:13, 232:7, 238:17, 253:7 Concern [1] - 3:15 concerned [12] - 85:19, 86:14, 130:12, 130:15, 207:10, 210:16, 217:10, 219:7, 221:10, 230:8, 232:4, 252:17 concerns [8] - 89:14, 156:13, 179:14, 227:5, 227:17, 228:4, 229:12, 238:2 concludes [1] - 256:19 conclusion [1] - 145:17 concrete [1] - 159:6 condition [8] - 44:10, 49:14, 65:6, 68:19, 87:17, 90:14, 167:17, 183:2 conditioning [1] - 248:8 conditions [7] -</p>
--	---	---	---	--

<p>30:16, 38:15, 56:6, 71:7, 71:8, 90:18, 182:8</p> <p>condo [1] - 105:4</p> <p>condos [1] - 194:14</p> <p>conference [1] - 80:17</p> <p>confident [1] - 57:4</p> <p>configured [1] - 211:9</p> <p>conflict [2] - 188:16, 201:16</p> <p>conform [2] - 149:3, 227:8</p> <p>conforming [1] - 229:6</p> <p>conforms [1] - 250:18</p> <p>congested [3] - 163:2, 163:11, 167:1</p> <p>congestion [2] - 164:12, 181:11</p> <p>Connecticut [1] - 241:2</p> <p>conner [1] - 100:5</p> <p>CONNOLLY [12] - 8:2, 44:9, 49:1, 75:6, 89:12, 205:14, 208:14, 212:13, 212:17, 213:10, 225:18, 253:9</p> <p>Connolly [1] - 1:11</p> <p>cons [2] - 202:7, 205:3</p> <p>conscious [1] - 124:13</p> <p>consider [6] - 33:2, 106:12, 153:8, 167:2, 201:14, 259:15</p> <p>consideration [3] - 51:18, 124:15, 262:10</p> <p>considerations [1] - 163:12</p> <p>considered [7] - 23:2, 29:1, 43:9, 43:11, 94:13, 138:9, 157:12</p> <p>consistent [5] - 5:2, 74:7, 76:17, 78:7, 148:18</p> <p>consolidation [1] - 118:5</p> <p>constant [1] - 185:11</p> <p>constrained [1] - 85:5</p> <p>constraint [1] - 185:8</p> <p>constraints [1] - 38:9</p> <p>construct [3] - 3:4, 91:17, 164:19</p> <p>constructed [1] - 26:11</p>	<p>constructing [2] - 106:16, 106:19</p> <p>construction [9] - 23:14, 53:6, 73:11, 77:5, 89:2, 94:5, 98:11, 173:2, 249:3</p> <p>consult [1] - 203:5</p> <p>contact [2] - 120:10, 155:18</p> <p>contain [1] - 221:11</p> <p>contained [2] - 238:18, 261:19</p> <p>contemplate [1] - 230:4</p> <p>contemplating [1] - 72:14</p> <p>content [1] - 5:6</p> <p>context [5] - 22:5, 26:17, 27:16, 74:15, 181:5</p> <p>continual [1] - 239:15</p> <p>continuance [1] - 157:19</p> <p>continue [5] - 20:18, 48:10, 68:3, 145:4, 258:10</p> <p>continued [1] - 254:10</p> <p>Continued [2] - 2:19, 3:6</p> <p>continuing [1] - 110:6</p> <p>contractually [1] - 167:12</p> <p>contrary [1] - 180:5</p> <p>contrast [1] - 253:3</p> <p>CONTROL [1] - 268:19</p> <p>control [4] - 63:13, 244:15, 248:19, 249:3</p> <p>convene [1] - 127:1</p> <p>convenience [1] - 201:10</p> <p>convenient [5] - 37:18, 78:19, 96:7, 99:3, 99:6</p> <p>conveniently [1] - 76:4</p> <p>conversation [7] - 110:3, 134:9, 179:1, 181:13, 210:18, 262:15, 262:16</p> <p>conversations [2] - 55:7, 207:9</p> <p>conversions [1] - 105:5</p> <p>convert [4] - 2:12, 20:8, 34:17, 218:14</p> <p>converted [2] - 26:14, 184:2</p> <p>convinced [1] - 212:3</p>	<p>cookies [1] - 16:19</p> <p>cooling [2] - 13:3, 13:5</p> <p>coordinate [1] - 10:2</p> <p>copy [2] - 136:7, 266:6</p> <p>core [2] - 27:5, 81:8</p> <p>corner [15] - 100:2, 111:1, 112:3, 112:4, 113:12, 115:4, 115:7, 118:16, 118:17, 133:15, 139:13, 140:6, 172:2, 178:7, 178:8</p> <p>corners [1] - 112:12</p> <p>cornerstone [1] - 23:2</p> <p>cornices [1] - 242:14</p> <p>cornus [1] - 173:18</p> <p>corporate [3] - 211:14, 211:15, 212:7</p> <p>correct [11] - 65:9, 65:12, 65:17, 125:14, 195:18, 198:12, 198:15, 199:1, 200:1, 200:4, 240:6</p> <p>corrected [1] - 190:18</p> <p>correction [1] - 267:5</p> <p>corrections [2] - 266:12, 267:17</p> <p>correctly [3] - 64:4, 64:5, 64:6</p> <p>correlation [1] - 152:15</p> <p>correspond [3] - 121:14, 219:15, 242:6</p> <p>cost [1] - 180:2</p> <p>cost-prohibitive [1] - 180:2</p> <p>Cottage [1] - 165:16</p> <p>Council [11] - 19:12, 92:4, 94:11, 180:12, 181:1, 184:15, 260:11, 262:8, 263:4, 264:5</p> <p>Council's [1] - 258:5</p> <p>COUNCILLOR [1] - 184:9</p> <p>Councillor [4] - 187:19, 237:17, 247:5, 252:3</p> <p>councillors [1] - 264:12</p> <p>Councillors [3] - 186:19, 224:11, 246:13</p> <p>count [2] - 117:7, 121:12</p> <p>counter [1] - 185:15</p>	<p>counts [4] - 116:17, 198:3, 214:7, 214:8</p> <p>couple [8] - 8:13, 32:8, 39:6, 51:8, 86:10, 116:18, 195:9, 219:6</p> <p>couples [2] - 96:4, 104:6</p> <p>course [9] - 96:18, 99:7, 105:16, 124:12, 149:9, 165:2, 168:1, 176:18, 179:16</p> <p>Court [4] - 98:9, 210:3, 210:6, 210:12</p> <p>courtesy [1] - 92:8</p> <p>courtyard [12] - 96:1, 109:6, 111:5, 112:10, 113:16, 115:9, 115:10, 183:10, 208:17, 212:2, 212:3, 217:4</p> <p>covered [3] - 75:14, 208:9, 253:18</p> <p>Craig [4] - 92:9, 184:11, 188:2, 247:5</p> <p>CRAIG [1] - 184:9</p> <p>cream [1] - 16:18</p> <p>Cream [1] - 17:5</p> <p>create [12] - 3:12, 22:14, 41:4, 93:16, 104:5, 109:4, 109:10, 118:5, 123:4, 137:19, 184:4, 221:12</p> <p>created [5] - 93:10, 94:6, 103:8, 104:4, 199:8</p> <p>creating [5] - 95:14, 108:14, 109:13, 123:10, 140:19</p> <p>creatively [1] - 48:1</p> <p>credit [1] - 252:1</p> <p>creeping [1] - 105:3</p> <p>crime [1] - 65:3</p> <p>criteria [5] - 73:10, 73:12, 80:2, 146:4, 196:1</p> <p>critical [2] - 89:10, 182:11</p> <p>cross [1] - 88:11</p> <p>crostown [1] - 99:3</p> <p>cues [1] - 237:1</p> <p>curb [7] - 100:12, 110:17, 110:18, 111:3, 163:14, 168:15, 172:18</p> <p>curbs [1] - 205:19</p> <p>curious [2] - 197:6,</p>	<p>261:2</p> <p>current [8] - 42:1, 97:19, 99:11, 148:6, 186:4, 186:6, 223:1, 223:2</p> <p>curve [1] - 52:8</p> <p>customers [1] - 43:17</p> <p>cut [6] - 86:13, 87:1, 110:14, 110:17, 111:3, 163:14</p> <p>cuts [3] - 100:12, 110:18, 168:15</p> <hr/> <p style="text-align: center;">D</p> <hr/> <p>daily [2] - 41:8, 186:12</p> <p>damages [1] - 220:12</p> <p>Dash [1] - 1:14</p> <p>DASH [3] - 196:5, 196:7, 262:7</p> <p>data [2] - 119:17, 152:14</p> <p>date [5] - 39:11, 92:1, 260:15, 263:3, 267:6</p> <p>DATE [1] - 267:1</p> <p>daughter [4] - 126:6, 128:8, 131:11, 248:18</p> <p>day-to-day [2] - 41:5, 85:4</p> <p>days [6] - 134:18, 164:9, 254:6, 254:14, 254:16, 264:6</p> <p>daytime [1] - 182:11</p> <p>dead [2] - 171:16, 172:2</p> <p>deadline [1] - 254:3</p> <p>deal [3] - 110:15, 224:13, 238:18</p> <p>dealing [1] - 75:2</p> <p>dearest [1] - 133:12</p> <p>debate [1] - 93:10</p> <p>debated [1] - 103:9</p> <p>December [1] - 93:12</p> <p>decibels [2] - 241:9, 241:10</p> <p>decide [2] - 140:3, 202:11</p> <p>decipher [1] - 224:5</p> <p>decision [8] - 13:8, 84:4, 202:4, 219:17, 254:6, 255:5, 261:17, 264:9</p> <p>decisions [3] - 70:2, 165:19, 239:1</p> <p>deck [6] - 112:9, 171:13, 217:10,</p>
--	---	--	---	--

<p>249:12, 249:16, 249:19</p> <p>decker [3] - 112:12, 147:19, 173:8</p> <p>deckers [13] - 93:18, 101:10, 102:8, 110:6, 112:2, 113:5, 148:13, 160:10, 173:5, 174:6, 217:7, 237:6, 244:4</p> <p>decks [1] - 108:12</p> <p>decrease [2] - 60:4, 74:1</p> <p>decreasing [1] - 243:5</p> <p>deemed [2] - 60:19, 64:8</p> <p>deep [3] - 38:6, 51:8, 114:9</p> <p>default [1] - 183:1</p> <p>defendable [1] - 207:11</p> <p>defensible [1] - 151:6</p> <p>defensiveness [1] - 224:6</p> <p>defer [1] - 229:12</p> <p>deferred [1] - 23:15</p> <p>deferring [1] - 229:15</p> <p>define [1] - 112:13</p> <p>defined [3] - 66:7, 66:8, 240:4</p> <p>defines [2] - 62:5, 100:8</p> <p>defining [1] - 3:10</p> <p>definite [1] - 244:14</p> <p>definitely [3] - 44:19, 51:11, 63:3</p> <p>definition [5] - 58:8, 61:4, 63:6, 84:1, 231:6</p> <p>deliberation [1] - 17:13</p> <p>deliver [1] - 17:8</p> <p>delivered [4] - 266:3, 266:7, 266:8, 266:10</p> <p>demand [3] - 36:2, 37:17, 229:19</p> <p>DENISE [1] - 177:19</p> <p>Denise [1] - 178:1</p> <p>dense [1] - 153:3</p> <p>densities [1] - 238:4</p> <p>density [8] - 3:10, 149:1, 149:4, 163:13, 166:4, 167:3, 188:11, 238:7</p> <p>Department [8] - 77:3, 79:12, 186:19, 207:9, 228:18, 248:19, 266:4,</p>	<p>266:9</p> <p>department [2] - 202:13, 228:10</p> <p>depth [2] - 109:19, 233:19</p> <p>described [2] - 117:17, 251:6</p> <p>design [22] - 14:2, 40:1, 71:16, 74:7, 76:7, 76:10, 78:9, 78:16, 78:18, 107:9, 107:10, 149:9, 165:4, 169:7, 208:17, 209:18, 227:16, 235:8, 240:16, 241:13, 243:8</p> <p>designate [1] - 49:16</p> <p>designed [6] - 104:12, 105:13, 166:13, 206:9, 220:7, 236:7</p> <p>designing [1] - 107:5</p> <p>desirability [1] - 203:11</p> <p>desirable [1] - 206:4</p> <p>desire [2] - 185:2, 206:15</p> <p>desk [1] - 30:12</p> <p>despite [3] - 142:10, 148:4, 148:8</p> <p>detail [5] - 173:16, 192:19, 205:7, 238:16, 241:19</p> <p>details [1] - 242:1</p> <p>determination [3] - 17:17, 73:15, 78:6</p> <p>determine [4] - 74:6, 78:18, 79:4, 196:3</p> <p>detour [1] - 88:8</p> <p>detrimental [1] - 228:12</p> <p>developed [3] - 94:1, 136:16, 145:8</p> <p>developer [10] - 154:17, 155:17, 156:7, 156:11, 156:13, 179:4, 180:6, 209:6, 246:15, 248:15</p> <p>developers [5] - 180:12, 246:17, 247:9, 247:15, 248:11</p> <p>Development [9] - 1:12, 1:13, 2:6, 3:13, 3:13, 92:17, 186:19, 266:3, 266:8</p> <p>development [20] - 45:19, 74:12, 74:19, 94:13, 102:14,</p>	<p>107:18, 142:18, 145:2, 146:3, 146:6, 149:1, 150:5, 150:6, 183:18, 187:13, 195:7, 209:1, 225:2, 234:11, 252:7</p> <p>developments [2] - 185:6, 185:7</p> <p>DeWolfe [1] - 88:6</p> <p>dialogue [7] - 145:5, 208:5, 226:17, 237:13, 237:15, 253:1, 253:2</p> <p>dicey [1] - 224:8</p> <p>Diego [1] - 95:6</p> <p>differ [1] - 57:17</p> <p>difference [2] - 205:10, 242:12</p> <p>differences [1] - 146:11</p> <p>different [21] - 34:8, 46:9, 69:2, 69:9, 82:1, 101:13, 103:3, 141:2, 144:17, 144:18, 190:9, 194:18, 203:19, 205:4, 207:13, 211:11, 234:5, 241:4, 241:18, 246:4, 246:5</p> <p>difficult [10] - 10:6, 17:16, 55:11, 165:18, 166:2, 191:16, 194:8, 228:15, 246:3, 247:7</p> <p>difficulty [2] - 221:1, 228:15</p> <p>dig [1] - 172:5</p> <p>diligence [1] - 57:14</p> <p>dimension [1] - 114:12</p> <p>dimensional [1] - 9:2</p> <p>dine [2] - 22:18, 33:4</p> <p>dining [7] - 26:5, 33:7, 33:11, 33:12, 41:15, 48:7</p> <p>dinosaur [3] - 97:11, 115:11, 210:13</p> <p>Dinosaur [5] - 3:5, 92:16, 147:10, 147:17, 152:3</p> <p>direct [2] - 154:19, 242:9</p> <p>DIRECT [1] - 268:19</p> <p>directed [1] - 205:19</p> <p>direction [4] - 111:1, 200:12, 242:2, 242:3</p> <p>DIRECTION [1] - 268:19</p>	<p>directional [1] - 199:4</p> <p>directions [2] - 191:12, 201:6</p> <p>directly [6] - 98:8, 132:15, 133:7, 133:10, 170:11, 250:9</p> <p>dirt [1] - 55:15</p> <p>disarray [1] - 51:12</p> <p>disburse [1] - 220:3</p> <p>disconnected [1] - 194:4</p> <p>discretion [3] - 184:18, 185:19, 187:5</p> <p>discuss [2] - 14:5, 73:6</p> <p>discussed [1] - 207:6</p> <p>discussion [11] - 12:7, 18:13, 71:5, 82:8, 93:10, 187:15, 209:2, 256:14, 257:1, 258:15, 258:18</p> <p>discussions [2] - 51:8, 154:16</p> <p>dislike [1] - 211:17</p> <p>displaced [1] - 24:13</p> <p>disputed [1] - 215:13</p> <p>distance [6] - 27:10, 63:16, 106:5, 146:12, 185:17, 215:2</p> <p>distances [1] - 242:13</p> <p>distinct [1] - 212:3</p> <p>distributed [1] - 226:9</p> <p>distribution [1] - 267:8</p> <p>district [3] - 28:5, 93:9, 227:9</p> <p>District [7] - 2:13, 3:15, 93:9, 102:11, 110:13, 110:14</p> <p>districts [1] - 184:19</p> <p>disturbance [1] - 184:5</p> <p>dive [1] - 22:2</p> <p>diverse [6] - 95:14, 96:3, 104:5, 123:4, 159:13, 159:18</p> <p>divisions [2] - 242:7, 242:8</p> <p>DO [1] - 267:5</p> <p>dock [1] - 145:15</p> <p>docks [1] - 76:15</p> <p>document [1] - 164:7</p> <p>documenting [1] - 157:18</p> <p>documents [1] - 148:14</p> <p>DOES [1] - 268:18</p>	<p>domestic [1] - 243:2</p> <p>domestically [1] - 48:1</p> <p>DON [1] - 181:18</p> <p>Don [1] - 181:18</p> <p>Donald [3] - 50:7, 50:10, 50:18</p> <p>DONALD [2] - 50:8, 50:17</p> <p>done [14] - 5:1, 102:5, 107:4, 146:17, 151:2, 162:19, 169:3, 196:2, 209:13, 218:17, 234:7, 239:19, 255:11</p> <p>door [17] - 7:1, 7:10, 30:11, 31:4, 97:8, 111:15, 127:12, 154:15, 157:2, 174:2, 215:19, 220:8, 220:18, 232:10, 232:12, 232:13, 232:17</p> <p>doors [3] - 31:15, 68:5, 111:11</p> <p>dorm [6] - 32:12, 41:15, 42:3, 72:6, 72:8</p> <p>dormer [2] - 5:13</p> <p>dormitory [5] - 2:12, 20:9, 21:11, 41:3, 72:1</p> <p>double [3] - 5:13, 31:15, 159:3</p> <p>doubles [3] - 34:9, 34:12, 218:13</p> <p>doubling [1] - 107:16</p> <p>doubt [1] - 155:16</p> <p>doubts [1] - 229:17</p> <p>down [22] - 22:8, 79:16, 84:13, 87:1, 88:6, 101:5, 111:1, 111:4, 112:13, 113:17, 138:7, 159:11, 161:13, 163:8, 171:7, 186:2, 187:11, 197:1, 224:8, 239:3, 239:13, 241:2</p> <p>downzoned [1] - 123:16</p> <p>downzoning [1] - 123:15</p> <p>draw [1] - 45:17</p> <p>drawings [4] - 182:6, 182:9, 241:19, 242:1</p> <p>drifting [1] - 227:2</p> <p>Drive [2] - 12:18, 88:5</p> <p>drive [6] - 28:17,</p>
---	---	---	---	---

<p>30:10, 44:6, 56:12, 56:19, 248:2</p> <p>driveway [6] - 10:8, 10:12, 10:14, 31:16, 192:3, 206:8</p> <p>driveways [3] - 118:3, 168:17, 202:1</p> <p>driving [3] - 56:11, 82:10, 172:18</p> <p>dropped [2] - 105:1, 182:7</p> <p>duct [1] - 35:7</p> <p>due [4] - 57:13, 67:19, 105:4, 149:9</p> <p>Dufton [2] - 92:16, 97:14</p> <p>dug [1] - 128:17</p> <p>Dunster [2] - 25:14, 51:9</p> <p>uplicated [1] - 170:12</p> <p>durable [1] - 78:19</p> <p>during [5] - 13:6, 24:12, 93:1, 182:15, 193:4</p> <p>dwelling [2] - 3:11, 165:17</p> <p>dynamic [1] - 144:7</p>	<p>effectively [1] - 149:4</p> <p>effects [1] - 162:17</p> <p>efficiency [1] - 116:3</p> <p>efficient [1] - 32:19</p> <p>effort [1] - 259:4</p> <p>efforts [2] - 147:10, 147:18</p> <p>eight [5] - 32:4, 32:5, 39:13, 52:17, 105:8</p> <p>either [10] - 6:14, 10:3, 45:4, 100:10, 192:6, 200:12, 236:6, 242:17, 260:6, 264:14</p> <p>elderly [1] - 159:16</p> <p>elders [2] - 96:5, 104:8</p> <p>electric [1] - 98:2</p> <p>electrical [3] - 50:19, 98:1, 116:3</p> <p>element [1] - 112:5</p> <p>elements [2] - 113:18, 230:10</p> <p>elevations [1] - 149:10</p> <p>elevators [2] - 37:7, 72:6</p> <p>eleven [5] - 93:11, 121:11, 246:2, 252:15, 259:17</p> <p>eliminate [2] - 171:19, 211:19</p> <p>Elizabeth [1] - 28:7</p> <p>ELIZABETH [2] - 28:9, 34:6</p> <p>embellishment [1] - 173:19</p> <p>emphasis [3] - 142:16, 151:10, 234:18</p> <p>emphasize [3] - 142:14, 152:13, 165:3</p> <p>employed [2] - 100:13, 136:10</p> <p>employees [3] - 51:19, 84:12, 100:13</p> <p>empty [5] - 95:9, 96:5, 104:7, 141:6, 245:3</p> <p>enable [1] - 38:19</p> <p>enabling [1] - 88:3</p> <p>enclosed [1] - 32:9</p> <p>encompassed [1] - 95:4</p> <p>encourage [6] - 56:14, 93:14, 96:19, 205:18, 225:8, 237:15</p> <p>encouraged [2] - 77:10, 103:15</p>	<p>encourages [1] - 157:10</p> <p>encouraging [1] - 234:11</p> <p>encroaches [1] - 144:9</p> <p>end [14] - 31:12, 90:1, 95:1, 100:16, 103:10, 122:3, 123:8, 148:10, 168:19, 174:6, 204:18, 211:3, 232:14, 239:11</p> <p>ends [1] - 171:16</p> <p>energy [2] - 32:19, 248:8</p> <p>energy-efficient [1] - 32:19</p> <p>enforceability [1] - 205:15</p> <p>enforceable [2] - 200:10, 205:17</p> <p>enforcement [1] - 249:2</p> <p>engage [5] - 23:1, 110:3, 110:5, 115:16, 144:18</p> <p>engaged [2] - 40:17, 113:17</p> <p>engaging [4] - 108:11, 123:19, 232:3, 232:8</p> <p>engineer [3] - 195:15, 219:19, 241:1</p> <p>engineering [2] - 195:8, 252:9</p> <p>enhance [2] - 77:6, 148:3</p> <p>enhanced [1] - 242:9</p> <p>enhancement [1] - 77:14</p> <p>enhances [1] - 201:3</p> <p>ensure [1] - 75:19</p> <p>enter [4] - 37:5, 37:7, 200:11</p> <p>entered [1] - 110:16</p> <p>entering [1] - 111:2</p> <p>enthusiastic [1] - 235:7</p> <p>entitled [1] - 20:16</p> <p>entrance [36] - 28:16, 28:17, 28:19, 29:2, 29:12, 29:13, 29:14, 29:18, 30:5, 30:9, 30:12, 30:15, 30:18, 33:2, 35:19, 36:12, 67:15, 72:3, 75:7, 87:7, 117:19, 118:3, 149:11, 154:3, 154:5, 154:6, 154:18, 171:7,</p>	<p>171:8, 173:19, 174:1, 190:14, 191:5, 191:9, 248:16</p> <p>entrance/exit [1] - 204:16</p> <p>entrances [3] - 37:19, 118:19, 191:6</p> <p>entries [1] - 75:18</p> <p>entry [2] - 36:8, 112:8</p> <p>envelope [2] - 108:17, 116:2</p> <p>environment [3] - 203:7, 244:2, 249:6</p> <p>environmental [2] - 76:8, 129:2</p> <p>environmentally [1] - 124:13</p> <p>envision [2] - 77:4, 186:5</p> <p>envisioned [1] - 107:15</p> <p>envisioning [1] - 109:5</p> <p>envisions [1] - 43:13</p> <p>equally [1] - 209:17</p> <p>equipment [3] - 32:16, 76:11, 249:7</p> <p>Erie [4] - 121:16, 142:5, 145:9, 178:9</p> <p>ERRATA [3] - 266:1, 266:17, 267:3</p> <p>Errata [4] - 266:2, 266:5, 266:13, 267:7</p> <p>errata [1] - 267:6</p> <p>esoteric [1] - 47:1</p> <p>especially [2] - 133:11, 203:17</p> <p>essentially [1] - 191:12</p> <p>Essex [1] - 162:13</p> <p>established [2] - 22:13, 112:6</p> <p>et [1] - 3:8</p> <p>evaluate [1] - 196:10</p> <p>evaluated [1] - 207:6</p> <p>evening [19] - 4:2, 20:4, 20:16, 20:18, 50:8, 92:14, 121:13, 124:15, 153:16, 158:14, 158:17, 158:18, 162:10, 177:19, 179:6, 184:10, 257:1, 258:19, 259:7</p> <p>evenings [1] - 65:1</p> <p>event [4] - 44:5, 81:10, 83:13, 83:15</p> <p>events [8] - 12:15, 44:3, 44:5, 55:18,</p>	<p>72:16, 76:13, 81:7, 82:1</p> <p>everyday [1] - 83:7</p> <p>everywhere [1] - 162:1</p> <p>evidence [1] - 79:7</p> <p>exact [1] - 39:11</p> <p>exactly [11] - 32:3, 47:7, 47:10, 47:16, 54:1, 55:15, 84:14, 85:11, 102:19, 213:11, 242:7</p> <p>example [3] - 25:3, 121:16, 240:16</p> <p>examples [1] - 144:11</p> <p>excavate [1] - 183:10</p> <p>exceed [1] - 117:13</p> <p>excellent [1] - 253:13</p> <p>except [5] - 76:12, 153:3, 174:6, 251:4, 267:16</p> <p>exception [2] - 156:1, 156:16</p> <p>excess [2] - 49:13, 250:14</p> <p>excited [1] - 95:14</p> <p>exclusively [1] - 21:17</p> <p>excuse [6] - 34:4, 118:7, 119:4, 127:15, 134:8, 169:4</p> <p>exhaust [4] - 35:9, 145:13, 222:6</p> <p>exhausted [1] - 225:15</p> <p>exist [3] - 4:12, 32:9, 118:4</p> <p>existing [20] - 2:12, 4:16, 6:13, 20:8, 28:12, 30:16, 38:8, 74:11, 110:17, 111:2, 113:5, 114:6, 114:12, 145:1, 146:5, 148:15, 182:7, 221:5, 232:3, 247:1</p> <p>exists [1] - 131:3</p> <p>exit [1] - 200:11</p> <p>expanded [2] - 33:8, 33:9</p> <p>expanding [1] - 36:3</p> <p>expansion [3] - 77:9, 77:14, 137:18</p> <p>expect [4] - 42:11, 42:18, 81:9, 117:6</p> <p>expected [1] - 79:6</p> <p>expecting [1] - 145:4</p> <p>expensive [1] - 54:18</p> <p>experience [7] - 23:3, 70:17, 132:3,</p>
<p style="text-align: center;">E</p> <p>E-c-c-l-e-s [1] - 132:13</p> <p>e-c-c-l-e-s [1] - 168:9</p> <p>e-mails [1] - 156:4</p> <p>early [2] - 23:7, 95:8</p> <p>easement [1] - 6:19</p> <p>easier [2] - 193:8, 194:10</p> <p>easily [2] - 183:9, 200:2</p> <p>east [2] - 28:3, 29:14</p> <p>East [1] - 173:6</p> <p>easy [2] - 104:1, 253:10</p> <p>eave [1] - 173:17</p> <p>Eccles [4] - 132:11, 132:13, 168:7, 168:8</p> <p>ECCLES [4] - 132:12, 134:11, 136:2, 168:6</p> <p>echo [1] - 237:5</p> <p>edge [4] - 97:18, 108:8, 109:12, 114:7</p> <p>edges [2] - 109:15, 115:14</p> <p>Edmund [1] - 164:4</p> <p>effective [1] - 55:3</p>				

<p>136:12, 155:15, 158:13, 175:19 experiencing [1] - 52:5 expert [1] - 261:9 expertise [3] - 185:13, 185:14, 185:15 Expires [1] - 268:16 expiring [1] - 254:3 explain [3] - 14:18, 25:2, 126:2 explained [1] - 21:7 explanation [1] - 89:13 explicitly [1] - 231:14 express [3] - 68:1, 146:3, 242:3 expressed [3] - 228:5, 228:13, 229:12 expression [4] - 112:2, 112:10, 113:11, 115:4 expressions [2] - 251:6, 251:8 extend [4] - 97:6, 108:12, 254:4, 263:10 extended [1] - 222:12 extending [1] - 107:15 extension [5] - 115:9, 255:1, 255:4, 256:4, 256:6 extensions [1] - 255:9 extensive [1] - 227:11 extensively [1] - 31:9 extent [8] - 36:7, 62:18, 63:9, 87:10, 89:6, 165:16, 216:6, 233:15 exterior [4] - 21:19, 29:5, 35:18, 36:11 extremely [1] - 67:8 exuberant [1] - 173:10 eye [2] - 17:2, 231:2 eyes [1] - 87:15 EZ [1] - 99:1</p>	<p>facility [16] - 42:19, 44:18, 45:11, 54:18, 55:9, 55:10, 56:7, 56:17, 58:15, 60:14, 65:3, 72:12, 83:15, 84:16, 145:10, 245:6 fact [22] - 16:16, 38:1, 63:11, 63:13, 86:9, 89:18, 104:19, 110:11, 111:2, 114:11, 134:4, 137:2, 176:11, 188:8, 200:11, 201:16, 213:1, 224:16, 224:17, 232:9, 240:9, 254:8 factory [2] - 160:13, 235:10 factory-like [1] - 235:10 facts [1] - 261:9 faculty [4] - 44:5, 51:19, 55:17, 81:11 fair [3] - 127:3, 131:5, 134:16 fairly [4] - 14:3, 109:14, 122:1, 243:16 fairness [2] - 260:4, 260:5 faith [1] - 156:17 fall [2] - 45:15, 80:9 familiar [1] - 235:18 families [9] - 95:17, 95:18, 104:7, 131:1, 159:10, 161:14, 165:4, 177:11, 180:15 family [17] - 5:16, 5:17, 8:11, 8:12, 9:5, 9:7, 9:8, 106:15, 127:18, 135:10, 157:10, 161:6, 162:3, 218:18, 225:7, 250:4, 252:6 family-sized [1] - 161:6 fans [4] - 219:18, 220:1, 220:4, 220:7 fantastic [1] - 172:15 FAR [5] - 214:7, 214:8, 250:19, 251:13 far [7] - 47:4, 57:6, 85:19, 117:15, 130:15, 175:7, 239:11 farm [2] - 232:12, 232:13</p>	<p>farmer's [1] - 15:1 fashioned [1] - 157:8 fast [1] - 15:3 father [1] - 126:3 Favor [1] - 256:18 favor [10] - 12:8, 18:15, 70:15, 89:5, 91:4, 91:7, 147:9, 149:9, 256:15, 261:1 favorably [1] - 106:13 Fawcett [1] - 152:10 feasible [1] - 75:10 features [1] - 116:1 February [1] - 94:17 fee [7] - 43:6, 43:15, 54:2, 59:1, 62:7, 63:8, 182:17 feelings [1] - 202:15 feet [33] - 7:6, 23:5, 100:14, 105:14, 106:1, 106:2, 106:4, 106:19, 108:6, 108:9, 108:19, 109:1, 109:2, 109:3, 109:17, 109:19, 110:10, 110:19, 114:10, 114:14, 152:5, 154:7, 172:12, 173:9, 213:9, 220:2, 220:4, 242:14, 243:11, 243:14, 243:15, 247:13, 250:14 Fellow [1] - 20:7 fellow [3] - 86:7, 251:3, 251:11 Fellows [1] - 2:15 felt [4] - 7:16, 11:10, 36:6, 107:13 fence [3] - 37:2, 210:19, 211:1 Fenway [1] - 137:15 few [9] - 13:9, 21:18, 24:13, 89:19, 126:9, 142:16, 170:14, 239:14, 244:16 fewer [7] - 192:9, 218:16, 229:9, 230:2, 230:4, 230:16, 230:17 fewest [1] - 89:18 fide [2] - 83:17, 253:1 figure [5] - 55:12, 103:12, 187:1, 230:19, 250:10 figured [1] - 81:17 filed [4] - 261:8, 263:13, 263:15, 263:17 filing [1] - 254:6</p>	<p>fill [1] - 30:6 filling [1] - 31:3 final [3] - 157:19, 251:15, 264:11 finally [4] - 35:4, 36:19, 183:13, 251:15 finance [1] - 243:11 financing [1] - 262:6 findings [5] - 71:8, 73:8, 77:17, 80:1, 90:8 fine [5] - 21:2, 38:14, 44:17, 44:19, 230:12 finishes [2] - 34:19, 80:3 fire [2] - 202:1, 202:12 firm [1] - 151:2 firmly [1] - 148:7 First [2] - 127:6, 152:7 first [31] - 4:4, 6:3, 8:14, 10:4, 12:19, 24:6, 25:13, 25:16, 29:16, 33:1, 33:12, 37:6, 70:13, 92:18, 93:14, 94:4, 97:10, 98:1, 108:19, 125:16, 125:18, 128:1, 128:10, 154:2, 165:13, 170:9, 195:14, 200:13, 200:19, 246:11, 253:4 fit [7] - 10:14, 49:17, 149:8, 159:12, 160:7, 161:2, 186:6 fits [2] - 165:1, 186:10 fitting [1] - 164:10 Fittings [1] - 184:1 five [10] - 34:14, 91:11, 95:9, 98:14, 101:1, 106:6, 110:18, 110:19, 157:13, 247:10 fix [2] - 187:2, 220:13 fixtures [1] - 116:4 flabbergasting [1] - 52:18 flair [1] - 235:15 flash [1] - 13:15 flat [1] - 13:14 flatness [1] - 236:19 flaxseed [1] - 17:6 flexibility [18] - 21:13, 35:15, 42:10, 43:2, 54:9, 56:4, 56:7, 57:4, 57:19, 58:1, 59:8, 60:11, 60:13, 68:9, 68:10, 72:12, 84:6, 84:19</p>	<p>flip [2] - 29:15, 144:2 floor [13] - 8:14, 29:16, 33:1, 33:12, 33:15, 33:17, 33:19, 34:1, 34:15, 35:2, 35:3, 37:6, 53:6 Floor [1] - 1:5 floors [2] - 75:14, 75:16 flip [1] - 29:15 flow [3] - 30:1, 239:12, 248:9 flyers [1] - 156:4 focus [3] - 39:19, 168:10, 235:3 focusing [1] - 84:16 focussed [1] - 33:3 fold [1] - 93:13 folks [8] - 61:6, 132:3, 180:5, 223:3, 230:5, 231:15, 231:17, 232:9 follow [4] - 47:6, 123:13, 204:4, 219:6 follow-up [1] - 204:4 followed [2] - 13:13, 13:14 Following [1] - 2:19 following [1] - 31:17 follows [1] - 3:9 food [1] - 15:3 Foods [1] - 99:8 foot [4] - 16:6, 26:12, 242:13, 243:7 footage [3] - 160:1, 161:9, 230:18 FOR [1] - 1:2 FOREGOING [1] - 268:17 foregoing [1] - 267:16 foremost [1] - 128:10 foreseeable [1] - 13:9 Forest [3] - 162:16, 163:5, 163:6 forget [2] - 196:4, 223:17 form [6] - 3:10, 19:14, 19:15, 145:5, 148:6, 188:11 formal [1] - 109:6 formally [3] - 18:7, 96:10, 258:8 former [2] - 100:3, 101:18 formerly [1] - 26:8 Fort [1] - 135:16 forth [8] - 74:8, 86:4, 160:6, 185:18, 227:7, 228:7, 248:13, 268:9</p>
F				
<p>fabric [2] - 246:19, 247:1 facade [1] - 235:9 facades [1] - 173:4 faced [1] - 247:8 faces [1] - 4:19 facilitate [1] - 89:10 facilities [4] - 25:11, 26:4, 26:7, 54:16</p>				

<p>fortunately ^[1] - 218:10</p> <p>forward ^[13] - 20:17, 21:1, 42:7, 52:9, 52:11, 69:19, 89:15, 107:11, 138:10, 168:5, 180:13, 190:5, 253:14</p> <p>four ^[17] - 33:4, 94:2, 97:2, 101:6, 101:9, 102:8, 103:2, 104:7, 154:7, 171:16, 213:1, 216:11, 218:7, 220:16, 222:5, 248:2, 248:14</p> <p>four-bedroom ^[1] - 218:7</p> <p>four-story ^[9] - 33:4, 94:2, 97:2, 101:6, 101:9, 102:8, 216:11, 220:16, 222:5</p> <p>fourth ^[2] - 34:1, 35:2</p> <p>frankly ^[4] - 123:8, 175:8, 229:5, 230:1</p> <p>free ^[2] - 9:10, 264:6</p> <p>freestanding ^[1] - 4:11</p> <p>Fresh ^[1] - 152:11</p> <p>fresh ^[1] - 260:7</p> <p>friction ^[5] - 231:10, 231:11, 231:12, 233:3, 233:16</p> <p>friendly ^[1] - 75:1</p> <p>friends ^[2] - 128:4, 176:19</p> <p>FROM ^[2] - 207:17, 208:6</p> <p>front ^[24] - 5:14, 6:6, 7:4, 7:10, 7:13, 7:15, 8:19, 52:19, 72:3, 86:12, 86:17, 97:8, 111:11, 133:19, 159:2, 168:17, 173:9, 178:6, 178:12, 211:16, 212:1, 212:7, 216:3</p> <p>fronts ^[1] - 108:10</p> <p>frozen ^[1] - 17:4</p> <p>full ^[11] - 25:13, 25:14, 25:16, 25:17, 26:2, 51:15, 54:9, 72:15, 140:8, 182:9, 260:7</p> <p>full-time ^[1] - 72:15</p> <p>fully ^[3] - 23:1, 23:13, 48:14</p> <p>Fulmore ^[11] - 97:7, 101:8, 101:14,</p>	<p>107:14, 112:16, 149:5, 151:7, 153:2, 159:3, 187:13, 188:8</p> <p>function ^[4] - 41:15, 41:16, 43:16, 54:13</p> <p>functional ^[2] - 29:11, 152:19</p> <p>functioning ^[2] - 33:10, 54:5</p> <p>functions ^[2] - 32:10, 33:10</p> <p>funny ^[1] - 53:17</p> <p>future ^[9] - 13:9, 21:15, 56:8, 70:2, 148:15, 164:8, 232:5, 233:6, 248:14</p>	<p>95:15, 104:5, 123:5, 159:14, 209:19, 222:19</p> <p>gentleman ^[1] - 139:17</p> <p>George ^[1] - 184:11</p> <p>gesture ^[1] - 112:11</p> <p>giant ^[3] - 157:1, 246:16, 248:5</p> <p>given ^[13] - 41:2, 47:12, 78:12, 116:15, 152:12, 186:7, 186:8, 189:3, 201:13, 211:12, 214:12, 216:19, 226:7</p> <p>glad ^[1] - 135:2</p> <p>glass ^[3] - 31:1, 31:4</p> <p>glitzy ^[1] - 169:11</p> <p>goal ^[2] - 69:16, 93:12</p> <p>goals ^[2] - 104:4, 123:14</p> <p>God ^[1] - 239:12</p> <p>gonna ^[2] - 129:3, 134:4</p> <p>Google ^[1] - 169:11</p> <p>grade ^[2] - 76:18, 100:11</p> <p>grading ^[1] - 115:15</p> <p>grant ^[2] - 70:18, 80:4</p> <p>granted ^[6] - 14:13, 48:13, 90:10, 90:12, 146:9, 149:8</p> <p>granting ^[1] - 78:4</p> <p>graphically ^[1] - 146:14</p> <p>grass ^[2] - 109:13, 110:2</p> <p>greasy ^[2] - 135:12, 135:14</p> <p>great ^[17] - 89:4, 94:7, 99:1, 104:16, 129:4, 156:7, 156:15, 156:16, 157:7, 176:9, 211:9, 212:5, 228:13, 238:16, 239:16, 241:10, 245:15</p> <p>Greater ^[1] - 51:1</p> <p>greater ^[1] - 72:9</p> <p>greatest ^[1] - 42:10</p> <p>Greek ^[1] - 160:9</p> <p>green ^[17] - 10:9, 10:10, 27:2, 100:18, 107:17, 122:4, 122:7, 147:19, 151:13, 153:4, 159:2, 175:4, 210:2, 210:7, 211:8, 211:12, 244:8</p> <p>Green ^[13] - 94:2,</p>	<p>97:19, 98:7, 98:19, 102:1, 110:10, 114:8, 120:10, 120:18, 133:14, 141:4, 141:9, 235:11</p> <p>GROSSMAN ^[1] - 181:18</p> <p>Grossman ^[1] - 181:18</p> <p>ground ^[4] - 75:14, 75:15, 124:4, 128:16</p> <p>group ^[3] - 129:12, 252:9, 264:14</p> <p>groups ^[1] - 159:8</p> <p>Grove ^[18] - 3:4, 3:6, 91:17, 99:15, 99:17, 106:4, 108:14, 111:1, 111:12, 111:15, 113:19, 151:11, 188:14, 213:5, 213:8, 215:10, 241:6, 244:8</p> <p>growing ^[1] - 104:13</p> <p>growth ^[2] - 148:14, 164:7</p> <p>guarantee ^[1] - 167:16</p> <p>guard ^[2] - 72:3, 87:9</p> <p>guess ^[16] - 5:17, 15:15, 20:12, 45:5, 61:3, 83:8, 126:19, 189:19, 193:19, 200:12, 208:15, 212:18, 229:13, 257:3, 259:5, 263:3</p> <p>guest ^[5] - 47:11, 48:6, 177:4, 244:5, 244:9</p> <p>guests ^[6] - 28:19, 30:12, 118:12, 118:13, 177:3, 244:11</p> <p>guidelines ^[1] - 75:13</p> <p>guys ^[5] - 52:9, 156:8, 156:18, 157:3, 189:9</p>	<p>Hall ^[2] - 1:6, 24:10</p> <p>hall ^[2] - 26:5, 33:11</p> <p>hand ^[5] - 12:11, 28:6, 50:15, 232:15, 268:11</p> <p>handicap ^[1] - 172:14</p> <p>handled ^[1] - 76:14</p> <p>hands ^[5] - 12:9, 18:16, 18:17, 156:3, 260:18</p> <p>hands ^[3] - 91:5, 256:16, 257:8</p> <p>handy ^[1] - 208:10</p> <p>happy ^[5] - 20:19, 39:4, 182:13, 183:9, 211:2</p> <p>hard ^[9] - 36:3, 39:2, 56:13, 86:2, 193:7, 206:11, 210:15, 240:3, 245:9</p> <p>harder ^[1] - 141:10</p> <p>hardly ^[1] - 168:18</p> <p>hardscape ^[1] - 109:10</p> <p>Harvard ^[48] - 2:12, 2:13, 2:15, 20:5, 20:9, 21:6, 22:7, 22:12, 24:3, 24:14, 25:17, 25:19, 26:2, 26:11, 26:18, 27:3, 27:5, 27:18, 28:5, 31:12, 45:10, 47:14, 48:18, 51:4, 52:19, 54:6, 55:14, 55:16, 56:10, 56:15, 56:19, 61:6, 63:17, 67:14, 68:3, 68:11, 82:10, 83:14, 85:14, 86:2, 86:17, 88:10, 89:17, 90:1, 178:1, 207:12, 242:10, 253:5</p> <p>Harvey ^[4] - 165:11, 165:15, 235:16, 235:18</p> <p>HAWKINSON ^[6] - 167:8, 260:10, 263:9, 263:12, 263:18, 264:3</p> <p>Hawkinson ^[1] - 167:8</p> <p>hazard ^[1] - 150:2</p> <p>head ^[3] - 198:6, 198:11, 226:2</p> <p>health ^[6] - 128:16, 129:6, 221:2, 234:4, 234:7, 234:9</p> <p>hear ^[8] - 47:3, 50:2, 229:14, 233:18, 238:11, 258:14, 259:2, 264:8</p> <p>heard ^[15] - 4:7, 53:3,</p>
G		H		
			<p>H-a-a-s ^[1] - 174:13</p> <p>HAAS ^[1] - 174:12</p> <p>Haas ^[1] - 174:13</p> <p>hair ^[1] - 92:19</p> <p>half ^[12] - 7:5, 24:7, 24:10, 24:17, 24:18, 24:19, 88:7, 88:12, 93:11, 111:7, 113:14, 122:6</p>	

<p>159:9, 179:5, 179:7, 179:9, 185:10, 188:13, 207:1, 227:5, 228:17, 241:12, 247:9, 252:5, 262:18</p> <p>hearing [17] - 12:17, 19:6, 52:17, 91:18, 145:4, 156:10, 157:15, 183:14, 238:1, 253:14, 254:19, 255:3, 258:9, 260:2, 260:7, 260:17, 264:7</p> <p>HEARINGS [1] - 2:10</p> <p>hearings [3] - 13:1, 13:17, 259:7</p> <p>heart [2] - 62:17, 142:13</p> <p>heating [2] - 13:3, 248:9</p> <p>heating's [1] - 13:4</p> <p>heavily [2] - 102:4, 227:10</p> <p>heavy [1] - 36:2</p> <p>height [14] - 74:12, 105:19, 108:18, 110:6, 110:15, 112:8, 113:10, 130:18, 142:8, 143:16, 224:17, 227:12, 251:1, 251:14</p> <p>heights [2] - 238:5, 238:7</p> <p>held [2] - 96:15, 261:5</p> <p>hello [2] - 28:9, 174:12</p> <p>help [4] - 80:7, 128:3, 186:19, 234:14</p> <p>helpful [2] - 236:13, 240:3</p> <p>hereby [1] - 267:17</p> <p>hereinbefore [1] - 268:9</p> <p>hereunto [1] - 268:11</p> <p>hesitate [1] - 92:19</p> <p>HHH [1] - 154:4</p> <p>hi [1] - 132:12</p> <p>Hi [1] - 168:6</p> <p>high [5] - 116:2, 143:18, 145:9, 145:12, 176:2</p> <p>high-intensity [2] - 143:18, 145:9</p> <p>higher [6] - 37:15, 194:9, 196:16, 210:5, 222:9, 224:17</p> <p>highlighted [1] - 35:5</p> <p>highly [5] - 104:16,</p>	<p>138:1, 155:16, 176:13, 201:7</p> <p>highly-skilled [1] - 104:16</p> <p>Hill [1] - 163:5</p> <p>himself [1] - 130:11</p> <p>hire [1] - 241:1</p> <p>historic [1] - 97:14</p> <p>Historical [3] - 22:1, 36:5, 74:17</p> <p>historical [1] - 74:15</p> <p>history [2] - 135:10, 160:8</p> <p>hold [3] - 47:7, 156:19, 262:1</p> <p>hole [1] - 172:6</p> <p>home [3] - 175:7, 180:16, 180:17</p> <p>homemade [2] - 16:17, 17:5</p> <p>homes [1] - 113:10</p> <p>honest [1] - 147:8</p> <p>honestly [1] - 186:14</p> <p>Hong [1] - 244:2</p> <p>honored [1] - 213:3</p> <p>hope [13] - 23:9, 38:17, 52:9, 86:19, 94:15, 97:1, 106:12, 123:3, 124:10, 138:5, 187:4, 198:8, 206:14</p> <p>hoped [1] - 103:18</p> <p>hopefully [3] - 51:17, 177:11, 198:11</p> <p>hopes [1] - 262:8</p> <p>hoping [3] - 16:16, 124:9, 188:4</p> <p>horrible [1] - 171:14</p> <p>host [1] - 72:16</p> <p>hot [3] - 16:6, 16:17, 16:18</p> <p>hotel [14] - 2:12, 21:9, 26:13, 40:6, 41:2, 41:14, 42:6, 47:11, 48:5, 48:7, 54:4, 54:5, 77:12</p> <p>Hotel [1] - 20:9</p> <p>hour [8] - 43:17, 117:9, 175:4, 196:17, 197:2, 197:12, 197:19, 198:1</p> <p>hours [2] - 48:17, 232:2</p> <p>hours' [1] - 134:3</p> <p>House [6] - 25:4, 25:14, 51:7, 51:9, 51:16, 242:9</p> <p>house [38] - 6:12, 6:13, 7:10, 7:15, 8:11, 8:12, 8:16,</p>	<p>21:11, 22:12, 24:4, 24:7, 24:10, 24:18, 24:19, 25:3, 25:7, 25:11, 25:14, 25:16, 25:17, 25:18, 26:3, 26:5, 26:6, 27:8, 27:13, 30:2, 31:2, 33:15, 34:8, 73:3, 81:1, 81:4, 127:19, 133:15, 134:1</p> <p>household [1] - 119:19</p> <p>households [1] - 120:3</p> <p>houses [16] - 7:12, 22:7, 22:8, 22:9, 22:16, 23:4, 23:9, 24:11, 27:4, 37:17, 39:2, 51:10, 108:3, 130:7, 160:18, 181:7</p> <p>housing [24] - 3:4, 74:14, 77:10, 93:14, 93:15, 96:19, 97:15, 103:16, 103:17, 105:1, 108:1, 140:16, 142:9, 160:9, 164:19, 165:3, 179:15, 185:2, 185:3, 196:14, 225:7, 225:8, 225:11, 226:3</p> <p>Howard/Stein [3] - 116:7, 116:10, 252:8</p> <p>Howard/Stein-Hudson [3] - 116:7, 116:10, 252:8</p> <p>hub [1] - 26:2</p> <p>Hudson [3] - 116:7, 116:10, 252:8</p> <p>hug [1] - 156:14</p> <p>huge [3] - 55:16, 56:19, 241:1</p> <p>HUGH [114] - 4:2, 5:5, 5:11, 6:8, 6:17, 7:2, 7:9, 8:1, 8:4, 10:5, 10:17, 11:1, 11:4, 11:6, 11:9, 11:14, 12:1, 12:4, 12:6, 12:10, 14:4, 15:15, 16:9, 17:12, 18:7, 18:12, 18:18, 19:2, 91:14, 92:10, 119:4, 119:8, 124:16, 125:2, 125:10, 126:11, 126:14, 127:7, 131:10, 132:11, 136:5, 138:15, 139:1, 141:18, 142:19,</p>	<p>143:7, 146:19, 147:3, 147:13, 150:13, 153:11, 158:6, 162:8, 163:19, 167:6, 168:4, 170:3, 174:10, 177:16, 181:16, 184:8, 187:6, 189:15, 189:18, 190:15, 190:19, 196:19, 197:5, 197:10, 197:13, 197:16, 198:13, 198:16, 199:15, 199:18, 200:2, 200:18, 208:4, 208:7, 208:15, 212:12, 212:16, 215:7, 219:5, 225:15, 226:11, 227:2, 236:9, 240:15, 253:16, 253:19, 254:16, 255:8, 255:18, 256:4, 256:9, 256:11, 256:14, 256:17, 256:19, 257:9, 257:17, 258:4, 258:11, 259:5, 260:12, 260:19, 261:7, 262:4, 263:2, 263:7, 263:11, 263:14, 264:5</p> <p>Hugh [1] - 1:8</p> <p>hundreds [1] - 152:5</p> <p>hung [1] - 5:13</p> <p>Huntington [1] - 92:14</p> <p>HVAC [1] - 184:4</p> <p>hydrants [1] - 202:1</p>	<p>illusion [1] - 129:19</p> <p>images [1] - 112:19</p> <p>immediately [1] - 143:19</p> <p>impact [11] - 73:16, 74:5, 116:12, 117:16, 176:6, 178:10, 186:11, 195:1, 206:12, 218:19, 228:12</p> <p>impacted [1] - 221:6</p> <p>impacts [4] - 62:19, 76:8, 196:13, 196:14</p> <p>implemented [1] - 207:5</p> <p>implications [2] - 38:11, 40:11</p> <p>implicit [1] - 231:16</p> <p>implying [1] - 44:16</p> <p>important [9] - 27:10, 36:10, 37:12, 67:8, 73:4, 87:6, 151:14, 209:17, 211:5</p> <p>importantly [1] - 123:12</p> <p>impose [1] - 195:7</p> <p>imposed [1] - 90:18</p> <p>imposing [1] - 49:14</p> <p>imposition [1] - 168:2</p> <p>impressed [1] - 165:11</p> <p>impression [1] - 166:19</p> <p>improve [2] - 189:7, 189:9</p> <p>IN [1] - 268:11</p> <p>in-filling [1] - 31:3</p> <p>inaccurate [1] - 157:16</p> <p>inaudible [4] - 7:2, 95:7, 215:1, 260:11</p> <p>inaudible) [2] - 34:12, 104:1</p> <p>INC [1] - 1:17</p> <p>incentive [1] - 185:4</p> <p>incentives [1] - 103:17</p> <p>incentivize [1] - 194:18</p> <p>inclined [3] - 49:15, 229:11, 230:3</p> <p>include [1] - 3:14</p> <p>included [2] - 103:17, 207:18</p> <p>including [3] - 95:18, 105:7, 193:2</p> <p>income [6] - 95:18, 130:6, 130:7, 130:10, 130:12, 245:5</p>
I				
<p>I-s-a-b-e-I [1] - 168:10</p> <p>i.e [1] - 83:3</p> <p>ice [1] - 17:4</p> <p>icon [2] - 98:4, 107:4</p> <p>idea [9] - 129:7, 133:2, 173:4, 181:10, 207:2, 211:8, 212:5, 221:8, 241:5</p> <p>ideal [1] - 230:8</p> <p>ideas [1] - 144:17</p> <p>identical [1] - 35:3</p> <p>identifiable [1] - 148:17</p> <p>ignores [1] - 163:9</p> <p>ignoring [1] - 163:5</p> <p>II [1] - 98:12</p>				

<p>inconsistent [1] - 233:7</p> <p>incorporate [2] - 190:11, 208:2</p> <p>incorporating [1] - 116:1</p> <p>increase [6] - 3:9, 53:6, 60:3, 74:3, 103:18, 142:8</p> <p>incredible [2] - 60:13, 107:4</p> <p>incredibly [5] - 54:18, 55:3, 55:11, 63:17, 99:5</p> <p>incurring [1] - 225:10</p> <p>indeed [3] - 216:12, 224:3, 225:8</p> <p>independence [1] - 262:3</p> <p>independent [1] - 261:16</p> <p>Index [1] - 3:17</p> <p>indicate [1] - 266:12</p> <p>indicated [3] - 76:12, 118:15, 195:9</p> <p>indication [1] - 252:19</p> <p>indications [1] - 36:5</p> <p>indifferent [1] - 205:11</p> <p>individual [1] - 236:3</p> <p>individuals [1] - 221:11</p> <p>indoor [1] - 124:6</p> <p>industrial [12] - 93:19, 100:3, 142:17, 143:18, 144:9, 145:9, 183:17, 214:13, 216:5, 227:15, 227:19, 250:12</p> <p>inferior [1] - 204:11</p> <p>inform [2] - 70:3, 156:2</p> <p>information [4] - 70:3, 128:12, 146:10, 216:19</p> <p>infrastructure [1] - 77:1</p> <p>initial [1] - 93:1</p> <p>inline [1] - 220:4</p> <p>inn [4] - 28:12, 28:15, 33:3, 53:18</p> <p>Inn [7] - 2:12, 20:5, 20:8, 26:1, 67:14, 86:3, 89:17</p> <p>input [2] - 179:3, 262:9</p> <p>inquire [1] - 50:3</p> <p>inside [2] - 211:1, 242:4</p>	<p>instance [3] - 83:13, 235:12, 239:10</p> <p>instead [4] - 7:6, 118:3, 126:15, 251:8</p> <p>institution [1] - 59:13</p> <p>institutional [21] - 26:15, 40:2, 40:9, 43:10, 45:12, 45:13, 46:3, 59:2, 59:5, 59:6, 59:19, 60:1, 60:3, 60:5, 60:8, 60:9, 60:10, 60:12, 65:15, 83:2, 83:17</p> <p>institutionally [1] - 57:7</p> <p>institutionally-related [1] - 57:7</p> <p>INSTRUCTIONS [3] - 266:1, 266:11, 267:4</p> <p>instructions [1] - 267:8</p> <p>insufficient [1] - 91:19</p> <p>integrate [1] - 170:19</p> <p>integrated [2] - 72:6, 162:17</p> <p>integrity [1] - 166:17</p> <p>intellectual [1] - 22:15</p> <p>intend [7] - 39:16, 40:6, 54:11, 68:18, 85:17, 85:18, 115:19</p> <p>intended [4] - 26:3, 26:13, 79:1, 216:1</p> <p>intending [1] - 83:2</p> <p>intends [1] - 42:9</p> <p>intense [2] - 145:16, 188:15</p> <p>intensity [2] - 143:18, 145:9</p> <p>intent [6] - 57:16, 61:9, 102:14, 224:1, 225:6, 242:2</p> <p>intention [3] - 45:1, 82:13, 82:16</p> <p>intentions [1] - 176:2</p> <p>interact [1] - 144:4</p> <p>interest [2] - 89:8, 180:8</p> <p>interested [6] - 11:11, 15:14, 54:19, 210:7, 212:18, 268:7</p> <p>interesting [6] - 101:3, 110:11, 182:6, 235:4, 237:2, 237:3</p> <p>interestingly [1] - 98:18</p> <p>interests [1] - 103:4</p>	<p>interfere [2] - 16:10, 16:15</p> <p>interim [1] - 87:16</p> <p>interior [3] - 21:18, 33:3, 35:18</p> <p>interiors [1] - 32:17</p> <p>intersect [1] - 233:3</p> <p>intersection [2] - 88:9</p> <p>introduce [2] - 107:3, 116:6</p> <p>introduction [1] - 98:5</p> <p>inventory [8] - 43:11, 45:4, 45:8, 45:11, 47:17, 49:5, 77:9</p> <p>investment [1] - 144:16</p> <p>inviting [4] - 109:14, 151:5, 169:9, 186:16</p> <p>involve [2] - 144:5, 144:19</p> <p>involved [2] - 220:15, 249:14</p> <p>involves [1] - 162:19</p> <p>involving [1] - 20:5</p> <p>ISABEL [1] - 168:6</p> <p>Isabel [2] - 168:7, 168:9</p> <p>island [1] - 206:11</p> <p>issue [35] - 13:5, 45:5, 53:14, 61:7, 71:15, 84:11, 128:18, 128:19, 129:9, 129:14, 129:16, 176:10, 183:1, 183:12, 183:14, 190:13, 193:14, 194:2, 194:16, 205:15, 214:14, 215:10, 216:4, 217:18, 222:1, 226:16, 229:16, 230:13, 231:4, 231:5, 233:18, 234:5, 238:15, 252:11, 263:10</p> <p>issued [2] - 68:8, 261:4</p> <p>issues [21] - 13:3, 23:16, 110:15, 128:10, 128:16, 129:2, 144:12, 188:12, 190:1, 211:4, 215:11, 217:9, 217:10, 231:12, 234:3, 238:3, 241:13, 250:11, 253:4, 260:10</p> <p>IT [1] - 116:14</p>	<p>item [8] - 4:4, 14:5, 19:5, 91:15, 121:2, 182:4, 256:7, 257:1</p> <p>items [1] - 224:14</p> <p>itself [5] - 29:7, 33:3, 206:13, 266:14, 267:6</p> <p style="text-align: center;">J</p> <p>JAMES [2] - 261:15, 262:5</p> <p>jaundiced [1] - 231:1</p> <p>Jeff [2] - 1:15, 138:16</p> <p>Jeffrey [1] - 19:10</p> <p>jiggery [1] - 70:14</p> <p>JIM [3] - 138:19, 139:2, 150:16</p> <p>Jim [3] - 138:19, 150:15, 150:16</p> <p>job [6] - 5:2, 19:3, 19:4, 107:4, 189:13, 253:10</p> <p>job's [1] - 85:19</p> <p>Joe [1] - 41:9</p> <p>Joe's [1] - 99:8</p> <p>John [3] - 167:7, 167:8, 170:5</p> <p>JOHN [8] - 167:8, 170:5, 174:5, 260:10, 263:9, 263:12, 263:18, 264:3</p> <p>Jonathan [2] - 162:9, 162:12</p> <p>JONATHAN [2] - 162:10, 162:12</p> <p>July [11] - 13:16, 13:17, 254:6, 254:11, 254:13, 254:14, 257:16, 258:10, 260:15, 264:8</p> <p>jump [2] - 74:1, 151:17</p> <p>jumps [1] - 199:1</p> <p>June [8] - 4:8, 12:18, 13:11, 13:12, 96:11, 155:11, 254:12, 257:14</p> <p>juniors [1] - 22:11</p> <p>junk [1] - 171:11</p> <p>justification [1] - 137:10</p> <p>justified [1] - 137:11</p> <p>justify [1] - 137:8</p> <p style="text-align: center;">K</p> <p>K-a-n-e [1] - 142:4</p>	<p>K2-C2 [2] - 181:6, 257:15</p> <p>Kane [2] - 141:19, 142:4</p> <p>KANE [5] - 142:3, 143:2, 143:8, 145:19, 146:17</p> <p>keep [4] - 17:2, 84:8, 106:2, 108:5</p> <p>keeper [1] - 125:11</p> <p>keeping [4] - 15:9, 18:2, 125:7, 148:7</p> <p>Keizer [1] - 13:14</p> <p>Kelley [3] - 92:9, 148:11, 247:5</p> <p>KELLEY [1] - 184:9</p> <p>Kendall [3] - 97:18, 104:15, 257:14</p> <p>kept [1] - 236:4</p> <p>Keri [3] - 116:6, 116:9, 197:4</p> <p>KERI [15] - 116:8, 119:10, 120:15, 197:7, 197:11, 197:14, 197:17, 198:15, 199:3, 199:6, 199:17, 200:1, 200:4, 200:14, 200:16</p> <p>key [2] - 31:5, 62:12</p> <p>Keyword [1] - 3:17</p> <p>kick [1] - 25:15</p> <p>kids [9] - 67:12, 69:11, 154:14, 161:18, 177:11, 210:8, 210:9, 210:14, 244:1</p> <p>kill [1] - 249:5</p> <p>kind [48] - 17:7, 31:1, 57:4, 57:8, 58:2, 69:12, 72:17, 73:2, 80:10, 87:3, 88:3, 102:12, 109:7, 109:10, 111:11, 114:5, 119:9, 129:3, 134:17, 144:13, 166:3, 173:19, 186:13, 189:4, 199:16, 204:14, 204:16, 206:1, 206:10, 209:10, 210:15, 211:11, 212:11, 213:3, 220:15, 227:16, 227:18, 230:3, 234:2, 234:3, 234:12, 235:12, 236:1, 240:2, 240:12, 242:15, 247:9, 253:7</p> <p>kinds [5] - 18:2,</p>
--	---	--	--	---

<p>22:19, 211:4, 235:1, 244:3</p> <p>King [2] - 162:9, 162:12</p> <p>KING [2] - 162:10, 162:12</p> <p>kitchen [2] - 33:7, 35:9</p> <p>knowledge [2] - 137:1, 268:10</p> <p>knows [1] - 173:17</p> <p>Kong [1] - 244:3</p> <p>KS-5 [1] - 167:19</p>	<p>175:16, 183:13, 198:3, 199:1, 228:12, 249:11, 252:13, 260:2, 264:6</p> <p>late [4] - 93:6, 175:8, 195:3, 246:10</p> <p>launched [1] - 24:4</p> <p>laundry [2] - 32:11, 35:9</p> <p>Laurel [1] - 158:15</p> <p>Law [1] - 207:9</p> <p>laws [1] - 264:15</p> <p>Lawson [1] - 268:4</p> <p>lawyer [1] - 136:8</p> <p>lay [1] - 189:19</p> <p>layout [4] - 78:16, 78:18, 118:10, 210:7</p> <p>lead [2] - 177:8, 215:8</p> <p>Leaf [2] - 98:11, 152:2</p> <p>learn [1] - 70:1</p> <p>learned [1] - 259:8</p> <p>learning [1] - 259:6</p> <p>least [10] - 7:17, 62:9, 83:19, 133:8, 134:2, 134:16, 195:9, 214:18, 223:19, 236:16</p> <p>leave [10] - 7:18, 11:2, 95:1, 95:2, 100:16, 110:18, 134:13, 181:12, 193:13, 225:13</p> <p>leaves [1] - 123:9</p> <p>leaving [4] - 5:9, 11:9, 182:12, 182:15</p> <p>Leber [2] - 28:7, 28:9</p> <p>LEBER [2] - 28:9, 34:6</p> <p>Lechmere [3] - 152:5, 152:9, 240:18</p> <p>LEED [2] - 32:17, 105:16</p> <p>left [6] - 99:14, 99:16, 114:13, 117:1, 149:16, 150:1</p> <p>legal [7] - 60:19, 207:14, 232:3, 232:8, 233:14, 261:8, 261:9</p> <p>legitimate [1] - 201:11</p> <p>less [10] - 120:8, 122:5, 140:11, 186:11, 194:15, 214:13, 227:12, 240:1, 252:2</p> <p>letter [3] - 156:8, 157:3, 167:18</p> <p>letters [1] - 178:3</p> <p>level [14] - 31:19,</p>	<p>36:15, 36:19, 37:15, 111:7, 113:14, 115:16, 129:8, 130:19, 143:12, 143:13, 191:15, 214:7, 221:9</p> <p>levels [3] - 46:8, 46:10, 141:2</p> <p>lever [1] - 182:4</p> <p>license [13] - 42:8, 43:8, 49:4, 57:16, 58:9, 58:16, 60:6, 66:2, 68:7, 83:10, 83:12, 84:18, 85:9</p> <p>License [1] - 268:15</p> <p>licensing [1] - 64:7</p> <p>life [3] - 131:2, 176:3, 186:12</p> <p>light [1] - 13:13</p> <p>lightly [1] - 51:13</p> <p>lights [1] - 145:11</p> <p>likely [6] - 57:6, 74:1, 75:8, 137:13, 177:9, 244:17</p> <p>limit [2] - 167:17, 258:3</p> <p>limitation [1] - 258:1</p> <p>limiting [1] - 3:11</p> <p>limits [1] - 105:19</p> <p>LINE [1] - 267:9</p> <p>line [7] - 6:12, 100:5, 102:11, 102:12, 106:11, 110:12, 142:1</p> <p>Line [2] - 98:19, 136:13</p> <p>Linear [1] - 3:9</p> <p>linear [1] - 112:14</p> <p>lines [1] - 166:18</p> <p>lining [1] - 108:10</p> <p>list [7] - 50:13, 124:19, 125:3, 125:16, 208:8, 209:16, 223:13</p> <p>listed [1] - 14:16</p> <p>listen [3] - 189:1, 259:11, 259:16</p> <p>listening [2] - 53:3, 123:1</p> <p>listing [1] - 193:2</p> <p>literally [1] - 126:5</p> <p>live [28] - 24:13, 104:18, 131:14, 132:13, 133:9, 139:2, 140:18, 150:11, 154:11, 168:8, 170:6, 170:9, 171:3, 174:13, 176:4, 181:14, 182:1, 183:18, 184:11, 187:11,</p>	<p>189:10, 189:12, 210:1, 210:4, 218:5, 230:6, 246:2</p> <p>lived [3] - 135:9, 168:13, 181:19</p> <p>lives [2] - 132:2, 180:7</p> <p>living [11] - 26:6, 72:2, 140:17, 174:19, 176:3, 176:7, 177:10, 185:14, 210:9, 230:7, 241:9</p> <p>Liz [2] - 28:9, 35:17</p> <p>Liza [5] - 1:14, 70:10, 96:10, 253:19, 260:12</p> <p>LIZA [37] - 4:6, 5:8, 6:1, 6:10, 6:19, 7:3, 8:8, 9:6, 9:17, 10:1, 10:12, 10:16, 10:19, 11:5, 11:7, 11:12, 11:16, 14:8, 15:18, 18:9, 50:6, 125:1, 254:5, 254:13, 254:18, 255:17, 256:1, 256:6, 256:10, 257:11, 257:18, 258:2, 258:8, 263:5, 263:8, 263:16, 264:1</p> <p>LLC [1] - 3:6</p> <p>loading [7] - 31:12, 31:14, 31:17, 41:13, 76:15, 145:11, 145:15</p> <p>lobby [2] - 33:13, 111:12</p> <p>lobbying [1] - 54:7</p> <p>local [4] - 96:14, 101:18, 214:18, 249:18</p> <p>located [5] - 4:15, 27:4, 27:17, 75:18, 93:8</p> <p>location [20] - 5:4, 36:11, 46:15, 67:9, 75:14, 76:10, 79:2, 81:10, 96:7, 99:5, 101:4, 111:8, 118:14, 137:15, 192:8, 198:4, 227:14, 228:3, 231:6, 231:11</p> <p>locations [1] - 35:10</p> <p>lock [2] - 6:8, 38:6</p> <p>locking [1] - 67:17</p> <p>Lofts [1] - 98:11</p> <p>long-term [1] - 144:1</p> <p>look [30] - 52:9, 159:6, 164:11,</p>	<p>168:16, 172:15, 173:19, 181:4, 186:3, 186:17, 188:10, 188:19, 189:7, 190:5, 194:14, 197:7, 205:7, 206:2, 217:13, 223:16, 229:7, 231:1, 235:15, 236:4, 239:1, 240:12, 247:10, 247:19, 251:12, 253:13, 260:8</p> <p>looked [2] - 128:12, 213:8</p> <p>looking [37] - 13:19, 26:17, 47:14, 70:11, 87:9, 87:10, 107:13, 112:1, 113:3, 113:19, 114:17, 115:6, 115:10, 139:5, 162:17, 170:8, 173:11, 175:1, 176:16, 181:2, 182:5, 186:2, 187:2, 192:17, 196:9, 196:13, 206:6, 218:8, 236:4, 239:6, 247:15, 247:16, 249:15, 254:7, 255:1, 257:11</p> <p>looks [12] - 7:9, 85:16, 138:16, 143:12, 153:3, 160:12, 169:10, 171:14, 174:1, 186:15, 211:14, 235:6</p> <p>lounge [1] - 33:13</p> <p>lousy [1] - 69:12</p> <p>love [2] - 251:14, 252:2</p> <p>lovely [1] - 224:10</p> <p>low [8] - 56:12, 130:6, 130:7, 130:10, 130:12, 191:15, 204:15, 226:4</p> <p>Lowell [2] - 22:13, 242:9</p> <p>lower [6] - 143:9, 143:10, 154:8, 169:18, 236:15, 237:6</p> <p>lowest [1] - 111:3</p> <p>luck [1] - 244:17</p> <p>Ludwig [1] - 107:3</p> <p>LUDWIG [1] - 107:8</p> <p>Lumber [2] - 165:8, 166:7</p> <p>lunch [1] - 38:4</p>
L				
<p>LA [2] - 52:15, 136:6</p> <p>lab [5] - 93:19, 100:4, 100:14, 104:17, 219:17</p> <p>laboratory [2] - 145:10, 145:13</p> <p>lack [2] - 13:5, 123:11</p> <p>lacks [1] - 166:16</p> <p>ladies [1] - 139:8</p> <p>lampoon [1] - 87:2</p> <p>land [4] - 6:8, 27:3, 93:5, 116:14</p> <p>landscape [5] - 29:4, 36:9, 95:19, 208:17, 214:16</p> <p>landscaped [5] - 76:16, 105:15, 109:11, 114:9, 115:2</p> <p>landscapes [1] - 114:18</p> <p>landscaping [7] - 116:5, 212:14, 215:5, 217:4, 217:9, 217:17, 218:2</p> <p>lane [3] - 191:12, 199:15, 199:18</p> <p>language [2] - 3:10, 221:4</p> <p>large [3] - 6:11, 148:11, 185:4</p> <p>larger [14] - 53:2, 94:1, 96:1, 101:4, 157:10, 180:13, 181:2, 181:3, 185:5, 185:6, 215:5, 218:11, 218:18, 230:17</p> <p>largest [1] - 27:13</p> <p>last [24] - 19:11, 51:8, 54:14, 94:4, 96:9, 96:11, 96:13, 102:2, 134:2, 134:19, 157:14, 157:15, 166:18, 169:1,</p>				

M				
<p>Ma'am [1] - 174:11</p> <p>machinery [2] - 129:3, 129:6</p> <p>Magazine [2] - 140:5, 140:6</p> <p>mailboxes [1] - 33:14</p> <p>mails [1] - 156:4</p> <p>main [9] - 21:11, 28:17, 29:11, 30:11, 33:2, 35:19, 75:7, 87:7, 187:18</p> <p>maintain [8] - 40:2, 40:8, 42:9, 45:6, 45:7, 54:7, 83:9, 84:18</p> <p>maintained [3] - 76:16, 148:19, 155:11</p> <p>maintaining [3] - 44:13, 83:19, 86:14</p> <p>maintenance [1] - 23:16</p> <p>major [4] - 128:18, 128:19, 165:19, 199:9</p> <p>majority [1] - 228:13</p> <p>makeup [1] - 226:8</p> <p>MALE [2] - 119:2, 119:6</p> <p>mall [1] - 4:15</p> <p>manage [1] - 244:7</p> <p>manageable [1] - 192:16</p> <p>management [2] - 76:15, 136:11</p> <p>Manager [2] - 1:12, 2:6</p> <p>managing [1] - 245:3</p> <p>manner [2] - 32:11, 262:11</p> <p>manufacturing [1] - 100:3</p> <p>map [3] - 102:19, 121:6, 193:5</p> <p>Maple [2] - 98:11, 152:2</p> <p>March [2] - 1:4, 96:9</p> <p>marginal [1] - 210:14</p> <p>Mark [2] - 92:15, 97:14</p> <p>marker [1] - 115:5</p> <p>market [6] - 15:1, 186:7, 186:8, 194:11, 221:15, 221:16</p> <p>Market [1] - 210:6</p> <p>marketplace [1] - 243:5</p>	<p>marks [2] - 266:14, 267:6</p> <p>marriage [1] - 268:6</p> <p>masonry [2] - 112:6, 113:16</p> <p>Mass [9] - 13:18, 21:8, 26:1, 28:13, 52:16, 98:15, 136:8, 155:1, 167:9</p> <p>Massachusetts [4] - 1:6, 2:11, 20:6, 27:17</p> <p>MASSACHUSETTS [1] - 268:2</p> <p>massing [6] - 112:13, 228:6, 237:4, 241:15, 242:13, 251:10</p> <p>master [2] - 16:5, 81:1</p> <p>masters [1] - 33:16</p> <p>match [1] - 108:6</p> <p>materials [3] - 15:11, 169:17, 219:12</p> <p>math [5] - 120:17, 198:6, 198:8, 198:10, 226:5</p> <p>mathematics [1] - 195:15</p> <p>matter [9] - 60:18, 62:17, 138:5, 228:1, 233:1, 233:16, 264:4, 268:6, 268:7</p> <p>matters [1] - 206:8</p> <p>Matthew [1] - 147:3</p> <p>MATTHEW [2] - 147:5, 147:15</p> <p>matthew [1] - 147:16</p> <p>maximize [2] - 247:17, 248:10</p> <p>maximum [4] - 34:11, 36:6, 56:7, 245:5</p> <p>Mayor [1] - 178:2</p> <p>McCusker [1] - 1:6</p> <p>McKinlock [3] - 24:10, 25:10, 51:7</p> <p>McKinney [1] - 150:13</p> <p>mean [37] - 24:18, 42:17, 43:5, 44:2, 44:15, 47:18, 57:19, 66:5, 75:12, 82:12, 88:13, 104:13, 127:11, 133:15, 188:13, 192:2, 194:1, 201:1, 203:17, 204:9, 204:13, 204:17, 208:10, 216:6, 216:8, 216:16, 222:8, 226:11, 227:14, 228:16, 231:5, 233:1, 233:2,</p>	<p>241:8, 244:2, 260:2, 261:16</p> <p>meaning [1] - 53:19</p> <p>MEANS [1] - 268:18</p> <p>means [4] - 23:7, 62:11, 111:4, 217:1</p> <p>meant [1] - 141:1</p> <p>measure [1] - 252:16</p> <p>measuring [1] - 62:19</p> <p>mechanical [5] - 32:14, 32:16, 51:11, 76:11, 116:3</p> <p>mechanicals [1] - 217:11</p> <p>medium [1] - 27:7</p> <p>meet [8] - 35:15, 54:3, 66:19, 84:16, 104:12, 105:13, 105:17, 115:19</p> <p>meeting [25] - 4:3, 11:15, 19:12, 26:6, 33:13, 46:12, 46:14, 96:15, 132:18, 133:2, 133:3, 133:5, 134:2, 134:3, 155:12, 155:14, 156:10, 158:1, 175:13, 175:14, 207:2, 211:19, 255:7, 257:15, 264:10</p> <p>MEETING [1] - 1:3</p> <p>Meeting [2] - 1:5, 2:7</p> <p>meetings [4] - 13:11, 96:18, 205:6, 258:6</p> <p>member [1] - 88:17</p> <p>Member [5] - 1:9, 1:9, 1:10, 1:10, 1:11</p> <p>members [15] - 20:15, 86:7, 91:6, 91:19, 96:4, 133:6, 147:6, 150:18, 162:11, 179:19, 180:19, 183:15, 184:10, 251:3, 251:11</p> <p>Members [3] - 14:9, 47:6, 256:18</p> <p>Memorial [1] - 88:5</p> <p>mention [7] - 19:10, 19:11, 99:6, 110:9, 149:13, 201:9, 262:8</p> <p>mentioned [22] - 81:19, 107:13, 108:14, 108:15, 108:17, 114:18, 119:11, 129:10, 129:11, 129:13, 129:17, 149:10, 159:19, 160:14, 164:10, 171:12,</p>	<p>177:1, 177:3, 182:18, 215:17, 224:15, 249:13</p> <p>MEPs [1] - 116:3</p> <p>mess [5] - 184:13, 188:3, 209:10, 240:8, 240:10</p> <p>messy [1] - 209:9</p> <p>met [5] - 46:7, 144:15, 144:16, 159:7, 221:2</p> <p>metal [1] - 37:2</p> <p>methodology [1] - 117:4</p> <p>MHFA [1] - 243:9</p> <p>Michael [2] - 3:8, 258:12</p> <p>MICHAEL [10] - 125:18, 126:12, 126:18, 127:5, 127:10, 127:17, 131:9, 131:13, 131:18, 132:2</p> <p>michael [1] - 127:17</p> <p>microphone [1] - 197:9</p> <p>mid [1] - 264:10</p> <p>mid-summer [1] - 264:10</p> <p>middle [4] - 139:9, 190:9, 204:19, 245:13</p> <p>midst [1] - 189:6</p> <p>might [20] - 5:18, 17:8, 26:9, 47:7, 48:18, 49:11, 92:3, 92:6, 124:18, 167:9, 168:15, 176:8, 195:3, 202:2, 232:5, 241:5, 250:10, 260:3, 262:8</p> <p>Mike [1] - 125:16</p> <p>mile [2] - 88:7, 88:12</p> <p>MILLER [2] - 16:12, 18:19</p> <p>Miller [1] - 16:13</p> <p>million [1] - 23:5</p> <p>mimic [1] - 173:4</p> <p>mind [3] - 131:14, 223:3, 223:14</p> <p>mindful [1] - 224:19</p> <p>minimal [1] - 114:5</p> <p>minimize [1] - 194:19</p> <p>minimum [3] - 34:10, 67:1, 130:11</p> <p>MINKA [1] - 187:9</p> <p>Minka [1] - 187:10</p> <p>minor [7] - 21:18, 29:7, 30:3, 30:13, 34:18, 35:5, 164:14</p> <p>minute [7] - 21:12,</p>	<p>65:9, 91:11, 98:16, 98:17, 175:16, 195:12</p> <p>minutes [14] - 19:7, 50:13, 117:10, 117:12, 125:6, 126:1, 126:6, 126:9, 126:10, 126:17, 128:7, 128:10, 175:9, 195:11</p> <p>mirror [1] - 147:18</p> <p>mirroring [1] - 188:7</p> <p>mirrors [1] - 217:6</p> <p>miss [2] - 89:17</p> <p>MIT [3] - 58:7, 101:18, 207:12</p> <p>MIT's [1] - 167:17</p> <p>mitigate [3] - 76:7, 237:18, 250:11</p> <p>mitigated [1] - 179:9</p> <p>mitigating [1] - 183:8</p> <p>mitigation [2] - 237:19, 238:10</p> <p>mix [5] - 105:8, 218:6, 223:1, 223:2, 250:7</p> <p>mixed [2] - 28:4, 74:13</p> <p>mixture [1] - 14:11</p> <p>mode [1] - 116:15</p> <p>model [5] - 108:7, 115:13, 143:1, 143:3, 143:4</p> <p>modern [1] - 95:18</p> <p>modes [1] - 55:5</p> <p>modest [3] - 97:2, 116:12, 117:16</p> <p>modifications [4] - 30:4, 34:19, 79:2, 79:14</p> <p>modify [1] - 78:5</p> <p>modules [1] - 242:4</p> <p>moment [1] - 217:5</p> <p>money [4] - 44:7, 130:17, 183:9, 245:12</p> <p>monitoring [6] - 38:16, 68:18, 69:3, 69:5, 69:17, 90:15</p> <p>month [2] - 96:14, 130:13</p> <p>months [1] - 13:9</p> <p>moot [1] - 183:12</p> <p>morning [10] - 38:3, 86:3, 88:7, 133:1, 135:1, 195:10, 195:11, 197:18, 198:8, 199:2</p> <p>most [20] - 21:14, 23:14, 55:9, 62:8, 73:11, 74:10, 75:8, 80:13, 84:15, 97:13,</p>

<p>98:10, 123:12, 145:16, 159:5, 160:11, 170:17, 188:15, 193:9, 203:7, 206:14</p> <p>mostly [3] - 93:5, 105:4, 183:14</p> <p>mother [1] - 128:8</p> <p>motion [12] - 12:2, 12:7, 18:8, 57:1, 80:4, 90:6, 256:2, 256:12, 258:14, 258:18, 260:14, 260:16</p> <p>move [11] - 9:11, 17:18, 18:1, 52:11, 59:8, 90:9, 137:17, 161:19, 215:18, 257:14, 262:18</p> <p>moved [5] - 6:15, 12:3, 18:10, 51:7, 258:16</p> <p>movement [1] - 75:19</p> <p>moves [2] - 100:17, 151:3</p> <p>moving [7] - 51:19, 94:19, 211:15, 219:10, 232:10, 232:11, 246:8</p> <p>multi [12] - 95:15, 104:5, 106:15, 123:5, 159:14, 165:17, 209:19, 222:19, 225:7, 250:4, 252:6</p> <p>multi-dwelling [1] - 165:17</p> <p>multi-family [4] - 106:15, 225:7, 250:4, 252:6</p> <p>multi-generational [6] - 95:15, 104:5, 123:5, 159:14, 209:19, 222:19</p> <p>multi-unit [1] - 165:17</p> <p>multiple [2] - 223:19, 255:9</p> <p>mundane [1] - 186:13</p> <p>Murphy [2] - 1:12, 2:6</p> <p>MURPHY [4] - 12:14, 19:9, 19:15, 19:18</p> <p>must [2] - 134:16, 159:1</p> <p>Myrtle [3] - 8:7, 8:10, 10:5</p>	<p>50:18, 125:12, 125:14, 125:16, 127:16, 132:1, 132:9, 132:12, 135:13, 138:16, 142:3, 147:3, 147:12, 147:14, 150:15, 153:12, 153:17, 162:11, 168:6, 170:5, 174:12, 184:10, 187:9</p> <p>Nancy [3] - 107:3, 116:9, 117:17</p> <p>NANCY [1] - 107:8</p> <p>Nancy's [1] - 151:1</p> <p>narrow [1] - 206:10</p> <p>nasty [1] - 239:13</p> <p>natural [1] - 29:19</p> <p>nature [4] - 63:14, 69:10, 152:12, 213:15</p> <p>near [3] - 95:10, 97:15, 122:5</p> <p>nearly [1] - 122:1</p> <p>neat [1] - 5:2</p> <p>necessarily [6] - 65:14, 83:6, 94:12, 180:19, 237:17, 243:18</p> <p>necessary [3] - 54:3, 155:8, 220:10</p> <p>need [43] - 18:5, 18:8, 22:5, 23:17, 24:1, 31:2, 33:10, 42:4, 53:8, 64:8, 71:8, 72:13, 73:1, 77:17, 87:18, 88:14, 104:18, 120:8, 122:14, 163:12, 185:4, 189:11, 190:6, 200:16, 202:11, 215:15, 218:1, 218:16, 230:14, 232:17, 234:9, 234:13, 246:15, 246:18, 247:3, 247:10, 248:6, 254:4, 255:1, 255:14, 258:8, 261:9</p> <p>needed [5] - 30:18, 34:9, 61:16, 125:13, 158:10</p> <p>needing [1] - 84:8</p> <p>needs [18] - 25:17, 43:3, 51:15, 55:17, 57:8, 63:10, 73:14, 79:6, 82:2, 84:4, 84:17, 98:5, 104:13, 208:19, 209:13, 209:14, 216:8,</p>	<p>237:9</p> <p>negate [1] - 261:19</p> <p>negative [2] - 144:7, 176:14</p> <p>negatively [1] - 176:6</p> <p>neglected [1] - 19:11</p> <p>negotiate [1] - 102:15</p> <p>negotiated [1] - 102:5</p> <p>negotiating [1] - 166:10</p> <p>negotiation [1] - 238:1</p> <p>neighbor [1] - 220:19</p> <p>neighbor's [2] - 220:13, 220:14</p> <p>Neighborhood [2] - 96:13, 155:10</p> <p>neighborhood [49] - 3:11, 94:8, 95:11, 96:15, 107:14, 107:18, 108:2, 110:5, 112:3, 115:1, 118:9, 120:4, 133:6, 133:18, 135:7, 135:11, 135:18, 146:6, 148:4, 148:10, 148:17, 151:5, 152:13, 152:18, 154:14, 157:6, 159:8, 165:1, 166:1, 170:10, 175:15, 176:4, 176:7, 177:12, 186:3, 186:11, 194:13, 195:8, 202:16, 203:9, 209:2, 211:6, 229:13, 229:16, 238:12, 246:14, 246:18</p> <p>neighborhoods [4] - 148:16, 181:8, 188:11, 189:4</p> <p>Neighborhoods [1] - 164:6</p> <p>neighboring [5] - 28:2, 95:5, 113:4, 113:10, 231:19</p> <p>neighbors [19] - 76:8, 96:14, 96:16, 97:4, 97:5, 124:3, 132:19, 133:12, 134:6, 134:12, 138:1, 147:10, 156:2, 171:5, 178:14, 185:12, 202:6, 203:6, 232:6</p> <p>nesters [2] - 96:5, 104:7</p> <p>never [8] - 31:10, 56:16, 129:11,</p>	<p>159:9, 203:1, 242:17, 245:18, 250:15</p> <p>New [1] - 25:4</p> <p>new [29] - 3:12, 3:12, 3:13, 4:14, 4:18, 16:14, 35:8, 37:11, 54:16, 55:9, 70:19, 73:10, 77:5, 94:4, 95:19, 102:1, 104:14, 105:13, 108:8, 118:5, 126:5, 140:19, 144:8, 162:18, 164:19, 187:18, 207:3, 219:10, 226:1</p> <p>newly [3] - 21:14, 35:16, 97:7</p> <p>newly-adopted [2] - 21:14, 35:16</p> <p>next [37] - 6:19, 7:10, 12:16, 13:9, 14:3, 19:5, 25:15, 67:11, 88:9, 91:15, 93:3, 95:8, 126:12, 127:12, 135:8, 135:16, 138:16, 147:3, 150:15, 152:7, 153:12, 153:15, 154:15, 157:2, 158:6, 162:8, 177:18, 215:8, 215:18, 215:19, 220:8, 220:18, 232:10, 232:12, 232:13, 232:17, 240:17</p> <p>next-door [11] - 7:10, 127:12, 154:15, 157:2, 215:19, 220:8, 220:18, 232:10, 232:12, 232:13, 232:17</p> <p>nice [8] - 17:14, 17:17, 17:19, 68:2, 151:3, 154:16, 158:16, 233:13</p> <p>night [9] - 63:19, 139:9, 175:8, 184:3, 195:12, 246:3, 259:11, 259:18, 261:14</p> <p>night's [1] - 19:11</p> <p>nighttime [1] - 182:10</p> <p>nilly [1] - 224:14</p> <p>nine [2] - 22:8, 160:3</p> <p>nine-by-ten [1] - 160:3</p> <p>nitrogen [1] - 100:1</p> <p>nobody's [2] - 92:2, 264:16</p> <p>Noise [1] - 249:1</p>	<p>noise [8] - 128:19, 144:12, 164:13, 214:11, 233:6, 234:8, 249:2, 249:7</p> <p>noisy [2] - 231:19, 240:17</p> <p>non [3] - 45:13, 231:9, 233:5</p> <p>non-residential [2] - 231:9, 233:5</p> <p>non-supporting [1] - 45:13</p> <p>none [4] - 18:14, 75:16, 135:3, 155:13</p> <p>normally [1] - 83:14</p> <p>north [5] - 27:18, 101:13, 115:6, 121:7, 182:2</p> <p>North [4] - 93:1, 93:2, 98:12, 180:3</p> <p>NOT [3] - 266:14, 267:5, 268:18</p> <p>not... [1] - 168:3</p> <p>Notary [3] - 267:7, 268:5, 268:14</p> <p>notations [2] - 266:14, 267:6</p> <p>note [4] - 71:16, 73:4, 87:6, 267:4</p> <p>noted [1] - 267:17</p> <p>notes [3] - 155:11, 155:12, 268:9</p> <p>nothing [4] - 66:6, 128:12, 129:5, 134:1</p> <p>nothing's [1] - 76:12</p> <p>notice [7] - 134:3, 134:18, 145:3, 157:17, 160:11, 175:3, 189:2</p> <p>noticed [1] - 86:12</p> <p>notices [1] - 157:15</p> <p>notified [1] - 132:17</p> <p>notion [2] - 163:3, 233:12</p> <p>nowhere [1] - 140:18</p> <p>nuisance [3] - 214:11, 232:14, 234:3</p> <p>number [24] - 3:11, 14:14, 15:2, 40:19, 55:16, 139:6, 150:8, 150:9, 153:6, 165:14, 167:13, 179:5, 192:10, 192:16, 193:2, 193:3, 197:1, 198:9, 199:1, 226:6, 228:7, 241:16, 250:19</p> <p>numbers [8] - 117:2, 117:13, 120:12,</p>
N				
<p>naive [1] - 175:18</p> <p>name [27] - 16:1, 16:12, 21:5, 50:10,</p>	<p>50:18, 125:12, 125:14, 125:16, 127:16, 132:1, 132:9, 132:12, 135:13, 138:16, 142:3, 147:3, 147:12, 147:14, 150:15, 153:12, 153:17, 162:11, 168:6, 170:5, 174:12, 184:10, 187:9</p> <p>Nancy [3] - 107:3, 116:9, 117:17</p> <p>NANCY [1] - 107:8</p> <p>Nancy's [1] - 151:1</p> <p>narrow [1] - 206:10</p> <p>nasty [1] - 239:13</p> <p>natural [1] - 29:19</p> <p>nature [4] - 63:14, 69:10, 152:12, 213:15</p> <p>near [3] - 95:10, 97:15, 122:5</p> <p>nearly [1] - 122:1</p> <p>neat [1] - 5:2</p> <p>necessarily [6] - 65:14, 83:6, 94:12, 180:19, 237:17, 243:18</p> <p>necessary [3] - 54:3, 155:8, 220:10</p> <p>need [43] - 18:5, 18:8, 22:5, 23:17, 24:1, 31:2, 33:10, 42:4, 53:8, 64:8, 71:8, 72:13, 73:1, 77:17, 87:18, 88:14, 104:18, 120:8, 122:14, 163:12, 185:4, 189:11, 190:6, 200:16, 202:11, 215:15, 218:1, 218:16, 230:14, 232:17, 234:9, 234:13, 246:15, 246:18, 247:3, 247:10, 248:6, 254:4, 255:1, 255:14, 258:8, 261:9</p> <p>needed [5] - 30:18, 34:9, 61:16, 125:13, 158:10</p> <p>needing [1] - 84:8</p> <p>needs [18] - 25:17, 43:3, 51:15, 55:17, 57:8, 63:10, 73:14, 79:6, 82:2, 84:4, 84:17, 98:5, 104:13, 208:19, 209:13, 209:14, 216:8,</p>	<p>237:9</p> <p>negate [1] - 261:19</p> <p>negative [2] - 144:7, 176:14</p> <p>negatively [1] - 176:6</p> <p>neglected [1] - 19:11</p> <p>negotiate [1] - 102:15</p> <p>negotiated [1] - 102:5</p> <p>negotiating [1] - 166:10</p> <p>negotiation [1] - 238:1</p> <p>neighbor [1] - 220:19</p> <p>neighbor's [2] - 220:13, 220:14</p> <p>Neighborhood [2] - 96:13, 155:10</p> <p>neighborhood [49] - 3:11, 94:8, 95:11, 96:15, 107:14, 107:18, 108:2, 110:5, 112:3, 115:1, 118:9, 120:4, 133:6, 133:18, 135:7, 135:11, 135:18, 146:6, 148:4, 148:10, 148:17, 151:5, 152:13, 152:18, 154:14, 157:6, 159:8, 165:1, 166:1, 170:10, 175:15, 176:4, 176:7, 177:12, 186:3, 186:11, 194:13, 195:8, 202:16, 203:9, 209:2, 211:6, 229:13, 229:16, 238:12, 246:14, 246:18</p> <p>neighborhoods [4] - 148:16, 181:8, 188:11, 189:4</p> <p>Neighborhoods [1] - 164:6</p> <p>neighboring [5] - 28:2, 95:5, 113:4, 113:10, 231:19</p> <p>neighbors [19] - 76:8, 96:14, 96:16, 97:4, 97:5, 124:3, 132:19, 133:12, 134:6, 134:12, 138:1, 147:10, 156:2, 171:5, 178:14, 185:12, 202:6, 203:6, 232:6</p> <p>nesters [2] - 96:5, 104:7</p> <p>never [8] - 31:10, 56:16, 129:11,</p>	<p>159:9, 203:1, 242:17, 245:18, 250:15</p> <p>New [1] - 25:4</p> <p>new [29] - 3:12, 3:12, 3:13, 4:14, 4:18, 16:14, 35:8, 37:11, 54:16, 55:9, 70:19, 73:10, 77:5, 94:4, 95:19, 102:1, 104:14, 105:13, 108:8, 118:5, 126:5, 140:19, 144:8, 162:18, 164:19, 187:18, 207:3, 219:10, 226:1</p> <p>newly [3] - 21:14, 35:16, 97:7</p> <p>newly-adopted [2] - 21:14, 35:16</p> <p>next [37] - 6:19, 7:10, 12:16, 13:9, 14:3, 19:5, 25:15, 67:11, 88:9, 91:15, 93:3, 95:8, 126:12, 127:12, 135:8, 135:16, 138:16, 147:3, 150:15, 152:7, 153:12, 153:15, 154:15, 157:2, 158:6, 162:8, 177:18, 215:8, 215:18, 215:19, 220:8, 220:18, 232:10, 232:12, 232:13, 232:17, 240:17</p> <p>next-door [11] - 7:10, 127:12, 154:15, 157:2, 215:19, 220:8, 220:18, 232:10, 232:12, 232:13, 232:17</p> <p>nice [8] - 17:14, 17:17, 17:19, 68:2, 151:3, 154:16, 158:16, 233:13</p> <p>night [9] - 63:19, 139:9, 175:8, 184:3, 195:12, 246:3, 259:11, 259:18, 261:14</p> <p>night's [1] - 19:11</p> <p>nighttime [1] - 182:10</p> <p>nilly [1] - 224:14</p> <p>nine [2] - 22:8, 160:3</p> <p>nine-by-ten [1] - 160:3</p> <p>nitrogen [1] - 100:1</p> <p>nobody's [2] - 92:2, 264:16</p> <p>Noise [1] - 249:1</p>	<p>noise [8] - 128:19, 144:12, 164:13, 214:11, 233:6, 234:8, 249:2, 249:7</p> <p>noisy [2] - 231:19, 240:17</p> <p>non [3] - 45:13, 231:9, 233:5</p> <p>non-residential [2] - 231:9, 233:5</p> <p>non-supporting [1] - 45:13</p> <p>none [4] - 18:14, 75:16, 135:3, 155:13</p> <p>normally [1] - 83:14</p> <p>north [5] - 27:18, 101:13, 115:6, 121:7, 182:2</p> <p>North [4] - 93:1, 93:2, 98:12, 180:3</p> <p>NOT [3] - 266:14, 267:5, 268:18</p> <p>not... [1] - 168:3</p> <p>Notary [3] - 267:7, 268:5, 268:14</p> <p>notations [2] - 266:14, 267:6</p> <p>note [4] - 71:16, 73:4, 87:6, 267:4</p> <p>noted [1] - 267:17</p> <p>notes [3] - 155:11, 155:12, 268:9</p> <p>nothing [4] - 66:6, 128:12, 129:5, 134:1</p> <p>nothing's [1] - 76:12</p> <p>notice [7] - 134:3, 134:18, 145:3, 157:17, 160:11, 175:3, 189:2</p> <p>noticed [1] - 86:12</p> <p>notices [1] - 157:15</p> <p>notified [1] - 132:17</p> <p>notion [2] - 163:3, 233:12</p> <p>nowhere [1] - 140:18</p> <p>nuisance [3] - 214:11, 232:14, 234:3</p> <p>number [24] - 3:11, 14:14, 15:2, 40:19, 55:16, 139:6, 150:8, 150:9, 153:6, 165:14, 167:13, 179:5, 192:10, 192:16, 193:2, 193:3, 197:1, 198:9, 199:1, 226:6, 228:7, 241:16, 250:19</p> <p>numbers [8] - 117:2, 117:13, 120:12,</p>

<p>169:5, 169:6, 198:2, 198:5, 198:11 NUR [38] - 9:15, 9:18, 10:8, 10:14, 11:3, 17:9, 18:5, 67:5, 78:1, 85:13, 90:3, 91:2, 92:9, 125:8, 127:2, 131:7, 134:8, 136:1, 136:4, 145:17, 146:15, 153:10, 157:13, 158:3, 158:8, 161:16, 162:4, 163:18, 174:4, 174:9, 190:10, 190:17, 191:19, 193:17, 199:13, 214:15, 246:9, 259:10 Nur [1] - 1:10</p>	<p>157:7 offer [1] - 92:8 office [8] - 14:12, 69:9, 93:4, 100:4, 100:14, 104:17, 178:15, 196:16 officer [1] - 162:14 offices [3] - 26:6, 32:10, 33:15 OFFICIAL [1] - 1:17 OFFIONG [31] - 20:19, 21:4, 24:16, 25:1, 25:9, 35:12, 39:10, 39:18, 40:7, 40:13, 40:16, 42:5, 42:17, 43:7, 44:1, 44:15, 45:10, 46:6, 71:11, 71:14, 80:12, 80:18, 81:6, 82:15, 82:19, 84:14, 85:11, 87:5, 88:1, 88:19, 91:8 Offiong [1] - 21:5 offset [1] - 55:12 often [3] - 179:18, 253:4, 262:8 old [6] - 23:8, 28:2, 135:12, 157:7, 232:11, 246:16 Old [3] - 24:7, 25:5, 25:9 oldest [1] - 133:12 on-street [3] - 118:6, 122:11, 122:13 once [5] - 117:7, 125:5, 128:16, 129:12, 161:19 one [120] - 4:12, 5:17, 8:7, 8:9, 9:11, 9:15, 10:1, 10:3, 15:19, 31:9, 42:16, 46:5, 49:12, 50:13, 54:13, 59:14, 70:17, 71:12, 71:16, 71:17, 72:8, 76:9, 87:5, 88:8, 89:18, 96:3, 97:5, 100:2, 100:15, 100:18, 102:9, 103:13, 105:9, 107:2, 110:18, 114:17, 117:10, 118:2, 121:2, 133:11, 136:18, 139:8, 139:15, 141:4, 142:1, 143:13, 148:15, 152:1, 152:7, 152:10, 154:2, 154:13, 158:9, 159:15, 159:19, 160:15, 161:8, 162:2, 164:10,</p>	<p>166:18, 170:16, 173:8, 174:18, 175:3, 176:1, 178:16, 182:4, 184:12, 187:3, 187:17, 191:12, 192:5, 192:9, 192:12, 195:10, 197:14, 199:6, 199:15, 199:18, 200:7, 200:11, 201:15, 202:4, 202:5, 202:9, 202:12, 203:13, 204:1, 204:4, 205:17, 207:12, 209:4, 209:5, 215:1, 216:14, 220:9, 222:4, 223:18, 226:17, 229:13, 231:3, 231:13, 234:15, 235:16, 235:19, 236:11, 239:17, 243:10, 243:13, 245:7, 248:16, 249:15, 251:4, 251:5, 252:13, 261:10 one-bedroom [3] - 105:9, 162:2, 243:10 one-story [2] - 100:2, 220:9 ones [12] - 54:17, 105:7, 122:4, 130:19, 131:2, 173:14, 174:18, 175:1, 175:3, 224:14, 225:16, 243:6 ongoing [3] - 68:18, 90:15, 185:7 open [43] - 16:17, 27:2, 43:5, 43:18, 54:1, 62:6, 62:11, 64:8, 64:9, 64:15, 64:17, 65:7, 77:14, 81:14, 82:9, 83:10, 85:2, 85:6, 86:17, 101:1, 103:18, 105:15, 106:7, 108:1, 108:12, 108:13, 109:5, 110:4, 116:5, 117:8, 123:11, 151:4, 168:16, 187:14, 188:7, 209:12, 211:11, 214:5, 214:17, 226:19, 227:3, 247:11, 258:9 Open [1] - 3:14</p>	<p>opened [3] - 91:18, 94:3, 254:19 opening [2] - 153:4, 258:12 operate [3] - 17:2, 49:6, 221:17 operated [1] - 38:12 operates [1] - 15:6 operation [6] - 31:14, 44:8, 72:13, 72:18, 81:16, 85:4 operations [3] - 32:8, 32:13, 184:3 operator [1] - 16:3 opinion [9] - 74:16, 133:8, 146:11, 155:2, 174:19, 202:13, 203:11, 204:2, 209:1 opinions [1] - 49:11 opportunities [1] - 81:14 opportunity [6] - 85:1, 85:8, 162:7, 178:19, 179:8, 193:9 oppose [1] - 148:5 opposed [3] - 148:12, 177:10, 210:12 opposite [3] - 47:8, 122:3, 201:5 opposition [2] - 45:2, 147:7 option [8] - 131:5, 203:4, 203:11, 204:9, 204:10, 204:11, 204:14, 207:2 options [1] - 205:12 ORAN [8] - 92:13, 120:14, 122:19, 222:11, 223:7, 236:12, 254:11, 255:16 Oran [2] - 92:14, 167:10 orange [2] - 118:15, 160:17 order [4] - 36:8, 50:16, 149:8, 206:3 ordinance [1] - 70:19 Ordinance [18] - 3:8, 20:10, 20:14, 55:2, 55:11, 61:19, 62:5, 62:14, 66:7, 66:9, 76:17, 77:19, 105:13, 157:10, 221:4, 224:12, 249:2, 258:13 Ordinances [1] - 66:4 organizing [1] - 250:3</p>	<p>orient [2] - 98:13, 121:6 orientation [4] - 36:2, 74:13, 101:13, 112:16 oriented [2] - 99:5, 136:16 orienting [1] - 75:7 ORIGINAL [1] - 266:8 original [5] - 15:10, 23:14, 132:18, 266:2, 266:9 originally [2] - 8:11, 9:4 otherwise [1] - 66:2 ourselves [1] - 144:5 outcome [2] - 227:10, 268:7 outdated [1] - 185:2 outreach [4] - 155:6, 155:8, 156:6, 158:1 outside [7] - 66:1, 66:3, 66:6, 118:19, 169:12, 171:5, 211:1 outward [1] - 190:9 oval [1] - 210:10 overall [6] - 41:6, 41:11, 114:11, 155:15, 225:4, 239:10 overburden [1] - 76:19 overhang [2] - 36:14, 173:18 Overlay [1] - 2:13 overlooking [1] - 214:12 overlooks [1] - 27:19 overnight [2] - 121:4, 122:8 own [7] - 49:8, 63:12, 84:11, 162:19, 178:7, 246:6, 248:10 owned [5] - 95:5, 132:5, 135:8, 152:14, 202:19 owner [7] - 16:2, 16:13, 101:18, 102:13, 127:11, 143:15, 152:17 owner-occupied [1] - 152:17 owner/operator [1] - 144:1 owners [3] - 68:1, 126:5, 167:13 ownership [4] - 67:19, 180:17, 192:15</p>
O				
<p>o'clock [5] - 52:17, 246:2, 252:16, 257:16, 259:17 object [1] - 209:5 objectives [1] - 74:7 obscure [1] - 115:15 observation [1] - 252:14 observations [1] - 246:7 observed [1] - 117:3 obtain [1] - 167:14 obviously [9] - 42:3, 104:14, 106:17, 109:11, 124:5, 191:16, 211:10, 219:15, 239:11 occupancy [3] - 101:17, 121:4, 121:15 occupants [5] - 21:15, 209:19, 211:7, 223:1, 235:1 occupied [7] - 119:19, 120:3, 122:1, 122:6, 152:15, 152:16, 152:17 occupy [1] - 81:18 occur [2] - 111:10, 187:1 occurs [1] - 145:14 odd [1] - 245:2 OF [6] - 1:2, 266:16, 268:2, 268:17, 268:18, 268:19 off-street [3] - 5:14, 5:18, 9:10 offense [2] - 156:7,</p>	<p>157:7 offer [1] - 92:8 office [8] - 14:12, 69:9, 93:4, 100:4, 100:14, 104:17, 178:15, 196:16 officer [1] - 162:14 offices [3] - 26:6, 32:10, 33:15 OFFICIAL [1] - 1:17 OFFIONG [31] - 20:19, 21:4, 24:16, 25:1, 25:9, 35:12, 39:10, 39:18, 40:7, 40:13, 40:16, 42:5, 42:17, 43:7, 44:1, 44:15, 45:10, 46:6, 71:11, 71:14, 80:12, 80:18, 81:6, 82:15, 82:19, 84:14, 85:11, 87:5, 88:1, 88:19, 91:8 Offiong [1] - 21:5 offset [1] - 55:12 often [3] - 179:18, 253:4, 262:8 old [6] - 23:8, 28:2, 135:12, 157:7, 232:11, 246:16 Old [3] - 24:7, 25:5, 25:9 oldest [1] - 133:12 on-street [3] - 118:6, 122:11, 122:13 once [5] - 117:7, 125:5, 128:16, 129:12, 161:19 one [120] - 4:12, 5:17, 8:7, 8:9, 9:11, 9:15, 10:1, 10:3, 15:19, 31:9, 42:16, 46:5, 49:12, 50:13, 54:13, 59:14, 70:17, 71:12, 71:16, 71:17, 72:8, 76:9, 87:5, 88:8, 89:18, 96:3, 97:5, 100:2, 100:15, 100:18, 102:9, 103:13, 105:9, 107:2, 110:18, 114:17, 117:10, 118:2, 121:2, 133:11, 136:18, 139:8, 139:15, 141:4, 142:1, 143:13, 148:15, 152:1, 152:7, 152:10, 154:2, 154:13, 158:9, 159:15, 159:19, 160:15, 161:8, 162:2, 164:10,</p>	<p>166:18, 170:16, 173:8, 174:18, 175:3, 176:1, 178:16, 182:4, 184:12, 187:3, 187:17, 191:12, 192:5, 192:9, 192:12, 195:10, 197:14, 199:6, 199:15, 199:18, 200:7, 200:11, 201:15, 202:4, 202:5, 202:9, 202:12, 203:13, 204:1, 204:4, 205:17, 207:12, 209:4, 209:5, 215:1, 216:14, 220:9, 222:4, 223:18, 226:17, 229:13, 231:3, 231:13, 234:15, 235:16, 235:19, 236:11, 239:17, 243:10, 243:13, 245:7, 248:16, 249:15, 251:4, 251:5, 252:13, 261:10 one-bedroom [3] - 105:9, 162:2, 243:10 one-story [2] - 100:2, 220:9 ones [12] - 54:17, 105:7, 122:4, 130:19, 131:2, 173:14, 174:18, 175:1, 175:3, 224:14, 225:16, 243:6 ongoing [3] - 68:18, 90:15, 185:7 open [43] - 16:17, 27:2, 43:5, 43:18, 54:1, 62:6, 62:11, 64:8, 64:9, 64:15, 64:17, 65:7, 77:14, 81:14, 82:9, 83:10, 85:2, 85:6, 86:17, 101:1, 103:18, 105:15, 106:7, 108:1, 108:12, 108:13, 109:5, 110:4, 116:5, 117:8, 123:11, 151:4, 168:16, 187:14, 188:7, 209:12, 211:11, 214:5, 214:17, 226:19, 227:3, 247:11, 258:9 Open [1] - 3:14</p>	<p>opened [3] - 91:18, 94:3, 254:19 opening [2] - 153:4, 258:12 operate [3] - 17:2, 49:6, 221:17 operated [1] - 38:12 operates [1] - 15:6 operation [6] - 31:14, 44:8, 72:13, 72:18, 81:16, 85:4 operations [3] - 32:8, 32:13, 184:3 operator [1] - 16:3 opinion [9] - 74:16, 133:8, 146:11, 155:2, 174:19, 202:13, 203:11, 204:2, 209:1 opinions [1] - 49:11 opportunities [1] - 81:14 opportunity [6] - 85:1, 85:8, 162:7, 178:19, 179:8, 193:9 oppose [1] - 148:5 opposed [3] - 148:12, 177:10, 210:12 opposite [3] - 47:8, 122:3, 201:5 opposition [2] - 45:2, 147:7 option [8] - 131:5, 203:4, 203:11, 204:9, 204:10, 204:11, 204:14, 207:2 options [1] - 205:12 ORAN [8] - 92:13, 120:14, 122:19, 222:11, 223:7, 236:12, 254:11, 255:16 Oran [2] - 92:14, 167:10 orange [2] - 118:15, 160:17 order [4] - 36:8, 50:16, 149:8, 206:3 ordinance [1] - 70:19 Ordinance [18] - 3:8, 20:10, 20:14, 55:2, 55:11, 61:19, 62:5, 62:14, 66:7, 66:9, 76:17, 77:19, 105:13, 157:10, 221:4, 224:12, 249:2, 258:13 Ordinances [1] - 66:4 organizing [1] - 250:3</p>	<p>orient [2] - 98:13, 121:6 orientation [4] - 36:2, 74:13, 101:13, 112:16 oriented [2] - 99:5, 136:16 orienting [1] - 75:7 ORIGINAL [1] - 266:8 original [5] - 15:10, 23:14, 132:18, 266:2, 266:9 originally [2] - 8:11, 9:4 otherwise [1] - 66:2 ourselves [1] - 144:5 outcome [2] - 227:10, 268:7 outdated [1] - 185:2 outreach [4] - 155:6, 155:8, 156:6, 158:1 outside [7] - 66:1, 66:3, 66:6, 118:19, 169:12, 171:5, 211:1 outward [1] - 190:9 oval [1] - 210:10 overall [6] - 41:6, 41:11, 114:11, 155:15, 225:4, 239:10 overburden [1] - 76:19 overhang [2] - 36:14, 173:18 Overlay [1] - 2:13 overlooking [1] - 214:12 overlooks [1] - 27:19 overnight [2] - 121:4, 122:8 own [7] - 49:8, 63:12, 84:11, 162:19, 178:7, 246:6, 248:10 owned [5] - 95:5, 132:5, 135:8, 152:14, 202:19 owner [7] - 16:2, 16:13, 101:18, 102:13, 127:11, 143:15, 152:17 owner-occupied [1] - 152:17 owner/operator [1] - 144:1 owners [3] - 68:1, 126:5, 167:13 ownership [4] - 67:19, 180:17, 192:15</p>

<p>owns [5] - 85:14, 101:15, 101:18, 178:10, 224:19</p>	<p>101:14, 104:16, 107:14, 112:16, 137:16, 149:5, 151:7, 153:2, 159:3, 187:14, 199:11, 211:16, 239:2</p>	<p>128:3, 128:4, 129:16, 129:18, 129:19, 130:1, 130:16, 137:8, 139:6, 139:7, 139:12, 140:12, 141:10, 141:11, 141:13, 141:14, 141:15, 149:7, 149:11, 149:17, 150:9, 151:15, 152:1, 152:16, 152:19, 163:15, 167:14, 167:15, 167:16, 168:11, 168:12, 171:16, 172:18, 174:17, 175:1, 175:4, 175:5, 176:9, 176:13, 177:2, 177:4, 179:14, 179:17, 180:1, 180:9, 181:10, 182:4, 182:8, 182:10, 182:12, 182:18, 183:2, 183:8, 183:11, 185:8, 185:12, 186:12, 190:14, 191:3, 191:4, 191:6, 191:9, 191:11, 192:7, 192:18, 193:7, 193:14, 193:19, 194:4, 194:6, 194:8, 194:14, 200:9, 207:4, 207:18, 218:15, 218:16, 218:19, 228:14, 228:15, 228:16, 229:1, 229:9, 229:16, 229:19, 230:9, 230:13, 231:2, 244:5, 244:10, 244:11, 244:16, 245:2, 245:6, 245:9, 245:14, 245:17, 245:19, 246:3, 251:16, 251:18, 252:6</p>	<p>22:19, 247:19 particular [6] - 57:12, 102:13, 195:6, 206:1, 210:8, 237:4 particularly [6] - 23:8, 185:9, 210:3, 211:14, 237:16, 238:4 parties [2] - 233:12, 268:6 partner [2] - 92:15, 97:14 Partners [4] - 3:5, 92:16, 97:11, 142:10 parts [1] - 194:2 party [1] - 266:7 pass [9] - 51:17, 80:9, 154:4, 191:17, 200:7, 201:6, 201:19, 202:8 passed [4] - 55:3, 126:3, 138:5, 261:18 passerby [1] - 29:5 passive [1] - 115:17 past [1] - 172:14 PATEL [2] - 138:19, 139:2 Patel [1] - 138:19 patel [1] - 139:1 path [1] - 37:4 patio [1] - 113:18 patios [2] - 108:12, 115:3 pattern [3] - 146:5, 148:19, 190:9 patterns [1] - 74:11 paved [1] - 101:2 pavers [1] - 5:14 Pavilion [2] - 2:8, 14:7 pay [10] - 43:17, 44:7, 176:11, 176:15, 176:17, 194:6, 194:9, 194:11, 245:8, 245:12 PB#141 [1] - 2:8 PB#278 [1] - 3:3 PB#281 [1] - 2:11 peak [6] - 117:2, 117:9, 196:17, 196:18, 197:12 Pearl [2] - 121:17, 210:4 pedestrian [4] - 74:3, 74:19, 75:11, 75:19 pedestrians [3] - 75:9, 76:3, 109:8 pending [2] - 138:11, 261:5 penetration [1] - 35:8</p>	<p>penthouse [1] - 143:9 people [83] - 11:10, 33:4, 50:11, 52:3, 54:19, 56:11, 56:14, 80:15, 80:16, 80:18, 80:19, 84:12, 98:18, 99:4, 99:7, 99:9, 104:9, 104:18, 114:4, 124:9, 125:4, 127:7, 130:4, 130:16, 131:3, 132:4, 133:9, 139:18, 140:3, 140:13, 140:15, 141:2, 142:1, 156:4, 156:5, 169:12, 170:16, 171:3, 175:12, 175:15, 176:4, 176:7, 176:11, 176:15, 177:10, 179:5, 181:8, 181:9, 182:14, 184:13, 185:15, 186:14, 189:1, 189:10, 189:12, 191:17, 193:15, 194:5, 194:17, 201:19, 202:10, 206:14, 209:7, 209:11, 210:1, 210:19, 216:7, 217:13, 217:14, 218:4, 218:11, 227:19, 228:14, 230:2, 240:8, 245:7, 245:13, 245:16, 246:12, 252:14, 257:4, 258:19, 260:6 per [10] - 34:5, 107:2, 119:14, 119:19, 120:18, 192:9, 195:10, 195:11, 205:17, 221:12 perceive [1] - 242:12 percent [22] - 22:10, 41:8, 52:6, 53:1, 101:1, 106:7, 109:4, 120:2, 122:1, 122:5, 122:10, 122:12, 123:16, 166:8, 226:13, 226:14, 245:2, 245:7, 245:10, 247:11, 251:17 perfectly [1] - 79:12 perfect [1] - 232:3 perhaps [1] - 50:1, 138:6, 138:7, 154:17, 201:3, 207:1, 215:13,</p>
P				
<p>p.m [4] - 1:4, 117:2, 121:11, 265:1 package [1] - 105:19 packaged [1] - 238:8 PADEN [37] - 4:6, 5:8, 6:1, 6:10, 6:19, 7:3, 8:8, 9:6, 9:17, 10:1, 10:12, 10:16, 10:19, 11:5, 11:7, 11:12, 11:16, 14:8, 15:18, 18:9, 50:6, 125:1, 254:5, 254:13, 254:18, 255:17, 256:1, 256:6, 256:10, 257:11, 257:18, 258:2, 258:8, 263:5, 263:8, 263:16, 264:1 Paden [3] - 1:14, 96:11, 157:17 Page [2] - 2:19, 267:7 PAGE [4] - 2:2, 3:2, 266:16, 267:9 paid [2] - 44:17, 185:15 Paint [1] - 101:19 panels [2] - 31:3, 31:5 paper [1] - 10:17 paperwork [1] - 263:3 par [1] - 150:9 parallel [3] - 9:18, 114:4, 244:9 parcel [2] - 6:8, 6:11 park [42] - 8:17, 42:13, 43:6, 44:7, 63:19, 67:18, 81:13, 83:5, 83:14, 86:12, 86:13, 86:15, 87:12, 87:13, 87:15, 88:15, 108:8, 111:18, 114:4, 115:9, 115:14, 122:8, 123:10, 131:15, 139:11, 140:4, 151:8, 153:7, 154:15, 159:6, 168:14, 168:17, 168:18, 168:19, 169:9, 170:16, 171:1, 187:13, 188:7, 217:7, 218:3, 218:5 Park [21] - 3:9, 14:11, 15:7, 28:14, 97:7, 97:19, 101:5, 101:8,</p>	<p>parked [2] - 120:18, 121:13 Parking [11] - 2:14, 3:5, 19:13, 46:8, 50:3, 53:16, 79:12, 90:15, 90:18, 167:16, 206:2 parking [236] - 2:15, 5:14, 5:19, 6:6, 6:14, 7:10, 7:12, 7:13, 8:15, 8:18, 9:3, 9:10, 9:15, 9:19, 14:1, 21:14, 30:5, 32:1, 32:4, 32:6, 35:16, 35:19, 36:7, 36:12, 37:2, 37:18, 38:10, 42:2, 42:4, 42:16, 42:19, 43:10, 43:16, 44:13, 44:14, 45:11, 46:9, 47:5, 47:8, 47:12, 47:14, 47:15, 49:4, 49:11, 49:13, 49:16, 52:10, 53:5, 53:14, 53:18, 54:8, 54:12, 54:16, 54:18, 55:8, 55:10, 55:13, 55:15, 57:7, 57:15, 57:17, 58:16, 59:18, 60:1, 60:2, 60:14, 61:1, 61:18, 62:6, 63:6, 65:10, 66:2, 67:7, 67:10, 67:11, 67:17, 68:16, 69:8, 71:15, 71:19, 72:5, 75:15, 78:8, 78:10, 78:14, 78:17, 79:3, 79:5, 79:14, 80:7, 80:8, 81:2, 81:8, 81:10, 82:9, 82:13, 83:2, 83:4, 83:16, 89:13, 90:12, 90:16, 100:7, 100:8, 100:9, 100:10, 100:11, 101:19, 105:10, 105:12, 106:10, 107:2, 110:16, 111:4, 113:15, 114:4, 114:6, 114:15, 115:16, 116:11, 118:11, 118:14, 119:13, 120:9, 120:16, 121:2, 121:4, 122:14, 124:4, 124:6, 124:7, 128:2,</p>	<p>parking's [1] - 194:10 parks [1] - 172:1 part [17] - 23:14, 33:18, 44:19, 51:5, 51:14, 59:2, 107:19, 114:15, 166:3, 167:18, 188:14, 209:2, 217:2, 221:6, 237:6, 237:8, 245:9 part-time [1] - 51:14 partially [1] - 29:16 participate [3] - 19:7,</p>	<p>particular [6] - 57:12, 102:13, 195:6, 206:1, 210:8, 237:4 particularly [6] - 23:8, 185:9, 210:3, 211:14, 237:16, 238:4 parties [2] - 233:12, 268:6 partner [2] - 92:15, 97:14 Partners [4] - 3:5, 92:16, 97:11, 142:10 parts [1] - 194:2 party [1] - 266:7 pass [9] - 51:17, 80:9, 154:4, 191:17, 200:7, 201:6, 201:19, 202:8 passed [4] - 55:3, 126:3, 138:5, 261:18 passerby [1] - 29:5 passive [1] - 115:17 past [1] - 172:14 PATEL [2] - 138:19, 139:2 Patel [1] - 138:19 patel [1] - 139:1 path [1] - 37:4 patio [1] - 113:18 patios [2] - 108:12, 115:3 pattern [3] - 146:5, 148:19, 190:9 patterns [1] - 74:11 paved [1] - 101:2 pavers [1] - 5:14 Pavilion [2] - 2:8, 14:7 pay [10] - 43:17, 44:7, 176:11, 176:15, 176:17, 194:6, 194:9, 194:11, 245:8, 245:12 PB#141 [1] - 2:8 PB#278 [1] - 3:3 PB#281 [1] - 2:11 peak [6] - 117:2, 117:9, 196:17, 196:18, 197:12 Pearl [2] - 121:17, 210:4 pedestrian [4] - 74:3, 74:19, 75:11, 75:19 pedestrians [3] - 75:9, 76:3, 109:8 pending [2] - 138:11, 261:5 penetration [1] - 35:8</p>	<p>penthouse [1] - 143:9 people [83] - 11:10, 33:4, 50:11, 52:3, 54:19, 56:11, 56:14, 80:15, 80:16, 80:18, 80:19, 84:12, 98:18, 99:4, 99:7, 99:9, 104:9, 104:18, 114:4, 124:9, 125:4, 127:7, 130:4, 130:16, 131:3, 132:4, 133:9, 139:18, 140:3, 140:13, 140:15, 141:2, 142:1, 156:4, 156:5, 169:12, 170:16, 171:3, 175:12, 175:15, 176:4, 176:7, 176:11, 176:15, 177:10, 179:5, 181:8, 181:9, 182:14, 184:13, 185:15, 186:14, 189:1, 189:10, 189:12, 191:17, 193:15, 194:5, 194:17, 201:19, 202:10, 206:14, 209:7, 209:11, 210:1, 210:19, 216:7, 217:13, 217:14, 218:4, 218:11, 227:19, 228:14, 230:2, 240:8, 245:7, 245:13, 245:16, 246:12, 252:14, 257:4, 258:19, 260:6 per [10] - 34:5, 107:2, 119:14, 119:19, 120:18, 192:9, 195:10, 195:11, 205:17, 221:12 perceive [1] - 242:12 percent [22] - 22:10, 41:8, 52:6, 53:1, 101:1, 106:7, 109:4, 120:2, 122:1, 122:5, 122:10, 122:12, 123:16, 166:8, 226:13, 226:14, 245:2, 245:7, 245:10, 247:11, 251:17 perfectly [1] - 79:12 perfect [1] - 232:3 perhaps [1] - 50:1, 138:6, 138:7, 154:17, 201:3, 207:1, 215:13,</p>

<p>221:12, 230:14, 230:16, 233:8</p> <p>period [2] - 24:1, 142:2</p> <p>periodically [1] - 86:19</p> <p>permission [2] - 14:19, 17:3</p> <p>permit [7] - 44:13, 53:19, 56:2, 57:3, 175:5, 194:7, 233:10</p> <p>Permit [28] - 2:12, 9:14, 14:10, 14:13, 14:16, 15:10, 20:8, 44:11, 51:18, 62:19, 69:1, 71:9, 78:4, 90:10, 106:15, 106:18, 146:4, 146:8, 147:8, 149:7, 155:19, 188:9, 250:5, 261:3, 261:16, 262:1, 262:2, 263:19</p> <p>permits [3] - 106:14, 167:14, 167:15</p> <p>permitted [3] - 146:7, 227:13, 241:16</p> <p>person [11] - 15:6, 82:14, 83:16, 121:11, 138:17, 162:8, 169:1, 172:14, 208:12, 221:13</p> <p>person's [1] - 194:9</p> <p>personal [1] - 185:14</p> <p>personally [1] - 238:9</p> <p>perspective [5] - 41:12, 41:13, 46:1, 234:7, 237:12</p> <p>perspectives [1] - 182:3</p> <p>pest [2] - 248:19, 249:2</p> <p>Petack [1] - 138:16</p> <p>Peters [2] - 174:13, 181:19</p> <p>petition [6] - 13:13, 13:15, 238:16, 257:6, 259:14, 261:6</p> <p>Petition [9] - 2:14, 3:12, 254:9, 257:3, 257:10, 257:12, 258:9, 258:12, 263:6</p> <p>Petitioner [3] - 20:1, 92:12, 260:5</p> <p>Pharmaceuticals [1] - 94:18</p> <p>phase [1] - 262:10</p>	<p>phenomenal [1] - 173:14</p> <p>Phillips [9] - 3:8, 254:8, 257:3, 257:6, 257:10, 257:12, 258:9, 258:12, 263:5</p> <p>phonetic [1] - 138:17</p> <p>phonetic [1] - 141:19</p> <p>photograph [3] - 31:8, 31:11, 172:10</p> <p>photographs [3] - 7:7, 7:8, 113:1</p> <p>photos [1] - 157:17</p> <p>Photoshop [1] - 182:6</p> <p>physical [1] - 38:8</p> <p>physically [1] - 236:6</p> <p>pick [2] - 208:16, 243:1</p> <p>picked [1] - 214:16</p> <p>picture [3] - 99:13, 182:3, 183:14</p> <p>pictures [1] - 129:5</p> <p>piece [3] - 61:18, 63:12, 236:8</p> <p>pig [2] - 232:12, 232:13</p> <p>pigsty [2] - 215:18, 215:19</p> <p>pike [1] - 155:1</p> <p>Pipe [1] - 184:1</p> <p>pit [1] - 172:5</p> <p>pitch [1] - 130:10</p> <p>place [14] - 17:15, 33:8, 55:14, 94:14, 104:9, 104:10, 140:17, 169:11, 169:19, 173:14, 244:14, 245:19, 247:15, 247:16</p> <p>placed [1] - 69:1</p> <p>places [2] - 104:18, 171:3</p> <p>plan [18] - 4:16, 6:3, 16:5, 28:13, 29:9, 29:16, 33:6, 34:15, 39:19, 40:3, 40:8, 46:10, 78:9, 79:5, 81:16, 82:9, 86:13, 96:12</p> <p>plane [1] - 242:11</p> <p>planes [1] - 112:14</p> <p>planned [4] - 37:3, 93:6, 94:12, 163:10</p> <p>planner [1] - 251:19</p> <p>Planning [47] - 3:15, 4:3, 12:19, 13:11, 14:6, 14:10, 14:14, 14:17, 15:8, 20:4, 55:7, 78:5, 78:17, 79:3, 88:17, 89:8,</p>	<p>94:10, 121:1, 126:15, 147:5, 150:18, 151:19, 153:16, 156:9, 162:11, 165:13, 175:19, 178:18, 179:11, 184:10, 186:18, 189:14, 193:1, 224:12, 237:14, 247:8, 251:3, 254:7, 259:3, 260:8, 262:9, 262:15, 262:19, 265:2, 266:12, 267:4, 267:16</p> <p>PLANNING [2] - 1:2, 267:1</p> <p>planning [5] - 25:13, 26:16, 37:1, 226:8, 230:1</p> <p>plans [10] - 6:5, 15:19, 28:11, 88:2, 96:9, 139:6, 145:2, 155:9, 175:16, 200:8</p> <p>plant [1] - 172:13</p> <p>planted [1] - 87:2</p> <p>planting [3] - 213:2, 213:12, 249:17</p> <p>plastic [3] - 160:17, 160:19</p> <p>play [4] - 162:18, 210:10, 210:15, 228:17</p> <p>playing [1] - 194:12</p> <p>plays [1] - 229:2</p> <p>plaza [1] - 171:12</p> <p>pleasant [1] - 215:2</p> <p>plenty [1] - 168:12</p> <p>plumbing [1] - 116:4</p> <p>plumes [1] - 219:8</p> <p>plus [2] - 34:14, 198:7</p> <p>Point [3] - 93:1, 98:12, 180:3</p> <p>point [21] - 47:6, 47:8, 71:12, 73:18, 87:6, 111:3, 113:13, 123:17, 124:1, 142:19, 143:3, 155:5, 170:14, 173:13, 181:2, 183:16, 185:1, 185:18, 208:19, 214:4, 221:14</p> <p>Point's [1] - 93:2</p> <p>pointed [1] - 232:10</p> <p>points [10] - 127:8, 142:16, 153:19, 161:3, 179:9, 208:8, 208:9, 246:5, 248:14, 253:13</p>	<p>poisoned [1] - 220:17</p> <p>policy [7] - 148:14, 148:15, 149:3, 164:7, 164:10, 164:12, 164:18</p> <p>political [1] - 227:11</p> <p>polls [1] - 186:8</p> <p>pollution [1] - 220:2</p> <p>Pond [1] - 152:11</p> <p>Ponzio [2] - 147:4, 147:16</p> <p>PONZIO [3] - 147:5, 147:15, 147:16</p> <p>pool [3] - 46:14, 57:18, 58:2</p> <p>Popper [1] - 13:14</p> <p>Popper-Keizer [1] - 13:14</p> <p>pops [1] - 111:7</p> <p>population [4] - 37:13, 72:10, 159:18, 161:13</p> <p>Porter [2] - 4:9, 4:10</p> <p>portion [8] - 25:10, 80:13, 81:3, 148:16, 216:9, 236:15, 236:16, 261:18</p> <p>portions [1] - 70:14</p> <p>pose [1] - 167:10</p> <p>position [4] - 50:4, 53:17, 145:6, 145:7</p> <p>positioned [1] - 143:5</p> <p>positions [1] - 142:14</p> <p>positive [2] - 38:18, 155:15</p> <p>possibilities [1] - 136:18</p> <p>possible [5] - 137:3, 164:19, 171:12, 207:15, 238:13</p> <p>possibly [1] - 137:8</p> <p>postpone [5] - 133:5, 258:14, 258:18, 259:13, 260:17</p> <p>postponed [1] - 132:18</p> <p>potentially [3] - 206:12, 214:10, 244:15</p> <p>practical [1] - 264:3</p> <p>practicing [2] - 97:12, 150:19</p> <p>pre [1] - 145:1</p> <p>pre-existing [1] - 145:1</p> <p>precedent [3] - 58:6, 58:11, 58:14</p> <p>precedent's [1] - 58:13</p> <p>precious [1] - 63:18</p> <p>predecessor [1] -</p>	<p>102:13</p> <p>predicted [2] - 117:1, 240:2</p> <p>predictions [1] - 168:2</p> <p>predominantly [2] - 101:8, 101:9</p> <p>preexisting [1] - 144:9</p> <p>preferable [1] - 204:10</p> <p>preferred [1] - 204:7</p> <p>prepare [1] - 72:16</p> <p>prepared [5] - 80:4, 89:15, 135:3, 167:11, 175:11</p> <p>present [3] - 155:9, 219:9, 220:7</p> <p>presentation [10] - 15:13, 21:3, 36:9, 51:6, 92:7, 92:11, 129:13, 130:7, 158:17, 242:16</p> <p>presented [4] - 51:10, 96:12, 142:9, 146:10</p> <p>presenters [1] - 158:18</p> <p>preserve [3] - 3:14, 36:9, 79:1</p> <p>President [4] - 2:15, 20:6, 22:13, 164:5</p> <p>pressure [1] - 145:12</p> <p>Preston [1] - 1:11</p> <p>PRESTON [12] - 8:2, 44:9, 49:1, 75:6, 89:12, 205:14, 208:14, 212:13, 212:17, 213:10, 225:18, 253:9</p> <p>presumably [2] - 47:11, 48:16</p> <p>pretty [9] - 13:7, 99:12, 153:3, 154:10, 175:2, 206:9, 227:11, 239:13, 249:9</p> <p>prevailing [1] - 148:19</p> <p>prevented [1] - 203:2</p> <p>prevents [1] - 248:11</p> <p>preview [2] - 12:15, 14:2</p> <p>previous [2] - 119:3, 119:15</p> <p>previously [1] - 4:17</p> <p>price [4] - 194:4, 194:5, 194:7, 194:9</p> <p>primarily [3] - 42:12, 43:2, 102:7</p> <p>primary [2] - 111:8,</p>
--	---	---	--	---

<p>176:1 principal [1] - 54:17 principle [2] - 220:11, 220:15 principles [2] - 151:6, 195:14 privacy [2] - 249:14, 249:19 private [11] - 34:19, 108:16, 109:16, 151:8, 151:9, 151:12, 202:18, 214:1, 233:1, 233:11, 249:14 proactively [1] - 94:11 problem [17] - 57:12, 79:13, 154:10, 154:12, 161:4, 166:15, 182:11, 183:7, 192:3, 216:12, 218:15, 232:17, 232:18, 237:4, 239:15, 255:6, 260:13 problematic [2] - 182:16, 232:16 problems [4] - 52:10, 77:4, 163:4, 188:18 proceed [1] - 70:1 process [9] - 25:12, 39:13, 103:9, 123:19, 155:9, 179:10, 202:6, 209:13, 227:11 professionals [3] - 96:5, 104:8, 244:13 professors [2] - 55:19, 81:12 profit [1] - 131:4 program [6] - 24:4, 25:12, 25:18, 191:13, 213:16, 217:17 programmed [1] - 214:3 programs [1] - 56:14 prohibitive [1] - 180:2 project [66] - 21:17, 21:18, 22:2, 22:6, 24:6, 24:9, 25:16, 38:18, 39:3, 39:9, 39:17, 51:9, 51:12, 52:2, 52:11, 73:15, 74:6, 78:13, 97:10, 97:13, 97:19, 98:9, 98:13, 106:18, 107:5, 116:13, 116:19, 117:8, 122:16, 123:3, 128:15, 132:15, 133:7, 142:9, 148:6,</p>	<p>155:7, 156:3, 163:6, 166:6, 166:16, 170:8, 172:9, 178:9, 179:2, 179:3, 181:3, 181:14, 182:2, 182:19, 187:5, 189:5, 190:4, 193:6, 193:11, 198:13, 200:8, 214:11, 228:16, 230:11, 235:19, 238:11, 239:11, 239:17, 241:2, 250:14 Project [1] - 3:5 projections [1] - 235:13 projects [14] - 24:12, 52:7, 74:13, 76:19, 98:10, 120:6, 151:18, 162:16, 162:18, 165:14, 165:17, 180:4, 189:8, 238:19 promise [1] - 22:3 proper [3] - 114:11, 144:13, 259:18 properly [1] - 132:17 properties [1] - 144:2 property [25] - 42:7, 48:14, 63:12, 88:13, 94:17, 99:19, 100:5, 103:19, 104:3, 114:2, 114:16, 126:3, 127:19, 132:5, 135:9, 142:17, 143:19, 144:16, 145:15, 149:10, 183:19, 186:4, 186:6, 224:19, 244:9 proponent [9] - 15:5, 166:10, 167:11, 192:17, 205:6, 250:9, 252:3, 253:4, 253:14 proponents [2] - 55:8, 222:17 proportion [1] - 198:14 proportions [1] - 173:7 proposal [14] - 6:2, 14:18, 15:9, 28:8, 37:9, 38:12, 38:14, 79:10, 91:17, 105:17, 149:2, 191:2, 191:3, 225:9 proposal's [2] - 78:7, 96:17 proposals [1] - 230:4 propose [1] - 21:18 proposed [12] - 29:9,</p>	<p>30:17, 33:6, 78:17, 79:3, 105:6, 136:18, 137:16, 142:18, 146:3, 166:17, 221:9 proposes [1] - 78:9 proposing [19] - 6:6, 7:4, 25:19, 29:3, 29:10, 31:13, 32:2, 36:17, 97:1, 112:8, 113:6, 113:9, 114:9, 118:1, 118:12, 120:1, 148:3, 205:6, 229:9 prorated [1] - 179:18 pros [2] - 202:7, 205:3 protect [1] - 233:8 protected [3] - 100:19, 164:15, 233:6 protecting [1] - 102:14 protection [1] - 36:15 proud [5] - 95:13, 98:7, 123:3, 124:12, 152:3 prove [1] - 252:11 provide [12] - 22:4, 26:4, 27:8, 27:12, 27:16, 35:19, 36:17, 66:10, 66:11, 81:10, 151:14, 229:9 provided [4] - 65:14, 79:8, 106:7, 178:4 provides [1] - 207:14 providing [3] - 26:17, 36:13, 36:16 proximity [1] - 184:6 psychologically [1] - 236:7 PTDM [3] - 55:2, 55:10, 56:13 Public [5] - 77:3, 248:19, 267:7, 268:5, 268:14 PUBLIC [1] - 2:10 public [61] - 12:17, 13:17, 19:6, 39:7, 43:5, 43:19, 47:3, 47:17, 48:3, 50:2, 54:1, 54:12, 56:17, 59:1, 61:12, 62:6, 62:11, 63:4, 63:7, 64:9, 64:10, 64:15, 64:17, 65:7, 67:18, 68:2, 68:4, 68:5, 72:12, 81:14, 82:9, 82:10, 82:12, 83:11, 83:13, 85:3, 85:7, 86:8, 87:18, 89:7, 89:19, 109:14,</p>	<p>111:8, 118:6, 118:18, 124:18, 154:11, 155:4, 157:15, 158:9, 169:9, 189:2, 192:5, 213:5, 213:17, 213:18, 213:19, 259:7, 264:17 Publicly [1] - 3:14 PUD [1] - 167:19 pull [2] - 189:4, 202:2 pulled [1] - 112:7 pulling [1] - 112:12 purely [1] - 232:19 purple [1] - 27:7 purpose [2] - 69:5, 78:7 purposes [5] - 44:12, 60:19, 64:7, 82:4, 82:7 pursuant [3] - 2:12, 3:4, 20:9 pursuing [1] - 32:16 push [2] - 130:4, 182:5 pushed [1] - 165:9 pushing [2] - 140:13, 141:8 put [23] - 6:6, 8:13, 51:6, 52:2, 72:11, 134:4, 138:6, 170:14, 171:2, 171:13, 172:5, 172:11, 183:10, 188:1, 193:5, 223:13, 232:9, 232:14, 240:19, 241:5, 244:9, 251:7, 256:7 Putnam [43] - 13:18, 94:2, 98:7, 99:15, 100:6, 102:1, 108:4, 110:9, 114:7, 114:17, 118:7, 120:10, 120:18, 127:18, 131:6, 133:14, 136:17, 137:6, 137:7, 137:9, 137:11, 137:12, 137:19, 138:4, 138:12, 139:2, 139:13, 141:4, 141:9, 154:18, 159:5, 192:6, 197:1, 197:16, 197:17, 198:5, 204:8, 204:17, 204:18, 204:19, 235:11, 239:11, 239:14 putting [3] - 4:18, 67:16, 193:15</p>	<p>Pyke [3] - 116:7, 116:10, 167:10 PYKE [15] - 116:8, 119:10, 120:15, 197:7, 197:11, 197:14, 197:17, 198:15, 199:3, 199:6, 199:17, 200:1, 200:4, 200:14, 200:16 Pyke's [1] - 151:17</p> <hr/> <p style="text-align: center;">Q</p> <hr/> <p>Quadrangle [1] - 22:10 qualitative [1] - 79:7 quality [6] - 86:14, 131:2, 176:2, 176:3, 176:6 quantitative [1] - 79:7 quantity [2] - 78:9, 79:2 quarters [1] - 26:7 quasi [1] - 227:19 quasi-industrial [1] - 227:19 Queen [1] - 160:9 questions [13] - 15:13, 39:5, 39:7, 53:4, 57:10, 68:14, 71:10, 86:10, 124:17, 190:1, 200:13, 208:3, 214:6 quick [3] - 119:3, 173:3, 246:10 quickly [2] - 195:4, 250:2 quiet [2] - 96:6, 204:16 quilt [1] - 246:19 Quincy [11] - 24:7, 25:3, 25:5, 25:10, 27:19, 28:14, 36:10, 51:7, 51:16, 86:11 quite [10] - 15:12, 84:9, 148:1, 175:7, 211:2, 217:5, 219:6, 226:13, 237:7, 244:17 quote [2] - 165:7, 165:12</p> <hr/> <p style="text-align: center;">R</p> <hr/> <p>R&D [2] - 14:12, 196:16 racks [1] - 118:18 Radcliff [1] - 22:9</p>
---	---	--	--	---

<p>radical [1] - 243:9</p> <p>RAFFERTY [2] - 261:15, 262:5</p> <p>raggedy [1] - 246:16</p> <p>rainwater [1] - 13:15</p> <p>rainy [1] - 63:19</p> <p>raise [2] - 18:15, 50:15</p> <p>raised [5] - 12:10, 201:9, 215:11, 217:9, 253:13</p> <p>raises [1] - 231:12</p> <p>Raising [6] - 12:9, 18:17, 91:5, 256:16, 257:8, 260:18</p> <p>ramifications [1] - 212:6</p> <p>ramp [3] - 154:8, 164:16, 172:4</p> <p>random [1] - 84:12</p> <p>range [4] - 34:13, 56:1, 81:3, 82:1</p> <p>rarely [2] - 168:14, 212:9</p> <p>rather [9] - 52:17, 114:3, 176:16, 179:3, 208:11, 222:3, 230:7, 245:12, 250:1</p> <p>ratio [6] - 2:14, 20:11, 37:15, 119:13, 192:7</p> <p>rats [1] - 128:17</p> <p>re [6] - 70:14, 71:3, 75:7, 263:13, 263:15, 263:17</p> <p>re-allotment [1] - 71:3</p> <p>re-filed [3] - 263:13, 263:15, 263:17</p> <p>re-jiggering [1] - 70:14</p> <p>re-orienting [1] - 75:7</p> <p>reached [1] - 49:19</p> <p>react [1] - 237:9</p> <p>read [6] - 142:11, 153:12, 178:5, 178:12, 219:7, 267:16</p> <p>readily [1] - 79:19</p> <p>reading [2] - 266:12, 267:4</p> <p>ready [5] - 71:4, 73:6, 161:18, 190:3, 260:8</p> <p>real [5] - 123:11, 180:10, 203:14, 225:11, 230:7</p> <p>realistic [1] - 69:18</p> <p>realities [1] - 138:3</p> <p>reality [3] - 57:6, 138:12, 159:1</p>	<p>reallocate [1] - 59:9</p> <p>reallocation [1] - 49:5</p> <p>really [84] - 21:17, 22:14, 22:16, 23:1, 23:10, 23:17, 24:1, 24:8, 26:3, 27:13, 29:5, 30:11, 31:3, 31:8, 34:17, 35:7, 36:6, 37:17, 37:19, 38:1, 48:18, 51:14, 54:4, 59:13, 67:5, 69:18, 73:12, 86:2, 88:13, 98:4, 100:8, 107:13, 107:17, 109:13, 111:6, 115:11, 115:13, 123:2, 123:4, 123:12, 124:2, 135:4, 139:3, 141:12, 143:17, 148:11, 149:17, 150:11, 158:11, 164:17, 165:9, 169:7, 182:5, 182:10, 185:4, 187:3, 188:7, 189:6, 189:9, 204:2, 208:19, 211:16, 213:14, 215:5, 215:16, 217:8, 218:16, 228:7, 228:16, 229:14, 230:8, 233:18, 237:19, 238:10, 239:8, 240:2, 240:3, 242:18, 245:16, 246:13, 248:5, 252:15, 260:8</p> <p>realm [1] - 109:11</p> <p>Realty [4] - 16:2, 95:6, 142:4, 188:14</p> <p>rear [3] - 6:15, 216:9, 217:2</p> <p>reason [6] - 139:16, 141:6, 142:13, 146:2, 205:9, 267:5</p> <p>REASON [6] - 267:10, 267:11, 267:12, 267:13, 267:14, 267:15</p> <p>reasonable [8] - 17:1, 117:16, 192:8, 192:16, 196:12, 219:17, 223:11, 241:15</p> <p>reasons [1] - 266:13</p> <p>rebate [1] - 183:5</p> <p>rebuild [1] - 246:16</p> <p>recap [1] - 106:14</p> <p>receive [1] - 145:3</p> <p>RECEIVED [1] - 266:18</p>	<p>received [1] - 105:19</p> <p>recent [4] - 97:13, 120:5, 135:6, 167:19</p> <p>recently [4] - 24:3, 51:5, 98:10, 142:7</p> <p>recess [2] - 91:12, 115:8</p> <p>recognition [1] - 259:1</p> <p>recognized [1] - 125:6</p> <p>recommend [1] - 57:2</p> <p>recommendation [2] - 56:1, 68:17</p> <p>recommendations [3] - 70:3, 70:6, 106:11</p> <p>recommended [2] - 69:14, 194:17</p> <p>reconfiguration [1] - 217:2</p> <p>reconfigured [1] - 30:8</p> <p>record [6] - 19:19, 125:15, 178:5, 187:8, 266:7, 267:18</p> <p>RECORD [1] - 1:17</p> <p>records [1] - 246:13</p> <p>rectangles [1] - 161:1</p> <p>recycling [1] - 32:7</p> <p>red [6] - 121:15, 160:17, 174:16, 174:19, 175:2, 246:2</p> <p>Red [1] - 136:13</p> <p>redesign [3] - 165:9, 165:11, 216:9</p> <p>reduce [7] - 55:5, 106:10, 139:5, 141:14, 150:8, 161:12, 163:12</p> <p>reduced [3] - 67:2, 119:14, 166:7</p> <p>reducing [3] - 40:19, 164:12, 231:2</p> <p>Reduction [1] - 3:5</p> <p>reduction [10] - 14:1, 41:8, 41:13, 107:1, 119:12, 149:7, 152:1, 166:8, 251:16, 251:18</p> <p>Refer [1] - 267:7</p> <p>referential [1] - 112:5</p> <p>referring [2] - 16:5, 236:11</p> <p>reflect [4] - 138:3, 143:4, 157:5, 174:6</p> <p>reflected [2] - 143:10, 146:13</p> <p>reflective [1] - 95:16</p>	<p>reflects [1] - 227:16</p> <p>reframes [1] - 185:11</p> <p>regard [4] - 40:14, 65:10, 68:17, 74:14</p> <p>regarding [1] - 87:6</p> <p>regardless [1] - 262:18</p> <p>regulated [1] - 249:10</p> <p>regulating [1] - 5:6</p> <p>regulation [1] - 206:16</p> <p>regulations [3] - 61:9, 78:15, 123:14</p> <p>rehabilitation [1] - 39:9</p> <p>reiterate [2] - 177:6, 251:4</p> <p>relate [4] - 74:11, 81:4, 86:11, 108:2</p> <p>related [8] - 30:5, 32:14, 57:7, 121:2, 168:7, 201:12, 234:9, 268:6</p> <p>relates [3] - 214:1, 214:4, 234:19</p> <p>relating [1] - 74:12</p> <p>relation [1] - 146:14</p> <p>relative [7] - 210:14, 211:5, 234:1, 238:4, 238:14, 238:16, 250:3</p> <p>relatively [3] - 204:15, 226:1, 243:18</p> <p>relatives [1] - 128:4</p> <p>relevance [1] - 76:9</p> <p>relevant [3] - 74:15, 75:16, 187:15</p> <p>reliable [4] - 196:4, 196:5, 196:7, 196:9</p> <p>reliably [1] - 228:16</p> <p>relief [2] - 9:2, 151:15</p> <p>relocate [1] - 154:18</p> <p>reluctant [1] - 143:2</p> <p>rely [1] - 152:18</p> <p>relying [1] - 252:2</p> <p>remain [2] - 190:18, 216:5</p> <p>remember [6] - 26:9, 103:11, 135:13, 210:16, 211:18, 224:7</p> <p>remind [1] - 254:1</p> <p>reminded [1] - 210:11</p> <p>reminds [1] - 160:13</p> <p>rendering [1] - 135:16</p> <p>renderings [2] - 160:12, 213:9</p> <p>renewal [5] - 23:18, 24:4, 25:15, 39:1, 40:1</p> <p>renovated [2] - 23:13,</p>	<p>97:7</p> <p>renovating [2] - 87:17, 88:16</p> <p>renovation [6] - 25:13, 39:9, 39:17, 89:6, 89:10, 97:15</p> <p>rent [5] - 140:6, 176:12, 183:6, 221:9, 245:17</p> <p>rental [7] - 104:19, 139:19, 140:1, 152:14, 180:18, 183:3, 194:16</p> <p>rentals [1] - 180:16</p> <p>rented [2] - 130:3, 163:15</p> <p>renter [5] - 119:18, 120:3, 152:14, 152:15, 152:16</p> <p>renter-occupied [3] - 120:3, 152:15, 152:16</p> <p>renter-owned [1] - 152:14</p> <p>renting [2] - 193:14, 193:19</p> <p>rents [1] - 221:13</p> <p>REP [1] - 267:2</p> <p>repeatedly [1] - 94:10</p> <p>replace [3] - 103:16, 123:7, 123:11</p> <p>REPLACE [1] - 266:16</p> <p>replaced [1] - 105:4</p> <p>replacing [2] - 32:15, 123:10</p> <p>replicates [1] - 117:4</p> <p>replicating [1] - 58:12</p> <p>report [2] - 219:7, 264:7</p> <p>REPORTER [1] - 268:19</p> <p>Reporter [2] - 268:4, 268:14</p> <p>REPORTERS [1] - 1:17</p> <p>reports [1] - 77:3</p> <p>represent [4] - 23:4, 25:6, 142:5, 198:17</p> <p>represented [2] - 142:17, 174:16</p> <p>representing [1] - 51:2</p> <p>represents [3] - 24:7, 25:4, 165:19</p> <p>REPRODUCTION [1] - 268:18</p> <p>repurpose [1] - 77:15</p> <p>repurposed [1] - 75:2</p> <p>reputable [1] - 252:9</p> <p>request [13] - 4:8,</p>
--	--	--	---	---

<p>106:9, 120:19, 133:5, 138:9, 139:5, 140:10, 147:8, 150:3, 250:13, 251:15, 251:17, 255:14</p> <p>requested [1] - 90:11</p> <p>requesting [2] - 8:15, 35:13</p> <p>requests [1] - 250:4</p> <p>require [4] - 30:19, 106:3, 166:15, 167:13</p> <p>required [9] - 7:6, 14:16, 37:11, 65:11, 66:12, 73:8, 78:14, 106:7, 107:1</p> <p>Required [1] - 3:5</p> <p>required [1] - 267:7</p> <p>requirement [6] - 3:9, 46:19, 54:3, 65:6, 65:19, 229:6</p> <p>requirements [7] - 35:16, 46:13, 49:10, 49:17, 78:5, 105:18, 117:14</p> <p>requires [6] - 46:11, 149:6, 149:11, 166:2, 196:3, 259:14</p> <p>requiring [1] - 88:7</p> <p>requisite [3] - 80:1, 90:8, 167:16</p> <p>rerouted [1] - 239:2</p> <p>Research [2] - 14:11, 15:7</p> <p>research [1] - 183:18</p> <p>residence [5] - 109:8, 111:10, 119:1, 152:19, 232:16</p> <p>Residence [3] - 2:13, 102:6, 162:14</p> <p>residences [2] - 118:12, 153:7</p> <p>resident [2] - 175:5, 214:18</p> <p>residential [39] - 3:10, 14:12, 24:8, 24:14, 27:9, 28:4, 69:10, 77:13, 93:17, 95:15, 97:4, 104:6, 123:5, 124:3, 144:8, 148:16, 152:4, 152:8, 152:12, 163:7, 164:14, 167:15, 183:15, 185:6, 186:7, 186:8, 188:17, 196:17, 227:14, 231:8, 231:9, 231:17, 232:16, 233:5,</p>	<p>233:12, 235:11, 235:15, 237:8, 237:12</p> <p>Residential [1] - 104:2</p> <p>residents [7] - 103:13, 118:13, 151:5, 169:13, 202:15, 207:3, 252:1</p> <p>resolution [1] - 261:5</p> <p>resolved [1] - 211:2</p> <p>respect [8] - 67:19, 86:8, 90:11, 97:4, 123:13, 133:17, 189:11, 201:4</p> <p>respected [1] - 74:15</p> <p>respectful [4] - 103:5, 103:13, 106:2, 124:2</p> <p>respectfully [3] - 133:4, 155:6, 181:11</p> <p>respond [1] - 190:13</p> <p>Response [2] - 53:12, 189:17</p> <p>response [3] - 202:14, 215:15, 221:3</p> <p>responsibility [2] - 234:6, 262:11</p> <p>responsible [3] - 98:7, 144:19, 184:15</p> <p>responsive [1] - 146:5</p> <p>rest [2] - 27:8, 33:11</p> <p>restaurant [1] - 82:11</p> <p>restaurants [2] - 15:2, 64:1</p> <p>restored [1] - 8:17</p> <p>restoring [1] - 5:15</p> <p>restricted [1] - 232:5</p> <p>restrictive [3] - 62:8, 62:9, 62:10</p> <p>restrooms [1] - 90:1</p> <p>result [4] - 69:2, 84:13, 94:14, 254:3</p> <p>results [1] - 69:2</p> <p>retail [4] - 2:9, 16:4, 74:14, 98:3</p> <p>retain [1] - 176:2</p> <p>retained [1] - 34:3</p> <p>return [1] - 49:3</p> <p>reused [1] - 32:11</p> <p>review [10] - 4:5, 14:2, 73:9, 80:1, 80:3, 106:18, 192:1, 195:16, 196:2, 250:13</p> <p>Review [1] - 3:5</p>	<p>reviewed [2] - 11:17, 38:12</p> <p>revision [1] - 93:11</p> <p>revival [1] - 160:9</p> <p>revolving [1] - 30:11</p> <p>Rezoning [2] - 93:1, 123:15</p> <p>rezoning [3] - 96:18, 102:5, 224:7</p> <p>rich [1] - 135:10</p> <p>rid [3] - 110:18, 140:13, 163:13</p> <p>Ride [1] - 99:1</p> <p>right-of-way [1] - 136:11</p> <p>rights [4] - 102:15, 127:13, 225:2, 261:19</p> <p>Rights [2] - 3:13, 3:13</p> <p>ring [4] - 136:14, 136:19, 137:4, 137:17</p> <p>rink [2] - 16:7, 16:16</p> <p>risk [9] - 229:2, 229:18, 232:9, 232:18, 233:13, 244:19, 245:16, 252:11</p> <p>Rissling [2] - 150:15, 150:16</p> <p>RISLING [2] - 150:16, 150:17</p> <p>river [7] - 22:9, 23:8, 24:11, 27:4, 88:6, 88:18, 98:15</p> <p>road [3] - 154:19, 202:17, 212:1</p> <p>roads [1] - 240:17</p> <p>roadway [1] - 203:3</p> <p>ROBERT [2] - 52:15, 136:6</p> <p>Robert [3] - 52:16, 136:5, 136:7</p> <p>Roberts [1] - 1:15</p> <p>robust [1] - 179:1</p> <p>rodent [1] - 249:5</p> <p>Roger [1] - 96:10</p> <p>role [1] - 194:12</p> <p>roof [11] - 13:14, 35:4, 35:7, 35:10, 112:9, 171:11, 214:5, 217:10, 217:11, 219:19, 249:11</p> <p>roofs [1] - 129:3</p> <p>roofscaping [1] - 171:10</p> <p>rooftop [4] - 249:12, 249:16, 249:19</p> <p>room [12] - 34:5, 37:1, 37:6, 92:4, 127:8, 184:16, 234:17,</p>	<p>235:2, 235:4, 243:17, 244:3, 255:12</p> <p>Room [1] - 1:5</p> <p>rooms [10] - 26:6, 33:13, 33:17, 34:2, 34:17, 80:17, 160:1, 160:3, 160:5, 264:16</p> <p>roughly [1] - 123:16</p> <p>Route [1] - 248:3</p> <p>route [3] - 137:4, 202:14, 245:18</p> <p>routes [1] - 137:3</p> <p>row [2] - 108:3, 261:10</p> <p>rude [2] - 134:6, 134:12</p> <p>rule [1] - 226:12</p> <p>rules [2] - 126:15, 134:17</p> <p>run [5] - 88:8, 88:12, 159:5, 219:3, 252:11</p> <p>running [2] - 128:17, 174:15</p> <p>rush [4] - 117:11, 197:2, 197:18, 198:1</p> <p>RUSSELL [1] - 139:1</p> <p>RUSSELL [113] - 4:2, 5:5, 5:11, 6:8, 6:17, 7:2, 7:9, 8:1, 8:4, 10:5, 10:17, 11:1, 11:4, 11:6, 11:9, 11:14, 12:1, 12:4, 12:6, 12:10, 14:4, 15:15, 16:9, 17:12, 18:7, 18:12, 18:18, 19:2, 91:14, 92:10, 119:4, 119:8, 124:16, 125:2, 125:10, 126:11, 126:14, 127:7, 131:10, 132:11, 136:5, 138:15, 141:18, 142:19, 143:7, 146:19, 147:3, 147:13, 150:13, 153:11, 158:6, 162:8, 163:19, 167:6, 168:4, 170:3, 174:10, 177:16, 181:16, 184:8, 187:6, 189:15, 189:18, 190:15, 190:19, 196:19, 197:5, 197:10, 197:13, 197:16, 198:13, 198:16, 199:15, 199:18,</p>	<p>200:2, 200:18, 208:4, 208:7, 208:15, 212:12, 212:16, 215:7, 219:5, 225:15, 226:11, 227:2, 236:9, 240:15, 253:16, 253:19, 254:16, 255:8, 255:18, 256:4, 256:9, 256:11, 256:14, 256:17, 256:19, 257:9, 257:17, 258:4, 258:11, 259:5, 260:12, 260:19, 261:7, 262:4, 263:2, 263:7, 263:11, 263:14, 264:5</p> <p>Russell [1] - 1:8</p> <p>Ryan [2] - 141:19, 146:19</p> <p>RYAN [1] - 147:2</p> <hr/> <p style="text-align: center;">S</p> <hr/> <p>safe [2] - 75:19, 88:10</p> <p>safely [2] - 76:4, 211:17</p> <p>safety [9] - 128:10, 150:2, 154:12, 155:4, 191:15, 201:3, 201:8, 234:4, 234:7</p> <p>sale [1] - 151:3</p> <p>SAME [1] - 268:18</p> <p>San [1] - 95:6</p> <p>sat [2] - 96:10, 258:19</p> <p>satisfactorily [1] - 79:5</p> <p>satisfactory [1] - 74:18</p> <p>satisfy [1] - 146:4</p> <p>Saturdays [1] - 65:1</p> <p>saw [4] - 128:12, 172:10, 173:1, 177:1</p> <p>scale [6] - 94:1, 101:4, 108:5, 148:9, 149:1, 153:1</p> <p>scaled [1] - 97:3</p> <p>scape [1] - 36:4</p> <p>scenario [1] - 201:2</p> <p>scenery [1] - 215:1</p> <p>schedule [4] - 255:2, 257:12, 258:6, 260:11</p> <p>scheduled [3] - 19:6, 158:1, 257:15</p> <p>schematic [1] - 242:1</p> <p>school [3] - 161:12,</p>
--	--	--	--	--

<p>161:18, 177:11 scope [1] - 29:4 SCOTT [8] - 92:13, 120:14, 122:19, 222:11, 223:7, 236:12, 254:11, 255:16 Scott [18] - 92:14, 107:12, 108:13, 108:17, 110:8, 114:18, 119:11, 122:17, 128:6, 129:10, 130:11, 134:5, 134:11, 159:7, 159:9, 159:13, 160:14 screened [1] - 217:12 screening [2] - 171:13, 249:17 SD [1] - 184:19 SD-8 [3] - 102:18, 223:18, 223:19 SD-8A [2] - 108:19, 110:13 se [1] - 205:17 sea [1] - 114:4 seasonal [2] - 15:4, 16:11 Second [2] - 1:5, 16:13 second [24] - 6:5, 12:4, 12:5, 18:11, 24:9, 33:15, 33:17, 33:19, 36:11, 91:1, 91:2, 93:16, 107:19, 128:11, 155:5, 164:18, 197:14, 201:12, 214:4, 214:16, 226:15, 250:13, 255:2, 256:13 secondary [3] - 29:1, 29:13, 30:17 seconded [1] - 260:15 secondly [3] - 55:2, 151:10, 202:14 seconds [4] - 127:4, 145:18, 157:13, 161:16 secretary [1] - 136:7 Section [19] - 2:12, 2:14, 3:4, 3:8, 3:12, 3:12, 3:13, 3:14, 20:10, 20:13, 73:9, 74:8, 74:10, 76:6, 77:18, 78:8, 78:15, 157:9, 258:12 Sections [1] - 20:12 secure [3] - 30:18, 37:1, 72:2 security [4] - 71:19,</p>	<p>72:2, 84:11, 87:8 see [105] - 6:2, 7:8, 21:16, 23:9, 23:10, 23:15, 26:19, 27:2, 27:16, 29:9, 30:3, 30:15, 31:7, 31:8, 34:16, 38:5, 49:17, 52:7, 52:18, 56:19, 63:8, 85:5, 86:2, 87:11, 87:13, 96:2, 99:13, 99:16, 99:17, 100:1, 101:8, 102:6, 102:11, 102:19, 103:1, 108:6, 110:1, 111:6, 111:11, 111:17, 113:4, 113:9, 113:11, 114:2, 114:5, 114:7, 114:14, 114:19, 115:2, 115:4, 115:6, 116:19, 120:11, 121:5, 131:4, 139:7, 139:10, 140:8, 150:5, 156:3, 156:5, 159:1, 160:17, 161:3, 171:4, 171:5, 171:14, 173:7, 174:14, 177:4, 181:3, 190:5, 194:2, 198:6, 205:9, 205:12, 209:11, 210:14, 212:5, 212:9, 212:19, 213:6, 213:11, 214:17, 215:2, 218:17, 221:3, 226:5, 230:2, 235:5, 236:5, 238:8, 238:9, 238:11, 239:16, 240:11, 240:13, 242:16, 244:5, 247:12, 249:16, 251:14, 255:2 seeing [7] - 113:13, 129:4, 165:14, 185:7, 186:17, 192:11, 238:2 seek [3] - 21:8, 93:4, 106:14 seeking [3] - 20:7, 21:10, 21:13 seem [5] - 110:4, 164:9, 187:3, 201:10, 235:9 seeming [1] - 202:8 segment [1] - 203:18 self [1] - 42:13 self-park [1] - 42:13 selling [3] - 129:18, 193:17, 193:18 semblance [1] - 83:19 semi [3] - 89:19,</p>	<p>109:16, 214:1 semi-private [2] - 109:16, 214:1 semi-public [1] - 89:19 seminar [1] - 33:16 send [1] - 139:8 Senior [4] - 13:1, 13:10, 13:12, 17:11 seniors [1] - 22:11 sense [15] - 47:6, 49:9, 55:9, 60:7, 69:15, 69:17, 70:16, 79:12, 166:11, 166:13, 188:1, 191:3, 205:8, 224:9 sensitive [1] - 39:3 sent [2] - 15:11, 157:16 separate [1] - 8:14 separated [4] - 37:2, 212:2, 235:17, 236:1 separation [2] - 213:3, 236:17 September [1] - 263:4 serious [1] - 38:11 seriously [3] - 133:11, 259:15, 259:16 serve [7] - 16:17, 21:11, 26:2, 26:13, 27:12, 78:11, 79:5 servery [1] - 33:9 service [1] - 72:7 services [1] - 40:17 set [14] - 6:5, 25:15, 57:15, 69:16, 72:17, 74:8, 106:4, 108:7, 177:2, 201:13, 209:19, 217:6, 268:9, 268:11 setback [8] - 3:9, 5:15, 6:7, 7:5, 8:19, 74:12, 100:5, 115:1 setbacks [2] - 106:3, 248:12 setting [2] - 19:10, 58:6 seven [2] - 20:17, 257:16 several [5] - 54:15, 104:14, 144:17, 178:14, 218:13 sew [1] - 247:2 shadows [1] - 112:15 shaft [1] - 174:3 shall [6] - 78:6, 78:17, 78:18, 79:4, 208:12, 257:2 shaped [1] - 96:17 share [1] - 56:12</p>	<p>shared [2] - 96:1, 179:2 sharing [2] - 107:17, 244:1 shed [1] - 5:13 Sheehan [3] - 50:7, 50:10, 50:19 SHEEHAN [2] - 50:8, 50:17 SHEET [3] - 266:1, 266:17, 267:3 sheet [3] - 50:5, 267:5, 267:6 Sheet [4] - 266:2, 266:5, 266:13, 267:8 shied [1] - 203:13 shift [2] - 37:14, 112:7 Shipley [2] - 158:7, 158:15 SHIPLEY [3] - 158:14, 161:17, 162:6 shoes [1] - 61:11 shop [1] - 15:2 Shopping [2] - 4:9, 4:10 shopping [1] - 4:15 short [7] - 2:15, 15:13, 20:11, 36:17, 37:15, 70:15, 91:12 short-term [2] - 36:17, 37:15 shorter [2] - 69:11, 154:8 Shorthand [2] - 268:4, 268:14 show [6] - 15:18, 29:16, 156:3, 169:6, 200:8, 252:7 showed [4] - 30:14, 160:14, 177:1, 246:12 showing [6] - 28:12, 35:6, 119:15, 142:11, 163:1, 182:7 shown [2] - 175:3, 200:6 shows [3] - 31:11, 116:13, 118:13 shrinkage [1] - 166:15 shut [1] - 88:17 shuttle [2] - 41:4, 99:1 side [2] - 4:12, 4:13, 7:17, 7:18, 8:16, 29:12, 29:14, 75:8, 97:5, 103:13, 112:1, 188:8, 213:6, 213:8, 216:7, 237:11, 237:12, 241:3,</p>	<p>241:6, 260:6 sided [1] - 191:11 sides [3] - 112:5, 160:17, 213:1 sidewalk [8] - 88:14, 114:11, 171:3, 172:11, 172:13, 172:17, 172:19, 213:7 sidewalks [4] - 88:5, 172:12, 212:19, 213:2 siding [1] - 112:7 Sidney [33] - 3:3, 3:6, 91:16, 92:17, 93:7, 94:15, 95:3, 95:8, 95:10, 98:14, 99:15, 100:2, 100:6, 101:5, 101:7, 107:16, 109:18, 111:12, 113:3, 115:6, 118:6, 118:8, 143:16, 163:8, 169:1, 181:19, 190:13, 192:6, 197:16, 197:17, 198:4, 199:8, 239:3 Sieniewicz [1] - 1:9 SIENIEWICZ [15] - 47:2, 48:6, 48:11, 48:13, 62:16, 64:13, 64:18, 86:6, 87:16, 88:4, 89:4, 195:2, 213:13, 250:2, 258:17 sight [1] - 204:15 sign [8] - 4:8, 50:5, 124:19, 125:3, 125:4, 131:11, 149:19, 266:13 Sign [1] - 267:6 sign-up [3] - 50:5, 124:19, 125:3 SIGNATURE [1] - 266:1 signed [2] - 206:14, 266:6 SIGNED [1] - 266:17 significance [1] - 262:3 significant [4] - 184:4, 206:12, 228:11, 259:14 significantly [2] - 227:12, 228:11 signs [2] - 4:11, 5:3 Sikri [2] - 153:15, 153:17 SIKRI [4] - 153:16, 153:18, 157:14, 158:4</p>
--	---	---	---	---

<p>silly [2] - 171:9, 172:7</p> <p>similar [9] - 8:7, 41:14, 41:17, 113:10, 167:17, 191:10, 235:12, 241:14, 263:10</p> <p>SIMMONS [1] - 177:19</p> <p>Simmons [3] - 178:1, 237:18, 252:3</p> <p>simple [2] - 107:12, 154:10</p> <p>simply [2] - 186:15, 230:17</p> <p>single [5] - 3:11, 5:16, 8:12, 9:8, 159:16</p> <p>single-family [3] - 5:16, 8:12, 9:8</p> <p>singles [6] - 34:9, 34:10, 34:12, 96:3, 104:6, 218:13</p> <p>sit [4] - 110:3, 110:10, 171:4, 210:19</p> <p>site [30] - 6:3, 16:3, 26:8, 26:10, 28:12, 29:2, 29:9, 30:4, 76:4, 76:7, 86:13, 86:18, 99:11, 100:8, 100:10, 100:11, 101:12, 109:5, 110:19, 111:4, 114:19, 116:19, 117:18, 121:9, 122:5, 123:16, 148:13, 149:13, 167:1, 214:13</p> <p>sits [2] - 86:18, 109:18</p> <p>sitting [6] - 65:3, 87:9, 109:9, 257:5, 260:1, 261:10</p> <p>situation [5] - 72:15, 154:16, 155:2, 156:12, 201:4</p> <p>six [7] - 20:15, 22:8, 91:6, 100:12, 118:3, 133:8, 172:12</p> <p>size [17] - 55:8, 107:16, 137:10, 148:9, 157:10, 160:1, 161:9, 162:3, 177:7, 180:11, 211:12, 211:13, 227:6, 234:17, 243:4, 250:5, 250:7</p> <p>sized [1] - 161:6</p> <p>sizes [6] - 170:13, 235:2, 235:4, 243:4, 243:17, 244:4</p> <p>skating [3] - 16:7, 16:10, 16:16</p>	<p>skeptical [1] - 229:11</p> <p>skill [1] - 268:10</p> <p>skilled [2] - 104:16, 251:9</p> <p>skirts [1] - 102:12</p> <p>Sky [1] - 16:8</p> <p>slabs [1] - 160:19</p> <p>sleep [1] - 22:17</p> <p>slick [1] - 135:18</p> <p>slicker [1] - 169:13</p> <p>slide [2] - 119:3, 119:15</p> <p>slight [1] - 119:12</p> <p>slope [2] - 111:5, 115:15</p> <p>sloped [1] - 111:14</p> <p>slopes [1] - 110:19</p> <p>slowly [3] - 94:10, 191:14, 201:2</p> <p>small [12] - 16:6, 35:7, 76:13, 161:6, 178:7, 182:3, 191:6, 198:18, 203:18, 206:16, 242:11, 243:18</p> <p>smaller [7] - 25:11, 236:2, 243:7, 243:12, 243:13, 243:16, 251:12</p> <p>smells [2] - 232:1, 234:8</p> <p>smokestacks [1] - 216:15</p> <p>so-called [1] - 202:18</p> <p>So... [1] - 87:2</p> <p>so... [1] - 175:5</p> <p>social [1] - 22:15</p> <p>soften [1] - 115:14</p> <p>sold [1] - 130:3</p> <p>solution [1] - 216:13</p> <p>solutions [1] - 171:19</p> <p>solve [1] - 185:9</p> <p>solved [1] - 188:18</p> <p>solving [2] - 52:10, 183:7</p> <p>someone [4] - 49:5, 122:8, 178:10, 180:6</p> <p>someplace [2] - 65:16, 245:11</p> <p>Somerville [2] - 4:13, 173:5</p> <p>sometime [1] - 259:8</p> <p>sometimes [8] - 69:12, 139:11, 187:19, 247:7, 255:9, 262:12, 262:14</p> <p>somewhere [1] - 39:12</p> <p>soon [2] - 52:2, 80:3</p>	<p>sophomores [1] - 22:11</p> <p>sorry [20] - 22:8, 25:1, 78:3, 82:5, 89:3, 112:4, 131:8, 134:8, 136:1, 161:1, 169:5, 190:18, 197:8, 198:7, 198:10, 198:19, 206:19, 218:6, 236:12, 259:19</p> <p>sort [20] - 5:6, 27:7, 44:4, 53:17, 85:15, 109:6, 148:6, 194:12, 201:16, 205:3, 208:18, 217:15, 219:5, 228:2, 233:9, 233:11, 246:15, 249:17, 258:1, 261:4</p> <p>sound [1] - 195:12</p> <p>sounded [1] - 168:11</p> <p>sounds [7] - 5:5, 8:1, 46:4, 53:4, 53:5, 84:7, 186:13</p> <p>Sousa [1] - 11:7</p> <p>South [1] - 173:6</p> <p>south [4] - 27:17, 28:5, 28:14, 113:4</p> <p>space [63] - 5:19, 6:6, 6:11, 6:14, 8:16, 9:3, 23:6, 27:12, 31:2, 33:12, 49:7, 60:9, 67:7, 68:4, 77:15, 81:2, 83:4, 86:17, 87:19, 93:19, 98:3, 100:14, 100:18, 101:1, 103:18, 105:15, 106:7, 107:17, 108:1, 108:12, 108:13, 109:5, 109:17, 110:2, 110:4, 116:5, 120:9, 122:2, 123:11, 140:19, 148:1, 151:4, 151:6, 151:9, 153:4, 159:2, 169:2, 172:3, 182:8, 209:12, 210:2, 211:8, 211:11, 211:12, 212:11, 213:15, 213:16, 214:5, 244:8, 245:9, 246:4, 247:11</p> <p>Space [1] - 3:14</p> <p>spaces [85] - 5:14, 8:18, 9:10, 27:2, 27:9, 32:1, 32:4, 32:5, 32:14, 33:13, 33:16, 35:18, 36:1,</p>	<p>36:13, 36:18, 37:4, 37:10, 37:16, 41:1, 42:1, 42:2, 42:4, 42:5, 42:16, 45:12, 45:13, 45:14, 45:15, 45:18, 45:19, 46:11, 46:17, 48:16, 53:19, 54:2, 54:8, 56:15, 60:10, 63:15, 63:16, 66:19, 67:10, 67:11, 67:17, 80:8, 80:13, 81:18, 100:11, 106:10, 111:9, 118:6, 118:11, 118:15, 119:14, 120:16, 122:6, 122:10, 122:11, 124:4, 124:7, 137:8, 141:6, 149:6, 149:8, 150:9, 151:15, 163:15, 168:16, 171:16, 172:1, 179:18, 192:9, 193:3, 193:4, 193:15, 193:19, 210:8, 229:9, 231:2, 244:16, 244:17, 245:2</p> <p>sparkling [1] - 63:16</p> <p>speaking [4] - 51:11, 126:16, 135:5, 164:4</p> <p>speaks [1] - 37:19</p> <p>Special [31] - 2:11, 3:14, 3:15, 9:13, 14:10, 14:13, 14:16, 15:10, 20:8, 44:11, 51:17, 62:19, 69:1, 71:9, 78:4, 90:10, 93:9, 106:15, 106:18, 146:4, 146:8, 147:7, 149:7, 155:19, 188:9, 250:4, 261:3, 261:16, 262:1, 262:2, 263:18</p> <p>special [4] - 55:18, 139:5, 220:3, 259:10</p> <p>specialized [1] - 207:11</p> <p>specific [2] - 40:3, 78:13</p> <p>specifically [5] - 14:15, 15:19, 93:15, 103:15, 182:19</p> <p>specifics [1] - 41:11</p> <p>spectrum [1] - 122:3</p> <p>speed [2] - 202:10, 204:16</p> <p>speeds [2] - 191:16, 203:17</p>	<p>spelling [2] - 125:14, 153:17</p> <p>spend [2] - 176:15, 183:9</p> <p>spends [1] - 180:6</p> <p>spent [2] - 67:6, 84:15</p> <p>splits [1] - 116:15</p> <p>splitter [1] - 206:10</p> <p>spoken [1] - 170:16</p> <p>spot [2] - 130:4, 141:14</p> <p>spots [20] - 65:11, 65:13, 65:19, 66:11, 66:12, 66:17, 129:19, 130:1, 139:6, 139:19, 140:1, 140:7, 140:9, 140:12, 141:3, 176:13, 176:15, 176:16, 177:2, 218:16</p> <p>spotty [1] - 101:10</p> <p>square [10] - 16:6, 23:5, 26:12, 29:19, 121:9, 160:1, 161:9, 230:17, 243:10, 250:14</p> <p>Square [28] - 2:13, 4:9, 4:10, 24:14, 26:18, 27:19, 28:5, 36:10, 47:14, 48:18, 55:14, 56:15, 56:19, 63:17, 68:11, 82:10, 86:11, 90:1, 97:18, 98:17, 104:15, 121:8, 128:8, 162:13, 163:10, 187:11, 199:10, 257:15</p> <p>Squeaky [4] - 2:9, 15:6, 16:14, 17:1</p> <p>squeeze [1] - 89:3</p> <p>SS [1] - 268:3</p> <p>St [1] - 184:11</p> <p>staff [7] - 96:8, 121:11, 137:2, 223:16, 234:14, 240:12, 253:14</p> <p>Staff [1] - 1:13</p> <p>stage [1] - 250:15</p> <p>stand [1] - 86:5</p> <p>standard [2] - 213:1, 213:11</p> <p>standards [5] - 2:15, 20:12, 176:3, 221:2, 241:4</p> <p>Star [1] - 210:6</p> <p>Starbucks [1] - 99:9</p> <p>starred [1] - 246:6</p> <p>start [10] - 19:6, 21:3, 33:18, 73:7, 79:16,</p>
--	--	---	--	--

<p>92:11, 127:3, 127:14, 190:8, 249:3 started [2] - 130:6, 254:9 starting [3] - 13:10, 52:7, 58:11 starts [2] - 128:15, 220:2 stat [1] - 139:14 state [6] - 88:12, 125:12, 127:13, 137:5, 137:14, 137:17 statement [2] - 146:1, 159:4 statements [4] - 158:19, 159:2, 195:16, 267:18 stating [1] - 145:7 station [4] - 26:9, 98:2, 138:4, 138:13 Station [6] - 136:17, 137:15, 137:17, 137:18, 240:18, 248:3 statistics [1] - 252:8 stay [6] - 16:16, 32:15, 35:1, 35:10, 169:16, 195:3 stayed [1] - 47:16 staying [1] - 48:5 Stead [2] - 125:17, 127:17 STEAD [12] - 125:18, 126:12, 126:18, 127:5, 127:10, 127:17, 131:9, 131:13, 131:16, 131:18, 132:2, 132:10 stenographer [1] - 11:19 stenographic [1] - 268:9 step [3] - 109:2, 111:18, 115:4 stepped [2] - 108:8, 113:15 stepping [2] - 110:4, 110:7 Steve [4] - 1:10, 12:6, 79:17, 215:16 STEVEN [33] - 7:14, 12:5, 17:18, 18:10, 43:4, 43:18, 49:8, 60:16, 64:3, 64:16, 65:5, 70:9, 70:12, 79:18, 82:4, 82:7, 82:17, 90:7, 90:17, 200:5, 200:15,</p>	<p>200:19, 203:10, 204:4, 205:11, 206:19, 207:16, 213:7, 226:19, 227:4, 257:19, 261:2, 261:12 sticker [2] - 207:4, 245:18 still [12] - 52:5, 52:8, 60:1, 61:13, 93:3, 148:5, 161:8, 180:7, 203:3, 226:1, 252:16, 255:6 stipulate [1] - 167:11 stock [1] - 104:19 stoops [1] - 115:2 Stop [1] - 152:9 stop [6] - 137:7, 137:9, 137:12, 152:6 storage [2] - 145:12 storefront [1] - 30:10 stores [1] - 4:14 stories [2] - 216:15, 237:2 storm [1] - 76:15 story [22] - 33:4, 94:2, 97:2, 100:2, 100:6, 100:15, 101:6, 101:9, 102:8, 110:11, 132:14, 216:10, 216:11, 216:16, 220:8, 220:9, 220:16, 222:4, 222:5, 232:11, 236:6, 236:8 straight [1] - 107:11 strange [1] - 173:12 strategy [2] - 30:6, 31:18 strawberries [1] - 17:6 street [65] - 5:14, 5:18, 7:12, 9:10, 10:6, 31:9, 98:8, 98:10, 106:3, 113:2, 114:1, 114:3, 118:6, 122:11, 122:13, 127:19, 130:4, 139:7, 139:11, 140:4, 140:13, 141:8, 150:1, 151:12, 152:18, 153:6, 153:7, 154:3, 154:5, 154:19, 168:8, 168:14, 168:15, 171:1, 173:1, 174:14, 174:19, 176:16, 180:5, 181:9,</p>	<p>182:15, 183:19, 191:6, 191:8, 191:9, 191:10, 194:8, 194:10, 197:5, 197:15, 199:7, 200:7, 202:5, 203:1, 203:6, 203:16, 206:16, 214:18, 217:6, 217:14, 218:3, 218:5, 241:9, 245:19, 246:2 Street [87] - 2:8, 3:3, 14:1, 14:7, 16:14, 27:18, 88:6, 91:16, 92:17, 93:8, 94:15, 95:3, 95:8, 95:10, 98:14, 99:14, 99:15, 101:6, 101:7, 107:16, 108:15, 109:18, 111:1, 111:12, 111:15, 113:3, 113:19, 117:19, 118:7, 118:8, 121:16, 121:17, 121:19, 132:14, 140:5, 142:5, 149:12, 149:14, 149:15, 150:17, 151:11, 152:7, 152:10, 153:13, 153:18, 154:3, 158:15, 162:13, 163:8, 163:14, 164:4, 164:16, 165:11, 165:15, 165:16, 168:12, 168:19, 174:14, 178:1, 178:8, 178:15, 180:7, 180:8, 181:19, 182:1, 188:8, 190:14, 190:16, 190:17, 192:4, 198:4, 199:9, 200:6, 204:6, 204:11, 204:14, 210:4, 213:5, 213:8, 215:11, 235:17, 235:18, 241:6, 244:8 streetcar [1] - 240:17 streets [14] - 3:12, 76:1, 111:19, 135:17, 173:13, 175:6, 191:11, 191:14, 192:5, 193:6, 193:16, 198:17, 203:13, 246:4 strengthen [1] - 22:14 stretch [2] - 115:19, 204:19</p>	<p>stretching [1] - 245:16 strikes [1] - 184:19 strip [1] - 10:10 strips [2] - 213:2, 213:12 strong [3] - 185:3, 203:14, 206:15 strongly [5] - 7:16, 54:7, 138:9, 179:10, 205:18 struck [1] - 251:16 structure [7] - 3:11, 65:6, 113:15, 133:19, 143:12, 143:13, 165:3 structured [1] - 119:9 struggled [1] - 71:18 struggles [1] - 72:8 STUART [3] - 196:5, 196:7, 262:7 Stuart [1] - 1:14 student [5] - 26:6, 32:7, 34:1, 34:3, 97:15 students [16] - 22:17, 24:13, 30:1, 33:6, 33:11, 34:5, 34:11, 37:5, 38:1, 51:19, 55:19, 72:1, 77:8, 77:13, 80:10, 86:15 studies [4] - 168:1, 185:16, 195:19, 239:19 studio [1] - 159:12 studios [3] - 105:9, 159:15, 161:8 study [15] - 23:1, 73:14, 73:17, 121:3, 149:12, 151:18, 154:4, 162:19, 168:13, 169:3, 185:17, 196:9, 219:13, 240:4 stuff [14] - 6:9, 17:7, 18:5, 160:5, 192:19, 199:10, 212:9, 220:5, 222:10, 223:13, 223:15, 224:6, 238:5, 239:7 style [4] - 147:19, 227:18, 227:19, 228:2 subarea [1] - 192:14 subject [7] - 49:17, 49:18, 90:14, 90:17, 208:11, 208:16 subjective [1] - 228:1 submission [2] - 193:1, 193:3 submit [2] - 149:2,</p>	<p>155:7 submittal [1] - 142:15 submitted [1] - 138:2 submitting [1] - 155:18 subscribe [1] - 267:17 subsidized [2] - 137:5, 137:14 subsidizing [1] - 137:18 substance [1] - 70:13 substantial [1] - 73:16 subterranean [1] - 172:6 suddenly [3] - 56:11, 56:18, 59:19 Sue [13] - 53:13, 53:15, 64:5, 81:19, 84:1, 84:5, 190:15, 196:19, 200:14, 200:15, 206:19, 228:17, 240:5 sue [1] - 190:19 Sue's [1] - 89:13 sufficient [1] - 122:16 sufficiently [1] - 78:12 Suffolk [1] - 97:16 suggest [4] - 5:9, 190:3, 242:8, 254:15 suggested [8] - 38:15, 41:7, 79:10, 157:3, 204:7, 207:1, 251:11, 252:4 suggestion [4] - 96:11, 149:18, 209:4, 244:7 suggestions [1] - 251:2 summarize [1] - 123:2 summary [2] - 38:17, 196:12 summer [7] - 17:3, 17:8, 23:19, 25:15, 89:3, 258:5, 264:10 summertime [1] - 51:14 Sundays [2] - 64:19, 65:1 sunlight [1] - 131:2 superimposed [1] - 112:19 supermarket [1] - 99:7 supplied [1] - 266:13 supplies [1] - 55:13 supply [5] - 59:3, 59:6, 60:3, 60:12,</p>
--	--	--	---	--

<p>67:2 support [19] - 25:17, 38:13, 42:6, 43:3, 43:14, 44:10, 45:18, 46:18, 48:18, 67:9, 80:1, 80:14, 82:2, 86:1, 89:6, 89:9, 203:14, 207:15, 230:3 supported [3] - 79:11, 119:16, 120:19 supporting [5] - 44:4, 45:12, 45:13, 46:3, 46:19 supports [2] - 85:16, 85:18 surprise [1] - 199:12 surprised [3] - 139:10, 145:3, 247:18 surrounding [5] - 95:19, 108:2, 108:11, 110:5, 167:3 surroundings [2] - 39:4, 97:3 survey [3] - 132:5, 174:17, 193:4 Susan [1] - 190:12 SUSAN [33] - 53:15, 58:4, 58:10, 58:15, 58:19, 59:5, 59:12, 59:17, 61:2, 61:14, 61:17, 62:4, 65:12, 65:17, 66:5, 66:13, 66:18, 68:13, 69:4, 70:10, 191:4, 192:2, 194:1, 195:18, 196:6, 196:8, 197:3, 201:18, 203:12, 204:13, 205:13, 206:5, 207:8 sustain [1] - 180:15 sustainable [2] - 124:13, 164:8 swayed [1] - 158:18 swing [6] - 21:11, 25:17, 26:3, 27:8, 34:7, 172:6 swings [1] - 47:5 swipe [1] - 72:4 Swiss [1] - 166:12 switch [1] - 68:16 sympathetic [1] - 32:12 system [1] - 22:12 systems [2] - 51:12, 77:1</p>	<p style="text-align: center;">T</p> <hr/> <p>table [4] - 138:6, 150:3, 150:4, 181:12 tables [2] - 171:2, 242:14 tad [1] - 115:12 talks [1] - 76:10 tall [1] - 227:7 tandem [3] - 8:15, 9:3, 10:1 tank [1] - 100:1 tart [1] - 17:4 taxes [1] - 161:13 taxi [1] - 41:4 taxis [1] - 28:18 TEAGUE [1] - 164:3 Teague [2] - 13:13, 164:4 technical [2] - 60:18, 70:12 technically [1] - 70:17 techniques [1] - 251:10 technologically [1] - 116:9 Ted [3] - 19:8, 232:10, 253:16 teeny [2] - 58:11, 236:3 temporarily [1] - 26:13 ten [5] - 94:6, 97:18, 98:15, 160:3, 161:16 tenant [1] - 94:18 tenants [7] - 128:9, 167:14, 214:1, 219:10, 219:11, 220:17, 245:8 tend [7] - 180:1, 196:16, 208:2, 214:10, 238:9, 238:18, 261:18 tended [1] - 237:10 term [8] - 2:15, 20:11, 36:17, 37:15, 70:15, 71:1, 144:1, 144:3 terms [21] - 29:2, 30:1, 38:15, 69:19, 71:3, 72:9, 72:11, 85:15, 176:14, 182:3, 182:17, 183:7, 189:2, 192:7, 192:15, 202:13, 214:19, 235:5, 235:8, 238:15, 241:13 terrace [1] - 214:5</p>	<p>Terrace [1] - 184:12 terrible [1] - 17:15 terribly [2] - 163:2, 245:4 terrific [2] - 107:14, 124:8 territory [1] - 228:9 test [3] - 24:9, 24:12, 25:16 testified [2] - 179:6, 181:1 testimony [8] - 47:9, 92:2, 124:18, 246:6, 259:2, 266:13, 267:5, 268:8 THE [10] - 1:2, 1:17, 207:17, 208:6, 266:16, 268:17, 268:18, 268:19 theatre [2] - 64:1, 64:2 themselves [1] - 156:14 THEODORE [50] - 7:11, 8:6, 12:3, 17:10, 19:14, 19:17, 20:3, 21:2, 39:6, 39:14, 40:5, 40:10, 40:14, 50:1, 50:7, 50:11, 52:13, 53:10, 53:13, 65:8, 65:13, 65:18, 66:8, 66:16, 67:3, 68:15, 70:5, 71:2, 71:13, 73:5, 75:12, 78:2, 85:12, 89:11, 89:16, 90:4, 90:13, 90:19, 91:3, 91:6, 91:10, 125:9, 131:19, 132:8, 198:19, 199:5, 215:3, 215:9, 253:17, 259:12 Theodore [1] - 1:8 theory [1] - 137:11 There' [1] - 99:8 therefor [2] - 266:13, 267:5 therefore [4] - 120:9, 146:8, 166:1, 232:2 thereof [1] - 266:6 they've [11] - 5:1, 49:18, 71:6, 75:9, 98:5, 151:2, 171:15, 179:7, 180:13, 188:18 thinking [7] - 69:18, 190:12, 206:6, 235:2, 241:18, 249:12, 251:7 thinks [1] - 228:19 Third [1] - 14:1</p>	<p>third [7] - 33:19, 34:15, 35:3, 47:13, 105:14, 152:10, 261:10 THIS [2] - 266:16, 268:17 thorny [2] - 233:4, 233:18 thorough [1] - 15:12 thoughtful [1] - 123:19 thoughts [3] - 207:7, 209:12, 250:3 thousand [1] - 163:6 thousands [1] - 163:9 threatening [1] - 166:1 three [49] - 7:5, 22:9, 50:12, 80:2, 93:4, 95:4, 97:2, 101:9, 103:10, 104:7, 117:10, 125:6, 126:1, 126:6, 126:17, 127:18, 130:19, 132:14, 151:18, 153:19, 157:4, 157:11, 160:10, 165:5, 173:4, 173:8, 173:9, 174:6, 179:13, 180:14, 192:5, 195:10, 216:10, 218:7, 221:8, 221:10, 221:11, 221:18, 222:15, 236:6, 236:8, 237:2, 237:5, 244:4, 248:1, 250:4, 259:6 three-bedroom [8] - 157:4, 157:11, 165:5, 180:14, 221:8, 221:10, 221:18, 222:15, 236:6, 236:8, 237:2, 237:5, 244:4, 248:1, 250:4, 259:6 three-family [1] - 127:18 three-story [4] - 132:14, 216:10, 236:6, 236:8 thrilled [1] - 230:11 throw [1] - 219:3 thumb [1] - 226:12 Thursday [1] - 157:16 Tibbs [1] - 1:9 TIBBS [49] - 8:3, 9:4, 18:1, 18:11, 24:15, 24:17, 25:8, 34:4, 41:19, 42:14, 45:3, 46:2, 48:2, 48:9, 48:12, 57:11, 58:5, 58:13, 58:17, 59:4, 59:10, 59:16, 61:3,</p>	<p>61:15, 62:2, 62:10, 80:6, 80:16, 81:5, 82:6, 83:1, 85:9, 127:15, 147:12, 193:12, 193:18, 199:8, 208:1, 209:16, 222:2, 222:13, 223:8, 226:16, 234:1, 236:10, 236:14, 256:13, 258:16, 261:13 tidy [1] - 5:3 tied [3] - 61:19, 62:2, 194:15 tight [5] - 128:5, 166:13, 180:9, 243:16 time's [1] - 162:5 timely [1] - 262:11 timing [2] - 255:14, 257:19 tiny [2] - 154:3, 174:2 TO [2] - 267:1, 268:18 Today [1] - 93:2 today [17] - 11:6, 29:8, 31:12, 32:3, 32:9, 33:5, 35:11, 42:6, 47:10, 47:16, 56:8, 87:15, 93:7, 124:2, 178:16, 197:12, 198:1 toddlers [1] - 161:19 together [6] - 25:6, 27:11, 188:1, 189:4, 217:16, 255:13 TOM [15] - 47:2, 48:6, 48:11, 48:13, 62:16, 64:13, 64:18, 86:6, 87:16, 88:4, 89:4, 195:2, 213:13, 250:2, 258:17 Tom [5] - 1:9, 64:3, 85:12, 165:7, 255:10 Tom's [2] - 11:9, 67:9 tomorrow [1] - 56:8 tongue [1] - 115:12 tonight [26] - 13:6, 15:5, 21:1, 21:16, 25:19, 50:9, 51:2, 51:6, 106:15, 125:11, 144:6, 146:2, 147:6, 164:2, 164:5, 206:7, 207:1, 208:13, 223:12, 246:12, 252:15, 253:4, 253:12, 254:4, 254:10, 259:10 took [8] - 103:9,</p>
--	---	--	--	---

<p>156:1, 156:7, 156:16, 157:6, 159:11, 248:17 top [7] - 99:16, 116:13, 121:7, 171:11, 171:15, 173:9 topic [3] - 215:8, 225:14, 225:19 toppings [1] - 17:5 tops [1] - 237:3 totally [1] - 207:13 touch [1] - 116:11 touched [1] - 35:17 tough [2] - 139:12, 209:6 toward [1] - 186:8 towards [5] - 155:1, 164:8, 211:15, 237:10, 237:11 towers [1] - 11:6 town [1] - 252:10 townhouses [1] - 102:10 toys [1] - 160:5 TPT [3] - 106:11, 117:14, 121:1 tracks [1] - 119:18 traction [1] - 164:9 trade [3] - 51:2, 183:5, 251:19 Trader [1] - 99:8 trades [1] - 52:4 traditional [1] - 93:17 traditionally [1] - 158:9 traffic [56] - 30:1, 40:11, 40:18, 41:5, 41:12, 53:14, 73:14, 73:16, 74:2, 74:3, 74:4, 74:5, 75:5, 85:18, 96:6, 116:11, 116:12, 117:16, 124:6, 149:12, 149:15, 150:2, 151:17, 151:18, 154:4, 162:19, 163:4, 163:7, 168:1, 171:5, 185:12, 186:12, 191:13, 195:6, 195:8, 195:13, 195:19, 196:9, 196:12, 199:16, 200:3, 201:8, 228:5, 228:8, 228:9, 228:10, 238:18, 239:3, 239:4, 239:8, 239:12, 239:13, 239:19, 240:4, 244:12</p>	<p>Traffic [12] - 38:13, 46:8, 50:3, 53:16, 79:11, 90:14, 90:18, 158:2, 167:15, 190:13, 206:2, 228:18 Train [1] - 248:3 transaction [1] - 10:18 TRANSCRIPT [2] - 266:16, 268:18 Transcript [1] - 2:7 transcript [8] - 11:17, 266:9, 266:14, 267:4, 267:6, 267:7, 267:16, 267:17 transcription [1] - 268:9 transcripts [1] - 11:15 Transfer [2] - 3:13, 3:13 transient [1] - 177:10 transit [1] - 136:16 transit-oriented [1] - 136:16 transition [9] - 10:7, 95:12, 102:18, 144:14, 144:19, 167:4, 223:15, 225:10, 231:7 transitional [6] - 93:16, 224:4, 227:13, 228:3, 231:5, 233:2 Transitional [1] - 216:1 transitly [1] - 99:5 transitly-oriented [1] - 99:5 transparency [1] - 75:15 Transportation [1] - 158:2 trash [2] - 32:7, 76:14 travel [4] - 37:4, 130:16, 191:12, 201:2 treatment [1] - 235:7 tree [5] - 87:1, 100:18, 114:18, 172:13, 172:14 trees [3] - 109:12, 110:2, 174:15 trellis [1] - 112:9 tremendous [1] - 69:15 TREMOUILLE [2] - 52:15, 136:6 Tremouille [3] - 52:16, 136:5, 136:8 triangular [1] - 86:18</p>	<p>tried [7] - 39:2, 97:3, 103:5, 103:11, 106:1, 115:13, 123:13 tries [1] - 7:18 trip [4] - 57:1, 116:13, 117:2, 117:7 triple [12] - 93:18, 101:10, 102:7, 110:6, 112:2, 112:12, 113:4, 113:5, 147:19, 148:13, 217:7, 237:5 triples [2] - 149:4, 218:14 tripling [1] - 153:6 trips [6] - 41:4, 41:8, 69:11, 117:9, 196:17 trouble [1] - 136:19 trucking [1] - 145:10 trucks [1] - 232:1 true [2] - 76:5, 268:9 truly [1] - 99:12 Trust [3] - 16:2, 95:6, 142:5 try [8] - 69:6, 103:12, 188:5, 194:19, 208:12, 243:1, 245:17, 252:10 trying [20] - 17:13, 55:5, 89:2, 140:9, 161:12, 191:17, 194:18, 202:6, 206:10, 209:7, 209:18, 210:14, 219:16, 223:4, 224:3, 225:6, 225:7, 226:2, 236:12, 238:10 tuck [1] - 111:4 tucked [1] - 204:15 Tuesday [1] - 1:4 tune [1] - 170:13 turn [7] - 40:6, 122:17, 149:17, 149:19, 150:1, 189:19, 212:11 turnaround [1] - 28:18 turnarounds [1] - 240:18 turns [1] - 229:19 turtle [1] - 210:12 tutor [1] - 34:14 twelve [1] - 39:13 two [67] - 5:17, 8:11, 8:17, 9:5, 9:7, 9:9, 10:15, 19:6, 24:12, 25:6, 35:5, 35:8,</p>	<p>37:7, 76:12, 81:2, 93:13, 97:17, 98:10, 100:6, 100:15, 101:15, 105:10, 107:12, 111:11, 117:12, 121:12, 130:13, 134:3, 134:18, 136:11, 136:18, 137:3, 142:1, 143:12, 145:1, 146:13, 146:14, 149:14, 150:1, 151:7, 154:19, 160:2, 160:4, 162:3, 170:16, 171:19, 175:4, 182:1, 191:11, 191:12, 195:10, 195:11, 200:7, 200:13, 201:5, 205:12, 213:9, 216:14, 216:16, 220:8, 242:14, 243:6, 243:15, 243:17, 244:1, 264:12 two-bedroom [6] - 105:10, 160:2, 162:3, 243:6, 243:15, 243:17 two-family [4] - 5:17, 8:11, 9:5, 9:7 two-fold [1] - 93:13 two-hour [1] - 175:4 two-sided [1] - 191:11 two-story [4] - 100:6, 100:15, 216:16, 220:8 two-way [3] - 149:14, 150:1, 200:7 type [4] - 24:19, 102:15, 124:9, 196:16 types [1] - 105:8 typical [2] - 99:4, 115:1 typically [4] - 112:3, 120:7, 120:8, 222:9</p>	<p>UNDER [1] - 268:18 under [17] - 20:12, 36:14, 37:11, 45:15, 46:11, 60:5, 70:19, 73:9, 77:18, 78:14, 90:9, 105:2, 111:5, 136:19, 183:10, 238:6, 244:14 undergraduate [2] - 22:7, 23:3 underground [7] - 105:11, 113:14, 118:10, 124:5, 130:5, 183:11, 245:15 undersigned [1] - 268:4 understood [2] - 64:4, 64:5 undertake [3] - 23:17, 24:5, 39:1 underway [1] - 52:2 unemployment [1] - 52:6 unfortunately [5] - 99:13, 100:19, 155:2, 211:17, 215:4 UNIDENTIFIED [2] - 119:2, 119:6 uninviting [1] - 170:17 unit [14] - 105:8, 107:2, 119:14, 119:19, 120:18, 160:2, 165:17, 180:11, 183:3, 192:13, 194:5, 226:8, 242:7, 249:19 units [59] - 3:4, 3:11, 91:18, 105:2, 106:16, 120:6, 120:12, 123:6, 128:4, 130:2, 130:8, 141:14, 149:4, 149:6, 150:8, 150:10, 153:3, 153:5, 157:11, 160:2, 161:6, 161:7, 161:11, 163:9, 163:16, 165:5, 170:14, 179:16, 179:19, 180:14, 180:15, 181:2, 181:3, 182:13, 184:4, 192:10, 194:15, 194:16, 218:18, 221:8, 221:10, 221:18, 222:15, 224:16, 226:3, 226:7, 226:9,</p>
U				
<p>ugliest [1] - 160:15 ugly [1] - 133:19 ultimate [1] - 56:4 unanimous [1] - 18:18 unappealing [1] - 169:7 uncertainty [1] - 229:1 undefined [1] - 114:3</p>				

<p>226:10, 228:7, 230:16, 230:17, 241:16, 250:6, 250:7, 250:19 universities [1] - 56:12 University [12] - 21:6, 24:3, 27:3, 51:4, 97:16, 101:5, 104:15, 199:11, 211:16, 239:2, 242:10, 253:5 university [29] - 21:10, 26:10, 26:14, 27:1, 28:1, 37:14, 38:19, 42:8, 42:12, 42:15, 43:13, 43:14, 44:3, 44:10, 44:12, 45:17, 45:19, 46:18, 49:3, 49:16, 54:13, 59:7, 63:10, 65:2, 81:7, 81:12, 81:19, 84:17, 85:2 university's [6] - 43:3, 45:1, 46:13, 48:14, 69:8, 82:8 unless [3] - 6:17, 196:18, 209:6 UNLESS [1] - 268:18 unlike [1] - 224:10 unlikely [3] - 57:5, 137:6, 138:1 unoccupied [1] - 122:12 unravel [1] - 188:5 unspecified [1] - 176:12 unusual [1] - 222:3 up [94] - 19:10, 24:6, 30:10, 38:7, 44:7, 50:5, 57:15, 69:16, 72:7, 72:17, 80:17, 81:14, 84:13, 85:2, 85:6, 88:9, 98:9, 100:4, 101:5, 108:8, 108:10, 109:1, 109:2, 109:3, 110:7, 110:10, 111:5, 111:7, 111:15, 112:7, 121:5, 121:8, 121:16, 122:18, 124:19, 125:3, 125:4, 125:12, 126:19, 128:17, 131:7, 131:11, 133:19, 136:1, 139:18, 142:11, 143:11, 146:1, 146:16, 154:13, 161:4, 162:5, 163:8, 168:19, 169:6, 171:11, 171:14,</p>	<p>171:18, 172:4, 172:18, 174:3, 174:4, 174:5, 186:4, 186:17, 188:12, 190:19, 193:5, 195:3, 197:7, 197:9, 201:7, 202:10, 204:4, 205:16, 207:3, 210:5, 214:16, 217:6, 218:6, 219:6, 220:2, 230:18, 231:8, 236:18, 239:8, 240:11, 243:1, 246:12, 247:13, 248:3, 252:9, 261:12 update [4] - 4:14, 12:13, 12:15, 12:18 Update [1] - 2:6 upgrade [1] - 24:5 upper [1] - 236:15 urban [9] - 74:7, 77:6, 107:10, 136:13, 136:19, 137:3, 137:16, 151:6, 251:18 urge [1] - 153:8 useful [2] - 21:15, 170:2 user [1] - 83:17 users [8] - 42:12, 55:4, 73:2, 78:11, 78:19, 79:6, 81:12, 103:14 uses [28] - 5:16, 14:15, 15:4, 32:8, 48:17, 54:5, 59:19, 60:5, 60:9, 81:3, 103:4, 103:16, 106:6, 145:1, 146:7, 196:16, 196:17, 221:5, 231:8, 231:9, 231:19, 232:15, 233:3, 233:5, 233:7, 233:10, 233:13, 246:4 usual [1] - 253:10 utilization [1] - 69:7</p> <p style="text-align: center;">V</p> <p>V-i-v-e-k [1] - 153:19 vacancy [2] - 182:10, 182:12 vacant [2] - 48:16, 123:8 vain [1] - 41:19 valet [5] - 42:13, 72:13, 72:17, 81:16, 83:16</p>	<p>validity [2] - 196:10, 263:19 valuable [1] - 63:17 value [1] - 185:3 VAN [2] - 187:9, 187:10 van [1] - 187:10 vandalized [1] - 86:19 variance [1] - 4:8 varies [1] - 194:3 variety [2] - 55:17, 205:1 various [3] - 55:5, 105:15, 170:13 vary [1] - 194:13 vegetation [1] - 249:18 vehicle [8] - 98:2, 117:10, 117:12, 120:4, 120:9, 192:12, 199:9 vehicles [7] - 105:11, 119:19, 120:16, 120:18, 197:1, 197:18, 197:19 vents [2] - 219:8, 219:12 venues [1] - 44:6 vernacular [1] - 243:2 versa [1] - 144:10 version [1] - 137:16 Vertex [5] - 94:18, 100:14, 100:16, 101:16, 123:9 verticality [1] - 242:4 VHB [2] - 40:18, 41:9 via [1] - 37:7 vice [1] - 144:10 Vice [3] - 1:8, 164:5, 178:2 Victorian [1] - 160:10 view [8] - 47:7, 47:8, 73:18, 94:13, 111:17, 127:9, 158:19, 179:9 views [1] - 157:7 village [1] - 135:14 villagers [1] - 135:12 vinegar [1] - 17:7 violating [1] - 56:5 virtually [3] - 35:2, 101:1, 182:8 vision [4] - 31:5, 95:13, 179:3, 179:4 visionary [1] - 214:19 visiting [1] - 80:19 visitor [1] - 207:18 visitors [1] - 119:1 visual [2] - 143:11, 236:17 visually [1] - 217:13</p>	<p>Vivek [2] - 153:15, 153:18 VIVEK [3] - 153:16, 157:14, 158:4 voice [1] - 133:8 volume [6] - 31:14, 195:6, 197:12, 266:12, 266:14, 267:6 vote [4] - 71:4, 138:7, 142:8, 190:3 Voting [1] - 256:18 voting [2] - 91:7, 260:19</p> <p style="text-align: center;">W</p> <p>waiting [1] - 260:1 waiver [3] - 2:13, 70:19, 90:11 wake [1] - 261:12 walk [15] - 28:8, 28:11, 98:16, 98:17, 99:7, 99:9, 107:8, 112:18, 121:13, 128:7, 128:9, 210:3, 210:5, 212:8 walked [1] - 187:12 WALKER [2] - 170:5, 174:5 Walker [1] - 170:6 walking [4] - 27:10, 31:10, 124:11, 175:9 wall [2] - 111:6, 171:18 walls [1] - 32:9 Wanat [1] - 41:9 wants [1] - 256:2 warning [1] - 81:15 Washburn [2] - 6:1, 6:4 Washington [1] - 135:17 watch [1] - 171:5 watched [1] - 187:13 water [2] - 76:15, 242:14 waves [1] - 11:13 ways [8] - 144:18, 151:7, 176:5, 194:18, 204:14, 205:2, 205:4, 250:10 weather [2] - 13:7, 36:15 week [2] - 12:16, 134:19 weeks [1] - 51:8 weigh [1] - 202:6</p>	<p>weird [1] - 231:4 welcome [3] - 86:16, 136:4, 162:6 welfare [1] - 221:2 west [2] - 29:12, 114:17 WHEN [1] - 266:17 WHEREOF [1] - 268:11 whip [1] - 112:11 whipped [1] - 16:18 Whittemore [1] - 170:6 whole [16] - 25:7, 25:18, 47:4, 56:1, 56:17, 88:14, 103:9, 122:9, 129:12, 141:12, 167:4, 181:10, 183:12, 212:14, 215:10, 240:12 Whole [1] - 99:8 wide [6] - 109:17, 115:8, 149:14, 213:9, 226:19, 227:3 wider [2] - 81:14, 84:2 WILLIAM [49] - 8:3, 9:4, 18:1, 18:11, 24:15, 24:17, 25:8, 34:4, 41:19, 42:14, 45:3, 46:2, 48:2, 48:9, 48:12, 57:11, 58:5, 58:13, 58:17, 59:4, 59:10, 59:16, 61:3, 61:15, 62:2, 62:10, 80:6, 80:16, 81:5, 82:6, 83:1, 85:9, 127:15, 147:12, 193:12, 193:18, 199:8, 208:1, 209:16, 222:2, 222:13, 223:8, 226:16, 234:1, 236:10, 236:14, 256:13, 258:16, 261:13 William [1] - 1:9 willing [4] - 194:9, 194:11, 259:11, 260:16 willy-nilly [1] - 224:14 win [2] - 86:6, 252:10 window [6] - 5:12, 5:13, 6:13, 40:4, 87:9, 87:11 windows [5] - 116:2, 222:7, 240:19, 241:6, 241:11 winter [1] - 16:10</p>
---	---	--	--	---

<p>wish ^[9] - 20:17, 54:10, 146:19, 147:9, 150:14, 153:14, 164:1, 168:4, 189:16</p> <p>wishes ^[4] - 50:14, 53:11, 138:18, 187:7</p> <p>WITH ^[1] - 266:16</p> <p>WITNESS ^[1] - 268:11</p> <p>woman ^[1] - 128:2</p> <p>women ^[1] - 159:16</p> <p>wonder ^[1] - 169:3</p> <p>wonderful ^[4] - 47:15, 63:19, 81:9, 165:9</p> <p>wondering ^[1] - 187:14</p> <p>word ^[1] - 222:19</p> <p>words ^[2] - 196:4, 237:17</p> <p>workers ^[5] - 50:19, 104:17, 140:19</p> <p>Works ^[2] - 77:4, 249:1</p> <p>works ^[16] - 28:15, 30:9, 31:12, 31:16, 32:13, 56:9, 103:1, 120:17, 211:10, 216:11, 217:16, 223:18, 235:5, 238:12, 239:5, 262:12</p> <p>world ^[3] - 89:2, 230:7, 230:8</p> <p>worried ^[1] - 248:18</p> <p>worries ^[2] - 249:6, 249:7</p> <p>worry ^[2] - 56:5, 220:1</p> <p>worse ^[1] - 124:6</p> <p>wrap ^[3] - 108:1, 122:18, 146:1</p> <p>wrapping ^[1] - 24:6</p> <p>write ^[1] - 255:5</p> <p>writing ^[4] - 178:13, 255:19, 256:1, 256:3</p> <p>written ^[3] - 84:4, 136:9, 196:1</p> <p>wrote ^[4] - 52:18, 156:8, 156:18, 157:3</p> <p>www.reportersinc. com ^[1] - 1:18</p>	<p>211:16</p> <p>Yawkey ^[3] - 137:15, 137:17, 137:18</p> <p>year ^[14] - 24:2, 34:7, 39:13, 51:15, 94:4, 95:2, 95:8, 100:16, 102:2, 123:9, 135:8, 168:13, 198:3</p> <p>years ^[25] - 15:1, 23:8, 46:16, 49:19, 51:4, 54:15, 93:2, 93:6, 93:11, 94:6, 97:13, 97:18, 103:10, 132:6, 133:13, 135:7, 135:10, 136:11, 151:1, 170:8, 182:1, 212:7, 219:18, 243:9, 246:1</p> <p>yellow ^[1] - 35:5</p> <p>YN ^[1] - 158:15</p> <p>yogurt ^[1] - 17:4</p> <p>young ^[4] - 96:4, 104:8, 177:9, 248:18</p>	<p>229:6, 229:7, 229:10, 235:3, 247:6, 248:11, 250:18</p> <p>zoning ^[1] - 227:15</p> <p>zooming ^[1] - 27:15</p>
Y	Z	
<p>Yard ^[1] - 27:6</p> <p>yard ^[5] - 6:7, 7:5, 8:19, 29:18, 212:7</p> <p>yards ^[2] - 16:19,</p>	<p>zapped ^[1] - 136:16</p> <p>ZBA ^[1] - 7:19</p> <p>Zelinski ^[2] - 268:4, 268:13</p> <p>Zone ^[6] - 94:5, 102:6, 103:15, 104:2, 216:2, 225:10</p> <p>zone ^[5] - 93:17, 93:19, 102:16, 102:17, 103:7</p> <p>Zoned ^[1] - 227:10</p> <p>zones ^[2] - 103:2, 224:4</p> <p>Zoning ^[59] - 2:4, 2:14, 3:8, 4:5, 4:7, 9:13, 19:13, 20:10, 20:13, 37:11, 46:1, 46:11, 46:13, 46:19, 49:10, 49:17, 52:18, 53:2, 54:3, 61:18, 65:10, 65:19, 66:1, 66:3, 66:6, 66:12, 67:1, 85:16, 94:6, 105:18, 108:17, 136:9, 136:15, 138:2, 138:8, 138:11, 142:7, 157:9, 167:19, 184:14, 188:1, 196:3, 223:19, 224:2, 224:11, 225:3, 225:5, 225:9, 227:9, 227:13,</p>	