

PLANNING BOARD
FOR THE CITY OF CAMBRIDGE

GENERAL HEARING

Tuesday, December 8, 2015

7:20 p.m.

in

Second Floor Meeting Room

344 Broadway

Cambridge, Massachusetts

H. Theodore Cohen, Chair
Catherine Preston Connolly, Vice Chair

Hugh Russell, Member

Tom Sieniewicz, Member

Steven Cohen, Member

Louis J. Bacci, Jr., Member

Iram Farooq, Assistant City Manager

Community Development Staff:

Jeff Roberts

Stuart Dash

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I N D E X

PAGE

GENERAL BUSINESS

Update from the Community
Development Department 4

Adoption of the Meeting Transcript(s) 13

Public Hearings

7:00 p.m. Kiril Stefan Alexandrov, et al petition to amend the Cambridge Zoning Map from the existing Residence C-1 to Business A-3 in the area of Western Avenue from Jay Street to Kinnaird Street. This rezoning would allow all residential, and limited business and office uses. The dimensional requirement of the Floor Area Ratio would remain the same, the Floor Area Ratio would remain .75, the lot area per dwelling unit required would remain 1,500 square feet, and the height limit would remain 35 feet.

14

8:00 p.m. Peter B. Kroon, et al, (also known as Friends of MAPOCO) petition to create a new MAPOCO Subdistrict (to run from Roseland down to Chauncy/Everett) within the Massachusetts Avenue Overlay District with zoning requirements identical to the North Massachusetts Ave. Subdistrict except for some modifications.

104

(Index Continued on the Following Page)

I N D E X (Continued)**PAGE**

Full zoning petition texts available online
at:

[www.cambridgema.gov/cdd/zoninganddevelopment/
zoning/amendments](http://www.cambridgema.gov/cdd/zoninganddevelopment/zoning/amendments)

GENERAL BUSINESS

Planning Board rules and regulations review.
The Planning Board will take public comment
during this business item.

(Continued to another hearing)

Keyword Index

P R O C E E D I N G S

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H. THEODORE COHEN: Okay, good evening everyone. Welcome to the December 8th meeting of the Planning Board. We have a lot on our plate today and a lot to accomplish and we'll try to be as expedient as possible. And we'll start as we always do with our updates from the City Manager.

IRAM FAROOQ: Good evening, Mr. Chair. For tonight's agenda we have two public hearings: The Alexandra petition and the Kroon petition followed by discussion of Planning Board rules. And there will be, as the Board has mentioned before, there will be public comment.

The next December meeting will be December 15th and we'll have the continued

hearing on Cushing Street as well as the final development -- the hearing on the final development plan for the First Street assemblage which is mixed use project on First -- on First Street. So those are the two December meetings.

There's a lot happening at the Ordinance Committee particularly, and so today just before this was the Alexandrov petition hearing. The Kroon petition hearing will be tomorrow. There is a hearing on Milford Medicinals on the 10th. And then on -- excuse me, there is a hearing -- I'm sorry, on the 14th, which is next Monday, the Council will hold a roundtable on transportation issues which might be of interest.

A few other updates that we sent to the

Board, one of the items that was on last night's City Council agenda which is discussion of parking permits in Cambridge and that comes up from time to time during Planning Board discussions and it was interesting because the Traffic and Parking Department has done an analysis, sort of real world analysis, of several buildings and residential buildings, multi-family buildings, the sort that the Planning Board tends to review and have found that permit -- resident permits in those buildings are actually at a very low level, they have been declining. And just looking at information from 2015 we have for 62 projects, which have almost 5,000 units, there is an average of 0.26 resident parking stickers per unit. So that's about a quarter of parking stickers.

And 82 percent of the residential projects had less than one resident parking sticker per unit. There's a lot of other information in there, and if the Board would like to discuss that in more detail, Joe Barr, the director of Traffic and Parking will be at the Board next week so we can take sometime to discuss that, but also we could schedule it at a later date if you think a more substantive discussion would be helpful.

One other update that we had mentioned to you a while back was -- well, not -- but some weeks ago that we were -- we have been tracking applications that we've received for the middle income units at Alexandria, and that's the 270 Third Street development, and the building has a total of 28 units that are middle income. And what we did was devised

them into two categories, because the way that we've been looking at middle income is 80 percent to 120 of the area of median income, and essentially took roughly half of the units and marked their rent at the 100 percent. So at 90 percent of AMI level and then the other half of 110 of the AMI which is a little different on how we typically do inclusionary units where it's a straight 30 percent of people's income, but it felt like this was -- the middle income category was different. So we've received a total of 45 applications for the 28 units. There are 22, one bedrooms in the set and 23, two bedrooms. We received -- let's see, 28 of the 45 applicants, which is roughly 62 percent were Cambridge residents. Eight of the applications were from non-residents who work

in Cambridge. Sixteen of the 23 applicants for two-bedroom units were from households of three or more people. So this is, again, the notion of can we find ways to keep families in Cambridge. And then 28 of the applicants are income eligible, and the other 17 were actually not eligible. They were either above or below the 5120 spectrum. And 19 of them were -- of the eligible respondents were in the 80 to 100 income tier and nine were in the 100 to 120. So what we are seeing, in this very small sample set, is we're seeing the demand was a little higher on the lower end of middle income. And I can send you a little bit more analysis on this that is with the Affordable Housing Trust.

The only other updates are for last week, the Ordinance Committee held hearings

on both the Volpe rezoning and the MXD rezoning. Both the Planning Board recommendations and the committee report for the MXD District were on the Council's agenda on Monday. The MXD has moved to a second reading. The Volpe council generally felt that it needed more work and discussion. The petition doesn't expire until February, so there's sometime but there's also a likelihood that it might be re-filed.

There's also, last week there's -- I'm sorry, a lot going on in the city, but it's an active December. We concluded the climate change vulnerability assessment, and last week we had a public meeting to share the results with the broader community, and it is -- we have the presentation on-line as well as the report. Hopefully some of you

were able to go. It's, it's really important information that is going to -- that looks at flooding impacts as well as heat impacts in Cambridge looking at the 2030 and 2070 horizon. And in terms of flooding, we're looking at both sea level rise as well as storm events. So that will -- it's fair to say that that will be a very strong guiding -- set of guiding information for all of our planning work going forward. We're going to be moving it in tandem with the citywide planning process so the two processes can really inform each other.

And I think the -- okay, one more thing is that the community -- the City Council has also passed to a second reading a Community Benefits Ordinance which essentially is a formalized way to look at all of the

financial commitments from Special Permits and zoning petitions. Some of the money is committed to specific tasks and some of it is open ended. And so there will -- this ordinance will essentially guide the creation of a committee similar to the CPA committee that will work on the disbursement of those funds to non-profits that provide services to Cambridge residents. We are also in partnership with the Department of Human Services Programs. We are currently working on a community-wide needs assessment that is looking at the social service needs, essentially all of the needs across the board in Cambridge, and that will be conveyed to the City Council and the Council essentially will create priorities that will be conveyed to the committee once it's set up and it will

guide their decision making process.

The final thing I want to say is you can vote in participatory budgeting until Saturday. There are great projects. There is \$600,000 at stake. Do it on-line. It's very, very simple.

H. THEODORE COHEN: Liza is not here.

Jeff, do you know if there are any meeting transcripts to adopt?

JEFF ROBERTS: If my memory serves, we have received the transcript for the October 20th meeting.

H. THEODORE COHEN: And that's been approved and authorized?

JEFF ROBERTS: Yes.

H. THEODORE COHEN: Motion to accept that?

STEVEN COHEN: So moved.

H. THEODORE COHEN: Second?

LOUIS J. BACCI, JR.: Second.

H. THEODORE COHEN: All those in favor?

(Show of hands.)

H. THEODORE COHEN: Thank you.

We'll now have a public hearing on a petition brought by -- excuse me, if I don't pronounce your name correctly, Kiril Alexandrov and others to amend the Cambridge Zoning Map from existing C-1 to Business A-3 in the area of Western Avenue from Jay Street to Kinnaird Street.

Is someone who making that presentation? Please come forward. If you would please take the podium.

KIRIL STEFAN ALEXANDROV: My name is

Kiril Alexandrov at 406 Franklin Street.

CATHERINE ALEXANDROV: And I'm Catherine Alexandrov also at 406 Franklin Street.

KIRIL STEFAN ALEXANDROV: Thank you for taking the time to hear our petition. I'm going to start with a very quick little background because I think it's actually relevant and frames the petition properly.

I came up here to the Harvard Graduate School of Design many, many years ago in 1990, learned I had no skills as an architect or as a planner, changed to an English degree. So I have a graduate degree in English literature with which I started the Boston Book Review which I started and ran for eight years, after which -- during which I won the MIT 100K in the year 2000 for a

biotech company with some of my MIT friends. Ran that for a couple of years. Then was asked to spin something out of the Kennedy School of Government to help foreign direct investment into emerging economies called the International Economic Alliance that started with Russia and trying to keep our relationship with Russia strong, and it expanded. And now we cover all kinds of countries in the world.

Then I started a thin wallet company because I was tired of thick wallets. It was weekend thing that I did at the Riverfest and various other Cambridge festivals. It started taking off so I decided to do that full time. And most recently with the banner that I'm wearing right now, Gorilla Gym, I redesigned the pull-up bar to make it safer

so our kids could actually swing in the doorway at home inside during these long six months. So that turned into a business.

So in these 25 years that I've been in Cambridge, a lot of them I lived on Green Street and we now live on Franklin Street. We have rented space. We reached a point where we then could buy space and we started looking around.

So we -- sorry, want to go to the next slide?

Incidentally my wife started to work with me during the big skinny days.

CATHERINE ALEXANDROV: I've lived here 12 years. He's been here 25 years. I'm a shorter period of time.

KIRIL STEFAN ALEXANDROV: These are some of the numbers that we picked off of

Dennis Carlone's site, just to give you a ballpark of how much growth and how many housing units have been added and are continuing to be added in Cambridge. So the density is increasing. There are more and more housing that's available for people that want to live here because we all know affordable housing and housing is a good thing because Cambridge supports affordable housing and does a great thing with affordable housing. And what we've discovered after two and a half years of searching done and working with brokers, going to various people independently trying to buy their property that was commercially zoned, that there was nothing for sale in our price range. You almost had two options a year basically. And to give you an example

-- let's go to the next slide.

So what's available right now real time are these two properties: 3.2 million and 2.3 million, Prospect Street and corner of Walden and Concord. When you're in the range that we are in, which is the inventor/entrepreneur --

CATHERINE ALEXANDROV: Small business.

KIRIL STEFAN ALEXANDROV: Small business. Professional, lawyer, architect, accountants, there's very little available commercially to buy if you reach that stage when you can do that, and that's a natural evolution for any businessperson.

My parents were physicians and they bought their own office as soon as they could afford it. It's throwing away rent for 25

years is not, you know, the smartest thing I've ever done.

So -- let's go to the next slide.

This kind of summarizes. As a small business, we're very different. With my economics work with EIA we learned very early that SME, small business enterprises, create 80 to 85 percent of the jobs in any given economy and that statistic works all around the world, it's not just the capitalist countries, it's just everywhere. It's just a mantra. So it's people like us that provide local jobs, and all of our employees when we hired them were Cantabrigians.

CATHERINE ALEXANDROV: And I just want to say, too, the small businesses are also the people who provide jobs for people in the community who aren't necessarily

highly educated. In Cambridge there are a lot of big corporate offices as you know, and those were jobs for people, they grab people from across the country, right? I mean all over the globe people come here which is amazing, and what about the people who live here and maybe don't have a college degree and they need some sort of job in the community that's not necessarily at a biotech firm? Small businesses provide that for people. You know, secretarial jobs and other jobs within the organization like that.

KIRIL STEFAN ALEXANDROV: So we took a big chance out of desperation, out of tiredness, this opportunity came up. It happened to be exactly two blocks from where we live. And formerly it was owned by Ben Corey who was a lawyer here, who practiced

law out of here. His wife Janice had a bookkeeping and accounting service, and she practiced out of here and they had clients coming in and out of here for the decade or two that they lived here. We bought it in March and we have been fixing it up since then. Spent about 75,000 to date that I can remember. It's probably a little bit more than that. It's the corner of Kinnaird and Western Avenue. And Western Avenue as many of you know is a mixed use throughway. It is a block that has three other houses basically that face Western Ave.

Next slide.

Just to give you a little bit more perspective, literally across Kinnaird is the Beantown Taqueria which may be opening in March, we don't know. And of course A.J.

Spears Funeral Home. We're right on the corner. Not a great single-family house because it has no yard. It has a garage for off-street parking, but not really built for a family with kids. You can see right next-door 162, the Paterson sisters, they're about a foot away from us and actually their porch actually cuts into our house and touches us. So it's very close quarters there.

And this is a vantage point going the other way. Jay Street up to Howard Street. This block is commercially zoned. You have Any Time Pizza and you have the auto body shop. And as you can see in both slides, are both pictures there's ample parking available.

CATHERINE ALEXANDROV: This is

during the day.

KIRIL STEFAN ALEXANDROV: This is obviously during the day. I don't remember when this was taken. You can probably tell by the shadows or whatever. It was taken a long time ago. Okay.

So just to give you another vantage point, Western Ave. is officially zoned in certain areas with BA-3, certain areas BA. River Street on the other hand is almost entirely zoned BA-3 except for the last two blocks ironically closer to Central Square. The funny thing is that there are 13 businesses on River Street, and there are 21 businesses on Western Avenue. So the whole area of riverside is mixed use. There are actually businesses on Green Street. There are businesses on Franklin Street. There are

very famous architects on Green Street.

There are businesses on Putnam Avenue.

Can we go to the next slide?

CATHERINE ALEXANDROV: Here's a list.

KIRIL STEFAN ALEXANDROV: Here's a list. You can just walk down the streets and see for yourself and see the businesses, 13 businesses on River and 21 here. Now, some of these have closed since I've created that list because it's more profitable for developers to make more money by renting their spaces -- renting to residents that live there rather than businesses.

CATHERINE ALEXANDROV: So we're actually seeing a decline rather than an increase of commercial space in this region on these two streets. So I think that's

important to note.

KIRIL STEFAN ALEXANDROV: So why isn't River Street more developed then if the fact it's already BA-3 zoned for the most part? Well, it's really not a great place to have certain kinds of businesses because there's just -- you know, there's -- it's great for foot traffic, but in terms of parking, unless you're Whole Foods or Rite Aid up at the top, there's really not that much for a business that's willing to take a chance that needs to have ten people visiting it at any given moment to make ends meet.

CATHERINE ALEXANDROV: Like retail space or restaurants.

KIRIL STEFAN ALEXANDROV: So it's just not happening. So even if I pause at this, that even if you did BA-3 zoning, all

the entire length of Western Avenue, zero will change. We know some mass stampede for businesses to open on Western Avenue. Just like there hasn't been a mass stampede on River Street.

So what we're asking to do is to have a simple one block, either extension or standalone BA-3 that only affects the three houses on that block.

And Jeff Roberts and I had a couple of e-mails recently because what we said in our -- what we asked for and what perhaps was interpreted was that some of the townhouses on Jay Street might be affected. And we do not want that. So three properties are affected. And, again, it's very little impact and we don't think there's gonna be much of change to the neighborhood other than

we will certainly take care of the house on 158 better as owners and occupants than if it was rented out because you lose a lot of control once renters come in.

CATHERINE ALEXANDROV: And also just to, just to remind everybody that this house that we bought has been used as a law firm for the passed how many, ten?

KIRIL STEFAN ALEXANDROV: I think the Coreys were there for almost 20 years.

CATHERINE ALEXANDROV: Yeah, so a lot of people didn't realize.

H. THEODORE COHEN: Please, please.

KIRIL STEFAN ALEXANDROV: Now whether it was owner occupancy --

H. THEODORE COHEN: You will have an opportunity to speak later.

KIRIL STEFAN ALEXANDROV:

Functionally, you know, it was the same thing happening, at the end of the day whether it's owner occupied or not, they still, you know, used it as an office.

CATHERINE ALEXANDROV: And a lot of people didn't realize that. That's the point we're trying to make because it's not -- it was a quiet used space. People are going in, minding their own business, typing or whatever.

FROM THE AUDIENCE: His office was across the street.

H. THEODORE COHEN: Please no comments during the presentation. After the presentation people will have an opportunity to speak.

KIRIL STEFAN ALEXANDROV: Officially his office was across the street and he met

certain clients there, but most clients he actually met in his house.

FROM THE AUDIENCE: That's not true.

KIRIL STEFAN ALEXANDROV: And even Corey's son will be happy to attest to that who lived next-door and shared that office property with him.

Okay, next one.

Is there precedence for this either kind of extension or standalone type of semi-continuous annexation. And so there are -- and we've picked out some of the obvious ones around this map in Cambridge and their various locations. So it is possible, there are precedence, it's just a matter of will really.

And next one.

So just to take a quick look here.

We're going to subtract this green one right here. If I understood correctly from the previous meeting, this was I think a mistake on our part with the numbers. So what you see in the green is people that we have talked to that have, we have explained what is going on and supported us with our petition and either, you know, we have like four different petitions out there for this kind of, this project. The ones that you see with an S are the ones that actually wrote support letters. And as you can see these are all the people that abut this property which is the yellow star. This spot right here, the Paterson sisters, they would much rather have us living there and taking care of the place than any renters.

Same with Professor Freedman who lives

here. It's only six feet apart from our building, whereas the Pattersons are less than the foot and at times in the front it actually touches.

This is Filoz (phonetic) right here with Beantown Taqueria. And right here is Ethan Corey right across the street.

This S right here is the parsonage for the Western Avenue Baptist church. Pastor Battle was at the previous hearing. Five o'clock he dropped off his support letter. We've actually been working with them brainstorming ideas. They have a double lot and they want to some day monetize that and do something on there which would also require BA-3 Zoning. So it's a complete coincidence that this is happening at the same time. So if we were not here, Pastor

Battle and his -- and Sean Hope and his architect would be here in the future. So this would actually be a benefit to them, and of course, they are in support of this.

Parking, which seems to be a hot ticket item for many people in this area. I personally park on Western Ave. whenever we have street cleaning on Franklin Street and I've never had an issue. I've lived there for 25 years. I know Western Ave. very, very well. And I know how it is for people I had working at 158 to park in front, or in front of the house on the Kinnaird Street side very easily. I myself have never had an issue parking there even in the wintertime.

So I was curious to see if there was any systemic studies on this. I looked on-line and I couldn't find any parking

studies in this area. So I went yesterday, Monday afternoon. Monday I think is the busiest day in Cambridge, and at 2:27 between 2:00 and 2:27 p.m. I made a couple of pictures. You want to --

So here's the four vantage points when you're standing right at that intersection; Kinnaird Street this way, four spots. Western Ave. that way, five spots. Western Ave. this way, another, I think it was four spots, and Kinnaird Street looking that way. So basically 18 spots where you didn't have to walk more than two or three car lengths.

CATHERINE ALEXANDROV: And the reason we took a photo of this during the day was because that's when people would be working at the office would be during the day, not at night. I can see potentially

people, you know, having --

KIRIL STEFAN ALEXANDROV: Outside of my wife and I we're the only ones that really work late.

CATHERINE ALEXANDROV: And we don't -- we walk to work or we bike.

KIRIL STEFAN ALEXANDROV: I also made a quick video if you can toggle over there.

CATHERINE ALEXANDROV: Let's see here.

KIRIL STEFAN ALEXANDROV: Just to give you kinetic real work realtime.

CATHERINE ALEXANDROV: Or perhaps not. How did you open it before?

KIRIL STEFAN ALEXANDROV: I don't know. It may be the connection to --

JOHN HAWKINSON: It was the

PowerPoint at the last hearing.

KIRIL STEFAN ALEXANDROV: Right.

But that was actually -- we put that in the PowerPoint of the slides in the other building.

CATHERINE ALEXANDROV: I'm not a technician.

KIRIL STEFAN ALEXANDROV: So basically the stills that you saw were taken from that video, where I stood in the middle of the street and just, with my iPhone, took two revolutions so that you could actually see that there is plenty of parking available.

CATHERINE ALEXANDROV: Also, I mean, we had people in Cambridge working, I mean some of our employees are from Cambridge. They would be taking the subway like they do

right now. We work in Harvard Square right now and there's no parking whether our employees work there or not, they don't have a Cambridge sticker. If we even did happen to hire somebody who lived out of town, they wouldn't be able to park on the street because they don't have a Cambridge sticker. And I repeat this is during the day.

KIRIL STEFAN ALEXANDROV: With a great irony, if we were to some day be able to use this as an office, two cars would be taken off the Cambridge Street because the only people that drive to our old Cambridge Baptist church office right now are my wife and I in order to pick up the kids later. So we would be actually walking the two blocks. So there would be even fewer cars in Cambridge.

CATHERINE ALEXANDROV: There we go.

I think we've addressed parking which is pretty contentious matter. I fully understand which is especially during the wintertime. We get it, we get it, when the snowbanks are covering all the streets. We understand.

KIRIL STEFAN ALEXANDROV: So it looks pretty empty to us. You know, on weekends it's even emptier actually. But on weekdays it's -- also A.J. Spears is having a funeral or there's some kind of special event there, an unfortunate occasion where people have to go there, that's when it gets tied up for a couple of blocks.

And, again, I think my wife just made this point we would be freeing up spaces.

So here is some of the feedback we've

gotten through the few hundreds of people we've talked to so far:

They like to have somebody around during the day. There is, as you know, there have been a lot of break-ins over the past couple of months, and we have, you know, four employees plus two of us when it would be -- we would be there; we would be going in and out for coffee, going out to lunch in Central Square, going home for lunch, etcetera. So we would be active participants of the life in this area. As some day was one day 168 Western when the church decides to move forward with their plans.

CATHERINE ALEXANDROV: And that's actually with the ladies next-door who are literally this far from us. They were pleased about the prospect of having some

people around during the day because they know they have neighbors at night, but they don't have anybody around during the day to keep an eye on things. So.... okay.

KIRIL STEFAN ALEXANDROV: Here is a postcard. This is one of our favorite things that we've ever received from the City of Cambridge promising and explaining the business impact that Cambridge has. Anything from alleviating the burden of taxes from the residents to providing funding for schools, libraries, playgrounds, charitable organizations, etcetera. So we always like to bring this up because we feel that Cambridge is basically supportive of business interests and entrepreneurial interests. And the Chamber of Commerce actually put that together and they actually have provided us

today with a support letter for this petition.

So let's just, just a refresher of where we are with this. Really we had an extra slide in there by accident.

So, here are some of the abutting neighbor support letters which we think are very relevant. This is to Filoz (phonetic) with Beantown Taqueria and (inaudible) Corey practiced law firm 158 Western Avenue. And his wife provided bookkeeping and accounting. And Western Ave. (Inaudible). They, meaning their choices would not affect the neighborhood in any way. We're not opening a bar, we're not opening a drive-through restaurant and neither can anyone else.

CATHERINE ALEXANDROV: Because of the zoning.

KIRIL STEFAN ALEXANDROV: Because of the BA Zoning it's very limiting.

Okay, next.

Professor Freeman a professor and entrepreneur at MIT at 15 Kinnaird, (reading) Our house literally is six feet from the Alexandrov property. I'm a neighbor and the Alexandrovs use their property as their office for innovative companies rather than rent it, and I don't like to imagine what it would be like to live next to five college students who are constantly having parties.

So every abutting neighbor who has to put up with us would certainly rather have us there as their immediate neighbor. And we feel that their voices should be heard because they've, all of them, have provided letters of support.

CATHERINE ALEXANDROV: And they're the ones really most affected by this, too. So it's key to mention.

KIRIL STEFAN ALEXANDROV: This is the Paterson sisters that are less than a foot and sometimes connected to us.

H. THEODORE COHEN: Mr. Alexandrov, have you submitted these letters to the Planning Board?

KIRIL STEFAN ALEXANDROV: Some have, some are part of the record, some are not. And the reason I bring out some of these parts here is because they're better at telling the story as residents than myself.

H. THEODORE COHEN: If you could move along and wrap up your presentation. We do have a lot to accomplish this evening.

KIRIL STEFAN ALEXANDROV: All right.

So this is, I think, obvious that they want to maintain the mixed use character of our neighborhood. Ethan Corey who still owns the building, the other half of the building, very much in support.

This is Patrick Barrett who is here and I think he's gonna speak later. So this is the best of his which I will let him bring up.

CATHERINE ALEXANDROV: This is true.

KIRIL STEFAN ALEXANDROV: This is Adam, he's a world famous chef and founder of True Labs right on 279 Western. And I think he has some interesting points. (Reading). And it's one of the main reasons he chose Western Avenue because, he like us, had very few choices.

Fellow innovator so close in proximity

helps to build the local ecosystem.

Western Avenue deserves to maintain the history of space mixed use where you live and work space. Late model Mercedes right in front of Chew, not on one of the meters, but there's two spots right there every single day you can almost see it there. He has no problem parking.

Next.

This is Frederick Fitz (phonetic) who had was formerly part of the group that was opposing this who once they actually got informed about this petition and read it on-line, offered this letter, went out of their way. (Reading) reasonable proposal, consistent with the character of the community rather than deteriorating into something like college housing, works

entirely consistent with the quiet character of our neighborhood and will impose absolutely no hardship and adds value to the neighborhood. He is at 40 Kinnaird Street which he says is like a few houses away from this.

Andrew Faraar who is also here --

H. THEODORE COHEN: Mr. Alexandrov, instead of summarizing some of these letters, you can submit them to the Board and if you have other points you wish to make other than --

CATHERINE ALEXANDROV: Sure. No problem.

H. THEODORE COHEN: -- support letters, please proceed.

KIRIL STEFAN ALEXANDROV: Yep.

CATHERINE ALEXANDROV: It does

exemplify quite a few support letters.

H. THEODORE COHEN: We get the point.

KIRIL STEFAN ALEXANDROV: Another entrepreneur. Another person who lives on Kinnaird.

H. THEODORE COHEN: Please, can you move on to --

CATHERINE ALEXANDROV: Okay, yep, and now we just want to --

H. THEODORE COHEN: We have see the petition with the signatures and so if you have other points you wish to make, please make them.

CATHERINE ALEXANDROV: Just scroll through all of these then. You want to talk about going through this?

KIRIL STEFAN ALEXANDROV: No. I

just wanted to show you that we have made a lot of efforts talking to the people that live in this neighborhood and collected a lot of petitions.

If you want to go back?

So one of our petitions had 91 supports actually is up to 95 or more. This is -- my wife and I in Harvard Square with our Guinness breaking world's largest wallet, 21 feet. We beat the previous record from a wallet company in Spain. We raised money for 14 local non-profits, and every year at the end of the year we contribute to local non-profits. We're very involved in the Cambridge community.

So, if you want to go to the next one.

I got this fortune cookie at the Hong Kong yesterday, and just to give you some

numbers because this is a Democracy and I'm a numbers guy, we have that many supporters from this area that are behind this and they see no reason why this shouldn't happen.

Twelve letters of support, which I unfortunately bored you with, and there are more on the way.

The fortune cookie right here "Change is inevitable except for vending machines." And so Western Avenue is going to continue changing, Cambridge is going to continue changing. It's a mixed use neighborhood. It's not Brattle Street. We're trying to contribute the best we can.

H. THEODORE COHEN: Can you wrap up your presentation, please?

CATHERINE ALEXANDROV: We hope this is a positive change for our neighborhood

that we live in and that we care about and that we, you know, raise our children in, too.

KIRIL STEFAN ALEXANDROV: And we hope you think through this and decide favorably.

H. THEODORE COHEN: Thank you very much.

Do any of the board members have any questions right now? Go to public comment?

CATHERINE PRESTON CONNOLLY: Public comment.

H. THEODORE COHEN: Is there a sign-up sheet?

When your name is called, please come forward to the podium. And if you haven't signed, you will still have an opportunity to speak. Anyone who wants to speak will have

the opportunity.

Could you put up the plan of the neighborhood?

KIRIL STEFAN ALEXANDROV: We might need some help.

H. THEODORE COHEN: All right, when you come forward, please state your name and spell it for the stenographer and give us your address and please limit your comments to three minutes.

Patrick Barrett.

PATRICK BARRETT: Hello. My name is Patrick Barrett. I live at 234 Broadway. However, I am building a house at 41 Pleasant Street right now. It's taking a very long time.

And, Iram, I signed up for participatory budgeting just so you know.

I'm in support of this petition for a lot of reasons, but primarily because the BA-3 Zone and the C-1 Zone are almost identical in every way but for a carve out for commercial use, limited commercial use in the BA-3. Now it's interesting that the Carroll's (sic) had -- the Alexandrovs had said that, you know, they're trying to anticipate the change in Cambridge, but the, you know, the reality is that this area is subject to one of the largest downzonings, one of the draconian downzonings, you know, from BA in 2003 as part of the riverside initiative to block, you know, development down towards the river and resulted in, by my best guess, is about 80 percent non-conforming properties, non-conforming uses. Every single business along Western

Ave., along River Street is non-conforming. And what's going to happen, you're going to see this happen again and again and again and the Alexandrovs are one of the first groups -- I was just in front of the BZA for my project, is that the BA-3 Cone is difficult as it is to work with, C-1's even worse, and people need flexible spaces for live/work areas. And there's no information that's going to be gleaned from the master plan that says this mixed use is not the way to go. And here we have entrepreneurs in Cambridge who are trying to make the best use of their property, who live in the area, whose use of the property will be absolutely indistinguishable from anything around it, far less invasive than the Beantown Taqueria or the funeral home which is behind my home,

or my home to be, or Basta Pasta or any of the other commercial uses which are actually vital to the district.

So, what they're really asking for in my opinion is something they should already be allowed to do by right and what most people do anyway. The fact that they've gone to the BZA to get a Variance and were denied the Variance.

The fact that they're here going through this process now I think is representative of the difficulty that everyone faces trying to support themselves and not working for a large corporation. If this was any other entity, Novartis, Genzyme, or any of the bigger developers down MXD or Volpe (inaudible), they would simply rewrite the code to suit their needs to matter what

it is they wanted to do and there'd be a large zoning change and they would most likely get it. Here we're going to have business -- entrepreneurs who are going to live in a space, they're going to be denied and well, then will have to either leave the city most likely with their business and we all lose as a result of this. I have spent a lot of time, a study of the BA-3 because my property is in it, and the limiting factors that allow for commercial use you're not gonna have a McDonalds's, you're not going to have a Target.

CATHERINE PRESTON CONNOLLY: Sir,
can you wrap up?

PATRICK BARRETT: Sure.

But to deny them the ability to use their home equitably in conformance with the

entire neighborhood is something that this Board should not allow.

Thank you.

H. THEODORE COHEN: Thank you.

That's the only name on the list.

Could I have a show of hands of people who would like to speak?

(Raising hands.)

H. THEODORE COHEN: All right, why don't we start and go around in a circle over there. This woman and then the woman behind you will be next and then the two men to your right I guess.

SANDRA GRAHAM: My name is Sandra Graham. I live at 189 Western Ave. Diagonally across the street from this house. I have been there for 50 years. And we have just gone through a revitalization of Western

Avenue. The people in my community, Kinnaird Street, Jay Street, Soden Street, and all those streets have put a lot of money into their homes. They have taken old homes and fixed them up, but they live there. The community is very diverse. We like our community.

The issue is -- the issue is not to put businesses in a C-1 residential community. We need housing. We need affordable housing desperately. And to take the housing off the market, I think is absolutely terrible.

The other thing is that we, we the neighbors see this as a precedent. You do this here, you come down another block and you do it there. If he expands his business, he's gonna sell that property. What's gonna be next in line? We have to come up here and

fight again? No, we don't want to do that. We live in a good neighborhood. We like our neighbors. We are very diverse and we meet together and we talk together. So we don't want that broken up. We'd like to have two more new neighbors move in the house and the house has been sitting there for over ten years I think empty. Just sitting there. There was no lawyers there. Mr. Corey died. Mrs. Corey died and nobody was in that house. So, I think that we need to keep our residential housing. He needs to go around the city. What he said was I don't want any part of the city, I want Riverside. Well, do you want Cambridge or do you just want Riverside? Do you just want to be in that house? Are you fighting us back because when we went to the Planning Board -- the Zoning

Board in July and sat through five hours of whatever they do, the Zoning Board denied the change of usage. So that was denied. So then he turns around, and he has the right to do it, I guess, and wants the petition to be heard before the City Council. Well, he wants the City Council to do his work, because he knew what the Zoning was before he bought the house. He knew what that Zoning was. So he figured he'd buy the house anyway and then get the City Council to do his dirty work. Well, I'm not gonna abide by that. And that's why I'm here tonight because I live on that street and we have just come through a wonderful -- oh, my God, a wonderful, exciting -- how do you say it? Renovation that almost knocked our houses down. But the street is beautiful now. It's

well lit. The street, the street is well signed. They took away parking. You talk about parking? They took away parking because they bumped out the corners. So in front of my house where there was three parking spots, there's only two. And if you keep going down -- up and down Western Ave., you will see that there has been a reduction in the parking.

CATHERINE PRESTON CONNOLLY: Ma'am, could you wrap up?

Thank you.

SANDRA GRAHAM: I will wrap it up.

I am opposed to this change and I would hope that the Planning Board would support us in our efforts.

Thank you.

H. THEODORE COHEN: Thank you.

MAGGIE COMPHER: Hi, my name is Maggie Compher, C-o-m-p-h-e-r. And I live at 31 Kinnaird Street and I've been there for 21 years. We were at the City Council this evening and we presented a letter where 45 owners from Kinnaird Street, Western Street, and Jay Street have signed in opposition to this request. We really believe that he is threatening the sense of what this area is supposed to be which is residential. In 2003 during the Riverside survey that was done, and of course there was the whole Harvard issue, but we are further away from that -- and there were four different zoning issues that were brought up, Harvard was one of them, but we were further down. And we were changed from C-2 to C-1. And there was the goal to keep the main focus residential.

There also was something written more recently around the Western project that was pointed out by another resident of Kinnaird that one of the goals of -- the community goals was to reinforce the residential character. And so that's what we're here to say. We want -- that's what the owners believe, is that we want to keep this residential character. We don't want to add businesses. There are places for people to have their businesses already. There's the one section on Jay and Howard on Western on either side. There's also all of River Street. And there are areas for someone to go and have their business, whatever.

So my point is that we are really opposed to this. We feel like he bought a home and then wants to change the zoning and

we just don't feel that it is in support of the goals of the community.

Thank you.

H. THEODORE COHEN: Sir.

And the gentleman in front of you will be next.

LEONARD LUCAS: Good evening. My name is Leonard Lucas, L-u-c-a-s. I live at 36 Kinnaird Street. Been there since 2000. Bought a home, went through the Variance process to expand the size of the home, quite successfully, invested a lot of time, money and effort to become a part of the neighborhood. And at the risk of not belaboring some of the points that other people before me made, you know, the Zoning Code is here to protect those of us who live in the neighborhood and made investments in

it. We abide by the code, we rely on the code. When we make investments in the property, it should not be taken lightly to change the code. The code was changed in 2003. There was a significant downzoning. From what I've been able to see a bunch of small, and no offense to them, not thriving businesses were protected in a small zone. And as the petitioner pointed out, businesses are not doing well on the street. To me, I didn't go, you know, I didn't go to MIT or I didn't go to Harvard Business School, it doesn't seem like we should have more businesses or make more space in an area where businesses aren't doing well.

Now, I think it's -- I think it's important to look at some of the propositions that the petitioner has put forth.

One, although I disagree wholeheartedly with the idea that the residential neighborhood should have to bear the brunt of someone looking for commercial space. You know, why not put a sausage factory on Kinnaird Street?

He talks about the price and how there's no affordable, whatever that is, commercial space available. He paid \$646,000 on an off-market transaction to purchase --

FROM THE AUDIENCE: 615.

Correction.

LEONARD LUCAS: I've also been married.

He paid in excess of \$600,000 for this property. It's 1600 square feet exclusive of the basement. There's roughly a thousand square feet that he can use for this

commercial use at a thousand square feet at my 646 number. So it's a little high. It's \$646 a square foot. If you take up 1400 square feet of the building excluding the basement, again, at my 646, you're at \$400 a square foot.

He points as an example to a property on Prospect Street that goes for \$2.1 million. That sounds like a big number. We looked it up on the internet while we were waiting here. It's 5,544 feet. It's \$378 a square foot. So by, you know, his own example, he's buying into a more expensive piece of property when there are other square foot price properties that are available.

We also have a problem with the way he proposes to use the property which I would envision will be an enforcement problem going

onward. At the last meeting he indicated that, yes, he was challenged or questioned on the fact that you cannot use the whole building for commercial, that you can only use 40 percent of it for commercial and the rest has to be residential. So the question is well, you're going to put a residential use there. And what came out is well, we have employees that we rotate in from outside the country, and rather than put them in a hotel, we'll put them upstairs in the building.

CATHERINE PRESTON CONNOLLY: Sir, you need to wrap up.

LEONARD LUCAS: Transit use. Okay? And so, let me just say I have a lot of problems.

In closing, if you open the door,

there's a lot -- I'll take two minutes --

CATHERINE PRESTON CONNOLLY: You only get three total. So....

LEONARD LUCAS: There's been a lot of talk here tonight about this particular petitioner and the use that he wants to put to the property. I'm not gonna read them for you, but if you go through and compare the current zoning with the proposed zoning, there's a whole host of uses that are allowed and that he -- and he's even indicated that the parcel down the street is already getting ready to come in. The door is open to all kinds of changes in the neighborhood. So I just can't support this.

Thank you. Sorry for going over.

DAVID COHEN: Hi. My name is David Cohen and I live at 37 Kinnaird Street. I'll

be really fast. I'll just make these following points:

If you want to drive policymaking, postage stamp zoning changes is not the way to go. Businesses do not make good neighbors in these areas. Night and weekend human neighbors are what we want. When you get into trouble, you want to be able to run over to your neighbor and get some help. Zoning is persistent and not just for one transaction. If you really wanted to change the neighborhood, maybe you should have looked at River Street and made some improvements there.

And finally I think your employees are probably going to work a little bit later in the day than you say.

That's it. Thank you.

H. THEODORE COHEN: Thank you.

SUSAN LUCAS: Hi, I'm Susan Lucas from 36 Kinnaird Street. I've been a riverside resident since 1991, first on Green and now on Kinnaird. I'll be a lot more brief than my husband was.

Just to reiterate the same points, you know, their presentation kept talking about we're going to use it as an office building for six people. That's not what we're doing here tonight. We're changing the zoning. And we're changing it to a zoning that does allow retail use, that does allow a bar without food for some odd reason which we thought was interesting. Automobile service. You can sell flowers, garden supplies, automobile repair, auto body paint shop, manufacturer assembly, consumer goods, barber

shop, beauty shop, laundry, on and on and on. And so when we look at that Zoning Code, we need to see what we're doing here. We're not just allowing them to have a six-person business in that building.

I also would like clarification on this 40 percent use. If it only counts the liveable space by the property record card, that's only 675 square feet that they can use as office. So what are they going to use with the other use? Is it residential? Is it transit? Is it considered multi-dwelling? Was one of my questions. If so, by my read, that requires 1500 square foot lot for each, and this lot is less than three and can you do the multiple uses with this lot size?

Thank you.

H. THEODORE COHEN: Thank you.

Is there anyone else who wishes to speak? Ma'am? And then you can be next.

JENNIFER BRILL: My name is Jennifer Brill, B-r-i-l-l. I live at 138 Western Ave. Which is between the Spears' funeral home and the now closed but possibly about to open Beantown Taqueria. I've owned my home since 1994 and it is a home with no off street parking. I'll try to cut this shorter than it is.

I've actually lived in Cambridge since the 70s. I've been -- I've been a long time neighbor and resident in addition to working in the neighborhood. My objections are in two general areas:

One is changing the character of the neighborhood. The argument seems to be that the City is responsible for supporting small

businesses, but it really feels like it's at the expense of the current long time residents. And it's not clear to me how the fact that there are currently -- that there is already mixed use is an argument for changing the mix and shifting the balance to more towards commercial rather than residential. It seems to me we have a mix and there are other areas that don't, and maybe mix those, but it would not be the same kind of mixed use if we increase that and change the balance.

I think also that, you know, there's some argument that this would help the neighborhood in some way. I don't see any added benefit to the neighborhood to having an internet sales business, and then I won't go into detail because others have, the

potential for any number of businesses, including bars opening up on the street.

We clearly have a big disagreement about parking. As someone who lives right on Western Ave. where there is only one space that is only for permit parking, I routinely have difficulty parking. Beantown is currently closed. That's, I think, scheduled to open up. There's also some kind of a religious group operating across the street. They have gatherings. And adding more commercial spaces would make a significant change to what's already a difficult situation.

So I will cut the rest of this short, but I would really ask you to honor the fact that we already live in a mixed use kind of neighborhood. It is a strong neighborhood.

We, the neighbors, know each other and we'd like to keep the character of that going and support the businesses that are already there.

H. THEODORE COHEN: Thank you.

ANDY FARRAR: My name is Andy Farrar. I live at Four Lawrence Street, Cambridge, Mass. I used to be a resident of 14 Kinnaird Street directly across from this property. Kiril is a business customer of mine -- business customer of mine. I just want to get that out. And I was meeting with him this morning and they were talking about the new jobs that they had to add to their company and the growth that they planned. And diversity is tricky. It's really tricky. And right now residents of Cambridge are under enormous pressure, and our diversity is

slipping away from us. And the city is taking active steps on the residential side. 30 years ago I tried to locate a company in Cambridge, a consumer products company. I could not do it. I could not find the space. I looked hard up and down River Street, Western, Mass. Ave., Kendall Square, there was no place for me to afford my company. We ended up adding 40 jobs, most of them for non-college graduates. And those jobs were added in Lowell, Massachusetts.

So residents are being driven out. The city is taking active steps. Businesses like Kiril's are being driven out of the city. And from my perspective, they also are the heart and soul of the city. I made this same argument 30 years ago for a business directly across from my home on Lawrence Street. I

wanted the business there. So I am prejudiced in that regard. I felt that the business added diversity. I felt the business added a daytime presence and increased the safety. I liked the transactions that they did, and someone said that we shouldn't open the door. I have a different view. Please open the door, because this is a city of small businesses and of diversity, not just large companies, but small. And Cambridge needs to be welcoming to all of them and it's gonna be tricky to figure out how to do that. And I think you guys are in a position to take some steps in a reasonable mixed use neighborhood to support this very valued petition.

Thank you for your time.

H. THEODORE COHEN: Is there anyone

else who wishes to speak?

(No Response.)

H. THEODORE COHEN: None appearing then we will go to the Board.

Anyone want to start or have any questions? Hugh, you want to start?

HUGH RUSSELL: So we're faced with a situation where there are two sides and both of them are right. Yes, it is difficult to find space for a small business to operate. I personally -- a small office building I'm in was recently sold for \$83 million in Harvard Square and we're anticipating our rent will become unaffordable pretty quickly. And we rent -- we've been there 40 years and my rent has gone from 375 a month to 1500. It's not like things have stayed still so....

And I've been looking for a place that

would be within walking distance to my home.
And I've not found one yet.

On the other hand, it's a residential neighborhood. We need to support our residential neighborhoods, you know. Changing one spot from the residence to a business, that was what the Zoning Board looked at and we recommended against that because we thought it was a bad thing to reduce the residential component. But I really, I don't know how we can support small businesses, and -- because I think they're very much under threat. So, you know, you can't -- I couldn't support this petition given the comments from the people in the room, but I'd like to.

H. THEODORE COHEN: Tom.

TOM SIENIEWICZ: So I was a resident

of Riverside and I downzoned and ran out of space and had to move to Cambridgeport. So I understand the pressures there, but through that experience of living in Riverside, and I was a tenant of Ben Corey's at a time when the rent on a three-bedroom apartment was \$273 a month. So that gives you an idea of how long I've been living in Riverside. I used to deliver my check to Ben Corey's office not in this building but the one across the street. So I know Ben Corey. A wonderful gentleman, eccentric, and a great Cambridge character. But I was part of the Riverside neighborhood study, not in 2003 but in 1993. So I got to study the community -- it's actually where my interest in planning to the extent that I have any expertise probably was born through that study process.

But I got an experience of being taken through a systematic community planning process and how carefully that was done and how many conversations we had with our good neighbors. And that happened, again, in 2003 because they do them about every ten years. I was not part of the study at that time. But at that time, that neighborhood, that planning process concluded that be it through the businesses that the community desired at the end of it, that those businesses be centered largely on River Street, and the zoning recommendations are now memorialized in the Zoning Code that we have. And I don't know what the logic was. I can guess, but they shied away from Western Avenue potentially in anticipation of the renovation as Ms. Graham described Western Avenue that

turns it into a rather dramatic and, you know, primary and beautiful street and maybe, I would guess, that they didn't -- they chose not to zone that as a business area in anticipation of that major investment.

So there is opportunity to grow a small business or grow business that was accommodated within that plan on River Street, notwithstanding the problems that were well articulated by the petitioner.

So I -- somebody talked about a postage stamp zoning change and that zoning shouldn't be done for just one transaction, and I believe that's true. It's a community process. It's a districtwide, it's a citywide process, and it's a blunt instrument and it doesn't lend itself very well to one or three properties in terms of its

adjustment. And the process is -- the Planning Board process, the community process that we're being puts through here bears that out, that there's a lot of friction here because I think we're using an instrument that isn't well suited to the problem.

I want to respect the community planning process that the City put this neighborhood through, albeit a little bit antiquated now which concluded that yes, business should be here but in this particular Zoning. And despite my sympathy for small -- trying to find affordable small business, because I too have -- my business was priced out of Harvard Square and I now practice out of Boston, I'm beginning to -- I'm concluding I think, I want to hear what my fellow board members have to say that I

would not be in favor of the zoning change in due respect to the community process that the City went through.

H. THEODORE COHEN: Catherine.

CATHERINE PRESTON CONNOLLY: I don't have a whole lot to add to what's already been said. I guess what I would say is not only do I want to respect the 2003 process but the one coming up, and that in general going from zoning one to three properties doesn't feel like great planning. I do think that issues where businesses are allowed should be looked at at least on a district or neighborhood-wide level, not on a parcel by parcel basis. And it was discussed extensively in the 2003 process. I was on community development staff for that process and it was a long one and at times

contentious, but in the end, you know, the neighborhood made it very clear what was important to them, and won, you know, a zoning that reflected their wishes. And I'm loathed to disturb that for three properties without going through a similar neighborhood-wide look at what the business and residential needs are in the whole neighborhood and in the city at large. And we do have that opportunity coming up. That said, I am sympathetic as has been noted by others that, you know, small businesses don't build the kind of huge complexes that we're seeing in Kendall Square, and the opportunities for them are somewhat limited. And that's something, again, that we are looking at on a citywide basis that we have been building into new commercial projects

for, you know, whether you call it innovation space or small footprint space or what have you. You know, we're not unaware of it. We don't have all the answers to affordable space for businesses anymore than we have all the answers for affordable space for housing, but rezoning three parcels without looking at the needs of the whole neighborhood to me does not feel what the Planning Board is called to do.

H. THEODORE COHEN: Steve.

STEVEN COHEN: Well, I guess -- I'm another small businessman in Cambridge and I happen to be in the building where it must have been through Variance, not just a single parcel, but actually just a few floors of my building were permitted to commercial use. The remainder of the building was

residential. So it's a mixed use building and there are small businesses in there that really have few places to go. I'm very sympathetic, not on a personal level, but on an urban planning basis to the difficulty of maintaining small businesses in Cambridge, and I think that should be a goal of our planning. And I also support the notion of well -- I guess it's a question of when we look at the zoning, I mean we've talked and we've heard about deference to the previous rezoning, but I guess Cambridge has something of a history over the last few decades of the rezoning and downzoning in a way which doesn't really reflect existing patterns of use and which renders significant portions of properties in districts non-conforming either dimensionally or in use. And I think, you

know, to some extent that's what happened here. The existing patterns of use here aside from downzoning per se, the existing patterns of use as we've all heard and we all know, you know, there are a number of non-residential uses on Western Ave.

So this isn't new and true. To some extent it's a reflection of existing patterns of use. And when we call it a postage stamp, you know, it's not a spot zone in the sense that we're putting or proposing a new zone or a new use in the middle of a different zone. In fact, it's an extension of an existing block of this zoning. So, you know, I think that would be a normal pattern and desirable pattern. So I don't think that issue of the postage stamp argument is terribly persuasive to make.

And then, gosh, I mean we're all about trying to respond to the community, but it's always a question by what do we mean when we say community? In this instance, it seems that, you know, all or certainly most of the immediate abutters, those who would be most affected by this change of zoning, seems to be in support of the change. So those closest, most affected support the change. And I don't mean to disregard the interest and concerns of others, but they, it would appear that they are a little further afield and less directly affected. The use itself in the zoning district does permit, you know, a number of non-residential uses, and I guess that's a little bit concerning to me. The use that's being proposed, you know, is a quiet office, you know, we'd almost call it a

Home Office type use which exists throughout the city whether the Zoning Code acknowledges it or not. And, you know, it really is very different than a retail use. You know, I wish the zoning were such that it could somehow limit it to that sort of innocuous office, Home Office type use and not permit in principle other uses, you know, such as restaurant or retail. The Home Office type use is really relatively little imposition on its neighbors or on the district. So that's, you know, a change that I wish I could make in the petition.

You know, I also point out that location is important. We're talking about an extension of an existing block of mixed use and it's only a couple of blocks from Central Square. You know, that's where you

want to have that, not residential uses or permitted mixed uses of this sort. So, you know, I don't mean to say that it's an easy call for the City, for the Board, or for me. It's a tough call. But on balance I think what's being proposed largely reflects existing patterns of use in the area. It's an extension of an existing zone. It's close to Central Square where such uses and zoning would be appropriate. It's a tough call, and a tough call for me only because I heard from so many folks who oppose it. If it hadn't been for that, it would have been an easy call for me. And maybe if all the folks who wrote the letters in support had actually showed up and we actually heard them, you know, that would emotionally change the way we react. The writing never quite has the

emotional impact as the voice. But a tough call as it is, on balance I would tend to favor the petition.

H. THEODORE COHEN: Lou.

LOUIS J. BACCI, JR.: I guess I don't have too much more to add. One thing I do have a question on, this drawing. This would include these townhouses, correct?

JEFF ROBERTS: I'll field that. So there's a little bit of confusion about what the, I think between the intent and how the petition is actually framed. So if you look, this is -- what was included in the petition which shows an extension of the Business A-3 District on one side of Western Ave. up to Kinnaird Street. Listed below are three residential addresses. Now if you look at the, as I think you are, Lou --

LOUIS BACCI, JR.: Yes.

JEFF ROBERTS: If you look at the map that was provided that CDD created, it shows a little zoom in on that area. And it shows those three addresses: 158, 162, and 168, as well as a row of townhouse, two-story townhouse row, 16 to 20A Jay Street and 15 Kinnaird Street. So if the intention is to only include those three addresses and only, you know, only include those properties themselves, the lots themselves, then it would be discontinuous from the existing Business A-3 District.

LOUIS J. BACCI, JR.: Okay.

JEFF ROBERTS: So I mean that's something that if this were to move forward, it would need to be clarified. I think it was -- because it was drawn this way, it was

sort of advertised as this section but it could always be reduced.

LOUIS J. BACCI, JR.: So I guess the outcome on that whole plot, I guess is kind of where I have a question of what happens in the future? I think your aim was pretty sharp but you're off by about a block. Too bad you couldn't wrestle one or the other parcels away.

KIRIL STEFAN ALEXANDROV: We tried.

LOUIS J. BACCI, JR.: Well, I understand. I guess the unknown future of -- and I expect that you expect to run this office use out of here, but I don't know what's going to happen in a year. So like I said, I hate to be against this because I know you're trying hard to do the right thing, but I think you missed.

H. THEODORE COHEN: Okay. Well, I personally don't think it's illogical to extend the zone another block and I think if it were extended, it would have to include the townhouses because I think being discontinuous does not make sense. Having said that, however, when -- I spent a lot of time on Western Avenue, that most of the retail, commercial properties are closer to the river or closer to Central Square and this particular block and the immediate abutting blocks are really pretty much appear to be all residential.

Funeral home is there. Funeral homes tend to be in residential neighborhoods and they tend to look like a converted residence. I do think it's a close question and a difficult question because we do want to

encourage small businesses to be able to stay in the City, and we've been talking about it with regard to the K2-C2, and with regard to Volpe and other things that much as we're talking about trying to keep the middle class as residents in the City, I think we need to keep small businesses in the City. But in light of the fact that this came before us only a couple of months ago and went before the ZBA and which felt it was not appropriate to change it, and that while the petitioners certainly have the right to do this, you know, they could not bring a repetitive petition to the ZBA within two years. I don't think the facts have changed over the past several months, that I would come down on the side of not changing it and keeping the residential appearance of the block the

way it is now. I don't think it would be wrong. I mean, we're loading up everything on the new master plan and the zoning study to take a look again at, you know, Western Avenue, the parts of East Cambridge, and Cambridgeport, the riverside neighborhood to determine whether it's appropriate, the zoning. Because I do think zoning changes over time, and just because something was rezoned 10, 12 years ago, a lot has changed in the City in that period of time and maybe it's time to take another look at it again. But, you know, while it is a close question, you know, I personally would not support the petition at this point.

Hugh.

HUGH RUSSELL: I guess on the subject of loading up the citywide plan, I

think it's a good idea to look at Home Office uses and the definitions and restrictions. I don't -- I'm feeling that the six-person office goes beyond what I think would come as a Home Office.

H. THEODORE COHEN: Right, home occupation. I was just looking at it while we were talking.

TOM SIENIEWICZ: So was I.

H. THEODORE COHEN: Is for three employees. Now for someone who is resident in the building. And so I think it does go beyond, as we define and as most communities define home occupation, but like you said, you know, there may be, you know, real estate offices or internet offices or whatever that are going to have more than three employees. And, you know, it may be that it's time for

us to -- for the City to deal with it and to try to decide where it's appropriate to have those types of facilities.

So, what -- I'm sorry. What we do now, we don't make the decision on this. It is up to the City Council to decide whether to rezone the property or not. What we are called upon is to make a recommendation to the City Council.

And so does somebody want to propose a recommendation?

KIRIL STEFAN ALEXANDROV: Do I get a chance to speak?

H. THEODORE COHEN: No.

KIRIL STEFAN ALEXANDROV: No?

H. THEODORE COHEN: Well, if nobody else does, I would propose that we make a negative recommendation to City Council that

the property not be rezoned. Although note that I'm anticipating what the vote might be, that it was not a unanimous vote. That the Board thought it was a close call, and that it is an issue that ought to be examined, you know, by CDD staff or the Planning Board and/or by the people who would be working on the master plan.

HUGH RUSSELL: You know, I think if this -- if the Zoning Board had applied Special Permit standards to the relief that was requested for, the outcome might or might not have been different. But to me that's the, perhaps the appropriate way to look at some of these changes. That, you know, that would -- if one were studying it, you could add points.

STEVEN COHEN: Instead of having to

prove hardship, simply they demonstrate that this could be permitted without unreasonable detriment to the neighborhood, radically a different standard.

HUGH RUSSELL: Right, but limiting use to the proposed use, not opening up the door for --

H. THEODORE COHEN: Further changing it for a number of properties.

HUGH RUSSELL: Yes.

But, you know, we weren't at the hearing. We didn't hear the testimony there. And so we don't know what the ZBA based their decision on. But I'd like to give them the ability to look at questions like this as Special Permit and Variances.

H. THEODORE COHEN: Well, that presumably would require some other zoning

change.

CATHERINE PRESTON CONNOLLY: Right.

HUGH RUSSELL: They can't do this here.

H. THEODORE COHEN: They should be looking to.

So, is there a second to the motion?

TOM SIENIEWICZ: I would second the motion, Mr. Chair.

H. THEODORE COHEN: Any discussion?

(No Response.)

H. THEODORE COHEN: So all those in favor of the motion to not recommend?

(Raising hands.)

H. THEODORE COHEN: All those opposed?

(Steven Cohen Opposed.)

H. THEODORE COHEN: And so it's five

to one. We don't recommend it although noting it was a difficult issue it was not a unanimous vote.

Thank you all for coming. We do have a public hearing. You're very welcome to stay and attend. We'll be going another couple hours I think. The people for the next petition you need to set up. We'll take a break until nine o'clock and then we will pick up the next hearing.

(A short recess was taken.)

H. THEODORE COHEN: Please, it's been a longer break than we intended. There were some technical problems and I will remind my fellow board members I received comments that it was very difficult for people in the audience to hear us speak this evening and request that we all speak very

close to our microphones. And I would ask that all of the speakers this evening do the same thing.

And this is our eight o'clock hearing on a petition by Peter Kroon, et.al. also known as Friends of MAPOCO to create a new MAPOCO subdistrict to run from Roseland to Chauncy/Everett within the Mass. Avenue Overlay District with zoning requirements identical to North Mass. Avenue District except for some modifications.

Again, what we are hearing is as proposed zoning petition. A decision will be made by the City Council and not by us. And what will come from us is a recommendation one way or the other and that's where we are at right now.

So if you could proceed with the

presentation we'll go from there.

PETER KROON: So my name is Peter Kroon and I live at 16 Linnaean Street which is three or four blocks inland from Mass. Ave. And that's -- MAPOCO stands for Mass. Avenue from Porter Square to the Common. And I know there have been -- the city calls it HARPO which we don't like very much because it -- for several reasons, but we're using this word only because it describes the territory pretty clearly.

The -- we think we have something special here and I'm going to show you some pictures real quick to highlight that, and we want to preserve that and build on it as the development comes. We know the development's coming. We could see stuff start to go pop here and there. And in fact, a proposal came

in August that caught us off guard and then made us realize that we need some better protections so that what happens over the next 20 years is gonna be a nice development instead of a hodge-podge of buildings that people don't like or a bunch of crises where we're trying to have an impact on different buildings as they come up. We try to put some guidelines in place.

I point out that we have a proven and fruitful partnership with Harvard and Lesley over the past many years. I think, I hope many of you know that history and I'm not gonna recount that here. I will say that we have hundreds of residents that are committed to make good things happen and I'm going to point out a ten point plan to advance the process.

The, if you read the petition, which I'm sure you did, I talk about the fact that we're bookended. On one end we have this brand new, what I think contextually compatible, I think a lot of people would agree, beautiful Wasserstein building by Robert Stern and Associates, and at the other end we have -- the first one was a \$200 million project. It might have been actually a little more. And at the other end we have the recently completed Art Institute of Boston, which is now the Lesley University Lunder Building. And another building which is right next to the Porter Exchange building that used to be the Sears. And on the other side is the restored Civil War era church that is their library and study rooms. And, again, this is brand new. It's modern on the

one hand and Civil War era on the other hand, but it's contextually compatible. And then we have traditional Victorian homes. There's a number of them up and down the avenue, many of which have been restored at great expense and they're in first class condition. And then we have some pre-war apartment buildings. This particular one I point out because it has ground floor retail. I am told that when this was built, the sidewalks were larger. They were 17 feet. But when the street was widened, the sidewalks got narrowed. And so this is a narrow, I think it's an eleven-foot sidewalk.

And then we have a whole bunch of small one-story buildings. Some of them used to be car dealerships and they are poo-pooed, I would say, by people like Charlie Sullivan

who thinks there's nothing worth savings. What we hear is a lot of people find this charming. You know, you see the little details like the rope around the windows, the large windows, the little crenulations, the relief, the little detail at the top, things like that make it appealing and charming, people like this.

And then we have distinctive restaurants. We have seven or eight restaurants, and I think there's a lot of spending power and when people open a good restaurant, you see it's well supported.

I put this picture on here because even though it's a single storefront which I think is only 20 feet wide, they have a lower level where they have a kitchen and a private dining room. So they've taken one storefront

and they've created quite a large facility. And right next to it there's a Japanese sushi bar. And right next to that is a laundry mat. And right next to that is a hair salon and so forth. And so we're get a lot of bang per storefront is my point on this picture.

And then I point out because parking's going to come up, we need parking. And not just for the obvious reason of parking, but there are other things happening. This is a community-supported agricultural drop off in the summertime.

FROM THE AUDIENCE: It's year round.

PETER KROON: It's year round? It's in the drive-up window of the Cambridge Trust which is nice enough to let them use it.

This is an example of something -- it's a glass curtain wall building just north of

Porter Square, it's opposite Beech Street. And if you were to survey a large number of people and say what's the least attractive building or the biggest eyesore or whatever, most people without any prompting would name this as one of the two or three that you would hear over and over again. And I point out to you that you got this little parapet wall, almost any time you drive by there are people having a cigarette. Over on the right-hand side is all the garbage bins, and there's no life at the street level. It's just a blank as you walk by it.

Across the street from that is what used to be a funeral home and sort of got out of control and turned into something nobody really knows what that is. But once again, if you survey, you're gonna -- people will

name this without a lot of prompting and say well, that's not something that they don't really want more of. These are not architects and these are not people who are trained in anything, these are just people who know what they like and don't like. And right next to it by the way is the old Bob Slade building when I took this picture was a hole in the ground, and I believe it's Chilinski's doing the design for that. That will be a four, 45-foot building with ground level retail and parking beneath ground.

Here is on White Street which is opposite the Shaw's, is an example of something I would say it's a very interesting -- I happen to like the modern building. The unfortunate thing about it is that when you put it next to a Victorian

house, it can't help but make the Victorian house look kind of diminished. I happen to think this row is gonna -- these are not special houses and that property on the right is worth six or seven or eight million dollars and the property, I'm not sure (inaudible) on the right is -- it's inevitable. That's gonna change. But that was an easy one to show that what happens when you create this, you know, big imbalance.

It is possible to build buildings, new buildings that are contextually compatible. This is one that was done by Lesley. It was five years ago. Seven years ago it was, I believe it was a parking lot. It was an Enterprise rental. And Lesley got a dormitory and we got a ground level cafe,

which is very popular and very well supported, and next to it is an ATM. And people will disagree about the color, maybe it's too dark. And people will disagree about various things, they wish it was this or that, but the truth is it's a well accepted building. And an example of something that we could get behind and we could put on a display and say here's something that works and we could give guidance to a developer.

And right behind that is a dormitory that Lesley did that sort of bridges between that corner building that I just showed and the Victorian houses that are down that street. And this is a brand new house in the Victorian style and it's done well. It's actually done well. I see a lot of these

houses where the developers try to do something and it winds up just being a pastiche and we sit there and say that's not the right idea. They tried, they meant well, but it just didn't work well. How do we give them better direction and guidance? I'm not sure. But my point here is that it can be done.

And this is what was proposed on August 17th. We got the notices. This is about 150 feet from high house, and I didn't know it at the time but without a whole lot of effort it turned out about 400 people signed a petition with -- just sort of went viral and we had a stack of petitions against this. And why? It's not pedestrian friendly. It's taking a parking lot and putting a stilt building in it. There are 24 spaces in that parking lot

today. They would all go away except for two handicap spaces and nine housing, you know, spaces for the residential units. So there was a loss of existing spaces that were well used. If you drive by on any given day, you can see there are plenty of people parking there. The veterinarian rents five of them for \$400 a month. The dentist has two hygienists that need a place to park so they pay \$400 a month for parking there. I believe one of the restaurants rents a couple of spaces. Khalsa, the chiropractor who takes care of people that had injuries who had surgery and so forth, they need to drive to him and walk up his ramp. So that, that parking is used. And this development would have taken that away. It was proposing a 0.5 to 1.0 parking ratio for parking to dwelling

units which has never been done in our area before. I know it's done commonly and I've heard about it in hearings here over at Kendall and other places. It's not common. It would be a precedent in our area. By taking away the rear loading area, they would have to create a loading zone on Mass. Ave. which would be more parking. They came up with a setback calculation where the setback should start from the transition line and not from the sidewalk, and based on that they wanted to have a 25-foot setback. But we have situations where you have houses where these lot lines were done, you know, this is not an area that was carved out like you see in Texas.

You gonna say something.

H. THEODORE COHEN: Mr. Kroon, I

appreciate the architectural review and your comments about this building, but we're here on the petition not a particular building and not a particular proposal.

PETER KROON: Got it. No problem.

H. THEODORE COHEN: If you could focus on the petition and what you're --

PETER KROON: Here's the overview of the petition. These are the things we'd like. Pedestrian-friendly avenue, better design guidelines, re-widen the sidewalks over time, protect the abutters behind, solve the parking challenges, no stilt buildings, retain a fast food use variance. And I'm a little confused on this, Jeff can clarify, encourage Cambridge local first type stores, prevent canyoning of buildings, and preserve the current scale. We're not proposing any

change in the height or density or anything like that. We have a strong support. Not only do we have all the survey petition signers but we have a strong leadership group, many of the people have been involved in prior efforts. You'll recognize some of the names up there.

So I'm gonna go through each one of the things very quickly. Ground level pedestrian-friendly retail and other non-residential uses. So, three years ago north of Porter Square there was a subdistrict put in place, the North Mass. Avenue subdistrict. And at the time we were asked south of Porter Square if we wanted to be part of that. In fact, there is a draft, I have a copy of it, where there is a subdistrict describing our area. And at the

time we were not organized. Part of the reason is because this side of Mass. Avenue is the Agassiz side which is Area 8 or Neighborhood 8. And this is 9. Neighborhood 9 goes all the way down to Fresh Pond Plaza and so we're just not organized. This is not a center for us. This is a dividing line. North of Porter Square is one neighborhood on both sides. So they were a little more organized.

In any event, we didn't participate and three years later we sort of wish we had. So the biggest part of what we're asking for is could we just extend that subdistrict. It's all been hammered out, and just take the bottom borders which is Beech Street and Creighton Street north of Porter Square and could we just add another six blocks south of

Porter Square. It's all been hammered out. In fact, we were invited but we just weren't awake. We were asleep at the switch. That's the first one.

What does it provide? It provides ground level non-residentials required 75 percent of the frontage. It eliminates laboratories, manufacturing assembly, mortuaries, marijuana dispensaries, a bunch of other things, those can't be there. It says that if it's banks and trust companies can only be limited to 25 feet wide. It says the non-residential depth capacity has to be 40 feet instead of 20 feet and it's got some incentives for a gracious retail space and there's other stuff in there, but that's the gist of it.

The second thing we notice is that on

the City website there used to be something called the Urban Design Guidelines Handbook. It might have been even the Massachusetts Avenue Urban Design Guidelines Handbook, and it was done in 1986 and it's no longer posted. There's still a web page but when you go there, there's nothing there. And frankly, a lot has changed in 30 years and our thinking is that there has to be a better way to give guidance to developers. I'm thinking photographs. I'm just saying. These are buildings that work, these are buildings that don't work, and we're not trying to educate the Victoria. We're not trying to say it must be Victorian or pre-war. I know it says that in the petition. We've had a lot of debate in trying to sharpen our thinking. What we're

really saying is contextually compatible.
Good design. Contextually compatible. Not just something that people feel is not -- and I hate to see somebody waste months and months of thousands of dollars coming up with a plan that winds up getting rejected or disliked. So we can do a better job there.

Re-widen the sidewalks. I guess the avenue used to have 17-foot sidewalks and then the avenue got widened. And as new buildings get built, if it were possible to widen the sidewalks. There already is a five-foot setback mandatory for new construction, but there is an exemption where the new construction abuts up against something that doesn't have that setback. And the natural argument would be to say well, it makes sense to have a nice line, but

when you have a situation like this where an awful lot of the avenues are going to get rebuilt over 20 or 30 years, it might make sense just for this limited space to relax that for a period of time so that as these buildings get rebuilt, redeveloped, that little by little, the sidewalk gets pushed back. Does that make sense? I hope so.

And it's gonna create a jigsaw effect but it will sort itself out in time.

The fourth one is we want to make sure that we keep -- this is a minor one frankly, it's a -- it only came up because I had an attorney stand in front of a room full of people and try to explain how the setback line should work starting from the zoning change. So what happened when they put this zoning line down, they just went 100 feet in

either direction. And if you look, it's -- there's -- none of these lines up with the property line. Right? So lots of properties fall short or go over. And so you're always going to have situations like this one right here where the back side of the parcel is in a Residential B and the front side of the parcel is Business A-2. And so what needs to work is when they take, when they designate a parcel for development and they say this is the parcel, they should treat the whole parcel as one parcel and take whichever is the most restrictive setback requirement whether it's the BA-2 or the residential one, and whichever one's the more restrictive one that's the one that should apply. Not -- they shouldn't start from the 100 foot line and then say treat this as being, as if it

was two different parcels, because there was one building that goes on the two parcels. Am I at all making sense? Right? That was an odd thing that came up and we'd like to clarify that.

And then we would like to attack the parking challenge, right? We already have congested streets. We have a lot of apartment buildings. We have multi-use, multi-family buildings and institutions like Lesley and we only have two parking lots to start with. And our thought after debating this is really we should require no loss of parking. We got to figure out how to resume the parking we have. We can't be cavalier about having it go away.

On top of that we don't want to see this trend of the 0.5 to 1.0 or the 0.75 to

1.0. It might work in Kendall where you have a short hop over to Boston where you have busses in different directions, you have a high density of office spaces, a high density of students, and a high density of -- increasing high density of apartments. We are in an area where there are no office buildings. And although there are three bus lines that run by, they all run to the same place. So it's really effectively a one bus line that goes to Harvard Square and then there you can take the Red Line. If you happen to work downtown, that's great. But if you happen to work anywhere else, it doesn't really help you very much. Our thought is to require new residential buildings, this is the zoning now. So stay with the one to one. Use development

bonuses, if possible, to encourage developers to put additional parking. I know this goes against -- I've heard this from so many people, but we do not have a municipal parking lot. We have no other way to get parking. So the thought would be if somebody can build an extra three spots and they can rent them to employees or others who need spaces, there's always a demand for spaces, why would we not take advantage of that? It's a thought.

And we'd even consider a discrete and closed parking garage. I'm told that it doesn't make economic sense but I'm, I'm putting it up there anyway.

No stilt buildings. There is language that says there can be no structured ground level parking. I've discussed this with

Jeff. We'd like that to clarify that there could be no ground level parking unless it's behind a retail. Right? There shouldn't be exposed parking to the street.

FROM THE AUDIENCE: 40 feet.

PETER KROON: 40 feet. Well, it's 20 feet now but if we get the language from North of Mass. Avenue, it will be 40 feet.

No. 7 is retain the Variance requirement that we have today. Right now we're mostly zoned A-2. So fast order food requires a Variance, a use variance. If we adopt a North Mass. Avenue language, it's confusing to me. I've asked Jeff directly. It sounds as a permitted required use. And I don't know if that means if it's by right or if they still have to have a Variance. Okay? But we just want to make sure that we would

still have a chance to discuss this. We're not opposed to fast food. We're not opposed to food. We're not food snobs either. The issues that come up are noise. These are the issues that we have now with restaurants, but they have air conditioners and they have deliveries and they have garbage trucks at 5:30 in the morning and they have rat control and they have litter and they have people rushing in and rushing out and so forth, we need to still have that ability to discuss that in the Variance process. So we don't want to lose that even though -- I just want to make sure we don't lose that.

We like the Cambridge local first type businesses versus the chain outlets. If you've been up to Assembly Mall, you can see it's easier for a developer to call a broker

and say get me a Brooks Brothers, get me an Aldin (phonetic), and get me a this, get me a that. We have fantastic local businesses. We like them. I'm going to show you a picture of at least one.

The way the language is written, north of Porter Square is that the threshold, the by-right threshold is 5,000 square feet in total including based on the second floor space that's access through the premises. A lot of these little independent shops can't afford the large premises or the high rents. So we propose, at least for our area, having a lower 2,000 foot square foot by-right and encourage them to go down a level or up a level. And I'm thinking about the -- there's a Starbucks in Harvard Square where you go in and get your coffee and there's a big sitting

area upstairs. That works terrific. And we've got some building that could support something like that. Or you've got Beat Restaurant where you go down, you know, that's not exactly -- but the point is they're using the land creatively. You're getting multiple businesses to support the neighborhood.

The 2,000 feet is not scientific. I'm not an urban planner or I didn't study it. We look at a 25-foot wide storefront by a 60-foot depth, that is 1500 square feet. It seems like, you know, that's a good size. So 2,000 was generously above that was our thought.

Here's an example of a store, a great store at 600 square feet. We'd love to have lots of these stores. We'd like to support

these stores. We don't want to drive them out of Cambridge.

And we want to ensure that the identified historical structures are not canyons. We've got a list of the structures that are historical. And we have a couple of situations -- and that building was actually burned down and rebuilt and it didn't used to be canyon, so it's not a true canyoning situation. But the point is when you have a six-story apartment building next to an older building, it kind of gets lost behind it. So we'd like to have some setbacks around that. We've made some proposals on that.

And the last one is we're not proposing to change the 45-foot height. There is a paragraph in the North Mass. Avenue language that talks about a 50-foot height but a

reduction. It's unclear. I've asked Jeff - I cannot figure out what lot that might possibly apply to. So our thought is this:

You have your 45-foot high building height and that would be 15 plus 10 plus 10 plus 10. If somebody wants to build a higher ground floor, a more gracious retail space, we should be willing to give them a foot for foot increase above that which is what I think that paragraph is trying to do, but it was doing it in the reverse. It was saying you get 50 feet but you get reduced foot for foot to the extent that you don't give the ground floor space. It was unclear to me. So I'm thinking this is a clearer one to say take your 45 feet and you can go up to the extent that you make a more gracious ground floor space.

That's it. The priorities from us are the ground floor residential, non-residential. That by far is the biggest thing. If that's all we got, we would be extremely grateful.

It sounds like, Jeff, maybe you could clarify, but if we -- if we don't need -- we just want to make sure we have that fast order food variance process.

We want to add our historical buildings to the list.

We'd like to lower -- there's a paragraph that talks about the -- which I've shared with Stuart's office that talks about the, it says -- identifies where it says the 5,000 feet in total where it says basements and second floor. We're saying we like to keep it 2,000 feet at ground level but

unlimited beyond that. If somebody wants to go up a floor or down a floor, let them be creative and do a lot with it, but let's have lots of storefront to support this street.

No loss of parking incentives for new excess parking.

Find a better way to buy design. I think we can help with that.

Protect historical buildings from canyoning.

This allows for setbacks calculations.

Remove the front setback extension.

The one that says that if you have adjacent property, you don't have to have a setback.

And then just reinforce or reiterate the 45-foot scale with the ability to go higher in the case of you create extra nice retail space.

That's it from me.

H. THEODORE COHEN: Thank you.

Before we go on, I'd like to talk to Jeff and Iram. Give -- I think there are lots of interesting concepts in this petition that ought to be discussed and that the public ought to discuss and Board ought to discuss. The format of the petition doesn't seem to me an appropriate format that this Board could recommend to City Council to adopt because traditionally we have amend this section by adding this, delete that, and a lot of places what you propose to say expand upon this, you know, we'd like to see this, we'd like to see that. So, I quite frankly, you know, I never done this before, but I don't see how, you know, we could make a recommendation to City Council to adopt what is before us now.

Do you have any opinions on that because, you know, I think there are a lot of good things in the petition that ought to be discussed and I think, you know, it's a large area when you think about the area from Chauncy to Roseland, you're probably talking about something as big or not bigger than Volpe, perhaps bigger if not bigger than Kendall which, you know, have gone through enormous amounts of study and review and that I think this is similarly deserving of a lot of discussion. And I know we're at a point where, you know, City Council is pushing to conclude a lot of things before the end of their term and just, you know, seeking some guidance on where you think we can go with this right now.

IRAM FAROOQ: I think I'm going to

ask Jeff to speak to the technical components of it, but just my understanding in terms of how the Council process will work on this is that if there is a report -- a hearing on this petition is tomorrow at Ordinance Committee, and when the Council gets the report from the Ordinance Committee and on the Planning Board, they could just vote to put it on unfinished business which would allow them to take it up in the next Council year. They may choose to take that approach, but they may, they may also feel that it's easier, I don't really know what approach they are likely to take on this. I will admit that I have not encountered petitions where we don't have the full text either. The Planning Board could in fact ask the petitioners to put it into that framework

before you make any kind of recommendation.

I know that staff is not going to be able to assist on that in this calendar year just given vacation schedules, so it's going to be at least January before we can start any work on this from our side. But I'm going to turn it over to Jeff to speak to some of those technical questions that you have.

JEFF ROBERTS: Thanks.

I'll just say briefly, so there is one major element of this petition -- well, first of all, you're absolutely right, the exact text of what's proposed isn't entirely clear in this petition. There are elements of it that are clear and there are elements of it that are less clear. The clearest element is just the core of extending the North Mass. Ave. requirements to the, that southern

portion and south of Porter Square which is, you know, a proposal that could be recommended upon or acted upon. Some of the other suggested requirements or alterations are clear, such as the setbacks, modifying the setbacks. The issue about use restrictions. And I noted before that there are -- maybe there is some confusion, but fast order food is a restricted. It's a prohibited use in the district. It's just that in the North Mass. Ave. Zoning we wanted to make it clear that if there were such a use allowed by Variance or by grandfathering, that it would be one of those broader range of uses that would be authorized to occupy ground floor space.

The height question is probably one that needs a little bit more -- a little bit

more discussion. It's somewhat clear, but could use some more thinking. I think the point about the urban design guidelines is a fair point, that it's something that could be looked at, but obviously through the course of this zoning petition we wouldn't be able to -- the Board wouldn't be able to recommend, the City Council wouldn't be able to adopt anything without really knowing what it is that's -- that would be in that handbook and exactly what precisely we would mean when we say contextually compatible which is a worthy concept to explore, but probably requires some more study to really flush out what that means.

So the Board, I guess, could focus on some of those concepts and could give a report to the City Council or could note

that, as you noted, that the petition -- there are certain elements of that would need to be clarified before the Board would be able to issue a recommendation.

The recommendation is just, is just that and sometimes the Board will even on a precise petition, sometimes the Board, as in the last case, will comment more generally on an issue and that's an option that the Board would have here.

I think -- oh, and one other issue I think would be need to be I think clarified and discussed a little bit further is that question about parking and bonuses for provisional parking. It's not clear what those bonuses would be, and also there are some issues with the proposal to create excess parking that could be rented to other

uses which is, which runs into other regulations that some board members are familiar with.

So the, I think that's all I'll comment on for now.

H. THEODORE COHEN: Hugh.

HUGH RUSSELL: I just wanted to follow up on your -- both of your comments. It seems like we could recommend No. 1. That it's relatively easy to write up the language, to extend the district down. And that we should say items 2 through 10 ought to be on the work program for the citywide planning. I mean, what's more important than considering the nature of Mass. Avenue, you know, from the Charles River to Alewife Brook? And, you know, these are the important issues that need to be talked about

in this section, and I think we should put that production, put that discussion in that thing. And if there's a worry that the protections that are now in place north of Porter Square need to be in place while that's going on, then we would pull them down as a temporary measure essentially. So that to me, I would be interested in hearing what people want because I think the choice is something that could actually be achieved versus something that is arguably could be better but couldn't be achieved.

H. THEODORE COHEN: Well, I am, you know, I'd like to hear, you know, what extending the North Mass. Ave. Subdistrict would mean. I mean I think it's not something that has been analyzed and presented to us because, you know, I have a

very different vision of what this district could be and whether that would be allowed or prohibited by those regulations. I'd like to know more about it. I mean, I think -- you know, we saw the building you didn't like and it was awful and no question about it.

PETER KROON: And it's still pending.

H. THEODORE COHEN: Well, it may be. And if it comes before us, I think it will pend for a long time probably until it gets to be something that might be acceptable. But I, you know, I'm fearful that this is a, you know, knee-jerk reaction to one building which has happened in a lot of other districts, a lot of other times, and we've always been opposed to them because we don't want a zone for just one particular parcel.

I think analyzing North Mass. Ave. is really a very worthwhile thing to do and ought to be done, and whether it should be done by the Planning Board and CDD staff and whether it should be part of the master plan, because I think it is a large area, and I mean I'll tell you personally that I think that going -- the buildings we talk about that you like are four, five, and six stories. And having a row of four, five, and six stories built over some of the one- and two-story buildings that are there now might go a long way to helping us with our residential problem.

And so I would not like to see something that, you know, that's not for me individually to decide, and it's something for a larger process to decide whether that's

appropriate or not. I would not like to specifically act with something that might prevent that because as difficult as it is to create the zoning, I think once City Council, if they were to say extend a North Mass. Ave., that's what we have to do and we're not going to take it up again and we're not going to deal with it again. So, you know, that's where I'm coming from, and I think there are a lot of other issues that certainly deserve being talked about. The parking is certainly one that I think we've taken contrary positions in a lot of other places, and maybe this is an area where we shouldn't take a contrary position and maybe it is. And so I think, you know, there's a lot there and I would not like to move very precipitously because one admittedly, you know, proposal

that most of us don't like.

So, I'm just curious, Jeff, if we were to just extend the North Mass. Ave.

Subdistrict, what would it -- briefly what would it mean?

JEFF ROBERTS: I'll try to do my best version of this. So the North Mass. Ave. requirements I would characterize as a tweaking of the North Mass. Ave. over the Massachusetts Avenue Overlay District. So the Massachusetts Avenue Overlay District goes from Cambridge Common all the way up through Porter Square and up to just short of the Arlington line. And it includes a list of provisions including, you know, taking structured -- pushing structured parking back from the ground floor and having the ground floor be a, what the ordinance described as

an active use which is residential; which is residential, institutional, or, you know, business-type of use. And then it also imposes height limits and some requirements for facade glazing for entrances facing the street. It's all strict requirements but based on a, based on an urban design plan that was mentioned and was created in 1986. It is still available on our website but it's hard to find so I'll send it to you. It took me a while to find it, too.

So there's several elements of that -- strict elements in that overlay zoning, and it says that if you want to diverge from any of those standards, you have to come to the Planning Board and get a Special Permit to do that. It also says that it's an area of special planning concern meaning the projects

that are 2,000 square feet or more, if they don't otherwise require a Special Permit with the Planning Board, are required to go through a public advisory review process. So that's the Mass. Ave. Overlay District broadly.

The North Mass. Ave. requirements were looking at what happened when there were some developments that occurred within that broader set of requirements. And what tended to happen was there were, you know, four-story residential buildings being built that didn't include ground floor retail space and they weren't really very engaging at the street level, and there were issues people didn't feel positively about about how they were designed and how they were engaging the public realm. So in the North Mass. Ave.

neighborhood study this issue -- several residents brought up this issue and then the residents continued to work with CDD staff on developing these, as I have said, sort of tweaks to the North Mass. Ave. regulations. And the tweaks include requiring that the frontage of buildings not just be not sort of a non-parking use, but they actually have to be a non-residential use which preferably would be retail but also includes other types of certain types of office uses or certain types of institutional uses, but uses that are engaging to the public and that would be limited to sizes of 5,000 square feet or less. And that there was, furthermore, it would be a limitation on any banks to occupy no more than I think 25 feet of the frontage of building. So there were certain, some

other sort of nuance requirements plugged into that ground floor.

Another piece was wide -- or increasing the depth of that ground floor use as was noted from 20 feet to 40 feet, and also extending the height. So saying there's a floor to ceiling height of that ground floor space had to be at least 15 feet in order to accommodate a range of different retail-type uses. Some of the things that were -- some other things that were done as part of that zoning to -- in return for those more stringent requirements of the ground floor to create some more flexibility on other aspects of the building design. So, for instance, because of that ground floor going to 15 feet, the height of a mixed use building was increased from 45 feet to 50 feet. So that's

sort of to account for having a taller ground floor, but also have appropriate heights of residential floors above.

It also, it sort of normalizes the FAR calculation. So under normal zoning as I have think we've seen in some cases, if you have a residential building with a non-residential use in it, you have to go through sort of a complex formula calculation which kind of lowers the overall FAR that you're allowed on the lot. The North Mass. Ave. requirement says the residential limit of 1.75 applies to the whole building and even if you have the ground floor non-residential use. So that's another major element of those requirements.

I think there are a few other smaller sort of requirements -- and actually one of

the ones that's sort of substantial is that in the North Mass. Ave. Overlay it says above 35 feet you have to set back any portions of the building. It was found through discussion of the requirements that can be a real impediment to having that ground floor retail use, and that it was more made for a more sort of feasible or appropriate building design. If you have that ground floor retail to let that front facade go up and not require it to be set back, it still could be set back, but it's not required to be set back. In the rear there is still a requirement to lower the height of the building to 35 feet within 50 feet of an adjacent residential district.

So I think those are the major elements of the North Mass. Ave. Zoning. Again, it's

meant to achieve a particular outcome and to encourage for new development buildings that generally take the form of a ground floor retail or non-residential kind of mix of uses with up to three stories of housing above that ground floor and for the parking to be located either below grade or to be tucked around behind the building in a place where it's not obtrusive to Mass. Avenue.

And like in the earlier requirements having glazing on the Mass. Ave. frontage and having front entrances, pedestrian-friendly entrances facing Mass. Ave.

H. THEODORE COHEN: Thank you.

Do other board members have questions or comments right now?

STEVEN COHEN: Well, Jeff, just to cap off that discussion, from your

perspective do you see any particular risks or downside were this section to be subjected to the same zoning requirements as the North, the North Cambridge section of Mass. Ave.?

JEFF ROBERTS: Maybe a dangerous question. I'll let the Board sort of decide. I think the reason why I say that is because -- so that when the North Mass. Ave. zoning was created, it was based on community-engaged process where it was acknowledged that there were, that in order to get the kinds of outcomes that might be desired, there were tradeoffs that needed to be made. And so the community was very engaged in that discussion where they were willing to provide more flexibility in exchange for getting more certainty in other aspects of the regulations. And that's a

discussion that maybe it's occurred within the group that's is proposing this petition. And that would be great, and it could put that forward and maybe people feel differently about the appropriate level of tradeoffs. But that's sort of what I think that's sort of what the Zoning is about. Is the process leading to an assessment of what the priorities are, and then where is it possible to leave some flexibility in order to really get the outcome that's desired.

H. THEODORE COHEN: And, Jeff, if I'm not mistaken, when the North Cambridge Overlay District was first created, it had the unintended effect of getting residential on the first floor rather than the retail that was the desired outcome because of bonuses that were granted. And that a couple

of years ago it was then an amendment to try to correct that.

HUGH RUSSELL: And I guess the thinking would be that's a very important piece, and by pulling those corrections down Chauncy Street until it could be studied more in greater detail. That was the agreement, what can you do?

IRAM FAROOQ: And just to add, if it helps at all, even on the staff side we have been talking about what might we -- because we can't study the whole city in a huge amount of detail. So through the citywide planning process, what might be areas that we focus on. And Mass. Ave. corridor has jumped out as probably a top location because it's the spine through the whole city. It let's you encounter a whole host of different

conditions and it allows you to address urban design, a series of different urban design conditions, but also let's us deal with some challenging mobility questions. I mean, it's such an important thoroughfare in the city. So I think it's -- we're very close to the point of kind of pinning down if this should be one of the areas of focus during that process. So if the Planning Board feels that that's the right approach, well that would be the determining factor.

H. THEODORE COHEN: Any other comments right now? If not, this is a public hearing and I would love to hear what the public has to say. So do we have a sign-up sheet?

CATHERINE PRESTON CONNOLLY: Yes.

H. THEODORE COHEN: So please, when

you are called, please come forward and state your name and address and speak for three minutes. And if people haven't signed the list, they will be given the opportunity to speak. We're not going to cut anybody off.

I guess Carol O'Hare is the first and then Elizabeth Stern.

CAROL O'HARE: My name is Carol O'Hare, 172 Magazine Street. You might think of me as a zoning gadfly, but I'm very concerned about this proposal and I understand that it is intended only as in some way conceptual. I understood that just moments ago, but the concern I have is that there are -- it's not about what they're trying to do, but that the zoning process should be predictable. It should not -- rezoning should not be dependent upon

creating variance conditions so that the Zoning Board is then charged with granting or not granting variances. Variances should not be used to -- in especially in masterminding a rezoning. The idea that you are creating a situation for the Zoning Board to modify on a case-by-case basis, just simply it's untenable. It's not, it's not appropriate.

The other conceptual problem I have is the language of some, some of this is really not zoning language as I think that the Chairman or somebody pointed out. Contextually compatible is not a zoning word. It's not a number. It's not a height. It's not bulk. It's not color. It's, it's anybody's guess. Maybe people even like that horror building over there that I'm -- you know, that everybody is appalled by.

So the whole fuzzy language thing, to send that to the City Council, the way this is written now and as Jeff has commented on, it's just, the City Council may just adopt it. I mean, they -- you can't be sure that they won't because it has a lot of good components to it and they're obviously trying to do something wonderful for that part of Mass. Ave., but it's, as I've said before, this is not ready for prime time. It is not ready to go to the City Council. And just as an example, this -- if you make fast order food, and I do like McDonald's sometimes, prohibited -- if you prohibited, that means that mom and pop taco shops, pizzerias, and even the Nazi soup kitchen would not be allowed and that every one of those little walk-in places would have to go to the Zoning

Board. And so this needs more work.

Thank you.

H. THEODORE COHEN: Thank you.

ELIZABETH STERN: My name is Elizabeth Stern and I live at Cambridge Terrace but I own Seven Richard Avenue. I support a very careful and historically sensitive approach to new development along Mass. Avenue and I believe this petition moves in that direction. But the petition also raises questions which I'd like to detail here.

This is an example of the kind of question it raises. 2551 Mass. Avenue at the corner of Richard Avenue in North Cambridge is the very last stop on the MAOD line. I and my neighbors on Richard Avenue are engaged in an effort with the developer Scott

Zinc and his attorney Sean Hope to arrive at a solution satisfactory to them, to the neighborhood of Richard Avenue, and to City Hall. As noted, 2551 is the last property on that side of Mass. Avenue to be included in the MAOD. It's not -- the last property on the other side of Mass. Avenue was much earlier on. There was once a place in Berlin before the wall came down that stuck out into East Berlin, it was called Steinstucken. And this is kind of like Steinstucken because it sticks out into the residential area.

So anyway, the developer's first proposal to the Planning Board and to the Richard Avenue neighborhood, which you've all seen, made it abundantly clear that to meet all of the requirements produced a design, which to put it mildly, satisfied no one.

With no other retail around it at the end of the district its viability as a successful business was questionable. At 50 feet high at an intersection with a Res B street it towered over the abutters. It proposed a retail facade of 37 percent rather than 75 percent. It had a garage door and glazed windows concealing parking along the other 63 percent. It had exposed parking abutting Richard Avenue side yards. The Planning Board, as well as the Ordinance Committee, directed us to work with the developer to find an agreeable solution. And we have done that thanks to the honest approach of the developer Scott Zinc.

Version 2 consists of four townhouses, each with a concealed single car garage behind and an overall height of 35 feet. It

presents a friendly streetscape. The design and materials are consistent with the architecture of the surrounding Res B neighborhood, but it does not meet the demand for retail. Nor does it meet the three criteria of which automatically exempt it from retail, although it does meet two of them.

So now what do we do? We present this to the Planning Board, the Ordinance Committee, and finally City Council in the hopes that they will see reason. This is no easy process. It costs the developer and the residents of the neighborhood time and money. And even so may not end satisfactorily. Then along comes MAPOCO, and as I understand it, they want MAOD and then some to quote their petition from Porter to the Common. But I

don't think we've resolved how the unintended consequences of either overlay -- of either overlay district can be resolved. I am not against MAPOCO, I'm just illustrating the kinds of problems that are already occurring and that don't have easy solutions. I believe we need mechanisms or strategies that service better when the inevitable unintended consequences of blind overlay zoning pit residents against developers against City Hall in an ongoing cycle.

Thank you.

H. THEODORE COHEN: Thank you.

Susan Roberts.

ATTORNEY SUSAN ROBERTS: Good evening, and thank you for inviting public comment on this. My name is Susan Roberts and I'm an attorney for the owner of the

parcel that is at the corner of Linnaean Street and Mass. Avenue. It's a Richard and Allen Grossman Trust. Richard Grossman is the trustee and I am in support of the petition on his behalf. He, as you may know, has a tenant there which currently is a Rite Aid drugstore. We're not exactly sure what's going to happen in the future with the Rite Aid drugstore in terms of continued tenancy due to the fact that Walgreens has expressed, and I guess has -- is going to be pursuing purchase all of the Rite Aid drugstores. So we don't know what's going to happen. And as a result, my client has been considering what options there are for development in the future, and were the changes that are reflected in the petition adopted, he would be in favor of that. And so I'm here tonight

to express that.

Thank you.

H. THEODORE COHEN: Thank you.

Ruth Ryals.

RUTH RYALS: It's Ruth Ryals, R-y-a-l-s. I live on 115 Upland Road and I'm one of the signers of the petition. I just wanted to point out a couple of things, obviously I'm in support of the petition, but it wasn't just the reaction to the stilt building that caused the petition to come forth. We are quite concerned that there is development on that piece of property and development in the Changsho parking lot both at least proposed. I don't know what exactly the condition of the Changsho is, but it brings to light one of the issues we have in the neighborhood which is, in fact, we're not

talking about making room for anymore parking for more cars, but we have a very big problem about how do we make room for the ones that we currently have that we're going to be losing. And it's critical because it's not just a neighborhood issue where there are neighbors parking there, but we have a very vibrant and we love our merchants and our restaurants, but many of them do depend on people coming in that can't live on the walk-in trade only. There are people who do drive in for the merchants. And in the merchants' case maybe to spend an hour to shop or drop something off or pick something up. And the restaurants and people who come in from the suburbs, because the Shepard's is the place they want to come visit. We are concerned about the parking at issue and the

pressures that puts on the neighborhoods immediately behind when people come in and they can't find a place on Mass. Avenue. We're also concerned about with the development that may be coming. Concerned about the liveliness and the existence literally of our businesses in the area. Many of them are in those little single-story buildings and would probably go. And the landlords in many cases are, you know, nice but they're old and that property is gonna pass hands and those heirs are gonna want more money for it. And we want very much to see that it stays small business oriented, locally owned shops. We can go in and talk to our neighbors. They hire local people. I mean, I think you've heard the statistics that small businesses create far more jobs

and they keep more of the dollars right in the community. So part of what we're trying to do is save that section of Mass. Avenue and improve it, if you will, because it's our community center. We don't have another one. And people non and people over in Agassiz, we do talk a lot to each other. We do meet at each other's meetings and we have had a lot of talk and conversation about what should happen on this avenue in the past many years. But this is where we meet and this is what we consider that our actual Town Hall. And I've been active in the trying to get more art on the avenue, seats on the avenue, that sort of thing, to make it the kind of place we want to go. And the petition serves that kind of place that we want it to be.

And I would say one final thing and

that is, and I'll make it very brief, we do have some thought, a couple of us, about the potential for adding something else we're missing or enlarging something that we don't have enough of; open space, park area, something like that near this portion we're talking about. And maybe we can creatively do it by taking some of the parking spaces that are surface level, say on Sacramento at the guidance center, say putting that underground, literally building one story of parking all underground. Go one story under Sacramento Field, double practically in size of that portion of green open space in there and make room for the parking we are missing, we are losing. Got to find the money, got to find the way to do it, but that's just the kind of ideas that we are were floating.

Thank you.

H. THEODORE COHEN: Thank you.

Is there anyone else who wishes to speak.

Yes, please.

CHARLOTTE MOORE: My name is Charlotte Moore. I live at Nine Rutland Street and I've been in the neighborhood for 49 years. Excuse me. The first thing I'd like to do is actually read a letter from Frank Kramer who could not be here, and he is the founder of the small local business, first -- Cambridge local first organization. He said this is to the Planning Board dated today. (Reading) Inasmuch as I am unable to attend tonight's hearing, I am writing to express my strong support for the MAPOCO petition submitted by Peter Kroon. The

recent improvements and beautification that the City has made to the sidewalks on Mass. Ave. between Cambridge Common and Porter Square have substantially enhanced the quality of life of the residents and businesses in our neighborhood. While I recognize that development of the real estate along the avenue is inevitable, I believe that the recommendations included in the petition will provide the governing rules that will refine the work done so far.

And now for my own statement. As I said, I have been here in this area, in this neighborhood for 49 years, and about 35 years ago City Councillor Francis Duhay invited me along with three or four other people to walk the length of Mass. Ave. So this has been going on for a very long time. I think you

know that. We looked at the economics of the avenue. We looked at the scale of the avenue. We were concerned that there would not be a wind tunnel effect in height going up and down the avenue, and that we could keep the kinds of businesses and the kinds of ecology, the balance, between -- that we have with the neighbors behind the avenue that we rely so heavily on this avenue.

The other -- about two or three weeks ago I happen to be down in Coolidge Corner walking down Harvard Street and I noticed that it had a very same feeling which it has for the last 49 years that I've been living in this City. The very same feeling that our stretch of Mass. Ave. has. And so I thought I would look at what made it so and I got on the Brookline website and discovered that

they had an interim set of guidelines that were established to hold that neighborhood. This was 2006, to hold the neighborhood until a fully formed district plan could be adopted and that was about 18 months later. And I'm really asking that you consider this petition in the same light, that it's an interim hold because we recognize that there is a master plan afoot and we really need to consider it.

And one last thing, and these are the 1986 guidelines for this area, and I did find it -- Peter found it. But not on your website. And it does say, encourage any new development to be compatible in scale and character with the abutting residential neighborhoods, encourage retention of historic structures set forth, general architectural guidelines for both in-fill and

larger scale development. They're here. They're in there, and apparently they are on the website.

Thank you.

H. THEODORE COHEN: Thank you.

Councillor Carlone.

COUNCILLOR DENNIS CARLONE: I

supported this petition. It's a neighborhood petition of aspirations, you're absolutely right. It's not in zoning language and I think what the Council would do and what I would recommend is frankly to discuss the aspirations and then ask Community Development to work on translating it into zoning. But nevertheless, the aspirations come from many people for many reasons, but primary reasons, you have people from three neighborhoods here tonight. The common

ground is Mass. Avenue, and that's pretty unique that three neighborhoods look at it that way. And this is where we meet each other as was said earlier. But I wanted to mention that this street has changed dramatically. The zoning, over the years, has changed dramatically. I reviewed it for a project at Lesley. And in fact, at one time you could build ten-story buildings along this stretch. Pretty astounding. But prior to that this was one of the most beautiful streets in Cambridge. The mansions that are still there, they went up and down the street. The setbacks were 35 to 40 feet. The trolley came and that all changed. And with the noise and some of the houses were moved, but people literally moved or knocked down the houses and put up one-story retail,

moved elsewhere, and put up one-story retail to maximize their value and the trolley. But the retail built right up to the property line and we still have many of those buildings. In fact, where I used to live on Martin Street to where I live now on Linnaean Street, it's almost all one-story buildings with the exception being a beautiful historical house. And that's one, two, three major buildings including the building that Ms. Roberts talked about.

Given the zoning that exists, anybody that built on that block could build up to the property line because they're all one-story buildings built up to the property line and you would be next to that. Now when Lesley built the dorm, working with neighbors I might add intently, they didn't do that.

That building is set back about eight feet at the retail level, but if you look at the second level, it's five feet. In fact, everything that's been built since I've been in the neighborhood, which is '87 has been set back. The law school, the Lesley buildings, the Lesley dorm, that's it. The new building across from the stilt building site that's going ahead, I have seen.

They're set back five feet. It hasn't come before you. It went through the BZA. We're talking to them about design review issues.

But fundamentally it's a pretty straightforward building that will fit in. There are some issues.

So, the reason why the five-foot setback is critical as Peter mentioned earlier, the original sidewalks were 17 feet

on the west side and 18 feet on the east side. And in the 1950s to maximize parking for automobile use, all the great trees were taken out and six feet of sidewalk on either side were gone, but there were very few outdoor restaurants when the sidewalks were 17 and 18 feet wide. We now have many restaurants. City policy. We want restaurants, all of us want restaurant space outside. But if you look at the existing restaurant outside space, it's about seven feet deep, small tables, two chairs, normally you'd want about eight, but it's about seven feet deep. And then you have tree wells, bus stops in front of Rite Aid, and you want not three feet of walking space, you want five feet of walking space and you add that up and it adds up to 17 to 18 feet. And so you put

the two together, one-story buildings that are built to the property line, if you build next to it, you can build to the property line and then that becomes memorialized because then whoever builds, knocks down the one-story building can then build to that property line. You don't gain anything. And that's what we're all about in this room, is looking at the long term. And let's say there is an indent of five feet, well, it becomes outdoor dining in that building until the sidewalk is continuous. Some of us might never see the continuous sidewalk, but that's what a setback's all about. And the kicker is it says mandatory five-foot setback. I don't think it had in mind that there were one-story buildings, most of which will be gone in a generation. The likelihood of

change on this stretch of the road, you know better than us, is dramatic. So I hope that portion does not get lost.

The desirability of small local retail, it's actually critical on the 5,000 square foot dimension that you have in North Cambridge. 40-foot depth requires retail of 5,000 square feet is a store 40-feet deep, 125-feet wide. Unless it's the most incredible store and display windows imaginable, and I can't imagine it, it doesn't work. Whereas a 2,000 square foot store, 40-feet deep is 50-feet wide which is approximately what Abodeon is today in our neighborhood, one of our favorite stores. So the size does very much matter. The fast food, the only Variance Carol who I think might have left, maybe you can hear me,

Carol, is for what exists today. 225 people signed a petition to stop Dunkin' Donuts from coming in. And, you know, we need more than ten within a two mile radius, that's the focus. We have a quality restaurant there now, and people feel good about that.

So -- and in conclusion, I just wanted to say that all of us think -- all of us know this is our common ground. And that it's going to change pretty dramatically from parking lots and one-story buildings. And we just want it to be the best there is and we want it to become a special district more than a special planning district, a special design district. We're not saying it has to be historic looking buildings. You could have historic feeling and quality but it could be a modern building. We know it's

going to be residences above. In fact, we encourage that. We just want to have more involvement on this. Now last comment is I think it's 15 years ago when the planning office came through and did a neighborhood planning district study, a number of us raised Mass. Avenue as the most important issue. It was mentioned in there. Nothing happened. And I get it, there's a lot to do in the city. About four years ago when a few of us started trying to upgrade Mass. Avenue, the sidewalk and everything, a few of us brought up the zoning and the thought was no, let's focus on the sidewalk, the public improvements. If you wait to the master plan, a building will be built, maybe two. And my fear is that's going to set a new precedent and we just want to prevent that.

I think at a minimum the ground floor retail and the five-foot setback are really the form givers that if we don't get it now, we might be setting a precedent that's going to be very easy to follow. Walk by Rite Aid where the bus stop is and you feel completely squeezed. So change is going to happen and let's just make it the best we can make and it's going to happen in the next year.

Thank you very much.

H. THEODORE COHEN: Thank you.

Ma'am.

MARTHA HASS: My name is Martha Hass, H-a-s-s and I live at Four Newport Road, No. 7. And first of all, I want to thank, I think her name is Liza Paden who works for your department and she just has been wonderful in answering questions about

the notice that you sent out, about this meeting, and I very much want to support Theodore Cohen's comments about this has to, as far as I'm concerned, slow down. This is a huge undertaking. I think parts of it are absolutely masterful. I myself have questions about other pieces of it, and when I think -- and I certainly don't know, there was some comments that I thought the City Council could, you know, decide if you guys were to, women and men, were to recommend this, that they might just quickly go with it. And I think, and a lot of information was given tonight about it being good, but certainly very broadly written. And some language in there, especially about a public parking garage that is masterfully designed. And what I might consider masterfully

designed and what you might consider masterfully designed would be entirely different. So I think really there are lots of us who, the first time we heard about this. And as you know, Newport Road is really to us Mass. Avenue, and we had a lot of concerns about the Lesley. We've been through a lot of this. And so I think there are a number of people who weren't able to come tonight but a much broader audience and a lot more public participation now that people know that this is being planned. And I think, you know, to be able to slow it down. And I'm very concerned about the idea to put this on hold, I guess, and I'm not somebody who really knows planning that much, and wait until the master plan is done, but this will be passed and so this will be kind

of the rule until there's a master plan. If that's what we were saying, that would concern me greatly because having worked in state government and things can take a while to happen. And so it could be -- and I don't mean this, it could be five years. And so I think your recommendation that we really have to have a different way of looking at this whole thing, then I don't mean just, but a recommendation or not and so I thank you for listening.

H. THEODORE COHEN: Thank you.

Is there anyone else who wishes to speak?

(No Response.)

H. THEODORE COHEN: If not, then we'll start talking about it. I've already spoken a bit and I'll wrap up at the end if

somebody else wants to.

CATHERINE PRESTON CONNOLLY: Why don't we start at that end this time?

H. THEODORE COHEN: Lou. Then you just don't get to agree.

LOUIS J. BACCI, JR.: Don't just agree. I also agree that the proposal's got a lot of information in it that's good. Also a lot of information that's unclear. Seeing that someone found the urban design guidelines, but if that's what I read, this is going to replace the urban design guidelines for this area.

FROM THE AUDIENCE: No.

LOUIS J. BACCI, JR.: No? Expand? The parking issues, I'm curious how that's going to work.

And I'd like to know what, exactly how

the historic buildings so then we can define what that is. And I guess that's enough for now.

STEVEN COHEN: Well, clearly we're not going to recommend passage as drafted. It isn't really drafted in zoning form. So we're all agreed that, you know, it's got a bunch of good elements but it requires more work. If we're going to defer to the citywide planning process, then we're years away from any action on this matter. And I guess part of my question is are there bad things that could happen in this corridor in the interim? I'm hearing murmurs from the gallery. Dark murmurs.

H. THEODORE COHEN: Please, gallery, no murmuring. You've had your chance. Now it's our opportunity to talk to each other.

STEVEN COHEN: Yes. I guess in response to those dark murmurs one wonders whether Community Development really wants to undertake a study of this ahead of the citywide process on the one hand, or on the other hand, whether we might want to recommend passage of some sort of an interim measure pending the citywide planning and whether simply extension of the North Mass. Ave. regulations to this section as interim measure pending the citywide review wouldn't be an appropriate step, a relatively easy step, imperfect as it might be, and whether it might not be sufficient on an interim basis and an interim basis to forestall any of the, you know, risks or mistakes or problems that might occur in this corridor in the absence of any zoning revision. I think

that might be an interesting course, but part of my question would be to hear from Assistant City Manager and staff what do they think is reasonable and desirable to really, you know, approach the study and rezoning of this corridor on a permanent basis or whether they would prefer to defer to the citywide process. I suspect that would be their preference, in which case I think we should at least consider the possibility of an interim measure such as that that I suggested.

IRAM FAROOQ: So just in terms of what an actual study of this area would take, if we think about the North Mass. Ave. section when we looked at it, Stuart, how long did that take us? Over a year?

STUART DASH: I think nine months to

a year.

IRAM FAROOQ: Yeah, about nine months to a year. And then, you know, meeting with the neighborhood coming up with the language, presumably if we're working off of that it won't be as ambitious of an endeavor, but I do want to say that we don't -- I mean, staff work plan is pretty set and a new study would mean other things are not getting done. That said, if that's the desire of Council and the Board, there is, you know, we would juggle things and we would move -- we would have a conversation with Council about what needs to move to a later time.

I think in terms of doing a study, our preference would really be that if we're to do a study that is better off done as part of

the citywide process, I will also say it cannot be done as an early action item just because there are already commitments from early action items and that there are only so many things that we can do early before everything becomes -- slides to late. And so I guess that's a roundabout way of saying that if the Board feels comfortable with some interim measure like extending the Overlay District, that would be a straight -- a more straightforward thing that could be done. It would put in place a lot of the protections and it would allow us some time, then, through the citywide process to figure out what are really the City's aspirations in a broader set than the group, you know, just the group because we've heard a couple of voices of descent as well. And what are the

aspirations? We also, from staff side we -- full disclosure, I do live in this neighborhood as well. But there are some good things in the petition as the Board has pointed out. I think it's unlikely that there been a lot of descent in terms of the goals, but certainly how the recommendation gets shaped, there could be many different ideas there. And so I guess my -- I'm thinking on my feet, but my recommendation would be to just do -- if the Board wanted to know right now, to do the interim extension or to recommend the interim extension of the Overlay District and then we tackle it in more detail through citywide, I think that would probably be the wisest and most doable.

STUART DASH: And, Mr. Chair, if I could add in having sort of helped with the

North Mass. Ave. process, probably the key element out of there that maybe hasn't come across as clearly as the incentive system for this area of Mass. Ave. as well as the existing at the time was to do all housing. Maximize your zoning was to do all housing. And the form that people in the North Mass. Ave. area has said if we want the retail on the ground floor, we have to change the zoning incentive. And that's what they did in this area is clear on wanting the retail on the ground floor in that area so that probably the biggest part of that rezoning at that time.

STEVEN COHEN: Stuart, just on that point if I understand it correctly, the FAR provisions, it's really kind of structured with the 1.75 overall FAR. It's really

structured to encourage mixed use
development, retail below, residential
above --

STUART DASH: Pretty much it says if
you want 1.75, you've got to do the active
ground floor.

H. THEODORE COHEN: Right, and if
you only do a single use, then it's only a
FAR of 1.0. The financial incentive is very
clear.

STUART DASH: Right.

H. THEODORE COHEN: Iram, if I could
follow up on that. If we were not to make a
recommendation of an interim solution today,
how quickly could staff come up with an
interim proposal?

IRAM FAROOQ: I don't think we can
come up with an income proposal without

engaging in the community. That would be a very tough thing for us to do unilaterally. We would essentially be working off of what this proposal brings forward. So I think it wouldn't necessarily achieve the rigor that I think the Board is --

H. THEODORE COHEN: But you're suggesting that we could simply adopt something that this petition has proposed without, you know, we've had this hearing, but I mean if you feel the need to interact with the community, then it, it seems like there hasn't been interaction with the community, you know, the citywide community let's say.

IRAM FAROOQ: Right, or even this section. But in -- I mean, this is a few years ago now, but when we did the, I think

Peter mentioned this, when we did do the North Mass. Ave. section, we did have conversations with folks in this, in this section of corridor about extending that same overlay, and that was because we did think that was a potentially useful provision for this section as well.

STUART DASH: And there was actually a significant rezoning discussion that some of you may have remembered, and Jeff certainly remembers being a big part of, in this area where there was a discussion about rezoning for this area and that was turned away at the City Council as much at the behest of the neighbors who were concerned about encouraging redevelopment of retail areas. So there was very much a fine grain of concern about what the would the outcomes

be.

Iram's point of having time to engage the full community is not something you could do on a quick temporary basis. Quickly temporary you could add language to make something temporary, but in terms of making it real, when you process, it's a different story.

LOUIS J. BACCI, JR.: So am I correct in what we were asking is that if we're thinking of substituting the North Mass. Ave. plan as an interim plan for this area, how well does this fit? So if it takes three years for the master plan and whatever we're going to get involved. And so in that duration, what gets built on the North Mass. Ave. plan on the South Mass. Ave. side. How well does it fit into what you would expect

to come out with the plan for this area? Or do we put more -- do we try to add to that?

IRAM FAROOQ: The proponent had spoken about the extensions. So this is actually part of this proposal. What you would see is if sites were to transform, you would not see outcomes similar to what was presented to, what was proposed for that parking lot between change show --

LOUIS J. BACCI, JR.: That was very hard to make work.

IRAM FAROOQ: Right. You would have to either have a very smaller development or you would have ground floor retail in that scenario.

So I think that's the, that's kind of the example that if there were transformation, it would follow that model.

The guidelines I believe are already in place in this section of the corridor. So that would not actually be a modification. It's really the -- it's really those -- the mixed use versus the -- all residential that would be changed.

LOUIS J. BACCI, JR.: Because you hate to do the same thing if we adopted this and then changed it in the master plan and then use that and then adopt that and then change it in the master plan again.

Especially if we keep rebuilding these --

IRAM FAROOQ: If we were to do a study, I think we would -- it would not make sense from a staff resources perspective to do a study with the community to come up with a temporary plan. Then we really would come up with a long range plan that would be

desired for the area.

H. THEODORE COHEN: Catherine, you want to pick up the ball there?

CATHERINE PRESTON CONNOLLY: Okay. I think the proposal raises a lot of good questions, some of them I think have clear community benefits than others. Not -- I won't only focus on the parking, but I will say that No. 5 on that list represents such a deviation from city policy that I think it would -- I can't recommend that at all at this point, and it would require a huge effort of study to figure out, you know, how to solve the parking challenge. And I agree it's a challenge, but incentives for new excess parking are like an avamar to me. But having said that, not to just focus on that, I think there are also questions about the

setbacks and how to make those work and how to make -- and whether wider sidewalks means eating into people's existing lots or means extending out into the public right of way? And that to me is not an obvious answer one way or another. I think there are -- I think this is an appropriate area to focus a lot of attention. In full disclosure while I'm not in the exact area of this, I live in Agassiz. It's a, you know, I'm one of the people who does walk to all of the wonderful restaurants and shops around here on a pretty regular basis, and it's a great area. And its challenges are different than challenges in Kendall or Alewife or other areas of Cambridge, but they need attention. That said, this petition is not written in a way that I feel like we can forward it with a

positive recommendation at this point. I think my recommendation is that we forward it with a recommendation not that the petition be adopted, but that City Council include a study of these issues in this area of special planning concern in CDD's work plan, whether it's part of the citywide rezoning or not, and engage in that full and robust discussion planned around all these issues. This is what we talked about with the last petition, you know, small businesses, you know, this is exactly what we want to find places for and this is a great place where the neighborhood wants them. But it just needs -- we need to actually have the language to figure out how it works. And, you know, go through the lessons learned from North Mass. Ave. in the, you know, where we have seen somewhat

unintended consequences and we'd want to talk through those.

I am really supportive of making this a great place, and as was said, not just in area of special planning concern, but a special area. But we're not there yet and I don't feel like we can recommend the adoption of this even if we're really supportive of its goals.

H. THEODORE COHEN: Tom.

TOM SIENIEWICZ: Well, I'm going to speak closely to the mic to try to be heard and I speak softly especially when I'm tired, but Elizabeth Stern's speech I found to begin to try to sketch out what is the ideal somehow. You know, it was lovely. I don't know how we get there, right? But so that we don't keep going through this cycle of

pitting people, you know, good-intentioned, well-intentioned developers, well-intentioned neighborhood, and well-intentioned government against each other over and over and over again. And maybe that's what the planning process is. But I'd like to figure out a way to lubricate that in a much more friendly way and not waste resources. I will try to get to that place that you were describing, and I think all of us would do that in this room.

So I don't want to -- it's nice to go this way actually. I'm not going to reiterate the good thinking that's already been said on that end of the table. I do concur. It's hard to rush this because we're talking about people's property rights and I'm painfully -- all of us are painfully aware of that. And despite some urgency and

not wanting to miss the boat in the development cycle, you want to get the planning and structures in place so we can pull this community to the quality that Dennis Carlone so beautifully described. So just extending the zoning -- I don't live anywhere near this area, but of course I traveled through it for years. North Mass. Ave., to my eye, is a very different character than the area that we're talking about. And to -- that gives me some pause to just extend the zoning mechanisms that we have on this section of North Mass. Ave. That notwithstanding, what I'd like to go to is to preserve the retail at the first floor. Because if something does characterize this section of Mass. Ave., it's an extraordinary collection of retail and I'd sure like to

keep putting Miracle Grow on that and actually prevent the loss of the potential to have continuous retail. Because if anything makes successful retail, it's more retail and continuous retail. That's why Faneuil Hall was such a remarkable achievement in the 70s. I understood a concentration of stores like that works so well. And why Furniture Junction works well. So I wish there was a way we could rush that into the zoning and memorialize it somehow.

Setback parking requires some attention. Maybe an automobile might be passing and it might be time to take the space from that side of the sidewalk rather than from the property.

So, Hugh will have the answer for this.

HUGH RUSSELL: I heard, so as I

understand it, the Massachusetts Avenue Overlay District 21.1 00 goes from Cambridge Common to 2551 Mass. Avenue. And about three years ago we modified that to basically ensure that retail occurred at the ground floor. And so when we talk about extending the district, we're really talking about extending that notion south of Porter Square. And I, to me and there are a few other things about the size of banks and the depth of retail, all of which seem to me to make a lot of sense south of Porter Square. There are different areas. South of Porter Square is -- got higher buildings. It's got more density. Ultimately that might be a factor when you studied it, but I think you could extend those additional few points down to the common. And then I would also look at

the design guidelines to make sure that when the Planning Board is considering a proposal, that we're asking all those questions. You know, is the front setback, is it (inaudible) enough to do what needs to be done? Are historic buildings being protected? You know, and I think we, if we look at a project for let's say Changsho's parking lot on the -- whatever that is north or east side of the avenue, we should be thinking about well, what's the consequences of parking for an existing retail business that should be part of our consideration. I think we -- I have enough confidence that it would be part of our consideration whether it was written in or not, because it's such an obvious question and it's also one that half the people in this room would be waiting to remind us of it

if we should happen to forget it. I think we can recommend that this is a sufficiently important project to have it studied in more detail in a way that the CDD Department represents. And since Iram has said she wants, she believes this is a citywide issue, that that's probably where it will end up. But I don't think we -- I think it's really more of an administrative judgment that balances a whole bunch of other things that we're not aware of. I think we can recommend extending those protections for retail, south down to the common. And I think we can make sure that should a project come to us, things would be considered. And if there has to be a small change to the guidelines so that a developer understands we're going to be asking those questions, I don't think that's

fair for them to do.

TOM SIENIEWICZ: I knew you would have the answer.

HUGH RUSSELL: So that's where I think we ought to go.

H. THEODORE COHEN: All right. Well, I'll add a couple of comments. I appreciate Councillor Carlone's comments. That this was aspirational.

FROM THE AUDIENCE: Microphone.

H. THEODORE COHEN: And I lived on Chauncy Street in the 70s and I saw two beautiful Victorian houses torn down and turned into not so beautiful seven, eight-story apartment structures, condo structures. It was a great loss. I've lived in North Cambridge since 1981 and I, me and my wife and our kids all refer to this as the

strip. I probably walk it three or four times a day, driving it a half dozen times a day, go to all the stores and all the restaurants, so I am extremely familiar with all of it. And really want to see it preserved.

I do have, you know, some issues with the petition. You know, I have always thought that Mass. Ave. was wide enough and ought to see a lot more four and five, six-story structures along it providing housing. The beautiful, old buildings that we like so much are generally that height.

I am concerned about the parking change and I'm not sure what the answer is. I think it's something that definitely needs to be discussed. I'm also not sold on, you know, allowing the saw tothing of buildings. I

think where it has occurred in some other areas, it's very unattractive and is not a great outcome, which my recollection is one particular building which is the zoning mandated it, and I don't think it's a very nice outcome. So I don't know that that's the right solution. And maybe it is, you know, maybe it is some other solution or, you know, you know -- I don't think I'm going to see what happens in the next 20 years. And so, you know, I'm concerned about what it's going to look like while I'm still alive and still here. You know, yeah. I think we do want to protect the retail.

You know, those are my principal concerns. And I guess I have to say I kind of like the Wasserstein building. I know a lot of people who hate it. You know, it's,

it's, you know, aesthetics is a very personal thing. Some people like something, some people don't like something. I don't think there's a 1940s aesthetic to this portion of Mass. Ave. that we have to be taking to -- that we are freezing or that we're turning this into a Disneyland or something that's always going to look the same. I think the buildings you pointed out as being contextual, you know, I'm not so sure that I agree with -- if that's the contextual, this group can live with, well then I can probably live with it, too, because they were all over the place. And I, you know, I think if it's something that's a great architectural building, then, you know, we probably want to allow it. You know, again it's, you know, if it's the Pompidou Center that's plumped down

there, people will probably hate it and it will become the centerpiece of Cambridge. You know, I'm dubious about saying that we're freezing the aesthetics of something.

I guess that's all I can say right now. And, you know, I can't support a recommendation of this petition right now. If somebody wants, you know -- so I think if somebody wants to make a motion that incorporates, you know, whatever.

STEVEN COHEN: Well, Mr. Chair, I mean, as I said earlier, I mean, it's seemed clear then and even more so now that we're not going to support this petition now. So I guess I repeat my question and suggestion that we take -- possibly consider an interim measure.

Now, Hugh, you suggested some sort of

interim measure to require, protect first floor retail use. I think, and I'm just wondering whether you're suggesting -- are you suggesting an interim measure? And if so, are you suggesting something just targeted on that one point or are you suggesting extending the North Mass. Ave. regulations to the southern section of Mass. Ave. as well?

HUGH RUSSELL: We're getting into terminology questions. I'm suggesting that the tweaks that were adopted for north of Porter Square be applied between Porter Square and the Common. And those tweaks were listed a couple of times, but they were basically designed to enhance the retail environment without changing anything else much. And I would see that as a measure that

would serve until a further study could be done. So in that sense, it's an interim measure. But I think in some sense I'm now thinking the entire ordinance is interim and everything is up for grabs. If it can be improved to spend \$2 million, then we ought to not draw limits. And I believe as I said before, the Council, you know, spending \$2 million to study these issues is a very small fraction of what the City is investing in the area and what people are investing in. And if we can -- so it's so very valuable to do it.

Did that answer your question?

H. THEODORE COHEN: You confused me.

STEVEN COHEN: Yes, I'm confused.

H. THEODORE COHEN: You confused me when you said the whole thing, the whole

petition was interim. I mean, I can understand --

HUGH RUSSELL: The whole ordinance.

H. THEODORE COHEN: Pardon me?

CATHERINE PRESTON CONNOLLY: The Zoning Code.

H. THEODORE COHEN: Oh, okay.

STEVEN COHEN: Well, life is an interim matter.

HUGH RUSSELL: Right. And I think it should be adopted and we should -- and we can understand that through the master planning process.

H. THEODORE COHEN: What should be adopted?

HUGH RUSSELL: The extension of the north of Porter Square retail.

FROM THE AUDIENCE: Mass. Avenue.

HUGH RUSSELL: Well, I mean --

PETER KROON: Subdistrict.

HUGH RUSSELL: Right. The North
Mass. Avenue subdistrict, the Massachusetts
Ave. --

STEVEN COHEN: So that's what I had
suggested.

H. THEODORE COHEN: Which your
understanding is basically some tweaks
relating to retail?

HUGH RUSSELL: Right. And I
think --

H. THEODORE COHEN: Jeff, do you
agree with that? That's what we would be
doing?

JEFF ROBERTS: Let's try to break it
down a little bit.

CATHERINE PRESTON CONNOLLY: Yes,

please.

JEFF ROBERTS: So currently we have a very -- so current requirements are pretty complicated because they chop the area into different, into different sections. So the entire Mass. Ave. Overlay District goes from Cambridge Common to near the Arlington line. Within that there are a bunch of different areas. As you're -- the very northern part it's a Business A-2 District, that has a certain FAR height, other provisions. In the middle you have Porter Square. I don't think anyone is -- that's a Business C District. I don't think I've heard any discussion about that, looking at that area. Some people have noted projects that have occurred in that area, but we're not looking at that as a rezoning area at this particular point in

time. It's the south -- it then switches back to Business A-2 when you go south of Porter Square. But in this case there's, there's the general Mass. Ave. Overlay requirements but not the same tweaks that Hugh was characterizing that apply as you enter Business A-2 District north of Porter Square.

So the suggestion is maybe to say that those tweaks that apply in the Business A-2 north of Porter Square should also apply in the Business A-2 south of Porter Square. And that could be fairly simply done. Again, it's the question of, you know, how much thought and study has gone into how those would apply? I think in principle they cover the concerns that are -- not all the concerns, but many of the concerns that have

been raised. And it sounds like the community members who are supporting this petition have been looking at that as a model. So there's, there is sort of a rational connection between that approach and the petition. And it's something that could be adopted without a lot of work needing to be done, looking -- and then looking ahead. It's still the opportunity to look ahead at some of the urban design issues and other issues that have been raised as part of a larger planning process.

H. THEODORE COHEN: So is that something that staff could write up to present to City Council what this would be?

JEFF ROBERTS: Sure. I think writing it up would be fairly simple. I think explaining it, I'm not sure. It would

essentially be -- it wouldn't change the requirements at all, it would just change the areas in which those requirements apply. So trying to explain, you know, what precisely does that change in the zoning, that may get a little complicated but writing it wouldn't be complicated.

H. THEODORE COHEN: Well, that's my concern right now is that, you know, I -- you know, I don't understand what this would do. And that, you know, if I accept, you know, Hugh's comment that all it's going to do is protect the need for ground floor retail, well that's one thing and I could say, okay, I can go along with that. But then if there's a panoply of other things that it's doing, that may have unintended consequences, without knowing what they are, I feel very

uncomfortable in saying this is what we're recommending. And so that was, you know, really my question to you now of can you tell us what it really would do?

STUART DASH: Maybe I could take a cut back because having been involved in Mass. Avenue and getting back to the FAR incentive. So at this point a developer gets a site of land. If they want to do, if they want to maximize their development at 1.75, they have to do housing. If they want to do mixed use, which is many people profess to want to have mixed use on the retail on the ground floor, you can't get to 1.75 under the current zoning in the -- that area of Mass. Ave. between Porter and the Common when you add -- when you have 1.0 commercial and 1.75 housing people, many of you know the formula

that takes place and the total building you get is quite, is less than 1.75.

What we did in North Mass. Ave. is reverse that incentive, and said if you want to get the full amount, you actually have to do commercial on the ground floor and then you do the housing above and get to 1.75. If you don't want to do -- if you don't want to do -- if you want to do all housing, you're going to get much less. And part of that concern comes about years ago when the price of housing was going up so much in Cambridge where many residents were concerned about housing replacing commercial and retail in these areas around the city. So I think that's, that's probably the key thing that would be taking place is that you reverse the incentive system in terms of what's taking

place here.

IRAM FAROOQ: And, Mr. Chair, I just wanted to mention that I just confirmed with Councillor Carlone since he is Ordinance Committee Co-Chair and it's unlikely that there will be any kind of action at Council before the end of the calendar year. So I think what that does is it gives us a little opportunity that instead of the Planning Board trying to make a decision right now in the absence of information, that we can bring back in January some of this draft interim language and the Board can then think through those consequences, an impact of that, and then make your decision.

STEVEN COHEN: Sounds good.

H. THEODORE COHEN: So then what --
I mean, do we do anything tonight other than

continue this hearing?

IRAM FAROOQ: No, I think just continuing the hearing is the relevant action.

H. THEODORE COHEN: Is the action?

IRAM FAROOQ: Yes.

H. THEODORE COHEN: And we will hear something early in January presumably, and then at that point we would make a recommendation to City Council?

IRAM FAROOQ: Correct.

H. THEODORE COHEN: Does that seem acceptable to people?

CATHERINE PRESTON CONNOLLY: Yes.

TOM SIENIEWICZ: Yes.

HUGH RUSSELL: I mean, I mean Councillor Carlone is here, he's holding a hearing tomorrow.

COUNCILLOR DENNIS CARLONE: It wasn't my schedule, but yes.

HUGH RUSSELL: And to me it's, you know, if he wants to report on what we did tonight.

COUNCILLOR DENNIS CARLONE: Oh, I will.

HUGH RUSSELL: I think that's fine.

H. THEODORE COHEN: If he wants to take a sense of --

COUNCILLOR DENNIS CARLONE: Yes.

H. THEODORE COHEN: The Board --

COUNCILLOR DENNIS CARLONE: Full support except for Ted Cohen.

HUGH RUSSELL: It's in favor of 50-foot buildings.

COUNCILLOR DENNIS CARLONE: Can I ask a process question?

H. THEODORE COHEN: Please.

COUNCILLOR DENNIS CARLONE: And it's not specific to this, but this is a neighborhood petition and most neighborhoods don't have somebody who can write zoning and they can't hire a lawyer although there might be some people on the Board who would be willing to give their time, but they can't hire people or -- unless it's really stress, a stressful condition. So it seemed to a number of us that aspirations were the way to go to at least get the ball rolling. And if we had done this -- I mean Community Development is -- we know is overworked, and if we had just given it to the staff, it would have just been one of 25 items. And we felt this was the way to do it. And, frankly, I think the discussion led to a

conclusion that that's right. But I think you're going to get more of this kind of approach by -- in fact, I know you are by other neighborhoods about issues. I'm not saying tomorrow, but over time. So maybe there's another way to do it and to get your attention on it, but you seem to be all taken back by that it wasn't legal language.

H. THEODORE COHEN: Well, I think that this is the first one I've seen on my years on the Planning Board that did not -- that was not much more specific in terms of amend this section by doing this. Amend this section by deleting and adding. And that certainly some are drafted by attorneys, but I think we've gotten citizen petitions before that have been, you know, clearer in what we were being asked to make a recommendation on

or what City Council would ultimately be asked to adopt. And I think, you know, in fairness to the public there's also a, you know, a notice requirement that they know what is going to be acted upon. And I think this was one that was just, you know, more aspirational than clear enough I think for us to act on.

I think we're in support of a lot of it and that's why we've been struggling, you know, with this. I'd say early in the evening I would have said I couldn't support anything, but now the concept of if it's clear what the interim measure might do, then I think, you know, I could support it. And it's not because I don't, you know, agree with the outcome, it's just fear of the unintended consequences and fear of what

we're doing because it's 11:15 and, you know, we're being asked to do something quickly. So I think, you know, the fact that it could come back in January and we could then make a recommendation, is something I personally am much more comfortable with.

COUNCILLOR DENNIS CARLONE: Thank you.

HUGH RUSSELL: I'd like also to respond to the question. I would not look forward to a year or two where people come to us with aspirational petitions to try to get things incorporated into the work plan on the master plan. I think there's a -- I think there should be a process. I suspect there is a process that the work plan is subject to public comment and that that process should go forward without us trying to jump in

because -- so that I believe, you know, there are exceptions and I believe this is an exception where we should act in the interim to prevent the bad outcome on sites that people might be studying right now.

LOUIS J. BACCI, JR.: What is the interim?

HUGH RUSSELL: The interim is --

LOUIS J. BACCI, JR.: How long is the interim is what I'm saying?

HUGH RUSSELL: So five years or so until we actually --

LOUIS J. BACCI, JR.: That's what I'm curious.

HUGH RUSSELL: -- adopt, go through the master plan process, develop zoning recommendations, get them to the Council and the Council adopts them.

H. THEODORE COHEN: Well, I would think the interim is what City Council decides because if they want to do that route, then yes, it's probably the three to five years. But they could presumably say we're adopting this for a year or so and we want CDD to work on this right away.

LOUIS J. BACCI, JR.: More or less what gets built in the interim that doesn't fit into the what the end result will be.

COUNCILLOR DENNIS CARLONE: Existing zoning.

IRAM FAROOQ: Well, I mean in some ways that is always the case, that the planning is always evolving, there's never a stationary point. So there's always going to be a world in five years that's a little bit different than today and we may do planning

and change, change the zoning in particular areas. So it's -- I would say it's no different except in this case we know that we are studying. So that's the -- that's the only real difference.

LOUIS J. BACCI, JR.: Right.

H. THEODORE COHEN: Well, should we --

TOM SIENIEWICZ: Continue it.

H. THEODORE COHEN: -- continue the hearing until a date to be determined in January when we will take up this section again?

We're all in favor of that?

(Show of hands.)

H. THEODORE COHEN: Thank you. So thank you very much. And I mean this was a very interesting session and I think --

PETER KROON: There actually is a memo where we went paragraph by paragraph language but we weren't smart enough to do that in the petition. So our own fault.

H. THEODORE COHEN: We'll be seeing some of that. I think it was great. Thank you all for coming. We look forward to seeing you again in January.

CATHERINE PRESTON CONNOLLY: We're still in session.

H. THEODORE COHEN: You can discuss things outside.

We have one other agenda item on one matter, one other matter on our agenda which is discussion of the proposed Planning Board rules. I think the sense of -- I think the sense of the Board is that at 11:20 we're not about to take this up and it's unfortunate.

I know people have been sitting here for hours with the intention that we would deal with it. If it's any solace it gives you more time, public more time to look at them, and think about them. And we'll just have to reschedule it for another time.

There are a couple of quick comments that people are here which is that, you know, this was given to the Board basically at the same time that you got it. I've had discussions with staff and with attorneys. I know that there is -- people have been concerned about the comments, about minutes and Executive Session. That is being amended. There was a sort of misinterpretation. There's no question that minutes will be taken in Executive Session as they have been in the past, but it has been

the City's policy across the board not to have a stenographic transcript made of Executive Session meetings, and that is what the rules are supposed to be reflecting. And there has been an amendment from the Law Department that will, that does reflect that.

Other than that, you will have to take this up at another time. Liza's not here right now and I don't know when that date will be.

JOHN HAWKINSON: A very brief question, Mr. Chair? Could I just request that when this comes up again, there be a time on the agenda so members of the public could have a vague idea of when to come?

H. THEODORE COHEN: We will attempt to do that.

JOHN HAWKINSON: Unlike tonight.

H. THEODORE COHEN: Yes, two very large hearings. As you know, it's difficult to try to figure out what the agenda is going to be. But we will do our best to make it clear. Perhaps we'll have a day where we can put it on the agenda first thing before any hearing.

Thank you all. I apologize for not getting to it tonight, but, you know, it's a volunteer board and most everybody else has work to do in the morning. I assume you all do, too.

(Whereupon, at 11:25 p.m., the
Planning Board Adjourned.)

* * * * *

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BRISTOL, SS.**

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Notary Public, certify:

That the hearing herein before set
forth is a true and accurate record of the
proceedings.

IN WITNESS WHEREOF, I have hereunto set
my hand this 31st day of December, 2015.

Catherine L. Zelinski
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<p style="text-align: center;">\$</p> <p>\$200 [1] - 107:8 \$273 [1] - 80:7 \$378 [1] - 66:11 \$400 [3] - 66:5, 116:8, 116:10 \$600,000 [2] - 13:5, 65:15 \$646 [1] - 66:3 \$646,000 [1] - 65:9 \$83 [1] - 78:12</p>	<p>15 [6] - 42:5, 93:7, 134:5, 153:8, 153:16, 187:4 150 [1] - 115:10 1500 [3] - 71:14, 78:16, 132:12 158 [4] - 28:2, 33:12, 41:10, 93:5 15th [1] - 4:18 16 [2] - 93:7, 105:3 1600 [1] - 65:16 162 [2] - 23:6, 93:5 168 [2] - 39:12, 93:6 17 [5] - 9:6, 108:11, 182:18, 183:7, 183:18 17-foot [1] - 123:9 172 [1] - 161:9 17th [1] - 115:10 18 [5] - 34:12, 178:5, 183:1, 183:7, 183:18 189 [1] - 56:15 19 [1] - 9:8 1940s [1] - 219:4 1950s [1] - 183:2 1981 [1] - 216:17 1986 [3] - 122:5, 150:8, 178:11 1990 [1] - 15:12 1991 [1] - 70:4 1993 [1] - 80:15 1994 [1] - 72:8</p>	<p>21 [4] - 24:14, 25:9, 48:9, 61:3 21.1 [1] - 213:2 22 [1] - 8:13 225 [1] - 186:1 23 [2] - 8:14, 9:1 234 [1] - 51:13 24 [1] - 115:18 25 [7] - 17:4, 17:15, 19:18, 33:10, 121:12, 152:17, 234:16 25-foot [2] - 117:12, 132:11 2551 [3] - 164:14, 165:4, 213:3 270 [1] - 7:16 279 [1] - 44:13 28 [4] - 7:17, 8:13, 8:15, 9:5 29 [1] - 246:14 2:00 [1] - 34:4 2:27 [2] - 34:3, 34:4</p>	<p>5 [1] - 206:9 5,000 [6] - 6:16, 131:8, 135:16, 152:14, 185:5, 185:8 5,544 [1] - 66:11 50 [5] - 56:17, 134:12, 153:18, 155:15, 166:3 50-feet [1] - 185:13 50-foot [2] - 133:18, 233:16 5120 [1] - 9:8 5:30 [1] - 130:8</p>	<p>A-2 [7] - 125:8, 129:11, 225:10, 226:2, 226:7, 226:10, 226:12 A-3 [4] - 2:7, 14:12, 92:14, 93:13 A.J [2] - 22:18, 38:11 abide [2] - 59:12, 64:1 ability [4] - 55:17, 101:15, 130:11, 136:16 able [13] - 11:1, 37:6, 37:10, 64:6, 69:8, 96:1, 140:2, 142:6, 142:7, 142:8, 143:4, 190:9, 190:13 Abodeon [1] - 185:14 absence [2] - 194:18, 231:11 absolutely [6] - 46:3, 53:15, 57:12, 140:12, 179:9, 189:6 abundantly [1] - 165:16 abut [1] - 31:13 abuts [1] - 123:15 abutters [3] - 89:6, 118:12, 166:5 abutting [5] - 41:6, 42:13, 95:12, 166:9, 178:15 accept [2] - 13:17, 228:11 acceptable [2] - 146:12, 232:13 accepted [1] - 114:7 access [1] - 131:10 accident [1] - 41:5 accommodate [1] - 153:9 accommodated [1] - 82:8 accomplish [2] - 4:7, 43:17 account [1] - 154:1 accountants [1] - 19:12 accounting [2] - 22:2, 41:11 accurate [2] - 245:16, 246:6 achieve [2] - 156:1, 201:5 achieved [2] - 145:10, 145:12 achievement [1] - 212:6</p>
<p style="text-align: center;">'87 [1] - 182:5</p>				
<p style="text-align: center;">0</p>				
<p>0.26 [1] - 6:17 0.5 [2] - 116:17, 126:18 0.75 [1] - 126:18 00 [1] - 213:2</p>			<p style="text-align: center;">6</p> <p>60-foot [1] - 132:12 600 [1] - 132:17 615 [1] - 65:11 617.786.7783/617.639.0396 [1] - 1:17 62 [2] - 6:15, 8:16 63 [1] - 166:8 646 [2] - 66:2, 66:5 675 [1] - 71:9</p>	
<p style="text-align: center;">1</p>				
<p>1 [1] - 144:9 1,500 [1] - 2:11 1.0 [5] - 116:18, 126:18, 127:1, 200:9, 229:17 1.75 [8] - 154:13, 199:18, 200:5, 229:10, 229:14, 229:17, 230:2, 230:7 10 [5] - 97:10, 134:5, 134:6, 144:12 100 [5] - 8:5, 9:10, 9:11, 124:18, 125:17 100K [1] - 15:18 10th [1] - 5:12 110 [1] - 8:7 115 [1] - 170:6 11:15 [1] - 237:1 11:20 [1] - 241:17 11:25 [1] - 244:13 12 [2] - 17:15, 97:10 120 [2] - 8:3, 9:11 125-feet [1] - 185:9 13 [2] - 24:13, 25:8 138 [1] - 72:4 14 [2] - 48:12, 75:9 1400 [1] - 66:3 147703 [1] - 246:12 14th [1] - 5:14</p>	<p style="text-align: center;">2</p> <p>2 [4] - 144:12, 166:16, 222:6, 222:8 2,000 [6] - 131:14, 132:9, 132:14, 135:18, 151:1, 185:12 2.1 [1] - 66:8 2.3 [1] - 19:4 20 [8] - 28:10, 106:4, 109:16, 121:14, 124:3, 129:7, 153:5, 218:10 2000 [2] - 15:18, 63:9 2003 [7] - 52:13, 61:10, 64:5, 80:14, 81:5, 84:8, 84:16 2006 [1] - 178:3 2015 [3] - 1:4, 6:15, 246:8 2022 [1] - 246:14 2030 [1] - 11:4 2070 [1] - 11:4 20A [1] - 93:7 20th [1] - 13:13</p>	<p style="text-align: center;">3</p> <p>3.2 [1] - 19:3 30 [5] - 8:9, 76:3, 76:17, 122:8, 124:3 31 [1] - 61:3 31st [1] - 246:8 344 [1] - 1:6 35 [6] - 2:11, 155:3, 155:15, 166:18, 176:14, 180:14 36 [2] - 63:9, 70:3 37 [2] - 68:18, 166:6 375 [1] - 78:16</p>	<p style="text-align: center;">7</p> <p>7 [2] - 129:9, 188:15 70s [3] - 72:12, 212:6, 216:12 75 [3] - 2:10, 121:6, 166:6 75,000 [1] - 22:7 7:00 [1] - 2:6 7:20 [1] - 1:4</p>	
<p style="text-align: center;">1</p>				
		<p style="text-align: center;">4</p> <p>40 [11] - 46:4, 67:5, 71:7, 76:9, 78:15, 121:14, 129:5, 129:6, 129:8, 153:5, 180:14 40-feet [2] - 185:8, 185:13 40-foot [1] - 185:7 400 [1] - 115:13 406 [2] - 15:1, 15:3 41 [1] - 51:14 45 [5] - 8:12, 8:15, 61:5, 134:16, 153:18 45-foot [4] - 112:11, 133:16, 134:4, 136:16 49 [3] - 175:9, 176:14, 177:14</p>	<p style="text-align: center;">8</p> <p>8 [3] - 1:4, 120:3, 120:4 80 [4] - 8:3, 9:10, 20:8, 52:16 82 [1] - 7:1 85 [1] - 20:8 8:00 [1] - 2:12 8th [1] - 4:5</p>	
			<p style="text-align: center;">9</p> <p>9 [2] - 120:4, 120:5 90 [1] - 8:6 91 [1] - 48:6 95 [1] - 48:7</p>	

<p>acknowledged [1] - 157:11</p> <p>acknowledges [1] - 90:2</p> <p>act [3] - 148:2, 236:8, 238:3</p> <p>acted [2] - 141:3, 236:5</p> <p>action [6] - 193:11, 197:2, 197:4, 231:6, 232:4, 232:5</p> <p>active [7] - 10:13, 39:11, 76:2, 76:13, 150:1, 173:13, 200:5</p> <p>actual [2] - 173:12, 195:14</p> <p>Adam [1] - 44:12</p> <p>add [15] - 62:9, 75:14, 84:6, 92:6, 100:17, 120:18, 135:10, 159:9, 181:18, 183:17, 198:18, 203:5, 204:2, 216:7, 229:17</p> <p>added [6] - 18:3, 18:4, 73:16, 76:11, 77:3, 77:4</p> <p>adding [5] - 74:11, 76:9, 137:12, 174:3, 235:14</p> <p>addition [1] - 72:13</p> <p>additional [2] - 128:2, 213:17</p> <p>address [3] - 51:9, 160:1, 161:2</p> <p>addressed [1] - 38:2</p> <p>addresses [3] - 92:17, 93:5, 93:9</p> <p>adds [2] - 46:3, 183:18</p> <p>adjacent [2] - 136:13, 155:16</p> <p>Adjourmed [1] - 244:14</p> <p>adjustment [1] - 83:1</p> <p>administrative [1] - 215:9</p> <p>admit [1] - 139:15</p> <p>admittedly [1] - 148:18</p> <p>adopt [10] - 13:10, 129:13, 137:10, 137:18, 142:9, 163:4, 201:8, 205:10, 236:2, 238:15</p> <p>adopted [8] - 169:17, 178:4, 205:8, 208:4, 221:12, 223:11, 223:15, 227:7</p>	<p>adopting [1] - 239:6</p> <p>adoption [1] - 209:7</p> <p>Adoption [1] - 2:4</p> <p>adopts [1] - 238:18</p> <p>advance [1] - 106:17</p> <p>advantage [1] - 128:10</p> <p>advertised [1] - 94:1</p> <p>advisory [1] - 151:4</p> <p>aesthetic [1] - 219:4</p> <p>aesthetics [2] - 219:1, 220:4</p> <p>affect [1] - 41:13</p> <p>affected [6] - 27:14, 27:16, 43:2, 89:7, 89:9, 89:13</p> <p>affects [1] - 27:8</p> <p>afford [3] - 19:18, 76:8, 131:12</p> <p>Affordable [1] - 9:16</p> <p>affordable [8] - 18:8, 18:9, 18:11, 57:10, 65:8, 83:13, 86:4, 86:6</p> <p>afield [1] - 89:12</p> <p>afoot [1] - 178:9</p> <p>afternoon [1] - 34:2</p> <p>Agassiz [3] - 120:3, 173:6, 207:9</p> <p>agenda [8] - 4:11, 6:2, 10:4, 241:13, 241:14, 243:14, 244:3, 244:6</p> <p>ago [19] - 7:13, 15:11, 24:6, 76:3, 76:17, 96:9, 97:10, 113:15, 119:11, 159:1, 161:14, 176:15, 177:11, 187:4, 187:10, 201:18, 213:4, 230:11</p> <p>agree [8] - 107:6, 192:5, 192:7, 206:14, 219:11, 224:14, 236:16</p> <p>agreeable [1] - 166:13</p> <p>agreed [1] - 193:7</p> <p>agreement [1] - 159:7</p> <p>agricultural [1] - 110:11</p> <p>ahead [4] - 182:9, 194:4, 227:8, 227:9</p> <p>Aid [6] - 26:10, 169:7, 169:9, 169:12, 183:15, 188:5</p> <p>aim [1] - 94:6</p> <p>air [1] - 130:6</p> <p>al [2] - 2:6, 2:12</p> <p>albeit [1] - 83:9</p> <p>Aldin [1] - 131:2</p> <p>Alewife [2] - 144:16,</p>	<p>207:15</p> <p>Alexandra [1] - 4:12</p> <p>Alexandria [1] - 7:15</p> <p>ALEXANDROV [63] - 14:18, 15:2, 15:5, 17:14, 17:17, 19:8, 19:10, 20:15, 21:13, 23:18, 24:2, 25:4, 25:6, 25:15, 26:2, 26:14, 26:16, 28:5, 28:9, 28:11, 28:14, 28:18, 29:5, 29:17, 30:4, 34:14, 35:2, 35:5, 35:7, 35:10, 35:12, 35:14, 35:16, 36:2, 36:6, 36:8, 36:15, 37:9, 38:1, 38:8, 39:15, 40:5, 41:17, 42:1, 43:1, 43:4, 43:10, 43:18, 44:10, 44:11, 46:13, 46:17, 46:18, 47:4, 47:9, 47:15, 47:18, 49:17, 50:4, 51:4, 94:10, 99:12, 99:15</p> <p>Alexandrov [8] - 2:6, 5:9, 14:11, 15:1, 15:3, 42:7, 43:7, 46:8</p> <p>Alexandrovs [3] - 42:8, 52:7, 53:4</p> <p>alive [1] - 218:12</p> <p>Allen [1] - 169:3</p> <p>alleviating [1] - 40:10</p> <p>Alliance [1] - 16:6</p> <p>allow [8] - 2:8, 55:11, 56:2, 70:13, 139:10, 197:13, 219:17</p> <p>allowed [7] - 54:6, 68:10, 84:12, 141:13, 146:2, 154:11, 163:17</p> <p>allowing [2] - 71:4, 217:18</p> <p>allows [2] - 136:11, 160:1</p> <p>almost [10] - 6:16, 18:17, 24:10, 28:10, 45:7, 52:3, 59:17, 89:18, 111:9, 181:7</p> <p>alterations [1] - 141:4</p> <p>amazing [1] - 21:6</p> <p>ambitious [1] - 196:6</p> <p>amend [5] - 2:6, 14:11, 137:11, 235:13</p> <p>amended [1] - 242:15</p> <p>amendment [2] - 159:1, 243:5</p> <p>AMI [2] - 8:6, 8:7</p> <p>amount [2] - 159:13,</p>	<p>230:5</p> <p>amounts [1] - 138:10</p> <p>ample [1] - 23:16</p> <p>analysis [3] - 6:7, 6:8, 9:15</p> <p>analyzed [1] - 145:17</p> <p>analyzing [1] - 147:1</p> <p>AND [1] - 245:1</p> <p>AND/OR [1] - 246:16</p> <p>andrew [1] - 46:7</p> <p>ANDY [1] - 75:6</p> <p>Andy [1] - 75:6</p> <p>annexation [1] - 30:11</p> <p>answer [5] - 207:5, 212:17, 216:3, 217:15, 222:14</p> <p>answering [1] - 188:18</p> <p>answers [2] - 86:4, 86:6</p> <p>anticipate [1] - 52:9</p> <p>anticipating [2] - 78:13, 100:2</p> <p>anticipation [2] - 81:17, 82:5</p> <p>antiquated [1] - 83:10</p> <p>ANY [2] - 246:15, 246:16</p> <p>anyway [4] - 54:7, 59:10, 128:15, 165:13</p> <p>apart [1] - 32:1</p> <p>apartment [5] - 80:6, 108:7, 126:9, 133:11, 216:15</p> <p>apartments [1] - 127:6</p> <p>apologize [1] - 244:8</p> <p>appalled [1] - 162:18</p> <p>appealing [1] - 109:7</p> <p>appear [2] - 89:12, 95:12</p> <p>appearance [1] - 96:18</p> <p>appearing [1] - 78:3</p> <p>applicants [3] - 8:16, 9:1, 9:5</p> <p>applications [3] - 7:14, 8:13, 8:18</p> <p>applied [2] - 100:10, 221:13</p> <p>applies [1] - 154:13</p> <p>apply [7] - 125:16, 134:3, 226:6, 226:10, 226:11, 226:16, 228:3</p> <p>APPLY [1] - 246:15</p> <p>appreciate [2] - 118:1, 216:8</p> <p>approach [8] -</p>	<p>139:11, 139:13, 160:10, 164:8, 166:14, 195:5, 227:5, 235:3</p> <p>appropriate [13] - 91:10, 96:10, 97:7, 99:2, 100:14, 137:9, 148:1, 154:2, 155:8, 158:5, 162:8, 194:12, 207:7</p> <p>approved [1] - 13:15</p> <p>april [1] - 246:14</p> <p>architect [3] - 15:12, 19:11, 33:2</p> <p>architects [2] - 25:1, 112:4</p> <p>architectural [3] - 118:1, 178:18, 219:15</p> <p>architecture [1] - 167:3</p> <p>area [59] - 2:7, 2:10, 8:3, 14:13, 24:16, 33:6, 34:1, 39:12, 49:3, 52:10, 53:14, 61:9, 64:14, 82:4, 91:7, 93:4, 117:1, 117:5, 117:6, 117:15, 119:18, 127:7, 131:13, 132:1, 138:5, 147:6, 148:14, 150:17, 165:12, 172:7, 174:5, 176:13, 178:11, 192:13, 195:14, 199:4, 199:8, 199:11, 199:12, 202:12, 202:13, 203:13, 204:1, 206:1, 207:7, 207:9, 207:13, 208:5, 209:5, 209:6, 211:7, 211:10, 222:11, 225:4, 225:15, 225:17, 225:18, 229:15</p> <p>Area [3] - 2:9, 2:10, 120:3</p> <p>areas [17] - 24:9, 53:9, 62:14, 69:6, 72:15, 73:9, 159:14, 160:8, 202:17, 207:15, 213:13, 218:2, 225:9, 228:3, 230:15, 240:2</p> <p>arguably [1] - 145:11</p> <p>argument [6] - 72:17, 73:5, 73:14, 76:17, 88:17, 123:17</p> <p>Arlington [2] - 149:14, 225:7</p> <p>arrive [1] - 165:1</p>
--	---	--	---	--

<p>art [1] - 173:13 Art [1] - 107:11 articulated [1] - 82:10 aside [1] - 88:3 asleep [1] - 121:3 aspects [2] - 153:14, 157:18 aspirational [3] - 216:9, 236:7, 237:12 aspirations [6] - 179:9, 179:13, 179:15, 197:15, 198:1, 234:11 assemblage [1] - 5:4 Assembly [1] - 130:17 assembly [2] - 70:18, 121:8 assessment [3] - 10:14, 12:12, 158:8 assist [1] - 140:3 Assistant [2] - 1:11, 195:3 Associates [1] - 107:7 assume [1] - 244:11 astounding [1] - 180:10 ATM [1] - 114:2 attack [1] - 126:6 attempt [1] - 243:16 attend [2] - 103:6, 175:16 attention [4] - 207:8, 207:16, 212:13, 235:7 attest [1] - 30:5 ATTORNEY [1] - 168:15 attorney [3] - 124:14, 165:1, 168:18 attorneys [2] - 235:15, 242:11 attractive [1] - 111:3 audience [2] - 103:17, 190:10 AUDIENCE [8] - 29:11, 30:3, 65:11, 110:13, 129:5, 192:14, 216:10, 223:18 August [2] - 106:1, 115:9 authorized [2] - 13:15, 141:15 auto [2] - 23:14, 70:17 automatically [1] - 167:6 automobile [4] - 70:15, 70:17, 183:3, 212:13 available [9] - 3:2,</p>	<p>18:6, 19:2, 19:12, 23:17, 36:14, 65:9, 66:15, 150:9 avamar [1] - 206:16 Ave [64] - 2:15, 22:13, 24:8, 33:7, 33:10, 34:9, 34:10, 41:12, 53:1, 56:15, 60:7, 72:4, 74:5, 76:7, 88:6, 92:15, 105:5, 117:7, 140:18, 141:11, 145:15, 147:1, 148:6, 149:3, 149:8, 149:9, 151:5, 151:7, 151:18, 152:5, 154:12, 155:2, 155:18, 156:11, 156:13, 157:4, 157:8, 159:15, 163:9, 176:3, 176:17, 177:16, 194:10, 195:15, 199:1, 199:4, 199:8, 202:2, 203:12, 203:17, 208:17, 211:9, 211:13, 211:17, 217:9, 219:5, 221:7, 221:9, 224:5, 225:6, 226:4, 229:16, 230:3 Avenue [54] - 2:7, 2:14, 14:13, 22:10, 24:15, 25:2, 27:1, 27:3, 32:9, 41:10, 44:16, 45:2, 49:10, 57:1, 81:16, 81:18, 95:8, 97:5, 104:8, 104:10, 105:6, 119:14, 120:2, 122:4, 129:8, 129:13, 133:17, 144:15, 149:10, 149:11, 156:9, 164:6, 164:9, 164:14, 164:15, 164:17, 165:3, 165:5, 165:7, 165:15, 166:10, 169:2, 172:3, 173:3, 180:1, 187:7, 187:11, 190:6, 213:1, 213:3, 223:18, 224:4, 229:7 avenue [14] - 108:4, 118:10, 123:9, 123:10, 173:10, 173:14, 176:8, 177:2, 177:3, 177:5, 177:8, 177:9, 214:10</p>	<p>avenues [1] - 124:2 average [1] - 6:16 awake [1] - 121:3 aware [2] - 210:18, 215:11 awful [2] - 124:2, 146:6</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p>B-r-i-l-l [1] - 72:4 BA [3] - 24:9, 42:2, 52:13 BA-2 [1] - 125:14 BA-3 [10] - 24:9, 24:11, 26:4, 26:18, 27:8, 32:16, 52:3, 52:6, 53:6, 55:9 Bacci [1] - 1:10 BACCI [16] - 14:3, 92:5, 93:1, 93:14, 94:3, 94:11, 192:6, 192:15, 203:9, 204:10, 205:7, 238:6, 238:9, 238:13, 239:8, 240:6 background [1] - 15:8 bad [4] - 79:9, 94:8, 193:12, 238:4 balance [5] - 73:6, 73:12, 91:5, 92:2, 177:7 balances [1] - 215:10 ball [2] - 206:3, 234:12 ballpark [1] - 18:2 bang [1] - 110:5 banks [3] - 121:11, 152:16, 213:10 banner [1] - 16:16 Baptist [2] - 32:9, 37:14 bar [4] - 16:18, 41:15, 70:13, 110:3 barber [1] - 70:18 Barr [1] - 7:5 Barrett [3] - 44:6, 51:11, 51:13 BARRETT [2] - 51:12, 55:16 bars [1] - 74:2 based [6] - 101:13, 117:11, 131:9, 150:7, 157:9 basement [2] - 65:17, 66:5 basements [1] - 135:16 basis [9] - 84:15,</p>	<p>85:17, 87:5, 162:7, 194:15, 195:6, 203:4, 207:13 Basta [1] - 54:1 Battle [2] - 32:10, 33:1 Beantown [5] - 22:17, 32:6, 41:9, 53:17, 72:7 beantown [1] - 74:7 bear [1] - 65:3 bears [1] - 83:3 beat [1] - 48:10 Beat [1] - 132:3 beautification [1] - 176:1 beautiful [8] - 59:18, 82:2, 107:6, 180:12, 181:8, 216:13, 216:14, 217:12 beautifully [1] - 211:5 beauty [1] - 71:1 become [4] - 63:13, 78:14, 186:13, 220:2 becomes [3] - 184:4, 184:11, 197:6 bedroom [2] - 9:2, 80:6 bedrooms [2] - 8:14 Beech [2] - 111:1, 120:16 begin [1] - 209:14 beginning [1] - 83:16 behalf [1] - 169:5 behest [1] - 202:15 behind [12] - 49:3, 53:18, 56:11, 114:8, 114:12, 118:12, 129:3, 133:12, 156:8, 166:18, 172:2, 177:8 belaboring [1] - 63:15 believes [1] - 215:6 below [4] - 9:8, 92:16, 156:7, 200:2 Ben [4] - 21:17, 80:5, 80:9, 80:11 beneath [1] - 112:12 benefit [2] - 33:3, 73:16 Benefits [1] - 11:17 benefits [1] - 206:7 Berlin [2] - 165:8, 165:10 best [8] - 44:8, 49:14, 52:16, 53:13, 149:7, 186:12, 188:8, 244:4 better [12] - 28:2, 43:13, 106:2, 115:6,</p>	<p>118:10, 122:9, 123:7, 136:7, 145:12, 168:8, 185:2, 196:18 between [10] - 34:3, 72:5, 92:11, 114:13, 176:3, 177:7, 204:9, 221:13, 227:5, 229:16 beyond [3] - 98:4, 98:13, 136:1 big [10] - 17:13, 21:2, 21:14, 66:9, 74:3, 113:10, 131:18, 138:7, 171:2, 202:11 bigger [4] - 54:16, 138:7, 138:8 biggest [4] - 111:4, 120:13, 135:3, 199:13 bike [1] - 35:6 bins [1] - 111:11 biotech [2] - 16:1, 21:9 bit [13] - 9:15, 22:8, 22:15, 69:16, 83:9, 89:16, 92:10, 141:18, 143:13, 191:18, 224:17, 239:17 blank [1] - 111:13 blind [1] - 168:9 block [13] - 22:12, 23:13, 27:7, 27:9, 52:14, 57:15, 88:14, 90:16, 94:7, 95:3, 95:11, 96:18, 181:13 blocks [8] - 21:16, 24:12, 37:16, 38:15, 90:17, 95:12, 105:4, 120:18 blunt [1] - 82:16 Board [65] - 3:6, 3:7, 4:5, 4:14, 4:15, 6:1, 6:5, 6:10, 7:4, 7:7, 10:2, 43:9, 46:10, 56:2, 58:18, 59:1, 59:2, 60:15, 78:4, 79:7, 83:2, 86:9, 91:4, 100:4, 100:6, 100:10, 137:7, 137:9, 139:8, 139:17, 142:7, 142:16, 143:3, 143:6, 143:7, 143:9, 147:4, 150:16, 151:3, 157:6, 160:9, 162:2, 162:6, 164:1, 165:14, 166:11, 167:10, 175:14,</p>
--	--	---	--	--

<p>196:11, 197:8, 198:4, 198:11, 201:6, 214:2, 231:10, 231:13, 233:12, 234:7, 235:11, 241:15, 241:17, 242:9, 244:14, 245:6, 245:15</p> <p>BOARD [1] - 1:1 board [8] - 12:14, 50:9, 83:18, 103:15, 144:2, 156:15, 243:1, 244:10 boat [1] - 211:1 Bob [1] - 112:7 body [2] - 23:14, 70:17 bonuses [4] - 128:1, 143:14, 143:16, 158:18 Book [1] - 15:16 bookended [1] - 107:3 bookkeeping [2] - 22:2, 41:11 borders [1] - 120:16 bored [1] - 49:6 born [1] - 80:18 Boston [4] - 15:16, 83:16, 107:12, 127:2 bottom [1] - 120:16 bought [6] - 19:17, 22:5, 28:7, 59:9, 62:17, 63:10 brainstorming [1] - 32:13 brand [3] - 107:4, 107:18, 114:16 Brattle [1] - 49:13 break [4] - 39:5, 103:9, 103:13, 224:16 break-ins [1] - 39:5 breaking [1] - 48:9 bridges [1] - 114:13 brief [3] - 70:6, 174:1, 243:11 briefly [2] - 140:10, 149:4 BRILL [1] - 72:3 Brill [1] - 72:4 bring [5] - 40:14, 43:12, 44:8, 96:13, 231:11 brings [2] - 170:17, 201:4 BRISTOL [1] - 246:3 broader [5] - 10:16, 141:14, 151:10,</p>	<p>190:10, 197:16 broadly [2] - 151:6, 189:15 Broadway [2] - 1:6, 51:13 broken [1] - 58:5 broker [1] - 130:18 brokers [1] - 18:13 Brook [1] - 144:17 Brookline [1] - 177:18 Brooks [1] - 131:1 Brothers [1] - 131:1 brought [4] - 14:9, 61:15, 152:2, 187:13 brunt [1] - 65:3 budgeting [2] - 13:3, 51:18 build [11] - 45:1, 85:13, 105:15, 113:12, 128:7, 134:6, 180:9, 181:13, 184:2, 184:3, 184:6 building [65] - 7:17, 32:2, 36:5, 44:4, 51:14, 66:4, 67:4, 67:12, 70:9, 71:5, 78:11, 80:10, 85:18, 86:14, 86:17, 86:18, 87:1, 98:12, 107:6, 107:13, 107:14, 110:18, 111:4, 112:8, 112:11, 112:17, 114:7, 114:14, 115:17, 118:2, 118:3, 126:2, 132:2, 133:7, 133:11, 133:12, 134:4, 146:5, 146:14, 152:18, 153:15, 153:17, 154:7, 154:13, 155:4, 155:8, 155:15, 156:8, 162:17, 170:11, 174:11, 181:10, 182:1, 182:8, 182:14, 184:6, 184:11, 186:18, 187:16, 218:4, 218:17, 219:16, 230:1 Building [1] - 107:13 buildings [46] - 6:8, 6:9, 6:10, 6:12, 106:5, 106:8, 108:8, 108:16, 113:12, 113:13, 118:13, 118:17, 122:12, 122:13, 123:11, 124:6, 126:9,</p>	<p>126:10, 127:8, 127:17, 128:16, 135:10, 136:9, 147:8, 147:12, 151:12, 152:7, 156:2, 172:9, 180:9, 181:5, 181:7, 181:10, 181:15, 182:7, 184:1, 184:17, 186:11, 186:16, 193:1, 213:14, 214:6, 217:12, 217:18, 219:9, 233:16 builds [1] - 184:5 built [14] - 23:4, 108:10, 123:11, 147:11, 151:12, 181:3, 181:13, 181:15, 181:17, 182:4, 184:2, 187:16, 203:16, 239:9 bulk [1] - 162:15 bumped [1] - 60:4 bunch [7] - 64:6, 106:6, 108:15, 121:9, 193:8, 215:10, 225:8 burden [1] - 40:10 burned [1] - 133:8 bus [4] - 127:8, 127:10, 183:14, 188:6 busiest [1] - 34:3 Business [12] - 2:7, 14:12, 64:12, 92:14, 93:13, 125:8, 225:10, 225:13, 226:2, 226:7, 226:10, 226:12 BUSINESS [2] - 2:2, 3:5 business [39] - 2:9, 3:7, 17:3, 19:9, 19:11, 20:5, 20:7, 26:11, 29:9, 40:9, 40:15, 52:18, 55:4, 55:7, 57:16, 62:15, 71:5, 73:17, 75:10, 75:11, 76:17, 77:1, 77:3, 77:4, 78:10, 79:7, 82:4, 82:7, 83:11, 83:14, 85:7, 139:9, 150:3, 166:3, 172:14, 175:12, 214:12 business-type [1] - 150:3 businesses [43] - 20:16, 21:10, 24:14, 24:15, 24:17, 24:18,</p>	<p>25:2, 25:8, 25:9, 25:14, 26:6, 27:3, 57:9, 62:10, 62:11, 64:8, 64:9, 64:14, 64:15, 69:5, 73:1, 74:1, 75:3, 76:13, 77:9, 79:12, 81:10, 81:11, 84:12, 85:12, 86:5, 87:2, 87:6, 96:1, 96:7, 130:16, 131:3, 132:7, 172:7, 172:18, 176:6, 177:6, 208:11 businessman [1] - 86:13 businessperson [1] - 19:15 busses [1] - 127:3 buy [5] - 17:8, 18:15, 19:13, 59:10, 136:7 buying [1] - 66:13 by-right [2] - 131:8, 131:14 BZA [3] - 53:5, 54:8, 182:11</p> <p style="text-align: center;">C</p> <p>C-1 [5] - 2:7, 14:12, 52:3, 57:9, 61:17 C-1's [1] - 53:7 C-2 [1] - 61:17 C-o-m-p-h-e-r [1] - 61:2 cafe [1] - 113:18 calculation [3] - 117:9, 154:5, 154:9 calculations [1] - 136:11 calendar [2] - 140:3, 231:7 CAMBRIDGE [1] - 1:2 Cambridge [61] - 1:6, 2:6, 6:3, 8:17, 9:1, 9:5, 11:4, 12:9, 12:15, 14:11, 16:14, 17:5, 18:4, 18:9, 21:1, 30:13, 34:3, 36:16, 36:17, 37:4, 37:7, 37:12, 37:13, 37:18, 40:8, 40:9, 40:15, 48:15, 49:11, 52:9, 53:12, 58:15, 72:11, 75:8, 75:17, 76:4, 77:11, 80:13, 86:13, 87:6, 87:12, 97:5, 110:15, 118:16, 130:15, 133:2, 149:12, 157:4, 158:13, 164:5, 164:15,</p>	<p>175:13, 176:3, 180:12, 185:7, 207:16, 213:2, 216:17, 220:2, 225:7, 230:12 Cambridgeport [2] - 80:2, 97:6 cannot [3] - 67:3, 134:2, 197:2 Cantabrigians [1] - 20:14 canyon [1] - 133:9 canyoning [3] - 118:17, 133:9, 136:10 canyons [1] - 133:5 cap [1] - 156:18 capacity [1] - 121:13 capitalist [1] - 20:10 CAPTURING [1] - 1:17 car [3] - 34:13, 108:17, 166:17 card [1] - 71:8 care [4] - 28:1, 31:16, 50:1, 116:13 careful [1] - 164:7 carefully [1] - 81:3 Carlone [4] - 179:6, 211:5, 231:4, 232:17 CARLONE [9] - 179:7, 233:1, 233:6, 233:11, 233:13, 233:17, 234:2, 237:7, 239:11 Carlone's [2] - 18:1, 216:8 Carol [4] - 161:6, 161:8, 185:17, 186:1 CAROL [1] - 161:8 Carroll's [1] - 52:7 cars [3] - 37:11, 37:17, 171:2 carve [1] - 52:4 carved [1] - 117:15 case [9] - 136:17, 143:8, 162:7, 171:13, 195:9, 226:3, 239:14, 240:3 case-by-case [1] - 162:7 cases [2] - 154:6, 172:10 categories [1] - 8:1 category [1] - 8:11 Catherine [6] - 1:8, 15:3, 84:4, 206:2, 246:4, 246:11</p>
---	--	---	--	---

<p>CATHERINE [41] - 15:2, 17:14, 19:8, 20:15, 23:18, 25:4, 25:15, 26:14, 28:5, 28:11, 29:5, 34:14, 35:5, 35:10, 35:14, 36:6, 36:15, 38:1, 39:15, 41:17, 43:1, 44:10, 46:13, 46:18, 47:9, 47:15, 49:17, 50:11, 55:14, 60:10, 67:13, 68:2, 84:5, 102:2, 160:17, 192:2, 206:4, 223:5, 224:18, 232:14, 241:9</p> <p>caught [1] - 106:1</p> <p>caused [1] - 170:11</p> <p>cavalier [1] - 126:15</p> <p>CDD [6] - 93:3, 100:6, 147:4, 152:3, 215:4, 239:7</p> <p>CDD's [1] - 208:6</p> <p>ceiling [1] - 153:7</p> <p>Center [1] - 219:18</p> <p>center [3] - 120:7, 173:5, 174:10</p> <p>centered [1] - 81:12</p> <p>centerpiece [1] - 220:2</p> <p>Central [5] - 24:12, 39:9, 90:18, 91:9, 95:10</p> <p>certain [9] - 24:9, 26:6, 30:1, 143:2, 152:11, 152:18, 225:11</p> <p>certainly [11] - 28:1, 42:14, 89:5, 96:12, 148:10, 148:11, 189:8, 189:15, 198:7, 202:11, 235:15</p> <p>certainty [1] - 157:17</p> <p>CERTIFICATION [1] - 246:15</p> <p>Certified [2] - 246:4, 246:12</p> <p>certify [1] - 246:5</p> <p>CERTIFYING [1] - 246:17</p> <p>chain [1] - 130:16</p> <p>chair [6] - 4:11, 102:9, 198:17, 220:11, 231:2, 243:12</p> <p>Chair [3] - 1:7, 1:8, 231:5</p> <p>Chairman [1] - 162:12</p> <p>chairs [1] - 183:12</p> <p>challenge [3] - 126:7, 206:14, 206:15</p>	<p>challenged [1] - 67:2</p> <p>challenges [3] - 118:13, 207:14</p> <p>challenging [1] - 160:4</p> <p>Chamber [1] - 40:17</p> <p>chance [5] - 21:14, 26:12, 99:13, 130:1, 193:17</p> <p>Change [1] - 49:8</p> <p>change [40] - 10:14, 27:2, 27:18, 49:18, 52:9, 55:2, 59:3, 60:14, 62:18, 64:4, 69:11, 73:12, 74:13, 82:12, 84:1, 89:7, 89:8, 89:9, 90:12, 91:17, 96:11, 102:1, 113:8, 119:1, 124:17, 133:16, 185:1, 186:10, 188:7, 199:9, 204:9, 205:11, 215:16, 217:14, 228:1, 228:2, 228:5, 240:1, 245:6</p> <p>CHANGE [6] - 245:8, 245:9, 245:10, 245:11, 245:12, 245:13</p> <p>changed [11] - 15:13, 61:17, 64:4, 96:15, 97:10, 122:8, 180:5, 180:7, 180:15, 205:6, 205:9</p> <p>changes [6] - 68:14, 69:4, 97:8, 100:15, 169:16, 245:16</p> <p>changing [10] - 49:11, 49:12, 70:11, 70:12, 72:16, 73:6, 79:6, 96:17, 101:8, 221:17</p> <p>Changsho [2] - 170:14, 170:16</p> <p>Changsho's [1] - 214:8</p> <p>character [10] - 44:2, 45:16, 46:1, 62:6, 62:9, 72:16, 75:2, 80:13, 178:15, 211:10</p> <p>characterize [2] - 149:8, 211:16</p> <p>characterizing [1] - 226:6</p> <p>charged [1] - 162:2</p> <p>charitable [1] - 40:12</p> <p>Charles [1] - 144:16</p> <p>Charlie [1] - 108:18</p> <p>CHARLOTTE [1] - 175:6</p>	<p>Charlotte [1] - 175:7</p> <p>charming [2] - 109:3, 109:7</p> <p>Chauncy [3] - 138:6, 159:6, 216:12</p> <p>Chauncy/Everett [2] - 2:14, 104:8</p> <p>check [1] - 80:9</p> <p>chef [1] - 44:12</p> <p>Chew [1] - 45:5</p> <p>children [1] - 50:2</p> <p>Chilinski's [1] - 112:10</p> <p>chiropractor [1] - 116:12</p> <p>choice [1] - 145:9</p> <p>choices [2] - 41:13, 44:17</p> <p>choose [1] - 139:11</p> <p>chop [1] - 225:4</p> <p>chose [2] - 44:15, 82:3</p> <p>church [4] - 32:9, 37:14, 39:13, 107:16</p> <p>cigarette [1] - 111:10</p> <p>circle [1] - 56:10</p> <p>citizen [1] - 235:16</p> <p>CITY [1] - 1:2</p> <p>city [19] - 10:12, 55:7, 58:13, 58:14, 76:1, 76:13, 76:14, 76:16, 77:9, 85:9, 90:2, 105:7, 159:12, 159:17, 160:5, 183:8, 187:10, 206:10, 230:15</p> <p>City [48] - 1:11, 4:9, 6:2, 11:15, 12:16, 40:7, 59:6, 59:7, 59:11, 61:4, 72:18, 83:8, 84:3, 91:4, 96:2, 96:6, 96:7, 97:11, 99:1, 99:6, 99:9, 99:18, 104:14, 122:1, 137:10, 137:17, 138:13, 142:8, 142:18, 148:4, 163:2, 163:4, 163:11, 165:3, 167:11, 168:10, 176:2, 176:15, 177:15, 189:9, 195:3, 202:14, 208:4, 222:10, 227:15, 232:10, 236:1, 239:2</p> <p>City's [2] - 197:15, 243:1</p> <p>citywide [17] - 11:11,</p>	<p>82:16, 85:17, 97:18, 144:13, 159:13, 193:10, 194:5, 194:8, 194:11, 195:7, 197:1, 197:14, 198:15, 201:14, 208:7, 215:6</p> <p>Civil [2] - 107:16, 108:1</p> <p>clarification [1] - 71:6</p> <p>clarified [3] - 93:17, 143:3, 143:12</p> <p>clarify [4] - 118:15, 126:5, 129:1, 135:7</p> <p>class [2] - 96:5, 108:6</p> <p>cleaning [1] - 33:8</p> <p>clear [17] - 73:3, 85:2, 140:13, 140:15, 140:16, 141:5, 141:12, 142:1, 143:15, 165:16, 199:11, 200:10, 206:6, 220:13, 236:7, 236:14, 244:5</p> <p>clearer [2] - 134:15, 235:17</p> <p>clearest [1] - 140:16</p> <p>clearly [4] - 74:3, 105:11, 193:4, 199:3</p> <p>client [1] - 169:14</p> <p>clients [3] - 22:3, 30:1</p> <p>climate [1] - 10:13</p> <p>close [8] - 23:9, 44:18, 91:8, 95:17, 97:13, 100:4, 104:1, 160:6</p> <p>closed [4] - 25:10, 72:6, 74:8, 128:13</p> <p>closely [1] - 209:12</p> <p>closer [3] - 24:12, 95:9, 95:10</p> <p>closest [1] - 89:9</p> <p>closing [1] - 67:18</p> <p>Co [1] - 231:5</p> <p>Co-Chair [1] - 231:5</p> <p>code [5] - 54:18, 64:1, 64:2, 64:4</p> <p>Code [5] - 63:17, 71:2, 81:14, 90:2, 223:6</p> <p>coffee [2] - 39:9, 131:18</p> <p>Cohen [5] - 1:7, 1:9, 68:18, 102:17, 233:14</p> <p>COHEN [112] - 4:3, 13:7, 13:14, 13:17, 14:1, 14:2, 14:4,</p>	<p>14:7, 28:13, 28:16, 29:13, 43:7, 43:15, 46:8, 46:15, 47:2, 47:7, 47:11, 49:15, 50:7, 50:13, 51:6, 56:4, 56:9, 60:18, 63:4, 68:17, 70:1, 71:18, 75:5, 77:18, 78:3, 79:17, 84:4, 86:11, 86:12, 92:4, 95:1, 98:6, 98:10, 99:14, 99:16, 100:18, 101:8, 101:17, 102:5, 102:10, 102:12, 102:15, 102:18, 103:12, 117:18, 118:6, 137:2, 144:6, 145:13, 146:9, 156:14, 156:17, 158:12, 160:12, 160:18, 164:3, 168:13, 170:3, 175:2, 179:5, 188:11, 191:12, 191:16, 192:4, 193:4, 193:16, 194:1, 199:15, 200:7, 200:12, 201:7, 206:2, 209:10, 216:6, 216:11, 220:11, 222:15, 222:16, 222:17, 223:4, 223:7, 223:8, 223:14, 224:6, 224:8, 224:13, 227:13, 228:8, 231:16, 231:17, 232:5, 232:7, 232:12, 233:9, 233:12, 234:1, 235:9, 239:1, 240:7, 240:10, 240:16, 241:5, 241:11, 243:16, 244:1</p> <p>Cohen's [1] - 189:3</p> <p>coincidence [1] - 32:17</p> <p>collected [1] - 48:3</p> <p>collection [1] - 211:18</p> <p>college [4] - 21:7, 42:11, 45:18, 76:10</p> <p>color [2] - 114:3, 162:15</p> <p>comfortable [2] - 197:8, 237:6</p> <p>coming [12] - 22:4, 84:9, 85:10, 103:4, 105:17, 123:5, 148:9, 171:10, 172:5, 186:3, 196:4,</p>
---	--	---	---	--

<p>241:7 comment [10] - 3:7, 4:16, 50:10, 50:12, 143:8, 144:4, 168:17, 187:3, 228:12, 237:17 commented [1] - 163:3 comments [14] - 29:14, 51:9, 79:15, 103:16, 118:2, 144:8, 156:16, 160:13, 189:3, 189:9, 216:7, 216:8, 242:7, 242:13 Commerce [1] - 40:17 commercial [18] - 25:17, 52:5, 54:2, 55:11, 65:4, 65:9, 66:1, 67:4, 67:5, 73:7, 74:12, 85:18, 86:17, 95:9, 229:17, 230:6, 230:14 commercially [3] - 18:15, 19:13, 23:13 Commission [1] - 246:13 commitments [2] - 12:1, 197:3 committed [2] - 12:3, 106:15 Committee [7] - 5:8, 9:18, 139:6, 139:7, 166:11, 167:11, 231:5 committee [4] - 10:3, 12:6, 12:18 common [5] - 117:4, 179:18, 186:9, 213:18, 215:13 Common [8] - 105:6, 149:12, 167:18, 176:3, 213:3, 221:14, 225:7, 229:16 commonly [1] - 117:2 COMMONWEALTH [1] - 246:2 communities [1] - 98:13 community [37] - 10:16, 11:15, 12:12, 20:18, 21:9, 45:17, 48:15, 57:1, 57:6, 57:7, 57:9, 62:4, 63:2, 80:15, 81:2, 81:10, 82:14, 83:2, 83:7, 84:2, 84:17, 89:2, 89:4, 110:11, 157:10, 157:14, 173:2, 173:5, 201:1, 201:12, 201:14,</p>	<p>203:3, 205:16, 206:7, 211:4, 227:2 Community [7] - 1:13, 2:2, 11:16, 179:13, 194:3, 234:13, 245:3 community-engaged [1] - 157:10 community-supported [1] - 110:11 community-wide [1] - 12:12 companies [3] - 42:9, 77:10, 121:11 company [7] - 16:1, 16:11, 48:11, 75:15, 76:3, 76:4, 76:8 compare [1] - 68:8 compatible [8] - 107:5, 108:2, 113:13, 123:1, 123:2, 142:12, 162:13, 178:14 COMPHER [1] - 61:1 CompHer [1] - 61:2 complete [1] - 32:16 completed [1] - 107:11 completely [1] - 188:6 complex [1] - 154:9 complexes [1] - 85:13 complicated [3] - 225:4, 228:6, 228:7 component [1] - 79:10 components [2] - 139:1, 163:7 concealed [1] - 166:17 concealing [1] - 166:8 concentration [1] - 212:7 concept [2] - 142:13, 236:13 concepts [2] - 137:5, 142:17 conceptual [2] - 161:13, 162:9 concern [8] - 150:18, 161:14, 191:3, 202:18, 208:6, 209:5, 228:9, 230:11 concerned [13] - 161:11, 170:12, 171:18, 172:4, 172:5, 177:3, 189:4, 190:14, 202:15, 217:14, 218:11,</p>	<p>230:13, 242:13 concerning [1] - 89:16 concerns [6] - 89:11, 190:7, 218:16, 226:17, 226:18 conclude [1] - 138:14 concluded [3] - 10:13, 81:9, 83:10 concluding [1] - 83:17 conclusion [2] - 186:7, 235:1 Concord [1] - 19:5 concur [1] - 210:15 condition [3] - 108:6, 170:16, 234:10 conditioners [1] - 130:6 conditions [3] - 160:1, 160:3, 162:1 condo [1] - 216:15 Cone [1] - 53:6 confidence [1] - 214:14 confined [1] - 231:3 conformance [1] - 55:18 conforming [4] - 52:17, 53:1, 87:17 confused [4] - 118:15, 222:15, 222:16, 222:17 confusing [1] - 129:14 confusion [2] - 92:10, 141:8 congested [1] - 126:8 connected [1] - 43:6 connection [2] - 35:17, 227:5 CONNOLLY [14] - 50:11, 55:14, 60:10, 67:13, 68:2, 84:5, 102:2, 160:17, 192:2, 206:4, 223:5, 224:18, 232:14, 241:9 Connolly [1] - 1:8 consequences [7] - 168:2, 168:9, 209:1, 214:11, 228:17, 231:14, 236:18 consider [8] - 128:12, 173:12, 178:6, 178:9, 189:18, 190:1, 195:10, 220:16 consideration [2] - 214:13, 214:15 considered [2] -</p>	<p>71:12, 215:15 considering [3] - 144:15, 169:14, 214:2 consistent [3] - 45:16, 46:1, 167:2 consists [1] - 166:16 constantly [1] - 42:12 construction [2] - 123:14, 123:15 consumer [2] - 70:18, 76:4 contentious [2] - 38:3, 85:1 contextual [2] - 219:10, 219:11 contextually [7] - 107:4, 108:2, 113:13, 123:1, 123:2, 142:12, 162:13 continue [5] - 49:10, 49:11, 232:1, 240:9, 240:10 Continued [2] - 2:18, 3:1 continued [3] - 4:18, 152:3, 169:9 continuing [2] - 18:4, 232:3 continuous [5] - 30:11, 184:12, 184:13, 212:3, 212:5 contrary [2] - 148:12, 148:15 contribute [2] - 48:13, 49:14 CONTROL [1] - 246:16 control [3] - 28:4, 111:16, 130:8 conversation [2] - 173:9, 196:13 conversations [2] - 81:4, 202:3 converted [1] - 95:16 conveyed [2] - 12:15, 12:17 cookie [2] - 48:17, 49:8 Coolidge [1] - 177:11 copy [1] - 119:17 core [1] - 140:17 Corey [5] - 21:18, 32:7, 41:9, 44:3, 80:11 corey [2] - 58:9, 58:10 Corey's [3] - 30:5, 80:5, 80:9 Coreys [1] - 28:10</p>	<p>corner [6] - 19:4, 22:9, 23:2, 114:14, 164:15, 169:1 Corner [1] - 177:11 corners [1] - 60:4 corporate [1] - 21:2 corporation [1] - 54:14 correct [4] - 92:8, 159:2, 203:10, 232:11 correction [2] - 65:12, 245:7 corrections [2] - 159:5, 245:16 correctly [3] - 14:10, 31:2, 199:16 corridor [6] - 159:15, 193:13, 194:17, 195:6, 202:4, 205:2 costs [1] - 167:13 Council [40] - 5:15, 6:2, 11:15, 12:16, 59:6, 59:7, 59:11, 61:4, 99:6, 99:9, 99:18, 104:14, 137:10, 137:18, 138:13, 139:3, 139:6, 139:10, 142:8, 142:18, 148:4, 163:2, 163:4, 163:11, 167:11, 179:11, 189:10, 196:11, 196:14, 202:14, 208:4, 222:8, 227:15, 231:6, 232:10, 236:1, 238:17, 238:18, 239:2 council [1] - 10:6 Council's [1] - 10:4 Councillor [4] - 176:15, 216:8, 231:4, 232:17 councillor [1] - 179:6 COUNCILLOR [9] - 179:7, 233:1, 233:6, 233:11, 233:13, 233:17, 234:2, 237:7, 239:11 countries [2] - 16:10, 20:11 country [2] - 21:4, 67:10 counts [1] - 71:7 couple [17] - 16:2, 27:10, 34:4, 38:15, 39:6, 90:17, 96:9, 103:6, 116:11, 133:6, 158:18, 170:8, 174:2,</p>
---	--	---	--	--

<p>197:17, 216:7, 221:15, 242:7 course [6] - 22:18, 33:4, 61:12, 142:5, 195:1, 211:7 cover [2] - 16:9, 226:16 covering [1] - 38:6 CPA [1] - 12:6 create [12] - 2:13, 12:17, 20:7, 104:6, 113:10, 117:7, 124:9, 136:17, 143:17, 148:4, 153:14, 172:18 created [6] - 25:10, 93:3, 110:1, 150:8, 157:9, 158:14 creating [2] - 162:1, 162:5 creation [1] - 12:5 creative [1] - 136:3 creatively [2] - 132:6, 174:7 Creighton [1] - 120:17 crenulations [1] - 109:5 crises [1] - 106:6 criteria [1] - 167:6 critical [3] - 171:5, 182:17, 185:5 curious [4] - 33:16, 149:2, 192:16, 238:14 current [5] - 68:9, 73:2, 118:18, 225:3, 229:15 curtain [1] - 110:18 Cushing [1] - 5:1 customer [2] - 75:10, 75:11 cut [4] - 72:9, 74:15, 161:5, 229:6 cuts [1] - 23:8 cycle [3] - 168:11, 209:18, 211:2</p>	<p>dated [1] - 175:14 DAVID [1] - 68:17 David [1] - 68:17 days [1] - 17:13 daytime [1] - 77:4 deal [4] - 99:1, 148:8, 160:3, 242:2 dealerships [1] - 108:17 debate [1] - 122:17 debating [1] - 126:12 decade [1] - 22:4 decades [1] - 87:13 December [7] - 1:4, 4:4, 4:17, 4:18, 5:6, 10:13, 246:8 decide [7] - 50:5, 99:2, 99:6, 147:17, 147:18, 157:6, 189:10 decided [1] - 16:15 decides [2] - 39:13, 239:3 decision [6] - 13:1, 99:5, 101:14, 104:13, 231:10, 231:15 decline [1] - 25:16 declining [1] - 6:14 deep [4] - 183:12, 183:14, 185:8, 185:13 defer [2] - 193:9, 195:7 deference [1] - 87:11 define [3] - 98:13, 98:14, 193:1 definitely [1] - 217:16 definitions [1] - 98:2 degree [3] - 15:14, 21:7 delete [1] - 137:12 deleting [1] - 235:14 deliver [1] - 80:9 delivered [1] - 245:3 deliveries [1] - 130:7 demand [3] - 9:13, 128:9, 167:4 Democracy [1] - 49:1 demonstrate [1] - 101:1 denied [4] - 54:8, 55:5, 59:2, 59:3 DENNIS [9] - 179:7, 233:1, 233:6, 233:11, 233:13, 233:17, 234:2, 237:7, 239:11 Dennis [2] - 18:1, 211:5 density [7] - 18:5,</p>	<p>119:1, 127:4, 127:5, 127:6, 213:15 dentist [1] - 116:8 deny [1] - 55:17 Department [6] - 2:3, 6:7, 12:10, 215:4, 243:6, 245:4 department [1] - 188:17 dependent [1] - 161:18 depth [5] - 121:13, 132:12, 153:4, 185:7, 213:10 descent [2] - 197:18, 198:6 described [3] - 81:18, 149:18, 211:5 describes [1] - 105:10 describing [2] - 119:18, 210:9 deserve [1] - 148:10 deserves [1] - 45:2 deserving [1] - 138:11 Design [3] - 15:11, 122:2, 122:4 design [18] - 112:10, 118:11, 123:2, 136:7, 142:3, 150:7, 153:15, 155:9, 160:2, 165:17, 167:1, 182:12, 186:15, 192:10, 192:12, 214:1, 227:10 designate [1] - 125:9 designed [5] - 151:17, 189:17, 190:1, 190:2, 221:16 desirability [1] - 185:4 desirable [2] - 88:15, 195:4 desire [1] - 196:11 desired [5] - 81:10, 157:13, 158:11, 158:17, 206:1 desperately [1] - 57:11 desperation [1] - 21:14 despite [2] - 83:12, 210:18 detail [8] - 7:5, 73:18, 109:6, 159:7, 159:13, 164:12, 198:15, 215:4 details [1] - 109:4 deteriorating [1] - 45:17</p>	<p>determine [1] - 97:7 determined [1] - 240:11 determining [1] - 160:11 detriment [1] - 101:3 develop [1] - 238:16 developed [1] - 26:3 developer [8] - 114:11, 130:18, 164:18, 166:12, 166:15, 167:13, 215:17, 229:8 developer's [1] - 165:13 developers [7] - 25:12, 54:16, 115:1, 122:10, 128:1, 168:10, 210:2 developing [1] - 152:4 Development [6] - 1:13, 2:3, 179:14, 194:3, 234:14, 245:4 development [23] - 5:2, 5:3, 7:16, 52:14, 84:17, 105:16, 106:4, 116:16, 125:10, 127:18, 156:2, 164:8, 169:15, 170:13, 170:14, 172:5, 176:7, 178:14, 179:1, 200:2, 204:13, 211:2, 229:10 development's [1] - 105:16 developments [1] - 151:9 deviation [1] - 206:10 devised [1] - 7:18 diagonally [1] - 56:16 died [2] - 58:9, 58:10 difference [1] - 240:5 different [29] - 8:8, 8:12, 20:5, 31:9, 61:14, 77:8, 88:12, 90:4, 100:13, 101:4, 106:7, 126:1, 127:3, 146:1, 153:9, 159:18, 160:2, 190:3, 191:8, 198:8, 203:7, 207:14, 211:9, 213:13, 225:5, 225:8, 239:18, 240:3 differently [1] - 158:5 difficult [8] - 53:6, 74:13, 78:9, 95:18,</p>	<p>103:2, 103:16, 148:3, 244:2 difficulty [3] - 54:12, 74:7, 87:5 dimension [1] - 185:6 dimensional [1] - 2:9 dimensionally [1] - 87:18 diminished [1] - 113:2 dining [2] - 109:18, 184:11 DIRECT [1] - 246:16 direct [1] - 16:4 directed [1] - 166:12 DIRECTION [1] - 246:16 direction [3] - 115:6, 125:1, 164:10 directions [1] - 127:3 directly [4] - 75:9, 76:17, 89:13, 129:14 director [1] - 7:6 dirty [1] - 59:11 disagree [3] - 65:1, 114:3, 114:4 disagreement [1] - 74:3 disbursement [1] - 12:7 disclosure [2] - 198:2, 207:8 discontiguous [2] - 93:12, 95:6 discordered [2] - 18:12, 177:18 discrete [1] - 128:12 discuss [8] - 7:5, 7:8, 130:1, 130:11, 137:7, 179:12, 241:11 discussed [6] - 84:15, 128:18, 137:6, 138:4, 143:13, 217:17 discussion [18] - 4:13, 6:3, 7:10, 10:7, 102:10, 138:12, 142:1, 145:2, 155:5, 156:18, 157:15, 158:1, 202:9, 202:12, 208:8, 225:14, 234:18, 241:15 discussions [2] - 6:5, 242:11 disliked [1] - 123:7 Disneyland [1] - 219:7</p>
D				
<p>dangerous [1] - 157:5 dark [3] - 114:4, 193:15, 194:2 Dash [1] - 1:14 DASH [6] - 195:18, 198:17, 200:4, 200:11, 202:8, 229:5 date [5] - 7:9, 22:7, 240:11, 243:9, 245:7</p>				

<p>dispensaries [1] - 121:9</p> <p>display [2] - 114:9, 185:10</p> <p>disregard [1] - 89:10</p> <p>distance [1] - 79:1</p> <p>distinctive [1] - 109:9</p> <p>district [16] - 54:3, 84:13, 89:14, 90:11, 141:10, 144:11, 146:1, 155:16, 166:2, 168:3, 178:4, 186:13, 186:14, 186:15, 187:6, 213:7</p> <p>District [17] - 2:14, 10:4, 92:15, 93:13, 104:9, 104:10, 149:10, 149:11, 151:5, 158:14, 197:10, 198:14, 213:2, 225:6, 225:10, 225:13, 226:7</p> <p>districts [2] - 87:17, 146:16</p> <p>districtwide [1] - 82:15</p> <p>disturb [1] - 85:5</p> <p>diverge [1] - 150:14</p> <p>diverse [2] - 57:6, 58:3</p> <p>diversity [4] - 75:16, 75:18, 77:3, 77:10</p> <p>dividing [1] - 120:7</p> <p>doable [1] - 198:16</p> <p>DOES [1] - 246:15</p> <p>dollars [3] - 113:6, 123:5, 173:1</p> <p>done [30] - 6:7, 18:13, 20:2, 61:11, 81:3, 82:13, 113:14, 114:17, 114:18, 115:8, 117:1, 117:2, 117:14, 122:5, 137:16, 147:3, 153:11, 166:13, 176:11, 190:17, 196:10, 196:18, 197:2, 197:11, 214:5, 222:2, 226:13, 227:8, 234:13</p> <p>Donuts [1] - 186:2</p> <p>door [9] - 23:6, 30:6, 39:16, 67:18, 68:13, 77:7, 77:8, 101:7, 166:7</p> <p>doorway [1] - 17:2</p> <p>dorm [2] - 181:17, 182:7</p>	<p>dormitory [2] - 113:18, 114:12</p> <p>double [2] - 32:13, 174:13</p> <p>down [38] - 2:14, 25:7, 52:15, 54:16, 57:15, 59:18, 60:7, 61:16, 68:12, 76:6, 96:16, 108:4, 114:15, 120:5, 124:18, 131:15, 132:4, 133:8, 136:2, 144:11, 145:6, 159:5, 160:7, 165:9, 177:5, 177:11, 177:12, 180:13, 180:18, 184:5, 189:4, 190:14, 213:17, 215:13, 216:13, 219:18, 224:17</p> <p>downside [1] - 157:2</p> <p>downtown [1] - 127:13</p> <p>downzoned [1] - 80:1</p> <p>downzoning [3] - 64:5, 87:14, 88:3</p> <p>downzonings [2] - 52:11, 52:12</p> <p>dozen [1] - 217:2</p> <p>draconian [1] - 52:12</p> <p>draft [2] - 119:16, 231:12</p> <p>drafted [3] - 193:5, 193:6, 235:15</p> <p>dramatic [2] - 82:1, 185:2</p> <p>dramatically [3] - 180:6, 180:7, 186:10</p> <p>draw [1] - 222:7</p> <p>drawing [1] - 92:7</p> <p>drawn [1] - 93:18</p> <p>drive [9] - 37:13, 41:15, 69:3, 110:15, 111:9, 116:5, 116:14, 133:1, 171:12</p> <p>drive-through [1] - 41:15</p> <p>drive-up [1] - 110:15</p> <p>driven [2] - 76:12, 76:14</p> <p>driving [1] - 217:2</p> <p>drop [2] - 110:11, 171:14</p> <p>dropped [1] - 32:11</p> <p>drugstore [2] - 169:7, 169:9</p> <p>drugstores [1] - 169:12</p>	<p>dubious [1] - 220:3</p> <p>due [2] - 84:2, 169:10</p> <p>Duhay [1] - 176:15</p> <p>Dunkin' [1] - 186:2</p> <p>duration [1] - 203:16</p> <p>during [17] - 3:7, 6:4, 15:17, 17:2, 17:13, 24:1, 24:3, 29:14, 34:15, 34:17, 37:8, 38:4, 39:4, 40:1, 40:3, 61:11, 160:8</p> <p>dwelling [3] - 2:10, 71:12, 116:18</p> <hr/> <p style="text-align: center;">E</p> <hr/> <p>e-mails [1] - 27:11</p> <p>early [6] - 20:6, 197:2, 197:4, 197:5, 232:8, 236:11</p> <p>easier [2] - 130:18, 139:13</p> <p>easily [1] - 33:14</p> <p>east [2] - 183:1, 214:9</p> <p>East [2] - 97:5, 165:10</p> <p>easy [8] - 91:3, 91:13, 113:9, 144:10, 167:13, 168:6, 188:5, 194:12</p> <p>eating [1] - 207:3</p> <p>eccentric [1] - 80:12</p> <p>ecology [1] - 177:7</p> <p>Economic [1] - 16:6</p> <p>economic [1] - 128:14</p> <p>economics [2] - 20:6, 177:1</p> <p>economies [1] - 16:5</p> <p>economy [1] - 20:9</p> <p>ecosystem [1] - 45:1</p> <p>educate [1] - 122:14</p> <p>educated [1] - 21:1</p> <p>effect [3] - 124:9, 158:15, 177:4</p> <p>effectively [1] - 127:10</p> <p>effort [4] - 63:13, 115:12, 164:18, 206:13</p> <p>efforts [3] - 48:2, 60:16, 119:6</p> <p>EIA [1] - 20:6</p> <p>eight [8] - 8:17, 15:17, 104:4, 109:10, 113:5, 182:1, 183:13, 216:15</p> <p>eight-story [1] - 216:15</p> <p>either [15] - 9:7, 27:7, 30:9, 31:8, 55:6, 62:13, 87:17, 125:1,</p>	<p>130:3, 139:16, 156:7, 168:2, 183:4, 204:13</p> <p>electronically [1] - 245:4</p> <p>element [4] - 140:11, 140:16, 154:16, 199:2</p> <p>elements [7] - 140:14, 140:15, 143:2, 150:12, 150:13, 155:17, 193:8</p> <p>eleven [1] - 108:14</p> <p>eleven-foot [1] - 108:14</p> <p>eligible [3] - 9:6, 9:7, 9:9</p> <p>eliminates [1] - 121:7</p> <p>ELIZABETH [1] - 164:4</p> <p>Elizabeth [3] - 161:7, 164:5, 209:14</p> <p>elsewhere [1] - 181:1</p> <p>emerging [1] - 16:5</p> <p>emotional [1] - 92:1</p> <p>emotionally [1] - 91:17</p> <p>employees [9] - 20:13, 36:17, 37:3, 39:7, 67:9, 69:15, 98:11, 98:17, 128:8</p> <p>emptier [1] - 38:10</p> <p>empty [2] - 38:9, 58:8</p> <p>encounter [1] - 159:18</p> <p>encountered [1] - 139:15</p> <p>encourage [9] - 96:1, 118:16, 128:1, 131:15, 156:2, 178:13, 178:16, 187:2, 200:1</p> <p>encouraging [1] - 202:16</p> <p>end [17] - 9:14, 29:2, 48:13, 81:11, 85:1, 107:3, 107:8, 107:10, 138:14, 166:1, 167:15, 191:18, 192:3, 210:14, 215:7, 231:7, 239:10</p> <p>endeavor [1] - 196:7</p> <p>ended [2] - 12:4, 76:9</p> <p>ends [1] - 26:13</p> <p>enforcement [1] - 66:18</p> <p>engage [2] - 203:2, 208:8</p> <p>engaged [3] - 157:10, 157:15, 164:18</p>	<p>engaging [4] - 151:14, 151:17, 152:13, 201:1</p> <p>English [2] - 15:13, 15:15</p> <p>enhance [1] - 221:16</p> <p>enhanced [1] - 176:4</p> <p>enlarging [1] - 174:4</p> <p>enormous [2] - 75:18, 138:10</p> <p>ensure [2] - 133:3, 213:5</p> <p>enter [1] - 226:7</p> <p>Enterprise [1] - 113:17</p> <p>enterprises [1] - 20:7</p> <p>entire [4] - 27:1, 56:1, 222:4, 225:6</p> <p>entirely [4] - 24:11, 46:1, 140:13, 190:2</p> <p>entity [1] - 54:15</p> <p>entrances [3] - 150:5, 156:12, 156:13</p> <p>entrepreneur [2] - 42:5, 47:5</p> <p>entrepreneurial [1] - 40:16</p> <p>entrepreneurs [2] - 53:12, 55:4</p> <p>environment [1] - 221:17</p> <p>envision [1] - 66:18</p> <p>equitably [1] - 55:18</p> <p>era [2] - 107:16, 108:1</p> <p>ERRATA [1] - 245:1</p> <p>Errata [2] - 245:2, 245:7</p> <p>especially [5] - 38:4, 162:4, 189:16, 205:12, 209:13</p> <p>essentially [8] - 8:4, 11:17, 12:5, 12:14, 12:16, 145:7, 201:3, 228:1</p> <p>established [1] - 178:2</p> <p>estate [2] - 98:15, 176:7</p> <p>et [2] - 2:6, 2:12</p> <p>et.al [1] - 104:5</p> <p>etcetera [2] - 39:10, 40:13</p> <p>Ethan [2] - 32:7, 44:3</p> <p>evening [9] - 4:4, 4:10, 43:17, 61:5, 63:7, 103:18, 104:2, 168:16, 236:12</p> <p>event [2] - 38:12, 120:11</p> <p>events [1] - 11:7</p> <p>everywhere [1] -</p>
---	---	---	---	---

<p>20:11 evolution [1] - 19:15 evolving [1] - 239:15 exact [2] - 140:12, 207:9 exactly [7] - 21:16, 132:5, 142:11, 169:7, 170:15, 192:18, 208:12 examined [1] - 100:5 example [10] - 18:18, 66:7, 66:13, 110:17, 112:14, 114:7, 132:16, 163:12, 164:13, 204:17 except [8] - 2:15, 24:11, 49:9, 104:11, 116:1, 233:14, 240:3, 245:15 exception [2] - 181:8, 238:3 exceptions [1] - 238:2 excess [4] - 65:15, 136:6, 143:18, 206:16 exchange [1] - 157:17 Exchange [1] - 107:14 exciting [1] - 59:16 excluding [1] - 66:4 exclusive [1] - 65:16 excuse [3] - 5:13, 14:9, 175:9 Executive [3] - 242:14, 242:17, 243:3 exemplify [1] - 47:1 exempt [1] - 167:6 exemption [1] - 123:14 existence [1] - 172:6 existing [17] - 2:7, 14:12, 87:15, 88:2, 88:3, 88:8, 88:13, 90:16, 91:7, 91:8, 93:12, 116:4, 183:10, 199:5, 207:3, 214:12, 239:11 exists [3] - 90:1, 181:12, 186:1 expand [3] - 63:11, 137:13, 192:15 expanded [1] - 16:9 expands [1] - 57:16 expect [3] - 94:13, 203:18 expedient [1] - 4:7 expense [2] - 73:2, 108:5 expensive [1] - 66:13</p>	<p>experience [2] - 80:4, 81:1 expertise [1] - 80:17 expire [1] - 10:8 Expires [1] - 246:13 explain [2] - 124:15, 228:4 explained [1] - 31:6 explaining [2] - 40:8, 227:18 explore [1] - 142:13 exposed [2] - 129:4, 166:9 express [2] - 170:1, 175:17 expressed [1] - 169:10 extend [7] - 95:3, 120:14, 144:11, 148:5, 149:3, 211:12, 213:17 extended [1] - 95:4 extending [1] - 140:17, 145:15, 153:6, 197:9, 202:4, 207:4, 211:6, 213:6, 213:8, 215:12, 221:7 extension [11] - 27:7, 30:10, 88:13, 90:16, 91:8, 92:14, 136:12, 194:9, 198:12, 198:13, 223:16 extensions [1] - 204:4 extensively [1] - 84:16 extent [5] - 80:17, 88:1, 88:8, 134:13, 134:17 extra [3] - 41:5, 128:7, 136:17 extraordinary [1] - 211:17 extremely [2] - 135:5, 217:4 eye [2] - 40:4, 211:9 eyesore [1] - 111:4</p> <p style="text-align: center;">F</p> <p>facade [3] - 150:5, 155:10, 166:6 face [1] - 22:13 faced [1] - 78:7 faces [1] - 54:13 facilities [1] - 99:3 facility [1] - 110:1 facing [2] - 150:5, 156:13 fact [21] - 26:4, 54:7,</p>	<p>54:10, 67:3, 73:4, 74:16, 88:13, 96:8, 105:18, 107:2, 119:16, 121:2, 139:17, 169:10, 170:18, 180:8, 181:5, 182:3, 187:1, 235:3, 237:3 factor [2] - 160:11, 213:15 factors [1] - 55:10 factory [1] - 65:5 facts [1] - 96:15 fair [3] - 11:7, 142:4, 216:1 fairly [2] - 226:13, 227:17 fairness [1] - 236:3 fall [1] - 125:4 familiar [2] - 144:3, 217:4 families [1] - 9:4 family [4] - 6:9, 23:2, 23:5, 126:10 famous [2] - 25:1, 44:12 Faneuil [1] - 212:5 fantastic [1] - 131:3 FAR [7] - 154:4, 154:10, 199:16, 199:18, 200:9, 225:11, 229:7 far [7] - 39:2, 39:17, 53:17, 135:3, 172:18, 176:11, 189:4 Faraar [1] - 46:7 FAROOQ [15] - 4:10, 138:18, 159:9, 195:13, 196:2, 200:17, 201:16, 204:3, 204:12, 205:13, 231:2, 232:2, 232:6, 232:11, 239:13 Farooq [1] - 1:11 FARRAR [1] - 75:6 Farrar [1] - 75:7 fast [8] - 69:1, 118:14, 129:11, 130:2, 135:8, 141:9, 163:12, 185:16 fault [1] - 241:4 favor [7] - 14:5, 84:1, 92:3, 102:13, 169:18, 233:15, 240:14 favorably [1] - 50:6 favorite [2] - 40:6, 185:15 fear [3] - 187:17,</p>	<p>236:17, 236:18 fearful [1] - 146:13 feasible [1] - 155:8 February [1] - 10:8 feedback [1] - 38:18 feet [60] - 2:11, 2:11, 32:1, 42:6, 48:10, 65:16, 65:18, 66:1, 66:4, 66:11, 71:9, 108:11, 109:16, 115:11, 121:12, 121:14, 124:18, 129:5, 129:6, 129:7, 129:8, 131:8, 132:9, 132:12, 132:17, 134:12, 134:16, 135:16, 135:18, 151:1, 152:14, 152:17, 153:5, 153:8, 153:17, 153:18, 155:3, 155:15, 166:3, 166:18, 180:14, 182:1, 182:3, 182:10, 182:18, 183:1, 183:4, 183:7, 183:12, 183:14, 183:16, 183:17, 183:18, 184:10, 185:8, 198:10 fellow [3] - 44:18, 83:18, 103:15 felt [6] - 8:10, 10:6, 77:2, 77:3, 96:10, 234:17 festivals [1] - 16:14 few [15] - 5:18, 39:1, 44:17, 46:5, 47:1, 86:16, 87:3, 87:13, 154:17, 183:5, 187:10, 187:12, 201:17, 213:9, 213:17 fewer [1] - 37:17 field [1] - 92:9 Field [1] - 174:13 fight [1] - 58:1 fighting [1] - 58:17 figure [8] - 77:13, 126:14, 134:2, 197:14, 206:13, 208:15, 210:6, 244:3 figured [1] - 59:10 filed [1] - 10:10 fill [1] - 178:18 Filoz [2] - 32:5, 41:8 final [4] - 5:2, 13:2, 173:18 finally [2] - 69:15, 167:11</p>	<p>financial [2] - 12:1, 200:9 fine [2] - 202:17, 233:8 firm [3] - 21:10, 28:7, 41:10 first [21] - 53:4, 70:4, 107:8, 108:6, 118:16, 121:4, 130:15, 140:11, 158:14, 158:16, 161:6, 165:13, 175:9, 175:13, 188:15, 190:4, 211:15, 221:1, 235:10, 244:6 First [3] - 5:3, 5:5 fit [4] - 182:14, 203:13, 203:18, 239:10 Fitz [1] - 45:10 five [22] - 32:10, 34:9, 42:11, 59:1, 102:18, 113:15, 116:7, 123:13, 147:9, 147:10, 182:3, 182:10, 182:16, 183:16, 184:10, 184:15, 188:2, 191:6, 217:10, 238:11, 239:5, 239:17 five-foot [4] - 123:13, 182:16, 184:15, 188:2 fixed [1] - 57:5 fixing [1] - 22:6 flexibility [3] - 153:14, 157:16, 158:10 flexible [1] - 53:8 floating [1] - 174:18 flooding [2] - 11:3, 11:5 floor [37] - 108:9, 131:9, 134:7, 134:14, 134:18, 135:2, 135:17, 136:2, 141:16, 149:17, 149:18, 151:13, 153:2, 153:4, 153:7, 153:13, 153:16, 154:2, 154:14, 155:6, 155:9, 156:3, 156:6, 158:16, 188:1, 199:9, 199:12, 200:6, 204:14, 211:15, 213:6, 221:2, 228:13, 229:14, 230:6 Floor [3] - 1:5, 2:9,</p>
--	--	--	---	---

<p>2:10 floors [2] - 86:16, 154:3 flowers [1] - 70:16 flush [1] - 142:15 focus [10] - 61:18, 118:7, 142:16, 159:15, 160:8, 186:5, 187:14, 206:8, 206:17, 207:7 folks [3] - 91:12, 91:14, 202:3 follow [4] - 144:8, 188:5, 200:13, 204:18 followed [1] - 4:13 following [1] - 69:2 Following [1] - 2:18 food [10] - 70:14, 118:14, 129:11, 130:2, 130:3, 135:9, 141:9, 163:13, 185:17 Foods [1] - 26:9 foot [23] - 23:7, 26:8, 32:3, 43:6, 66:3, 66:6, 66:12, 66:15, 71:14, 108:14, 123:13, 125:17, 131:14, 134:8, 134:9, 134:12, 134:13, 182:16, 184:15, 185:6, 185:12, 188:2 footprint [1] - 86:2 FOR [1] - 1:2 FOREGOING [1] - 246:15 foregoing [1] - 245:15 foreign [1] - 16:4 forestall [1] - 194:15 forget [1] - 215:1 form [4] - 156:3, 188:2, 193:6, 199:7 formalized [1] - 11:18 format [2] - 137:8, 137:9 formed [1] - 178:4 formerly [2] - 21:17, 45:11 formula [2] - 154:9, 229:18 forth [7] - 64:18, 110:5, 116:14, 130:10, 170:12, 178:17, 246:6 fortune [2] - 48:17, 49:8 forward [14] - 11:10, 14:16, 39:14, 50:16,</p>	<p>51:7, 93:16, 158:4, 161:1, 201:4, 207:18, 208:2, 237:11, 237:18, 241:7 founder [2] - 44:12, 175:12 four [16] - 31:9, 34:6, 34:8, 34:10, 39:6, 61:14, 105:4, 112:11, 147:9, 147:10, 151:12, 166:16, 176:16, 187:10, 217:1, 217:10 Four [2] - 75:7, 188:14 four-story [1] - 151:12 fourth [1] - 124:11 fraction [1] - 222:10 framed [1] - 92:12 frames [1] - 15:9 framework [1] - 139:18 Francis [1] - 176:15 Frank [1] - 175:11 Franklin [5] - 15:1, 15:3, 17:6, 24:18, 33:8 frankly [5] - 122:8, 124:12, 137:15, 179:12, 234:18 Frederick [1] - 45:10 Freedman [1] - 31:18 freeing [1] - 38:17 Freeman [1] - 42:4 freezing [2] - 219:6, 220:4 Fresh [1] - 120:5 friction [1] - 83:4 friendly [6] - 115:16, 118:10, 119:10, 156:12, 167:1, 210:7 friends [1] - 16:1 Friends [2] - 2:13, 104:6 FROM [8] - 29:11, 30:3, 65:11, 110:13, 129:5, 192:14, 216:10, 223:18 front [14] - 32:3, 33:12, 45:5, 53:5, 60:5, 63:5, 124:14, 125:7, 136:12, 155:10, 156:12, 183:15, 214:4 frontage [4] - 121:7, 152:7, 152:17, 156:11 fruitful [1] - 106:11</p>	<p>Full [1] - 3:2 full [9] - 16:16, 124:14, 139:16, 198:2, 203:3, 207:8, 208:8, 230:5, 233:13 fully [2] - 38:3, 178:4 functionally [1] - 29:1 fundamentally [1] - 182:13 funding [1] - 40:11 funds [1] - 12:8 Funeral [1] - 23:1 funeral [6] - 38:12, 53:18, 72:5, 95:14, 111:15 funny [1] - 24:13 Furniture [1] - 212:8 furthermore [1] - 152:15 future [5] - 33:2, 94:6, 94:12, 169:8, 169:16 fuzzy [1] - 163:1</p> <hr/> <p style="text-align: center;">G</p> <hr/> <p>gadfly [1] - 161:10 gain [1] - 184:7 gallery [2] - 193:15, 193:16 garage [5] - 23:3, 128:13, 166:7, 166:17, 189:17 garbage [2] - 111:11, 130:7 garden [1] - 70:16 gatherings [1] - 74:11 GENERAL [3] - 1:3, 2:2, 3:5 general [4] - 72:15, 84:9, 178:17, 226:4 generally [4] - 10:6, 143:8, 156:3, 217:13 generation [1] - 184:18 generously [1] - 132:14 gentleman [2] - 63:5, 80:12 Genzyme [1] - 54:15 gist [1] - 121:17 given [10] - 20:8, 26:13, 79:15, 116:5, 140:4, 161:4, 181:12, 189:14, 234:15, 242:9 givers [1] - 188:3 glass [1] - 110:18</p>	<p>glazed [1] - 166:7 glazing [2] - 150:5, 156:11 gleaned [1] - 53:10 globe [1] - 21:5 goal [2] - 61:18, 87:7 goals [5] - 62:4, 62:5, 63:2, 198:7, 209:9 God [1] - 59:15 gonna [18] - 27:17, 44:7, 55:12, 57:17, 59:12, 68:7, 77:12, 106:4, 106:14, 111:18, 113:3, 113:8, 117:17, 119:8, 124:9, 172:11, 172:12 good-intentioned [1] - 210:1 goods [1] - 70:18 Gorilla [1] - 16:17 gosh [1] - 89:1 governing [1] - 176:10 government [2] - 191:4, 210:3 Government [1] - 16:4 grab [1] - 21:3 grabs [1] - 222:5 gracious [3] - 121:15, 134:7, 134:17 grade [1] - 156:7 Graduate [1] - 15:10 graduate [1] - 15:14 graduates [1] - 76:10 GRAHAM [2] - 56:14, 60:13 Graham [2] - 56:15, 81:18 grain [1] - 202:17 grandfathering [1] - 141:13 granted [1] - 158:18 granting [2] - 162:2, 162:3 grateful [1] - 135:5 great [20] - 13:4, 18:10, 23:2, 26:5, 26:8, 37:10, 80:12, 84:11, 108:5, 127:13, 132:16, 158:3, 183:3, 207:13, 208:13, 209:4, 216:16, 218:3, 219:15, 241:6 greater [1] - 159:7 greatly [1] - 191:3 Green [4] - 17:5, 24:17, 25:1, 70:4</p>	<p>green [3] - 31:1, 31:5, 174:14 Grossman [2] - 169:3 ground [40] - 108:9, 112:9, 112:11, 112:12, 113:18, 119:9, 121:6, 128:17, 129:2, 134:7, 134:14, 134:17, 135:2, 135:18, 141:16, 149:17, 151:13, 153:2, 153:4, 153:7, 153:13, 153:16, 154:1, 154:14, 155:6, 155:9, 156:3, 156:6, 180:1, 186:9, 188:1, 199:9, 199:12, 200:6, 204:14, 213:5, 228:13, 229:14, 230:6 group [7] - 45:11, 74:10, 119:5, 158:2, 197:16, 197:17, 219:12 groups [1] - 53:4 grow [2] - 82:6, 82:7 Grow [1] - 212:1 growth [2] - 18:2, 75:15 guard [1] - 106:1 guess [30] - 52:16, 56:13, 59:5, 81:15, 82:3, 84:7, 86:12, 87:9, 87:12, 89:15, 92:5, 94:3, 94:4, 94:12, 97:17, 123:8, 142:16, 159:3, 161:6, 162:16, 169:11, 190:15, 193:2, 193:12, 194:1, 197:7, 198:9, 218:16, 220:5, 220:15 guidance [5] - 114:11, 115:6, 122:10, 138:16, 174:10 guide [2] - 12:5, 13:1 guidelines [11] - 106:9, 118:11, 142:3, 178:1, 178:11, 178:18, 192:11, 192:13, 205:1, 214:1, 215:16 Guidelines [2] - 122:2, 122:4 guiding [2] - 11:8, 11:9 Guinness [1] - 48:9 guy [1] - 49:2</p>
--	---	---	---	---

<p>guys [2] - 77:14, 189:10 Gym [1] - 16:17</p>	<p>hearing [26] - 5:1, 5:2, 5:10, 5:11, 5:13, 14:8, 32:10, 36:1, 101:12, 103:5, 103:10, 104:4, 104:12, 139:4, 145:8, 160:14, 175:16, 193:14, 201:10, 232:1, 232:3, 232:18, 240:11, 244:7, 246:6</p>	<p>historical [5] - 133:4, 133:6, 135:10, 136:9, 181:9 historically [1] - 164:7 history [3] - 45:3, 87:13, 106:13 hodge [1] - 106:5 hodge-podge [1] - 106:5</p>	<p>216:13 housing [23] - 18:3, 18:6, 18:8, 18:10, 18:11, 45:18, 57:10, 57:11, 58:12, 86:6, 116:2, 156:5, 199:5, 199:6, 217:12, 229:11, 229:18, 230:7, 230:9, 230:12, 230:14</p>	<p>immediate [3] - 42:15, 89:6, 95:11 immediately [1] - 172:2 impact [5] - 27:17, 40:9, 92:1, 106:7, 231:14 impacts [2] - 11:3 impediment [1] - 155:6</p>
H				
<p>hair [1] - 110:4 half [6] - 8:4, 8:7, 18:12, 44:4, 214:17, 217:2 Hall [4] - 165:4, 168:11, 173:12, 212:5 hammered [2] - 120:15, 121:1 hand [8] - 24:10, 79:3, 108:1, 111:11, 194:5, 194:6, 246:8 Handbook [2] - 122:2, 122:4 handbook [1] - 142:11 handicap [1] - 116:2 hands [6] - 14:6, 56:6, 56:8, 102:14, 172:12, 240:15 happy [1] - 30:5 hard [5] - 76:6, 94:17, 150:10, 204:11, 210:15 hardship [2] - 46:3, 101:1 HARPO [1] - 105:8 Harvard [12] - 15:10, 37:1, 48:8, 61:12, 61:15, 64:12, 78:13, 83:15, 106:11, 127:11, 131:17, 177:12 HASS [2] - 188:13, 188:14 Hass [1] - 188:14 hate [5] - 94:16, 123:4, 205:8, 218:18, 220:1 HAWKINSON [3] - 35:18, 243:11, 243:18 hear [11] - 15:6, 83:17, 101:12, 103:17, 109:2, 111:7, 145:14, 160:14, 185:18, 195:2, 232:7 heard [14] - 42:16, 59:6, 87:11, 88:4, 91:11, 91:16, 117:3, 128:3, 172:17, 190:4, 197:17, 209:12, 212:18, 225:14</p>	<p>HEARING [1] - 1:3 Hearings [1] - 2:5 hearings [4] - 4:12, 9:18, 117:3, 244:2 heart [1] - 76:16 heat [1] - 11:3 heavily [1] - 177:9 height [16] - 2:11, 119:1, 133:16, 133:18, 134:5, 141:17, 150:4, 153:6, 153:7, 153:17, 155:14, 162:14, 166:18, 177:4, 217:13, 225:11 heights [1] - 154:2 heirs [1] - 172:12 held [1] - 9:18 hello [1] - 51:12 help [7] - 16:4, 51:5, 69:9, 73:14, 113:1, 127:15, 136:8 helped [1] - 198:18 helpful [1] - 7:10 helping [1] - 147:13 helps [2] - 45:1, 159:10 hereby [1] - 245:16 herein [1] - 246:6 hereunto [1] - 246:8 hi [3] - 61:1, 68:17, 70:2 high [9] - 66:2, 115:11, 127:4, 127:5, 127:6, 131:12, 134:4, 166:3 higher [4] - 9:13, 134:6, 136:17, 213:14 highlight [1] - 105:14 highly [1] - 21:1 hire [4] - 37:5, 172:16, 234:6, 234:9 hired [1] - 20:14 historic [5] - 178:17, 186:16, 186:17, 193:1, 214:6</p>	<p>hold [5] - 5:15, 178:2, 178:3, 178:7, 190:15 holding [1] - 232:17 hole [1] - 112:9 home [18] - 17:2, 39:10, 53:18, 54:1, 55:18, 62:18, 63:10, 63:11, 72:5, 72:7, 72:8, 76:18, 79:1, 95:14, 98:6, 98:14, 111:15 Home [6] - 23:1, 90:1, 90:7, 90:9, 98:1, 98:5 homes [4] - 57:4, 95:14, 108:3 honest [1] - 166:14 Hong [1] - 48:17 honor [1] - 74:16 hop [1] - 127:2 Hope [2] - 33:1, 165:1 hope [6] - 49:17, 50:5, 60:15, 106:12, 124:8, 185:2 hopefully [1] - 10:18 hopes [1] - 167:12 horizon [1] - 11:5 horror [1] - 162:17 host [2] - 68:10, 159:18 hot [1] - 33:5 hotel [1] - 67:11 hour [1] - 171:13 hours [3] - 59:1, 103:7, 242:2 house [21] - 23:2, 23:8, 28:1, 28:6, 30:2, 33:13, 42:6, 51:14, 56:16, 58:6, 58:7, 58:10, 58:17, 59:9, 59:10, 60:5, 113:1, 113:2, 114:16, 115:11, 181:9 households [1] - 9:2 houses [11] - 22:12, 27:9, 46:5, 59:17, 113:4, 114:15, 115:1, 117:13, 180:16, 180:18,</p>	<p>Housing [1] - 9:16 Howard [2] - 23:12, 62:12 huge [4] - 85:13, 159:12, 189:5, 206:12 HUGH [25] - 78:7, 97:17, 100:9, 101:5, 101:10, 102:3, 144:7, 159:3, 212:18, 216:4, 221:10, 223:3, 223:10, 223:16, 224:1, 224:3, 224:11, 232:16, 233:3, 233:8, 233:15, 237:9, 238:8, 238:11, 238:15 Hugh [7] - 1:8, 78:6, 97:16, 144:6, 212:17, 220:18, 226:6 Hugh's [1] - 228:12 Human [1] - 12:10 human [1] - 69:6 hundreds [2] - 39:1, 106:15 husband [1] - 70:6 hygienists [1] - 116:9</p> <p style="text-align: center;">I</p> <p>idea [7] - 65:2, 80:7, 98:1, 115:4, 162:5, 190:14, 243:15 ideal [1] - 209:15 ideas [3] - 32:13, 174:18, 198:9 identical [3] - 2:15, 52:4, 104:10 identified [1] - 133:4 identifies [1] - 135:15 illogical [1] - 95:2 illustrating [1] - 168:4 imaginable [1] - 185:11 imagine [2] - 42:10, 185:11 imbalance [1] - 113:11</p>	<p>imperfect [1] - 194:13 important [11] - 11:1, 26:1, 64:17, 85:3, 90:15, 144:14, 144:18, 159:4, 160:5, 187:7, 215:3 impose [1] - 46:2 imposes [1] - 150:4 imposition [1] - 90:10 improve [1] - 173:4 improved [1] - 222:6 improvements [3] - 69:14, 176:1, 187:15 IN [2] - 246:8, 246:16 in-fill [1] - 178:18 Inasmuch [1] - 175:15 inaudible [4] - 41:9, 54:17, 113:7, 214:4 inaudible [1] - 41:12 INC [1] - 1:16 incentive [6] - 199:3, 199:10, 200:9, 229:8, 230:4, 230:18 incentives [3] - 121:15, 136:5, 206:15 incidentally [1] - 17:12 include [7] - 92:8, 93:9, 93:10, 95:4, 151:13, 152:6, 208:4 included [3] - 92:13, 165:5, 176:9 includes [2] - 149:14, 152:10 including [4] - 74:2, 131:9, 149:15, 181:10 inclusionary [1] - 8:9 income [10] - 7:15, 7:18, 8:2, 8:4, 8:10, 8:11, 9:6, 9:10, 9:14, 200:18 incorporated [1] - 237:13 incorporates [1] - 220:10 increase [3] - 25:17,</p>

<p>73:11, 134:9 increased [2] - 77:5, 153:18 increasing [3] - 18:5, 127:6, 153:3 incredible [1] - 185:10 indent [1] - 184:10 independent [1] - 131:11 independently [1] - 18:14 Index [2] - 2:18, 3:8 indicated [2] - 67:1, 68:11 indistinguishable [1] - 53:16 individually [1] - 147:17 inevitable [4] - 49:9, 113:8, 168:8, 176:8 inform [1] - 11:13 information [9] - 6:14, 7:3, 11:2, 11:9, 53:9, 189:13, 192:8, 192:9, 231:11 informed [1] - 45:13 initiative [1] - 52:14 injuries [1] - 116:13 inland [1] - 105:4 innocuous [1] - 90:6 innovation [1] - 86:1 innovative [1] - 42:9 innovator [1] - 44:18 inside [1] - 17:2 instance [2] - 89:4, 153:15 instead [5] - 46:9, 100:18, 106:5, 121:14, 231:9 Institute [1] - 107:11 institutional [2] - 150:2, 152:12 institutions [1] - 126:10 INSTRUCTIONS [2] - 245:1, 245:5 instrument [2] - 82:16, 83:5 intended [2] - 103:13, 161:12 intent [1] - 92:11 intention [2] - 93:8, 242:2 intentioned [4] - 210:1, 210:2, 210:3 intently [1] - 181:18 interact [1] - 201:11 interaction [1] - 201:13 interest [3] - 5:17,</p>	<p>80:16, 89:10 interested [1] - 145:8 interesting [8] - 6:6, 44:14, 52:6, 70:15, 112:16, 137:5, 195:1, 240:18 interests [2] - 40:16 interim [29] - 178:1, 178:7, 193:14, 194:7, 194:10, 194:14, 194:15, 195:11, 197:9, 198:12, 198:13, 200:14, 200:16, 203:12, 220:16, 221:1, 221:4, 222:2, 222:4, 223:1, 223:9, 231:12, 236:14, 238:3, 238:7, 238:8, 238:10, 239:2, 239:9 International [1] - 16:6 internet [3] - 66:10, 73:17, 98:16 interpreted [1] - 27:13 intersection [2] - 34:7, 166:4 invasive [1] - 53:17 inventor/ entrepreneur [1] - 19:7 invested [1] - 63:12 investing [2] - 222:10, 222:11 investment [2] - 16:5, 82:5 investments [2] - 63:18, 64:2 invited [2] - 121:2, 176:15 inviting [1] - 168:16 involved [4] - 48:14, 119:5, 203:15, 229:6 involvement [1] - 187:3 iPhone [1] - 36:11 IRAM [15] - 4:10, 138:18, 159:9, 195:13, 196:2, 200:17, 201:16, 204:3, 204:12, 205:13, 231:2, 232:2, 232:6, 232:11, 239:13 Iram [5] - 1:11, 51:17, 137:4, 200:12, 215:5 Iram's [1] - 203:2 ironically [1] - 24:12</p>	<p>irony [1] - 37:10 issue [18] - 33:9, 33:14, 57:8, 61:13, 88:16, 100:5, 103:2, 141:6, 143:4, 143:9, 143:11, 152:1, 152:2, 171:6, 171:18, 187:8, 215:6 issues [20] - 5:16, 61:14, 84:12, 130:4, 130:5, 143:17, 144:18, 148:10, 151:15, 170:17, 182:12, 182:15, 192:16, 208:5, 208:9, 217:7, 222:9, 227:10, 227:11, 235:4 item [4] - 3:7, 33:6, 197:2, 241:13 items [4] - 6:1, 144:12, 197:4, 234:16 itself [3] - 82:17, 89:13, 124:10</p> <hr/> <p style="text-align: center;">J</p> <hr/> <p>Janice [1] - 22:1 January [6] - 140:5, 231:12, 232:8, 237:4, 240:12, 241:8 Japanese [1] - 110:2 Jay [8] - 2:7, 14:13, 23:12, 27:14, 57:2, 61:7, 62:12, 93:7 JEFF [11] - 13:11, 13:16, 92:9, 93:2, 93:15, 140:9, 149:6, 157:5, 224:16, 225:2, 227:16 Jeff [17] - 1:13, 13:9, 27:10, 118:15, 129:1, 129:14, 134:1, 135:6, 137:3, 139:1, 140:7, 149:2, 156:17, 158:12, 163:3, 202:10, 224:13 JENNIFER [1] - 72:3 Jennifer [1] - 72:3 jerk [1] - 146:14 jigsaw [1] - 124:9 job [2] - 21:8, 123:7 jobs [10] - 20:8, 20:13, 20:17, 21:3, 21:11, 21:12, 75:14, 76:9, 76:10, 172:18 Joe [1] - 7:5</p>	<p>JOHN [3] - 35:18, 243:11, 243:18 Joseph [1] - 1:14 JR [16] - 14:3, 92:5, 93:1, 93:14, 94:3, 94:11, 192:6, 192:15, 203:9, 204:10, 205:7, 238:6, 238:9, 238:13, 239:8, 240:6 Jr [1] - 1:10 judgment [1] - 215:9 juggle [1] - 196:12 July [1] - 59:1 jump [1] - 237:18 jumped [1] - 159:15 Junction [1] - 212:9</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p>K2-C2 [1] - 96:3 keep [17] - 9:4, 16:7, 40:4, 58:11, 60:7, 61:18, 62:8, 75:2, 96:5, 96:7, 124:12, 135:18, 173:1, 177:6, 205:12, 209:18, 212:1 keeping [1] - 96:17 Kendall [6] - 76:7, 85:14, 117:4, 127:1, 138:9, 207:15 Kennedy [1] - 16:3 kept [1] - 70:8 key [3] - 43:3, 199:1, 230:16 KeyWord [1] - 3:8 Khalsa [1] - 116:12 kicker [1] - 184:14 kids [4] - 17:1, 23:5, 37:15, 216:18 kind [26] - 20:4, 30:10, 31:10, 38:12, 73:11, 74:9, 74:17, 85:13, 94:4, 113:2, 133:12, 140:1, 154:10, 156:4, 160:7, 164:13, 165:11, 173:15, 173:16, 174:18, 190:18, 199:17, 204:16, 218:16, 231:6, 235:2 kinds [7] - 16:9, 26:6, 68:14, 157:12, 168:5, 177:6 kinetic [1] - 35:13 Kinnaird [22] - 2:8, 14:14, 22:9, 22:16, 33:13, 34:8, 34:11,</p>	<p>42:5, 46:4, 47:6, 57:1, 61:3, 61:6, 62:3, 63:9, 65:6, 68:18, 70:3, 70:5, 75:9, 92:16, 93:8 KIRIL [36] - 14:18, 15:5, 17:17, 19:10, 21:13, 24:2, 25:6, 26:2, 26:16, 28:9, 28:14, 28:18, 29:17, 30:4, 35:2, 35:7, 35:12, 35:16, 36:2, 36:8, 37:9, 38:8, 40:5, 42:1, 43:4, 43:10, 43:18, 44:11, 46:17, 47:4, 47:18, 50:4, 51:4, 94:10, 99:12, 99:15 Kiril [4] - 2:6, 14:10, 15:1, 75:10 Kiril's [1] - 76:14 kitchen [2] - 109:17, 163:16 knee [1] - 146:14 knee-jerk [1] - 146:14 knocked [2] - 59:17, 180:17 knocks [1] - 184:5 knowing [2] - 142:9, 228:18 known [2] - 2:12, 104:6 knows [2] - 111:17, 190:16 Kong [1] - 48:18 Kramer [1] - 175:11 Kroon [7] - 2:12, 4:13, 5:10, 104:5, 105:3, 117:18, 175:18 KROON [8] - 105:2, 110:14, 118:5, 118:8, 129:6, 146:7, 224:2, 241:1</p> <hr/> <p style="text-align: center;">L</p> <hr/> <p>L-u-c-a-s [1] - 63:8 laboratories [1] - 121:8 Labs [1] - 44:13 ladies [1] - 39:16 land [2] - 132:6, 229:9 landlords [1] - 172:10 language [17] - 128:16, 129:7, 129:13, 131:6, 133:17, 144:11, 162:10, 162:11, 163:1, 179:10, 189:16, 196:5, 203:5, 208:15,</p>
---	---	---	---	---

<p>231:13, 235:8, 241:3</p> <p>large [11] - 54:14, 55:2, 77:10, 85:9, 109:5, 110:1, 111:2, 131:12, 138:4, 147:6, 244:2</p> <p>largely [2] - 81:12, 91:6</p> <p>larger [4] - 108:11, 147:18, 179:1, 227:12</p> <p>largest [2] - 48:9, 52:11</p> <p>last [17] - 6:1, 9:17, 10:11, 10:14, 24:11, 36:1, 67:1, 87:13, 133:15, 143:8, 164:16, 165:4, 165:6, 177:14, 178:10, 187:3, 208:10</p> <p>late [3] - 35:4, 45:4, 197:6</p> <p>laundry [2] - 71:1, 110:3</p> <p>Law [1] - 243:5</p> <p>law [4] - 22:1, 28:7, 41:10, 182:6</p> <p>Lawrence [2] - 75:7, 76:18</p> <p>Lawson [1] - 246:4</p> <p>lawyer [3] - 19:11, 21:18, 234:6</p> <p>lawyers [1] - 58:9</p> <p>leadership [1] - 119:4</p> <p>leading [1] - 158:8</p> <p>learned [3] - 15:12, 20:6, 208:17</p> <p>least [9] - 84:13, 111:3, 131:5, 131:13, 140:5, 153:8, 170:15, 195:10, 234:12</p> <p>leave [2] - 55:6, 158:10</p> <p>led [1] - 234:18</p> <p>left [1] - 185:18</p> <p>legal [1] - 235:8</p> <p>lend [1] - 82:17</p> <p>length [2] - 27:1, 176:17</p> <p>lengths [1] - 34:13</p> <p>LEONARD [4] - 63:7, 65:13, 67:15, 68:4</p> <p>Leonard [1] - 63:8</p> <p>Lesley [11] - 106:11, 107:12, 113:14, 113:17, 114:13, 126:11, 180:8, 181:17, 182:6,</p>	<p>182:7, 190:7</p> <p>less [11] - 7:2, 32:2, 43:5, 53:17, 71:15, 89:13, 140:16, 152:15, 230:2, 230:10, 239:8</p> <p>lessons [1] - 208:17</p> <p>letter [5] - 32:11, 41:1, 45:14, 61:5, 175:10</p> <p>letters [9] - 31:12, 41:7, 42:18, 43:8, 46:9, 46:16, 47:1, 49:5, 91:15</p> <p>level [21] - 6:13, 8:6, 11:6, 84:14, 87:4, 109:16, 111:12, 112:12, 113:18, 119:9, 121:6, 128:18, 129:2, 131:15, 131:16, 135:18, 151:15, 158:5, 174:9, 182:2, 182:3</p> <p>libraries [1] - 40:12</p> <p>library [1] - 107:17</p> <p>License [1] - 246:12</p> <p>life [4] - 39:11, 111:12, 176:5, 223:8</p> <p>light [3] - 96:8, 170:17, 178:7</p> <p>lightly [1] - 64:3</p> <p>likelihood [2] - 10:10, 184:18</p> <p>likely [3] - 55:3, 55:7, 139:14</p> <p>limit [4] - 2:11, 51:9, 90:6, 154:12</p> <p>limitation [1] - 152:16</p> <p>limited [6] - 2:8, 52:5, 85:15, 121:12, 124:4, 152:14</p> <p>limiting [3] - 42:2, 55:10, 101:5</p> <p>limits [2] - 150:4, 222:7</p> <p>line [22] - 10:17, 13:5, 33:18, 45:14, 57:18, 117:10, 120:7, 123:18, 124:16, 124:18, 125:3, 125:17, 127:11, 149:14, 164:16, 181:4, 181:14, 181:16, 184:2, 184:4, 184:7, 225:7</p> <p>Line [1] - 127:12</p> <p>LINE [1] - 245:8</p> <p>lines [3] - 117:14, 125:2, 127:9</p> <p>Linnaean [3] - 105:3,</p>	<p>169:1, 181:6</p> <p>list [9] - 25:5, 25:7, 25:11, 56:5, 133:5, 135:11, 149:14, 161:4, 206:9</p> <p>listed [2] - 92:16, 221:15</p> <p>listening [1] - 191:11</p> <p>lit [1] - 60:1</p> <p>literally [6] - 22:16, 39:17, 42:6, 172:7, 174:11, 180:17</p> <p>literature [1] - 15:15</p> <p>litter [1] - 130:9</p> <p>live [36] - 17:6, 18:7, 21:6, 21:17, 25:14, 42:11, 45:3, 48:3, 50:1, 51:13, 53:14, 55:5, 56:15, 57:5, 58:2, 59:14, 61:2, 63:8, 63:17, 68:18, 72:4, 74:17, 75:7, 105:3, 164:5, 170:6, 171:10, 175:7, 181:5, 181:6, 188:14, 198:2, 207:9, 211:6, 219:12, 219:13</p> <p>live/work [1] - 53:8</p> <p>liveable [1] - 71:8</p> <p>lived [9] - 17:5, 17:14, 22:5, 30:6, 33:9, 37:5, 72:11, 216:11, 216:16</p> <p>liveliness [1] - 172:6</p> <p>lives [3] - 31:18, 47:5, 74:4</p> <p>living [4] - 31:16, 80:4, 80:8, 177:14</p> <p>Liza [2] - 13:7, 188:16</p> <p>Liza's [1] - 243:8</p> <p>loading [4] - 97:2, 97:18, 117:6, 117:7</p> <p>loathed [1] - 85:5</p> <p>local [11] - 20:13, 45:1, 48:12, 48:13, 118:16, 130:15, 131:3, 172:16, 175:12, 175:13, 185:4</p> <p>locally [1] - 172:15</p> <p>locate [1] - 76:3</p> <p>located [1] - 156:7</p> <p>location [2] - 90:15, 159:16</p> <p>locations [1] - 30:14</p> <p>logic [1] - 81:15</p> <p>look [30] - 11:18, 30:18, 64:17, 71:2, 85:7, 87:10, 92:12, 92:17, 93:2, 95:16,</p>	<p>97:4, 97:12, 98:1, 100:14, 101:15, 113:2, 125:1, 132:11, 177:17, 180:2, 182:2, 183:10, 213:18, 214:7, 218:12, 219:8, 227:9, 237:10, 241:7, 242:4</p> <p>looked [10] - 33:17, 66:10, 69:13, 76:6, 79:8, 84:13, 142:5, 177:1, 177:2, 195:16</p> <p>looking [22] - 6:14, 8:2, 11:4, 11:6, 12:13, 17:9, 34:11, 65:4, 78:18, 85:17, 86:7, 98:7, 102:6, 151:8, 184:9, 186:16, 191:8, 225:15, 225:17, 227:3, 227:8</p> <p>looks [2] - 11:2, 38:9</p> <p>lose [4] - 28:3, 55:8, 130:13, 130:14</p> <p>losing [2] - 171:5, 174:16</p> <p>loss [5] - 116:4, 126:13, 136:5, 212:2, 216:16</p> <p>lost [2] - 133:12, 185:3</p> <p>Lou [3] - 92:4, 92:18, 192:4</p> <p>Louis [1] - 1:10</p> <p>LOUIS [16] - 14:3, 92:5, 93:1, 93:14, 94:3, 94:11, 192:6, 192:15, 203:9, 204:10, 205:7, 238:6, 238:9, 238:13, 239:8, 240:6</p> <p>love [3] - 132:17, 160:14, 171:8</p> <p>lovely [1] - 209:16</p> <p>low [1] - 6:13</p> <p>Lowell [1] - 76:11</p> <p>lower [5] - 9:13, 109:16, 131:14, 135:12, 155:14</p> <p>lowers [1] - 154:10</p> <p>lubricate [1] - 210:7</p> <p>LUCAS [5] - 63:7, 65:13, 67:15, 68:4, 70:2</p> <p>Lucas [2] - 63:8, 70:2</p> <p>lunch [2] - 39:9, 39:10</p> <p>Lunder [1] - 107:13</p>	<p style="text-align: center;">M</p> <p>Ma'am [3] - 60:10, 72:2, 188:12</p> <p>machines [1] - 49:9</p> <p>Magazine [1] - 161:9</p> <p>MAGGIE [1] - 61:1</p> <p>Maggie [1] - 61:2</p> <p>mails [1] - 27:11</p> <p>main [2] - 44:15, 61:18</p> <p>maintain [2] - 44:2, 45:2</p> <p>maintaining [1] - 87:6</p> <p>major [5] - 82:5, 140:11, 154:15, 155:17, 181:10</p> <p>Mall [1] - 130:17</p> <p>Manager [3] - 1:11, 4:9, 195:3</p> <p>mandated [1] - 218:5</p> <p>mandatory [2] - 123:13, 184:15</p> <p>mansions [1] - 180:12</p> <p>mantra [1] - 20:12</p> <p>manufacturer [1] - 70:18</p> <p>manufacturing [1] - 121:8</p> <p>MAOD [3] - 164:16, 165:6, 167:17</p> <p>map [2] - 30:13, 93:3</p> <p>Map [2] - 2:6, 14:12</p> <p>MAPOCO [8] - 2:13, 2:13, 104:6, 104:7, 105:5, 167:16, 168:4, 175:17</p> <p>March [2] - 22:6, 22:18</p> <p>marijuana [1] - 121:9</p> <p>marked [1] - 8:5</p> <p>market [2] - 57:12, 65:10</p> <p>married [1] - 65:14</p> <p>MARTHA [1] - 188:13</p> <p>Martha [1] - 188:13</p> <p>Martin [1] - 181:6</p> <p>Mass [74] - 75:8, 76:7, 104:8, 104:10, 105:4, 105:5, 117:7, 119:13, 120:2, 129:8, 129:13, 133:17, 140:17, 141:11, 144:15, 145:15, 147:1, 148:5, 149:3, 149:7, 149:9, 151:5, 151:7, 151:18, 152:5, 154:11, 155:2, 155:18, 156:9,</p>
--	---	--	---	---

<p>156:11, 156:13, 157:4, 157:8, 159:15, 163:9, 164:9, 164:14, 165:5, 165:7, 169:2, 172:3, 173:3, 176:2, 176:17, 177:16, 180:1, 187:7, 187:11, 190:6, 194:9, 195:15, 199:1, 199:4, 199:7, 202:2, 203:12, 203:16, 203:17, 208:17, 211:8, 211:13, 211:17, 213:3, 217:9, 219:5, 221:7, 221:8, 223:18, 224:4, 225:6, 226:4, 229:7, 229:15, 230:3</p> <p>mass [2] - 27:2, 27:4 MASSACHUSETTS [1] - 246:2 Massachusetts [9] - 1:6, 2:14, 2:15, 76:11, 122:3, 149:10, 149:11, 213:1, 224:4 master [14] - 53:10, 97:3, 100:8, 147:5, 178:8, 187:15, 190:17, 191:1, 203:14, 205:9, 205:11, 223:12, 237:14, 238:16 masterful [1] - 189:6 masterfully [3] - 189:17, 189:18, 190:2 masterminding [1] - 162:4 mat [1] - 110:4 materials [1] - 167:2 matter [8] - 30:15, 38:3, 54:18, 185:16, 193:11, 223:9, 241:14 maximize [4] - 181:2, 183:2, 199:6, 229:10 McDonald's [1] - 163:13 McDonalds's [1] - 55:12 mean [36] - 21:4, 36:15, 36:16, 87:10, 89:1, 89:3, 89:10, 91:3, 93:15, 97:2, 142:12, 144:14, 145:16, 146:4, 147:6, 149:5, 160:4, 163:5, 172:17,</p>	<p>191:6, 191:9, 196:8, 196:9, 201:11, 201:17, 220:12, 223:1, 224:1, 231:18, 232:16, 234:13, 239:13, 240:17 meaning [2] - 41:12, 150:18 means [5] - 129:16, 142:15, 163:14, 207:2, 207:3 meant [2] - 115:4, 156:1 measure [11] - 145:7, 194:8, 194:11, 195:11, 197:9, 220:17, 221:1, 221:4, 221:18, 222:3, 236:14 mechanisms [2] - 168:7, 211:12 median [1] - 8:3 Medicinals [1] - 5:12 meet [9] - 26:13, 58:3, 165:16, 167:4, 167:5, 167:7, 173:7, 173:11, 180:3 Meeting [2] - 1:5, 2:4 meeting [10] - 4:5, 4:17, 10:15, 13:10, 13:13, 31:3, 67:1, 75:12, 189:2, 196:4 meetings [3] - 5:6, 173:8, 243:3 Member [4] - 1:8, 1:9, 1:9, 1:10 members [7] - 50:9, 83:18, 103:15, 144:2, 156:15, 227:2, 243:14 memo [1] - 241:2 memorialize [1] - 212:11 memorialized [2] - 81:13, 184:4 memory [1] - 13:11 men [2] - 56:12, 189:11 mention [3] - 43:3, 180:5, 231:3 mentioned [6] - 4:15, 7:11, 150:8, 182:17, 187:8, 202:1 Mercedes [1] - 45:4 merchants [2] - 171:8, 171:12 merchants' [1] - 171:13 met [2] - 29:18, 30:2 meters [1] - 45:5</p>	<p>mic [1] - 209:12 microphone [1] - 216:10 microphones [1] - 104:1 middle [9] - 7:15, 7:18, 8:2, 8:11, 9:14, 36:10, 88:12, 96:5, 225:12 might [37] - 5:16, 10:10, 27:14, 51:4, 100:2, 100:12, 107:9, 122:3, 124:3, 127:1, 134:2, 146:12, 147:12, 148:2, 157:12, 159:11, 159:14, 161:9, 181:18, 184:12, 185:18, 188:3, 189:12, 189:18, 190:1, 194:6, 194:13, 194:14, 194:17, 195:1, 212:13, 212:14, 213:15, 234:6, 236:14, 238:5 mildly [1] - 165:18 mile [1] - 186:4 Milford [1] - 5:12 million [8] - 19:3, 19:4, 66:9, 78:12, 107:9, 113:5, 222:6, 222:9 mind [1] - 184:16 minding [1] - 29:9 mine [2] - 75:11 minimum [1] - 188:1 minor [1] - 124:12 minutes [5] - 51:10, 68:1, 161:3, 242:13, 242:17 Miracle [1] - 212:1 misinterpretation [1] - 242:16 miss [1] - 211:1 missed [1] - 94:18 missing [2] - 174:4, 174:15 mistake [1] - 31:3 mistaken [1] - 158:13 mistakes [1] - 194:16 MIT [4] - 15:18, 16:1, 42:5, 64:11 mix [4] - 73:6, 73:8, 73:10, 156:4 mixed [19] - 5:4, 22:11, 24:16, 44:2, 45:3, 49:12, 53:11, 73:5, 73:11, 74:17, 77:15, 87:1, 90:16,</p>	<p>91:2, 153:17, 200:1, 205:4, 229:12, 229:13 mobility [1] - 160:4 model [3] - 45:4, 204:18, 227:4 modern [3] - 107:18, 112:16, 186:18 modification [1] - 205:3 modifications [2] - 2:16, 104:11 modified [1] - 213:4 modify [1] - 162:6 modifying [1] - 141:5 mom [1] - 163:15 moment [1] - 26:13 moments [1] - 161:14 Monday [4] - 5:14, 10:5, 34:2 monetize [1] - 32:14 money [8] - 12:2, 25:12, 48:11, 57:3, 63:12, 167:14, 172:13, 174:16 month [4] - 78:16, 80:7, 116:8, 116:10 months [9] - 17:3, 39:6, 96:9, 96:16, 123:4, 123:5, 178:5, 195:18, 196:3 MOORE [1] - 175:6 Moore [1] - 175:7 morning [3] - 75:13, 130:8, 244:11 mortuaries [1] - 121:9 most [23] - 16:16, 26:4, 30:1, 43:2, 54:6, 55:2, 55:7, 76:9, 89:5, 89:6, 89:9, 95:8, 98:13, 111:5, 125:13, 149:1, 180:11, 184:17, 185:9, 187:7, 198:16, 234:4, 244:10 mostly [1] - 129:11 motion [5] - 13:17, 102:7, 102:9, 102:13, 220:9 move [9] - 39:13, 43:16, 47:8, 58:6, 80:2, 93:16, 148:17, 196:13, 196:14 moved [5] - 10:5, 14:1, 180:17, 181:1 moves [1] - 164:10 moving [1] - 11:11 multi [4] - 6:9, 71:12, 126:9, 126:10 multi-dwelling [1] -</p>	<p>71:12 multi-family [2] - 6:9, 126:10 multi-use [1] - 126:9 multiple [2] - 71:16, 132:7 municipal [1] - 128:4 murmuring [1] - 193:17 murmurs [3] - 193:14, 193:15, 194:2 must [2] - 86:14, 122:15 MXD [4] - 10:1, 10:4, 10:5, 54:16</p> <hr/> <p style="text-align: center;">N</p> <hr/> <p>name [22] - 14:10, 14:18, 50:15, 51:7, 51:12, 56:5, 56:14, 61:1, 63:8, 68:17, 72:3, 75:6, 105:2, 111:5, 112:1, 161:2, 161:8, 164:4, 168:17, 175:6, 188:13, 188:16 names [1] - 119:7 narrow [1] - 108:13 narrowed [1] - 108:13 natural [2] - 19:14, 123:17 nature [1] - 144:15 Nazi [1] - 163:16 near [3] - 174:6, 211:7, 225:7 necessarily [3] - 20:18, 21:9, 201:5 need [30] - 21:8, 51:5, 53:8, 57:10, 58:11, 67:14, 71:3, 79:4, 93:17, 96:6, 103:8, 106:2, 110:8, 116:9, 116:14, 128:8, 130:11, 135:7, 143:2, 143:12, 144:18, 145:5, 168:7, 178:9, 186:3, 201:11, 207:16, 208:14, 228:13 needed [2] - 10:7, 157:13 needing [1] - 227:7 needs [16] - 12:12, 12:13, 12:14, 26:12, 54:18, 58:12, 77:11, 85:8, 86:8, 125:8, 141:18, 164:1, 196:14, 208:14, 214:5, 217:16 negative [1] - 99:18</p>
--	--	--	---	---

neighbor [6] - 41:7, 42:7, 42:13, 42:15, 69:9, 72:13
neighborhood [57] - 27:18, 41:14, 44:3, 46:2, 46:4, 48:3, 49:12, 49:18, 51:3, 56:1, 58:2, 63:14, 63:18, 65:3, 68:14, 69:12, 72:14, 72:17, 73:15, 73:16, 74:18, 77:15, 79:4, 80:14, 81:8, 83:9, 84:14, 85:2, 85:7, 85:9, 86:8, 97:6, 101:3, 120:8, 132:8, 152:1, 165:3, 165:15, 167:4, 167:14, 170:18, 171:6, 175:8, 176:6, 176:14, 178:2, 178:3, 179:8, 182:5, 185:15, 187:5, 196:4, 198:3, 208:13, 210:3, 234:4
Neighborhood [2] - 120:4
neighborhood-wide [2] - 84:14, 85:7
neighborhoods [8] - 79:5, 95:15, 172:1, 178:16, 179:18, 180:2, 234:4, 235:4
neighbors [15] - 40:2, 57:14, 58:3, 58:6, 69:5, 69:7, 75:1, 81:5, 90:11, 164:17, 171:7, 172:16, 177:8, 181:17, 202:15
never [7] - 33:9, 33:14, 91:18, 117:1, 137:15, 184:13, 239:15
nevertheless [1] - 179:15
new [25] - 2:13, 58:6, 75:14, 85:18, 88:7, 88:11, 88:12, 97:3, 104:6, 107:4, 107:18, 113:12, 114:16, 123:10, 123:13, 123:15, 127:16, 136:5, 156:2, 164:8, 178:13, 182:8, 187:17, 196:9, 206:15
Newport [2] - 188:14, 190:5
next [37] - 4:17, 5:14,

7:7, 17:10, 19:1, 20:3, 22:14, 23:6, 25:3, 30:6, 30:8, 30:17, 39:16, 42:3, 42:11, 45:9, 48:16, 56:12, 57:18, 63:6, 72:2, 103:7, 103:10, 106:4, 107:14, 110:2, 110:3, 110:4, 112:7, 112:18, 114:2, 133:11, 139:10, 181:16, 184:3, 188:9, 218:10
next-door [3] - 23:6, 30:6, 39:16
nice [7] - 106:4, 110:16, 123:18, 136:17, 172:10, 210:11, 218:6
night [3] - 34:18, 40:2, 69:6
night's [1] - 6:2
Nine [1] - 175:7
nine [5] - 9:10, 103:9, 116:2, 195:18, 196:2
nobody [3] - 58:10, 99:16, 111:16
noise [2] - 130:4, 180:16
non [21] - 8:18, 12:8, 48:12, 48:14, 52:17, 53:1, 76:10, 87:17, 88:6, 89:15, 119:11, 121:6, 121:13, 135:3, 152:8, 152:9, 154:8, 154:15, 156:4, 173:6
non-college [1] - 76:10
non-conforming [4] - 52:17, 53:1, 87:17
non-parking [1] - 152:8
non-profits [3] - 12:8, 48:12, 48:14
non-residential [9] - 88:6, 89:15, 119:11, 121:13, 135:3, 152:9, 154:8, 154:15, 156:4
non-residentials [1] - 121:6
non-residents [1] - 8:18
none [2] - 78:3, 125:2
normal [2] - 88:15, 154:5
normalizes [1] - 154:4
normally [1] - 183:12

North [39] - 2:15, 104:10, 119:13, 129:8, 129:13, 133:17, 140:17, 141:11, 145:15, 147:1, 148:5, 149:3, 149:7, 149:9, 151:7, 151:18, 152:5, 154:11, 155:2, 155:18, 157:3, 157:4, 157:8, 158:13, 164:15, 185:6, 194:9, 195:15, 199:1, 199:7, 202:2, 203:11, 203:16, 208:17, 211:13, 216:17, 221:7, 224:3, 230:3
north [12] - 110:18, 119:12, 120:8, 120:17, 131:6, 145:4, 211:8, 214:9, 221:12, 223:17, 226:7, 226:11
northern [1] - 225:9
NOT [1] - 246:15
Notary [2] - 246:5, 246:11
note [4] - 26:1, 100:1, 142:18, 245:6
noted [7] - 85:11, 141:7, 143:1, 153:5, 165:4, 225:16, 245:16
nothing [4] - 18:16, 109:1, 122:7, 187:8
notice [3] - 121:18, 189:1, 236:4
noticed [1] - 177:12
notices [1] - 115:10
noting [1] - 103:2
notion [3] - 9:4, 87:8, 213:8
Novartis [1] - 54:15
nuance [1] - 153:1
number [12] - 66:2, 66:9, 74:1, 88:5, 89:15, 101:9, 108:4, 111:2, 162:14, 187:6, 190:9, 234:11
numbers [4] - 17:18, 31:4, 49:1, 49:2

O

o'clock [3] - 32:11, 103:9, 104:4
O'Hare [2] - 161:6, 161:9

O'HARE [1] - 161:8
objections [1] - 72:14
obtrusive [1] - 156:9
obvious [5] - 30:12, 44:1, 110:9, 207:5, 214:16
obviously [4] - 24:3, 142:5, 163:7, 170:9
occasion [1] - 38:13
occupancy [1] - 28:15
occupants [1] - 28:2
occupation [2] - 98:7, 98:14
occupied [1] - 29:3
occupy [2] - 141:15, 152:16
occur [1] - 194:17
occurred [5] - 151:9, 158:1, 213:5, 218:1, 225:16
occurring [1] - 168:5
October [1] - 13:13
odd [2] - 70:14, 126:4
OF [5] - 1:2, 246:2, 246:15, 246:16, 246:16
off-market [1] - 65:10
off-street [1] - 23:4
offense [1] - 64:7
offered [1] - 45:14
Office [5] - 90:1, 90:7, 90:9, 98:1, 98:5
office [23] - 2:9, 19:17, 29:4, 29:11, 29:18, 30:6, 34:17, 37:11, 37:14, 42:9, 70:9, 71:10, 78:11, 80:10, 89:18, 90:7, 94:14, 98:4, 127:4, 127:7, 135:14, 152:11, 187:5
offices [3] - 21:2, 98:16
OFFICIAL [1] - 1:17
officially [2] - 24:8, 29:17
old [5] - 37:13, 57:4, 112:7, 172:11, 217:12
older [1] - 133:11
on-line [4] - 10:17, 13:5, 33:18, 45:14
once [6] - 12:18, 28:4, 45:12, 111:17, 148:4, 165:8
one [114] - 6:1, 7:2, 7:11, 8:14, 11:14, 27:7, 30:8, 30:17, 31:1, 39:12, 40:6, 44:15, 45:5, 48:6, 48:16, 52:11, 52:12,

53:4, 61:15, 62:4, 62:12, 65:1, 69:10, 71:13, 72:16, 74:5, 79:2, 79:6, 80:10, 82:13, 82:17, 84:9, 84:10, 84:18, 92:6, 92:15, 94:8, 100:16, 103:1, 104:16, 107:3, 107:8, 108:1, 108:8, 108:16, 109:18, 111:6, 113:9, 113:14, 116:11, 119:8, 120:8, 121:4, 124:11, 124:12, 125:5, 125:12, 125:14, 125:15, 125:16, 126:2, 127:10, 127:18, 131:5, 133:15, 134:15, 136:13, 140:10, 141:14, 141:17, 143:11, 146:14, 146:18, 147:11, 148:12, 148:18, 154:18, 160:8, 163:17, 165:18, 170:7, 170:17, 173:5, 173:18, 174:11, 174:12, 178:10, 180:8, 180:11, 180:18, 181:1, 181:7, 181:9, 181:15, 184:1, 184:6, 184:17, 185:15, 186:11, 194:2, 194:5, 207:5, 207:10, 214:17, 218:3, 221:6, 228:14, 234:16, 235:10, 236:6, 241:13, 241:14
one's [1] - 125:15
one-story [9] - 108:16, 180:18, 181:1, 181:7, 181:15, 184:1, 184:6, 184:17, 186:11
ones [7] - 30:13, 31:10, 31:11, 35:3, 43:2, 155:1, 171:3
ongoing [1] - 168:11
online [1] - 3:2
onward [1] - 67:1
open [12] - 12:4, 27:3, 35:15, 67:18, 68:13, 72:6, 74:9, 77:7, 77:8, 109:12, 174:5, 174:14
opening [5] - 22:17,

<p>41:14, 41:15, 74:2, 101:6</p> <p>operate [1] - 78:10</p> <p>operating [1] - 74:10</p> <p>opinion [1] - 54:5</p> <p>opinions [1] - 138:1</p> <p>opportunities [1] - 85:15</p> <p>opportunity [11] - 21:15, 28:17, 29:15, 50:17, 51:1, 82:6, 85:10, 161:4, 193:18, 227:9, 231:9</p> <p>oppose [1] - 91:12</p> <p>opposed [6] - 60:14, 62:17, 102:16, 130:2, 146:17</p> <p>Opposed [1] - 102:17</p> <p>opposing [1] - 45:12</p> <p>opposite [2] - 111:1, 112:14</p> <p>opposition [1] - 61:7</p> <p>option [1] - 143:9</p> <p>options [2] - 18:17, 169:15</p> <p>order [8] - 37:15, 129:11, 135:9, 141:9, 153:8, 157:11, 158:10, 163:12</p> <p>Ordinance [8] - 5:8, 9:18, 11:17, 139:5, 139:7, 166:11, 167:10, 231:4</p> <p>ordinance [4] - 12:5, 149:18, 222:4, 223:3</p> <p>organization [2] - 21:12, 175:13</p> <p>organizations [1] - 40:13</p> <p>organized [3] - 120:1, 120:6, 120:10</p> <p>oriented [1] - 172:14</p> <p>original [2] - 182:18, 245:2</p> <p>otherwise [1] - 151:2</p> <p>ought [10] - 100:5, 137:6, 137:7, 138:3, 144:12, 147:2, 216:5, 217:10, 222:6</p> <p>outcome [9] - 94:4, 100:12, 156:1, 158:11, 158:17, 218:3, 218:6, 236:17, 238:4</p> <p>outcomes [3] - 157:12, 202:18, 204:7</p>	<p>outdoor [2] - 183:6, 184:11</p> <p>outlets [1] - 130:16</p> <p>outside [5] - 35:2, 67:9, 183:10, 183:11, 241:12</p> <p>overall [3] - 154:10, 166:18, 199:18</p> <p>overlay [8] - 150:13, 151:5, 155:2, 168:2, 168:3, 168:9, 202:5, 226:4</p> <p>Overlay [9] - 2:14, 104:9, 149:10, 149:11, 158:14, 197:9, 198:14, 213:2, 225:6</p> <p>overview [1] - 118:8</p> <p>overworked [1] - 234:14</p> <p>own [6] - 19:17, 29:9, 66:12, 164:6, 176:12, 241:4</p> <p>owned [3] - 21:17, 72:7, 172:15</p> <p>owner [3] - 28:15, 29:3, 168:18</p> <p>owners [3] - 28:2, 61:6, 62:7</p> <p>owns [1] - 44:3</p> <hr/> <p style="text-align: center;">P</p> <hr/> <p>p.m [5] - 1:4, 2:6, 2:12, 34:4, 244:13</p> <p>Paden [1] - 188:16</p> <p>Page [1] - 2:18</p> <p>PAGE [3] - 2:1, 3:1, 245:8</p> <p>page [1] - 122:6</p> <p>paid [2] - 65:9, 65:15</p> <p>painfully [2] - 210:17</p> <p>paint [1] - 70:17</p> <p>panoply [1] - 228:16</p> <p>paragraph [5] - 133:17, 134:10, 135:13, 241:2</p> <p>parapet [1] - 111:8</p> <p>parcel [12] - 68:12, 84:14, 84:15, 86:16, 125:6, 125:8, 125:10, 125:11, 125:12, 146:18, 169:1</p> <p>parcels [4] - 86:7, 94:9, 126:1, 126:2</p> <p>pardon [1] - 223:4</p> <p>parents [1] - 19:16</p> <p>park [5] - 33:7, 33:12, 37:6, 116:9, 174:5</p>	<p>parking [77] - 6:3, 6:17, 6:18, 7:2, 23:4, 23:16, 26:9, 33:5, 33:15, 33:18, 36:13, 37:2, 38:2, 45:8, 60:2, 60:3, 60:6, 60:9, 72:9, 74:4, 74:6, 74:7, 110:8, 110:9, 112:12, 113:16, 115:17, 115:18, 116:6, 116:10, 116:16, 116:18, 117:8, 118:13, 126:7, 126:11, 126:14, 126:15, 128:2, 128:5, 128:6, 128:13, 128:18, 129:2, 129:4, 136:5, 136:6, 143:14, 143:15, 143:18, 148:11, 149:16, 152:8, 156:6, 166:8, 166:9, 170:14, 171:1, 171:7, 171:18, 174:8, 174:12, 174:15, 183:2, 186:11, 189:17, 192:16, 204:9, 206:8, 206:14, 206:16, 212:12, 214:8, 214:11, 217:14</p> <p>Parking [2] - 6:6, 7:6</p> <p>parking's [1] - 110:7</p> <p>parsonage [1] - 32:8</p> <p>part [28] - 26:5, 31:4, 43:11, 45:11, 52:13, 58:14, 63:13, 80:13, 81:7, 119:16, 120:1, 120:13, 147:5, 153:11, 163:8, 173:2, 193:12, 195:1, 196:18, 199:13, 202:11, 204:5, 208:7, 214:12, 214:14, 225:9, 227:11, 230:10</p> <p>participants [1] - 39:11</p> <p>participate [1] - 120:11</p> <p>participation [1] - 190:11</p> <p>participatory [2] - 13:3, 51:18</p> <p>particular [12] - 68:5, 83:12, 95:11, 108:8, 118:3, 118:4, 146:18, 156:1, 157:1, 218:4,</p>	<p>225:18, 240:1</p> <p>particularly [1] - 5:8</p> <p>parties [1] - 42:12</p> <p>partnership [2] - 12:10, 106:11</p> <p>parts [3] - 43:13, 97:5, 189:5</p> <p>pass [1] - 172:12</p> <p>passage [2] - 193:5, 194:7</p> <p>passed [3] - 11:16, 28:8, 190:18</p> <p>passing [1] - 212:14</p> <p>past [5] - 39:5, 96:16, 106:12, 173:10, 242:18</p> <p>Pasta [1] - 54:1</p> <p>pastiche [1] - 115:3</p> <p>pastor [1] - 32:9</p> <p>Pastor [1] - 32:18</p> <p>Paterson [3] - 23:6, 31:15, 43:5</p> <p>PATRICK [2] - 51:12, 55:16</p> <p>Patrick [3] - 44:6, 51:11, 51:13</p> <p>pattern [2] - 88:15, 88:16</p> <p>patterns [5] - 87:15, 88:2, 88:4, 88:8, 91:7</p> <p>Pattersons [1] - 32:2</p> <p>pause [2] - 26:17, 211:11</p> <p>pay [1] - 116:10</p> <p>pedestrian [4] - 115:16, 118:10, 119:10, 156:12</p> <p>pedestrian-friendly [3] - 118:10, 119:10, 156:12</p> <p>pend [1] - 146:11</p> <p>pending [3] - 146:8, 194:8, 194:11</p> <p>people [101] - 9:3, 18:6, 18:14, 20:12, 20:17, 21:3, 21:5, 21:6, 21:11, 26:12, 28:12, 29:6, 29:8, 29:15, 31:5, 31:13, 33:6, 33:11, 34:16, 35:1, 36:16, 37:13, 38:13, 39:1, 40:1, 48:2, 53:8, 54:7, 56:6, 57:1, 62:10, 63:16, 70:10, 79:15, 100:7, 103:7, 103:17, 106:6, 107:5, 108:18, 109:2, 109:8, 109:12, 111:3,</p>	<p>111:5, 111:10, 111:18, 112:4, 112:5, 114:3, 114:4, 115:13, 116:6, 116:13, 119:5, 123:3, 124:15, 128:4, 130:9, 145:9, 151:15, 158:4, 161:3, 162:16, 171:10, 171:11, 171:15, 172:2, 172:16, 173:6, 176:16, 179:16, 179:17, 180:17, 186:1, 186:6, 190:9, 190:12, 199:7, 207:10, 210:1, 214:17, 218:18, 219:2, 219:3, 220:1, 222:11, 225:15, 229:12, 229:18, 232:13, 234:7, 234:9, 237:11, 238:5, 242:1, 242:8, 242:12</p> <p>people's [3] - 8:10, 207:3, 210:16</p> <p>per [5] - 2:10, 6:17, 7:3, 88:3, 110:6</p> <p>percent [14] - 7:1, 8:3, 8:6, 8:10, 8:16, 20:8, 52:16, 67:5, 71:7, 121:7, 166:6, 166:7, 166:9</p> <p>perhaps [5] - 27:12, 35:14, 100:14, 138:8, 244:5</p> <p>period [3] - 17:16, 97:11, 124:5</p> <p>permanent [1] - 195:6</p> <p>permit [4] - 6:11, 74:6, 89:14, 90:7</p> <p>Permit [4] - 100:11, 101:16, 150:16, 151:2</p> <p>Permits [1] - 12:1</p> <p>permits [2] - 6:3, 6:12</p> <p>permitted [4] - 86:17, 91:2, 101:2, 129:15</p> <p>persistent [1] - 69:10</p> <p>person [3] - 47:5, 71:4, 98:3</p> <p>personal [2] - 87:4, 219:1</p> <p>personally [6] - 33:7, 78:11, 95:2, 97:14, 147:7, 237:5</p> <p>perspective [4] - 22:16, 76:15, 157:1, 205:15</p> <p>persuasive [1] - 88:17</p>
---	---	--	---	--

<p>PETER [8] - 105:2, 110:14, 118:5, 118:8, 129:6, 146:7, 224:2, 241:1</p> <p>Peter [7] - 2:12, 104:5, 105:2, 175:18, 178:12, 182:17, 202:1</p> <p>petition [73] - 2:6, 2:13, 3:2, 4:12, 4:13, 5:10, 10:8, 14:9, 15:6, 15:9, 31:8, 41:2, 45:13, 47:12, 52:1, 59:5, 77:16, 79:14, 90:13, 92:3, 92:12, 92:13, 96:14, 97:15, 103:8, 104:5, 104:13, 107:1, 115:13, 118:3, 118:7, 118:9, 119:3, 122:17, 137:5, 137:8, 138:3, 139:5, 140:11, 140:14, 142:6, 143:1, 143:7, 158:2, 164:9, 164:10, 167:18, 169:5, 169:17, 170:7, 170:9, 170:11, 173:16, 175:18, 176:10, 178:6, 179:8, 179:9, 186:2, 198:4, 201:9, 207:17, 208:3, 208:10, 217:8, 220:7, 220:14, 223:1, 227:3, 227:6, 234:4, 241:4</p> <p>petitioner [4] - 64:9, 64:18, 68:6, 82:10</p> <p>petitioners [2] - 96:11, 139:18</p> <p>petitions [8] - 12:2, 31:9, 48:4, 48:6, 115:15, 139:15, 235:16, 237:12</p> <p>phonetic [4] - 32:5, 41:8, 45:10, 131:2</p> <p>photo [1] - 34:15</p> <p>photographs [1] - 122:11</p> <p>physicians [1] - 19:16</p> <p>pick [4] - 37:15, 103:10, 171:14, 206:3</p> <p>picked [2] - 17:18, 30:12</p> <p>picture [4] - 109:14, 110:6, 112:8, 131:5</p> <p>pictures [3] - 23:16, 34:5, 105:14</p> <p>piece [4] - 66:14,</p>	<p>153:3, 159:5, 170:13</p> <p>pieces [1] - 189:7</p> <p>pinning [1] - 160:7</p> <p>pit [1] - 168:9</p> <p>pitting [1] - 210:1</p> <p>Pizza [1] - 23:14</p> <p>pizzerias [1] - 163:15</p> <p>place [26] - 26:5, 31:17, 76:8, 78:18, 106:9, 116:9, 119:13, 127:10, 145:4, 145:5, 156:8, 165:8, 171:17, 172:3, 173:15, 173:17, 197:12, 205:1, 208:13, 209:4, 210:9, 211:3, 219:14, 230:1, 230:17, 231:1</p> <p>places [7] - 62:10, 87:3, 117:4, 137:12, 148:13, 163:18, 208:12</p> <p>plan [31] - 5:3, 51:2, 53:10, 82:8, 97:3, 97:18, 100:8, 106:17, 123:6, 147:5, 150:7, 178:4, 178:9, 187:16, 190:17, 191:1, 196:8, 203:12, 203:14, 203:17, 204:1, 205:9, 205:11, 205:17, 205:18, 208:6, 237:13, 237:14, 237:16, 238:16</p> <p>planned [3] - 75:15, 190:12, 208:9</p> <p>planner [2] - 15:13, 132:10</p> <p>planning [26] - 11:10, 11:12, 80:16, 81:2, 81:9, 83:8, 84:11, 87:5, 87:8, 144:14, 150:18, 159:14, 186:14, 187:4, 187:6, 190:16, 193:10, 194:8, 208:6, 209:5, 210:5, 211:3, 223:13, 227:12, 239:15, 239:18</p> <p>Planning [30] - 3:6, 3:7, 4:5, 4:14, 6:5, 6:10, 10:2, 43:9, 58:18, 60:15, 83:2, 86:9, 100:6, 139:8, 139:17, 147:4, 150:16, 151:3, 160:9, 165:14,</p>	<p>166:10, 167:10, 175:14, 214:2, 231:9, 235:11, 241:15, 244:14, 245:6, 245:15</p> <p>PLANNING [1] - 1:1</p> <p>plans [1] - 39:14</p> <p>plate [1] - 4:6</p> <p>playgrounds [1] - 40:12</p> <p>Plaza [1] - 120:5</p> <p>Pleasant [1] - 51:14</p> <p>pleased [1] - 39:18</p> <p>plenty [2] - 36:13, 116:6</p> <p>plot [1] - 94:4</p> <p>plugged [1] - 153:1</p> <p>plumped [1] - 219:18</p> <p>plus [4] - 39:7, 134:5, 134:6</p> <p>podge [1] - 106:5</p> <p>podium [2] - 14:17, 50:16</p> <p>point [33] - 17:7, 23:11, 24:8, 29:6, 38:17, 47:3, 62:16, 90:14, 97:15, 106:10, 106:17, 108:8, 110:6, 110:7, 111:7, 115:7, 132:5, 133:10, 138:12, 142:3, 142:4, 160:7, 170:8, 199:16, 203:2, 206:12, 208:1, 221:6, 225:18, 229:8, 232:9, 239:16</p> <p>pointed [5] - 62:3, 64:9, 162:12, 198:5, 219:9</p> <p>points [10] - 34:6, 44:14, 46:11, 47:13, 63:15, 66:7, 69:2, 70:7, 100:17, 213:17</p> <p>policy [3] - 183:8, 206:10, 243:1</p> <p>policymaking [1] - 69:3</p> <p>Pompidou [1] - 219:18</p> <p>Pond [1] - 120:5</p> <p>poop [1] - 108:17</p> <p>poop-pooed [1] - 108:17</p> <p>pooed [1] - 108:17</p> <p>pop [2] - 105:17, 163:15</p> <p>popular [1] - 114:1</p> <p>porch [1] - 23:8</p> <p>Porter [26] - 105:6,</p>	<p>107:14, 111:1, 119:12, 119:15, 120:8, 120:17, 121:1, 131:7, 141:1, 145:5, 149:13, 167:18, 176:3, 213:8, 213:12, 213:13, 221:13, 223:17, 225:12, 226:3, 226:7, 226:11, 226:12, 229:16</p> <p>portion [5] - 141:1, 174:6, 174:14, 185:3, 219:4</p> <p>portions [2] - 87:16, 155:3</p> <p>position [2] - 77:14, 148:15</p> <p>positions [1] - 148:13</p> <p>positive [2] - 49:18, 208:1</p> <p>positively [1] - 151:16</p> <p>possibility [1] - 195:10</p> <p>possible [6] - 4:8, 30:14, 113:12, 123:11, 128:1, 158:10</p> <p>possibly [3] - 72:6, 134:3, 220:16</p> <p>postage [4] - 69:4, 82:11, 88:9, 88:17</p> <p>postcard [1] - 40:6</p> <p>posted [1] - 122:6</p> <p>potential [3] - 74:1, 174:3, 212:2</p> <p>potentially [3] - 34:18, 81:17, 202:6</p> <p>power [1] - 109:12</p> <p>PowerPoint [2] - 36:1, 36:4</p> <p>practically [1] - 174:13</p> <p>practice [1] - 83:16</p> <p>practiced [3] - 21:18, 22:3, 41:10</p> <p>pre [2] - 108:7, 122:16</p> <p>pre-war [2] - 108:7, 122:16</p> <p>precedence [2] - 30:9, 30:15</p> <p>precedent [4] - 57:14, 117:5, 187:18, 188:4</p> <p>precipitously [1] - 148:17</p> <p>precise [1] - 143:7</p> <p>precisely [2] - 142:11, 228:4</p> <p>predictable [1] -</p>	<p>161:17</p> <p>prefer [1] - 195:7</p> <p>preferably [1] - 152:9</p> <p>preference [2] - 195:9, 196:17</p> <p>prejudiced [1] - 77:2</p> <p>premises [2] - 131:10, 131:12</p> <p>presence [1] - 77:4</p> <p>present [2] - 167:9, 227:15</p> <p>presentation [8] - 10:17, 14:16, 29:14, 29:15, 43:16, 49:16, 70:8, 105:1</p> <p>presented [3] - 61:5, 145:18, 204:8</p> <p>presents [1] - 167:1</p> <p>preserve [3] - 105:15, 118:17, 211:15</p> <p>preserved [1] - 217:6</p> <p>pressure [1] - 75:18</p> <p>pressures [2] - 80:3, 172:1</p> <p>PRESTON [14] - 50:11, 55:14, 60:10, 67:13, 68:2, 84:5, 102:2, 160:17, 192:2, 206:4, 223:5, 224:18, 232:14, 241:9</p> <p>Preston [1] - 1:8</p> <p>presumably [4] - 101:18, 196:5, 232:8, 239:5</p> <p>pretty [14] - 38:3, 38:9, 78:14, 94:6, 95:12, 105:11, 180:1, 180:10, 182:13, 186:10, 196:8, 200:4, 207:12, 225:3</p> <p>prevent [5] - 118:17, 148:3, 187:18, 212:2, 238:4</p> <p>previous [4] - 31:3, 32:10, 48:10, 87:11</p> <p>price [4] - 18:17, 65:7, 66:15, 230:11</p> <p>priced [1] - 83:15</p> <p>primarily [1] - 52:2</p> <p>primary [2] - 82:2, 179:17</p> <p>prime [1] - 163:10</p> <p>principal [1] - 218:15</p> <p>principle [2] - 90:8, 226:16</p> <p>priorities [3] - 12:17, 135:1, 158:9</p> <p>private [1] - 109:17</p> <p>problem [9] - 45:8,</p>
---	---	--	--	--

<p>46:14, 66:16, 66:18, 83:6, 118:5, 147:14, 162:9, 171:2</p> <p>problems [5] - 67:17, 82:9, 103:14, 168:5, 194:17</p> <p>proceed [2] - 46:16, 104:18</p> <p>proceedings [1] - 246:7</p> <p>process [44] - 11:12, 13:1, 54:11, 63:11, 80:18, 81:3, 81:9, 82:15, 82:16, 83:1, 83:2, 83:8, 84:2, 84:8, 84:16, 84:17, 106:18, 130:12, 135:9, 139:3, 147:18, 151:4, 157:10, 158:8, 159:14, 160:9, 161:16, 167:13, 193:10, 194:5, 195:8, 197:1, 197:14, 199:1, 203:7, 210:6, 223:13, 227:12, 233:18, 237:15, 237:16, 237:17, 238:16</p> <p>processes [1] - 11:12</p> <p>produced [1] - 165:17</p> <p>production [1] - 145:2</p> <p>products [1] - 76:4</p> <p>profess [1] - 229:12</p> <p>professional [1] - 19:11</p> <p>Professor [1] - 31:18</p> <p>professor [2] - 42:4</p> <p>profitable [1] - 25:11</p> <p>profits [3] - 12:8, 48:12, 48:14</p> <p>program [1] - 144:13</p> <p>Programs [1] - 12:11</p> <p>prohibited [4] - 141:10, 146:3, 163:14</p> <p>project [9] - 5:4, 31:10, 53:6, 62:2, 107:9, 180:8, 214:7, 215:3, 215:14</p> <p>projects [6] - 6:15, 7:1, 13:4, 85:18, 150:18, 225:16</p> <p>promising [1] - 40:8</p> <p>prompting [2] - 111:5, 112:1</p> <p>pronounce [1] - 14:10</p> <p>properly [1] - 15:9</p> <p>properties [12] - 19:3, 27:15, 52:17, 66:15,</p>	<p>82:18, 84:10, 85:5, 87:17, 93:10, 95:9, 101:9, 125:3</p> <p>property [35] - 18:15, 30:7, 31:13, 42:7, 42:8, 53:14, 53:15, 55:10, 57:17, 64:3, 65:16, 66:7, 66:14, 66:17, 68:7, 71:8, 75:10, 99:7, 100:1, 113:4, 113:6, 125:3, 136:14, 165:4, 165:6, 170:13, 172:11, 181:3, 181:14, 181:15, 184:2, 184:3, 184:7, 210:16, 212:16</p> <p>proponent [1] - 204:3</p> <p>proposal [14] - 45:15, 105:18, 118:4, 141:2, 143:17, 148:18, 161:11, 165:14, 200:16, 200:18, 201:4, 204:5, 206:5, 214:2</p> <p>proposal's [1] - 192:7</p> <p>proposals [1] - 133:14</p> <p>propose [4] - 99:10, 99:17, 131:13, 137:13</p> <p>proposed [12] - 68:9, 89:17, 91:6, 101:6, 104:13, 115:9, 140:13, 166:5, 170:15, 201:9, 204:8, 241:15</p> <p>proposes [1] - 66:17</p> <p>proposing [5] - 88:11, 116:17, 118:18, 133:15, 158:2</p> <p>propositions [1] - 64:17</p> <p>Prospect [2] - 19:4, 66:8</p> <p>prospect [1] - 39:18</p> <p>protect [6] - 63:17, 118:12, 136:9, 218:14, 221:1, 228:13</p> <p>protected [2] - 64:8, 214:6</p> <p>protections [4] - 106:3, 145:4, 197:12, 215:12</p> <p>prove [1] - 101:1</p> <p>proven [1] - 106:10</p> <p>provide [7] - 12:8, 20:12, 20:17, 21:10, 121:5, 157:16, 176:10</p>	<p>provided [4] - 40:18, 41:11, 42:17, 93:3</p> <p>provides [1] - 121:5</p> <p>providing [2] - 40:11, 217:11</p> <p>provision [1] - 202:6</p> <p>provisional [1] - 143:15</p> <p>provisions [3] - 149:15, 199:17, 225:11</p> <p>proximity [1] - 44:18</p> <p>Public [3] - 2:5, 246:5, 246:11</p> <p>public [23] - 3:7, 4:12, 4:16, 10:15, 14:8, 50:10, 50:11, 103:5, 137:6, 151:4, 151:18, 152:13, 160:13, 160:15, 168:16, 187:14, 189:16, 190:11, 207:4, 236:3, 237:17, 242:4, 243:14</p> <p>pull [3] - 16:18, 145:6, 211:4</p> <p>pull-up [1] - 16:18</p> <p>pulling [1] - 159:5</p> <p>purchase [2] - 65:10, 169:12</p> <p>pursuing [1] - 169:11</p> <p>pushed [1] - 124:7</p> <p>pushing [2] - 138:13, 149:16</p> <p>put [33] - 36:3, 40:17, 42:14, 51:2, 57:3, 57:8, 64:18, 65:5, 67:7, 67:10, 67:11, 68:6, 83:8, 106:8, 109:14, 112:18, 114:9, 119:13, 124:17, 128:2, 139:9, 139:18, 145:1, 145:2, 158:3, 165:18, 180:18, 181:1, 183:18, 190:15, 197:12, 204:2, 244:6</p> <p>Putnam [1] - 25:2</p> <p>puts [2] - 83:3, 172:1</p> <p>putting [5] - 88:11, 115:17, 128:15, 174:10, 212:1</p>	<p>quarters [1] - 23:9</p> <p>questionable [1] - 166:3</p> <p>questioned [1] - 67:2</p> <p>questions [15] - 50:10, 71:13, 78:6, 101:15, 140:8, 156:15, 160:4, 164:11, 188:18, 189:7, 206:6, 206:18, 214:3, 215:18, 221:11</p> <p>quick [6] - 15:7, 30:18, 35:8, 105:14, 203:4, 242:7</p> <p>quickly [6] - 78:14, 119:9, 189:12, 200:15, 203:4, 237:2</p> <p>quiet [3] - 29:8, 46:1, 89:18</p> <p>quite [7] - 47:1, 63:11, 91:18, 110:1, 137:15, 170:12, 230:2</p> <p>quote [1] - 167:17</p>	<p>reached [1] - 17:7</p> <p>react [1] - 91:18</p> <p>reaction [2] - 146:14, 170:10</p> <p>read [7] - 45:13, 68:7, 71:13, 107:1, 175:10, 192:11, 245:15</p> <p>reading [4] - 10:6, 11:16, 42:5, 245:6</p> <p>Reading [2] - 45:15, 175:15</p> <p>Reading [1] - 44:14</p> <p>ready [3] - 68:13, 163:10, 163:11</p> <p>real [9] - 6:7, 19:2, 35:13, 98:15, 105:14, 155:6, 176:7, 203:7, 240:5</p> <p>reality [1] - 52:10</p> <p>realize [3] - 28:12, 29:6, 106:2</p> <p>really [6] - 11:1, 11:13, 23:4, 26:5, 26:10, 30:16, 35:3, 41:4, 43:2, 54:4, 61:8, 62:16, 69:1, 69:11, 73:1, 74:16, 75:16, 79:11, 87:3, 87:15, 90:3, 90:10, 95:12, 111:17, 112:3, 123:1, 126:13, 127:10, 127:15, 139:13, 142:9, 142:14, 147:1, 151:14, 158:11, 162:10, 178:6, 178:9, 188:2, 190:3, 190:6, 190:16, 191:7, 193:6, 194:3, 195:4, 196:17, 197:15, 199:17, 199:18, 205:4, 205:17, 209:3, 209:8, 213:7, 215:8, 217:5, 229:3, 229:4, 234:9</p> <p>realm [1] - 151:18</p> <p>realtime [1] - 35:13</p> <p>rear [2] - 117:6, 155:13</p> <p>REASON [6] - 245:9, 245:10, 245:11, 245:12, 245:13, 245:14</p> <p>reason [10] - 34:15, 43:12, 49:4, 70:14, 110:9, 120:2, 157:7, 167:12, 182:16, 245:7</p> <p>reasonable [3] -</p>
R				
<p>R-y-a-l-s [1] - 170:6</p> <p>radically [1] - 101:3</p> <p>radius [1] - 186:4</p> <p>raise [1] - 50:2</p> <p>raised [4] - 48:11, 187:7, 227:1, 227:11</p> <p>raises [3] - 164:11, 164:14, 206:5</p> <p>Raising [2] - 56:8, 102:14</p> <p>ramp [1] - 116:15</p> <p>ran [3] - 15:16, 16:2, 80:1</p> <p>range [5] - 18:17, 19:5, 141:14, 153:9, 205:18</p> <p>rat [1] - 130:8</p> <p>rather [12] - 25:14, 25:16, 31:16, 42:9, 42:14, 45:17, 67:10, 73:7, 82:1, 158:16, 166:6, 212:15</p> <p>ratio [1] - 116:18</p> <p>Ratio [2] - 2:9, 2:10</p> <p>rational [1] - 227:5</p> <p>re [3] - 10:10, 118:11, 123:8</p> <p>re-filed [1] - 10:10</p> <p>re-widen [2] - 118:11, 123:8</p> <p>reach [1] - 19:13</p>				
Q				
<p>quality [4] - 176:5, 186:5, 186:17, 211:4</p> <p>quarter [1] - 6:18</p>				

<p>45:15, 77:15, 195:4 reasons [5] - 44:15, 52:2, 105:9, 179:16, 179:17 rebuilding [1] - 205:12 rebuilt [3] - 124:3, 124:6, 133:8 received [6] - 7:14, 8:12, 8:15, 13:12, 40:7, 103:15 recent [1] - 176:1 recently [5] - 16:16, 27:11, 62:2, 78:12, 107:11 recess [1] - 103:11 recognize [3] - 119:6, 176:7, 178:8 recollection [1] - 218:3 recommend [14] - 102:13, 103:1, 137:10, 142:8, 144:9, 179:12, 189:11, 193:5, 194:7, 198:13, 206:11, 209:7, 215:2, 215:11 recommendation [20] - 99:8, 99:11, 99:18, 104:15, 137:17, 140:1, 143:4, 143:5, 191:7, 191:10, 198:7, 198:10, 200:14, 208:1, 208:2, 208:3, 220:7, 232:10, 235:18, 237:5 recommendations [4] - 10:3, 81:13, 176:9, 238:17 recommended [2] - 79:8, 141:3 recommending [1] - 229:2 RECORD [1] - 1:17 record [5] - 43:11, 48:10, 71:8, 245:17, 246:6 recount [1] - 106:14 Red [1] - 127:12 redesigned [1] - 16:18 redeveloped [1] - 124:6 redevelopment [1] - 202:16 reduce [1] - 79:10 reduced [2] - 94:2, 134:12 reduction [2] - 60:8,</p>	<p>134:1 refer [1] - 216:18 refine [1] - 176:11 reflect [2] - 87:15, 243:6 reflected [2] - 85:4, 169:17 reflecting [1] - 243:4 reflection [1] - 88:8 reflects [1] - 91:6 refresher [1] - 41:3 regard [3] - 77:2, 96:3 region [1] - 25:17 regular [1] - 207:12 regulations [7] - 3:6, 144:2, 146:3, 152:5, 157:18, 194:10, 221:8 reinforce [2] - 62:5, 136:15 reiterate [3] - 70:7, 136:15, 210:13 rejected [1] - 123:6 relating [1] - 224:10 relationship [1] - 16:8 relatively [3] - 90:10, 144:10, 194:12 relax [1] - 124:4 relevant [3] - 15:9, 41:8, 232:3 relief [2] - 100:11, 109:6 religious [1] - 74:10 rely [2] - 64:1, 177:9 remain [4] - 2:10, 2:10, 2:11, 2:11 remainder [1] - 86:18 remarkable [1] - 212:6 remember [2] - 22:8, 24:3 remembered [1] - 202:10 remembers [1] - 202:11 remind [3] - 28:6, 103:15, 214:18 remove [1] - 136:12 renders [1] - 87:16 renovation [2] - 59:17, 81:17 rent [8] - 8:5, 19:18, 42:10, 78:14, 78:15, 78:16, 80:6, 128:8 rental [1] - 113:17 rented [3] - 17:7, 28:3, 143:18 renters [2] - 28:4, 31:17 renting [2] - 25:12, 25:13</p>	<p>rents [3] - 116:7, 116:11, 131:12 repair [1] - 70:17 repeat [2] - 37:8, 220:15 repetitive [1] - 96:13 replace [1] - 192:12 replacing [1] - 230:14 report [6] - 10:3, 10:18, 139:4, 139:7, 142:18, 233:4 Reporter [2] - 246:4, 246:12 REPORTER [1] - 246:17 REPORTERS [1] - 1:16 representative [1] - 54:12 represents [2] - 206:9, 215:5 REPRODUCTION [1] - 246:15 request [3] - 61:8, 103:18, 243:12 requested [1] - 100:12 require [8] - 32:16, 101:18, 126:13, 127:16, 151:2, 155:11, 206:12, 221:1 required [5] - 2:11, 121:6, 129:15, 151:3, 155:12 requirement [6] - 2:9, 125:13, 129:10, 154:12, 155:14, 236:4 requirements [21] - 2:15, 104:9, 140:18, 141:4, 149:8, 150:4, 150:6, 151:7, 151:10, 153:1, 153:13, 154:16, 154:18, 155:5, 156:10, 157:3, 165:17, 225:3, 226:5, 228:2, 228:3 requires [6] - 71:14, 129:12, 142:14, 185:7, 193:8, 212:12 requiring [1] - 152:6 Res [2] - 166:4, 167:3 reschedule [1] - 242:6 Residence [1] - 2:7 residence [2] - 79:6, 95:16 residences [1] - 187:1</p>	<p>resident [9] - 6:12, 6:17, 7:2, 62:3, 70:4, 72:13, 75:8, 79:18, 98:11 Residential [1] - 125:7 residential [51] - 2:8, 6:9, 7:1, 57:9, 58:12, 61:10, 61:18, 62:5, 62:9, 65:2, 67:6, 67:7, 71:11, 73:8, 76:2, 79:3, 79:5, 79:10, 85:8, 87:1, 88:6, 89:15, 91:1, 92:17, 95:13, 95:15, 96:18, 116:3, 119:11, 121:13, 125:14, 127:16, 135:2, 135:3, 147:13, 150:1, 150:2, 151:12, 152:9, 154:3, 154:7, 154:8, 154:12, 154:15, 155:16, 156:4, 158:15, 165:12, 178:15, 200:2, 205:5 residentials [1] - 121:6 residents [17] - 8:17, 8:18, 12:9, 25:13, 40:11, 43:14, 73:3, 75:17, 76:12, 96:6, 106:15, 152:2, 152:3, 167:14, 168:10, 176:5, 230:13 resolved [2] - 168:1, 168:3 resources [2] - 205:15, 210:8 respect [3] - 83:7, 84:2, 84:8 RESPECT [1] - 246:16 respond [2] - 89:2, 237:10 respondents [1] - 9:9 response [1] - 194:2 Response [3] - 78:2, 102:11, 191:15 responsible [1] - 72:18 rest [2] - 67:6, 74:15 restaurant [6] - 41:16, 90:9, 109:13, 183:9, 183:11, 186:5 Restaurant [1] - 132:4 restaurants [12] - 26:15, 109:10, 109:11, 116:11,</p>	<p>130:5, 171:9, 171:15, 183:6, 183:8, 183:9, 207:11, 217:4 restored [2] - 107:16, 108:5 restricted [1] - 141:9 restrictions [2] - 98:2, 141:7 restrictive [2] - 125:13, 125:15 result [3] - 55:8, 169:14, 239:10 resulted [1] - 52:15 results [1] - 10:16 resume [1] - 126:14 retail [53] - 26:14, 70:13, 90:4, 90:9, 95:9, 108:9, 112:12, 119:10, 121:15, 129:3, 134:7, 136:18, 151:13, 152:10, 153:9, 155:7, 155:9, 156:4, 158:16, 166:1, 166:6, 167:5, 167:7, 180:18, 181:1, 181:3, 182:2, 185:4, 185:7, 188:1, 199:8, 199:11, 200:2, 202:16, 204:14, 211:15, 211:18, 212:3, 212:4, 212:5, 213:5, 213:11, 214:12, 215:12, 218:14, 221:2, 221:16, 223:17, 224:10, 228:13, 229:13, 230:14 retail-type [1] - 153:9 retain [2] - 118:14, 129:9 retention [1] - 178:16 return [1] - 153:12 reverse [3] - 134:11, 230:4, 230:17 Review [1] - 15:16 review [7] - 3:6, 6:11, 118:1, 138:10, 151:4, 182:12, 194:11 reviewed [1] - 180:7 revision [1] - 194:18 revitalization [1] - 56:18 revolutions [1] - 36:12 rewrite [1] - 54:17 rezone [1] - 99:7 rezoned [2] - 97:10, 100:1</p>
--	--	---	--	--

rezoning [14] - 2:8, 10:1, 10:2, 86:7, 87:12, 87:14, 161:18, 162:5, 195:5, 199:13, 202:9, 202:13, 208:7, 225:18
Richard [8] - 164:6, 164:15, 164:17, 165:3, 165:15, 166:10, 169:2, 169:3
right-hand [1] - 111:11
rights [1] - 210:16
rigor [1] - 201:5
rise [1] - 11:6
risk [1] - 63:14
risks [2] - 157:1, 194:16
Rite [6] - 26:9, 169:6, 169:8, 169:12, 183:15, 188:5
river [3] - 24:10, 52:15, 95:10
River [11] - 24:14, 25:9, 26:3, 27:5, 53:1, 62:13, 69:13, 76:6, 81:12, 82:8, 144:16
Riverfest [1] - 16:13
Riverside [7] - 58:14, 58:16, 61:11, 80:1, 80:4, 80:8, 80:14
riverside [4] - 24:16, 52:13, 70:4, 97:6
Road [3] - 170:6, 188:15, 190:5
road [1] - 185:1
Robert [1] - 107:7
ROBERTS [12] - 13:11, 13:16, 92:9, 93:2, 93:15, 140:9, 149:6, 157:5, 168:15, 224:16, 225:2, 227:16
Roberts [5] - 1:13, 27:10, 168:14, 168:17, 181:11
robust [1] - 208:8
rolling [1] - 234:12
room [9] - 79:16, 109:18, 124:14, 171:1, 171:3, 174:15, 184:8, 210:10, 214:18
Room [1] - 1:5
rooms [1] - 107:17
rope [1] - 109:4
Roseland [3] - 2:13, 104:7, 138:6

rotate [1] - 67:9
roughly [3] - 8:4, 8:16, 65:17
round [2] - 110:13, 110:14
roundabout [1] - 197:7
roundtable [1] - 5:15
route [1] - 239:4
routinely [1] - 74:6
row [4] - 93:6, 93:7, 113:3, 147:10
rule [1] - 191:1
rules [5] - 3:6, 4:14, 176:10, 241:16, 243:4
run [6] - 2:13, 69:8, 94:13, 104:7, 127:9
runs [1] - 144:1
rush [2] - 210:15, 212:10
rushing [2] - 130:10
Russell [1] - 1:8
RUSSELL [25] - 78:7, 97:17, 100:9, 101:5, 101:10, 102:3, 144:7, 159:3, 212:18, 216:4, 221:10, 223:3, 223:10, 223:16, 224:1, 224:3, 224:11, 232:16, 233:3, 233:8, 233:15, 237:9, 238:8, 238:11, 238:15
Russia [2] - 16:7, 16:8
Ruth [2] - 170:4, 170:5
RUTH [1] - 170:5
Rutland [1] - 175:7
Ryals [2] - 170:4, 170:5
RYALS [1] - 170:5

S

Sacramento [2] - 174:9, 174:13
safer [1] - 16:18
safety [1] - 77:5
sale [1] - 18:16
sales [1] - 73:17
salon [1] - 110:4
SAME [1] - 246:16
sample [1] - 9:12
SANDRA [2] - 56:14, 60:13
Sandra [1] - 56:14
sat [1] - 59:1

satisfactorily [1] - 167:15
satisfactory [1] - 165:2
satisfied [1] - 165:18
Saturday [1] - 13:4
sausage [1] - 65:5
save [1] - 173:3
savings [1] - 109:1
saw [4] - 36:9, 146:5, 216:12, 217:18
scale [5] - 118:18, 136:16, 177:2, 178:14, 179:1
scenario [1] - 204:15
schedule [2] - 7:8, 233:2
scheduled [1] - 74:8
schedules [1] - 140:4
school [1] - 182:6
School [3] - 15:11, 16:4, 64:12
schools [1] - 40:11
scientific [1] - 132:9
Scott [2] - 164:18, 166:15
scroll [1] - 47:15
se [1] - 88:3
sea [1] - 11:6
Sean [2] - 33:1, 165:1
searching [1] - 18:13
Sears [1] - 107:15
seats [1] - 173:14
second [10] - 10:5, 11:16, 14:2, 14:3, 102:7, 102:8, 121:18, 131:9, 135:17, 182:3
Second [1] - 1:5
secretarial [1] - 21:11
section [20] - 62:12, 94:1, 137:11, 145:1, 157:2, 157:4, 173:3, 194:10, 195:16, 201:17, 202:2, 202:4, 202:7, 205:2, 211:13, 211:17, 221:8, 235:13, 235:14, 240:12
sections [1] - 225:5
see [44] - 8:15, 23:5, 23:15, 25:8, 31:5, 31:10, 31:12, 33:16, 34:18, 35:10, 36:13, 45:7, 47:11, 49:4, 53:3, 57:14, 60:8, 64:6, 71:3, 73:15, 105:17, 109:3, 109:13, 114:18, 116:6, 117:15, 123:4, 126:17,

130:17, 137:14, 137:16, 147:15, 157:1, 167:12, 172:14, 184:13, 204:6, 204:7, 217:5, 217:10, 218:10, 221:18
seeing [7] - 9:11, 9:12, 25:16, 85:14, 192:9, 241:5, 241:8
seeking [1] - 138:15
seem [5] - 64:13, 137:8, 213:11, 232:12, 235:7
sell [2] - 57:17, 70:16
semi [1] - 30:11
semi-continuous [1] - 30:11
send [3] - 9:14, 150:10, 163:2
sense [15] - 61:9, 88:10, 95:6, 123:18, 124:4, 124:8, 126:3, 128:14, 205:15, 213:12, 222:2, 222:3, 233:10, 241:16, 241:17
sensitive [1] - 164:8
sent [2] - 5:18, 189:1
series [1] - 160:2
serve [1] - 222:1
serves [2] - 13:11, 173:16
service [4] - 12:13, 22:2, 70:15, 168:8
services [1] - 12:8
Services [1] - 12:11
session [2] - 240:18, 241:10
Session [3] - 242:14, 242:17, 243:3
set [20] - 8:14, 9:12, 11:9, 12:18, 103:8, 151:10, 155:3, 155:11, 155:12, 178:1, 178:17, 182:1, 182:6, 182:10, 187:17, 196:9, 197:16, 246:6, 246:8
setback [14] - 117:9, 117:12, 123:13, 123:16, 124:15, 125:13, 136:12, 136:14, 182:17, 184:15, 188:2, 212:12, 214:4
setback's [1] - 184:14
setbacks [6] - 133:13, 136:11, 141:5, 141:6, 180:14,

207:1
setting [1] - 188:4
Seven [1] - 164:6
seven [6] - 109:10, 113:5, 113:15, 183:11, 183:13, 216:14
several [5] - 6:8, 96:16, 105:9, 150:12, 152:1
shadows [1] - 24:5
shaped [1] - 198:8
share [1] - 10:15
shared [2] - 30:6, 135:14
sharp [1] - 94:7
sharpen [1] - 122:18
Shaw's [1] - 112:14
sheet [3] - 50:14, 160:16, 245:7
SHEET [1] - 245:1
Sheet [2] - 245:3, 245:7
Shepard's [1] - 171:16
shied [1] - 81:16
shifting [1] - 73:6
shop [5] - 23:15, 70:17, 71:1, 171:14
shops [4] - 131:11, 163:15, 172:15, 207:12
short [5] - 74:15, 103:11, 125:4, 127:2, 149:13
shorter [2] - 17:16, 72:9
Shorthand [2] - 246:4, 246:12
show [8] - 14:6, 48:1, 56:6, 105:13, 113:9, 131:4, 204:9, 240:15
showed [2] - 91:16, 114:14
shows [3] - 92:14, 93:4, 93:5
sic [1] - 52:7
side [23] - 33:13, 62:13, 76:2, 92:15, 96:17, 107:16, 111:11, 120:2, 120:3, 125:6, 125:7, 140:6, 159:10, 165:5, 165:7, 166:10, 183:1, 183:2, 183:5, 198:1, 203:17, 212:15, 214:9
sides [2] - 78:8, 120:9
sidewalk [9] - 108:14,

<p>117:11, 124:7, 183:4, 184:12, 184:13, 187:12, 187:14, 212:15</p> <p>sidewalks [10] - 108:10, 108:12, 118:11, 123:8, 123:9, 123:12, 176:2, 182:18, 183:6, 207:2</p> <p>Sieniewicz [1] - 1:9</p> <p>SIENIEWICZ [7] - 79:18, 98:9, 102:8, 209:11, 216:2, 232:15, 240:9</p> <p>sign [2] - 50:14, 160:15</p> <p>Sign [1] - 245:7</p> <p>sign-up [2] - 50:14, 160:15</p> <p>SIGNATURE [1] - 245:1</p> <p>signatures [1] - 47:12</p> <p>signed [7] - 50:17, 51:17, 60:2, 61:7, 115:13, 161:3, 186:2</p> <p>signers [2] - 119:4, 170:7</p> <p>significant [4] - 64:5, 74:12, 87:16, 202:9</p> <p>similar [3] - 12:6, 85:6, 204:7</p> <p>similarly [1] - 138:11</p> <p>simple [3] - 13:6, 27:7, 227:17</p> <p>simply [6] - 54:17, 101:1, 162:7, 194:9, 201:8, 226:13</p> <p>single [8] - 23:2, 45:6, 52:18, 86:15, 109:15, 166:17, 172:8, 200:8</p> <p>single-family [1] - 23:2</p> <p>single-story [1] - 172:8</p> <p>sisters [3] - 23:6, 31:15, 43:5</p> <p>sit [1] - 115:3</p> <p>site [3] - 18:1, 182:9, 229:9</p> <p>sites [2] - 204:6, 238:4</p> <p>sitting [4] - 58:7, 58:8, 131:18, 242:1</p> <p>situation [5] - 74:14, 78:8, 124:1, 133:10, 162:6</p> <p>situations [3] - 117:13, 125:5,</p>	<p>133:7</p> <p>six [13] - 17:2, 32:1, 42:6, 70:10, 71:4, 98:3, 113:5, 120:18, 133:11, 147:9, 147:10, 183:4, 217:11</p> <p>six-person [2] - 71:4, 98:3</p> <p>six-story [2] - 133:11, 217:11</p> <p>sixteen [1] - 9:1</p> <p>size [6] - 63:11, 71:16, 132:13, 174:13, 185:16, 213:10</p> <p>sizes [1] - 152:14</p> <p>sketch [1] - 209:15</p> <p>skills [1] - 15:12</p> <p>skinny [1] - 17:13</p> <p>Slade [1] - 112:8</p> <p>slide [6] - 17:11, 19:1, 20:3, 22:14, 25:3, 41:5</p> <p>slides [3] - 23:15, 36:4, 197:6</p> <p>slipping [1] - 76:1</p> <p>slow [2] - 189:4, 190:13</p> <p>small [34] - 9:12, 19:8, 19:10, 20:4, 20:7, 20:16, 21:10, 64:7, 64:8, 72:18, 77:9, 77:11, 78:10, 78:11, 79:11, 82:6, 83:13, 85:12, 86:2, 86:13, 87:2, 87:6, 96:1, 96:7, 108:15, 172:14, 172:18, 175:12, 183:12, 185:4, 208:11, 215:16, 222:9</p> <p>smaller [2] - 154:17, 204:13</p> <p>smart [1] - 241:3</p> <p>smartest [1] - 20:1</p> <p>SME [1] - 20:7</p> <p>snobs [1] - 130:3</p> <p>snowbanks [1] - 38:6</p> <p>so... [3] - 40:4, 68:3, 78:17</p> <p>social [1] - 12:13</p> <p>Soden [1] - 57:2</p> <p>softly [1] - 209:13</p> <p>solace [1] - 242:3</p> <p>sold [2] - 78:12, 217:17</p> <p>solution [5] - 165:2, 166:13, 200:14, 218:7, 218:8</p> <p>solutions [1] - 168:6</p> <p>solve [2] - 118:12,</p>	<p>206:14</p> <p>someone [7] - 14:15, 62:14, 65:4, 74:4, 77:6, 98:11, 192:10</p> <p>sometime [2] - 7:7, 10:9</p> <p>sometimes [4] - 43:6, 143:6, 143:7, 163:13</p> <p>somewhat [3] - 85:15, 142:1, 208:18</p> <p>son [1] - 30:5</p> <p>soon [1] - 19:17</p> <p>sorry [5] - 5:14, 10:12, 17:10, 68:16, 99:4</p> <p>sort [29] - 6:7, 6:10, 21:8, 90:6, 91:2, 94:1, 111:15, 114:13, 115:14, 120:12, 124:10, 152:4, 152:7, 153:1, 154:1, 154:4, 154:9, 154:18, 155:1, 155:8, 157:6, 158:6, 158:7, 173:14, 194:7, 198:18, 220:18, 227:4, 242:15</p> <p>soul [1] - 76:16</p> <p>sounds [5] - 66:9, 129:15, 135:6, 227:1, 231:16</p> <p>soup [1] - 163:16</p> <p>South [1] - 203:17</p> <p>south [10] - 119:15, 120:18, 141:1, 213:8, 213:12, 213:13, 215:12, 226:1, 226:2, 226:12</p> <p>southern [2] - 140:18, 221:8</p> <p>space [37] - 17:7, 17:8, 25:17, 26:15, 29:8, 45:3, 45:4, 55:5, 64:14, 65:4, 65:9, 71:8, 74:5, 76:5, 78:10, 80:2, 86:2, 86:5, 86:6, 121:15, 124:4, 131:10, 134:7, 134:14, 134:18, 136:18, 141:16, 151:13, 153:8, 174:5, 174:14, 183:9, 183:11, 183:16, 183:17, 212:15</p> <p>spaces [13] - 25:13, 38:17, 53:8, 74:12, 115:18, 116:2,</p>	<p>116:3, 116:4, 116:12, 127:4, 128:9, 174:8</p> <p>Spain [1] - 48:11</p> <p>speakers [1] - 104:2</p> <p>Spears [2] - 23:1, 38:11</p> <p>Spears' [1] - 72:5</p> <p>Special [5] - 12:1, 100:11, 101:16, 150:16, 151:2</p> <p>special [10] - 38:12, 105:13, 113:4, 150:18, 186:13, 186:14, 208:5, 209:5, 209:6</p> <p>specific [3] - 12:3, 234:3, 235:12</p> <p>specifically [1] - 148:2</p> <p>spectrum [1] - 9:8</p> <p>speech [1] - 209:14</p> <p>spell [1] - 51:8</p> <p>spend [2] - 171:13, 222:6</p> <p>spending [2] - 109:12, 222:8</p> <p>spent [3] - 22:7, 55:8, 95:7</p> <p>spin [1] - 16:3</p> <p>spine [1] - 159:17</p> <p>spoken [2] - 191:18, 204:4</p> <p>spot [3] - 31:14, 79:6, 88:10</p> <p>spots [7] - 34:8, 34:9, 34:11, 34:12, 45:6, 60:6, 128:7</p> <p>square [20] - 2:11, 65:16, 65:18, 66:1, 66:3, 66:4, 66:6, 66:12, 66:14, 71:9, 71:14, 131:8, 131:14, 132:12, 132:17, 151:1, 152:14, 185:5, 185:8, 185:12</p> <p>Square [36] - 24:12, 37:1, 39:10, 48:8, 76:7, 78:13, 83:15, 85:14, 90:18, 91:9, 95:10, 105:6, 111:1, 119:12, 119:15, 120:8, 120:17, 121:1, 127:11, 131:7, 131:17, 141:1, 145:5, 149:13, 176:4, 213:8, 213:12, 213:13, 221:13, 221:14, 223:17,</p>	<p>225:12, 226:3, 226:8, 226:11, 226:12</p> <p>squeezed [1] - 188:7</p> <p>SS [1] - 246:3</p> <p>stack [1] - 115:15</p> <p>Staff [1] - 1:13</p> <p>staff [14] - 84:17, 100:6, 140:2, 147:4, 152:3, 159:10, 195:3, 196:8, 198:1, 200:15, 205:15, 227:14, 234:15, 242:11</p> <p>stage [1] - 19:13</p> <p>stake [1] - 13:5</p> <p>stamp [4] - 69:4, 82:12, 88:9, 88:17</p> <p>stampede [2] - 27:2, 27:4</p> <p>stand [1] - 124:14</p> <p>standalone [2] - 27:8, 30:10</p> <p>standard [1] - 101:4</p> <p>standards [2] - 100:11, 150:15</p> <p>standing [1] - 34:7</p> <p>stands [1] - 105:5</p> <p>star [1] - 31:14</p> <p>Starbucks [1] - 131:17</p> <p>start [12] - 4:8, 15:7, 56:10, 78:5, 78:6, 105:17, 117:10, 125:17, 126:12, 140:5, 191:17, 192:3</p> <p>started [8] - 15:15, 15:16, 16:6, 16:11, 16:15, 17:8, 17:12, 187:11</p> <p>starting [1] - 124:16</p> <p>state [3] - 51:7, 161:1, 191:4</p> <p>statement [1] - 176:12</p> <p>statement(s) [1] - 245:17</p> <p>stationary [1] - 239:16</p> <p>statistic [1] - 20:9</p> <p>statistics [1] - 172:17</p> <p>stay [3] - 96:1, 103:5, 127:17</p> <p>stayed [1] - 78:17</p> <p>stays [1] - 172:14</p> <p>Stefan [1] - 2:6</p> <p>STEFAN [36] - 14:18, 15:5, 17:17, 19:10, 21:13, 24:2, 25:6, 26:2, 26:16, 28:9,</p>
--	---	--	--	--

<p>28:14, 28:18, 29:17, 30:4, 35:2, 35:7, 35:12, 35:16, 36:2, 36:8, 37:9, 38:8, 40:5, 42:1, 43:4, 43:10, 43:18, 44:11, 46:17, 47:4, 47:18, 50:4, 51:4, 94:10, 99:12, 99:15</p> <p>Steinstucken [2] - 165:10, 165:11</p> <p>stenographer [1] - 51:8</p> <p>stenographic [1] - 243:2</p> <p>step [2] - 194:12, 194:13</p> <p>steps [3] - 76:2, 76:13, 77:15</p> <p>Stern [3] - 107:7, 161:7, 164:5</p> <p>STERN [1] - 164:4</p> <p>Stern's [1] - 209:14</p> <p>Steve [1] - 86:11</p> <p>STEVEN [12] - 14:1, 86:12, 100:18, 156:17, 193:4, 194:1, 199:15, 220:11, 222:16, 223:8, 224:6, 231:16</p> <p>Steven [2] - 1:9, 102:17</p> <p>sticker [3] - 7:2, 37:4, 37:7</p> <p>stickers [2] - 6:17, 6:18</p> <p>sticks [1] - 165:12</p> <p>still [18] - 29:3, 44:3, 50:17, 78:17, 122:6, 129:17, 130:1, 130:11, 146:7, 150:9, 155:11, 155:13, 180:13, 181:4, 218:12, 218:13, 227:9, 241:10</p> <p>stills [1] - 36:9</p> <p>stilt [5] - 115:17, 118:13, 128:16, 170:10, 182:8</p> <p>stood [1] - 36:10</p> <p>stop [3] - 164:16, 186:2, 188:6</p> <p>stops [1] - 183:15</p> <p>store [5] - 132:16, 132:17, 185:8, 185:10, 185:13</p> <p>storefront [5] - 109:15, 109:18, 110:6, 132:11,</p>	<p>136:4</p> <p>stores [6] - 118:16, 132:18, 133:1, 185:15, 212:7, 217:3</p> <p>stories [3] - 147:9, 147:10, 156:5</p> <p>storm [1] - 11:7</p> <p>story [21] - 43:14, 93:6, 108:16, 133:11, 147:11, 151:12, 172:8, 174:11, 174:12, 180:9, 180:18, 181:1, 181:7, 181:15, 184:1, 184:6, 184:17, 186:11, 203:8, 216:15, 217:11</p> <p>straight [2] - 8:9, 197:10</p> <p>straightforward [2] - 182:14, 197:11</p> <p>strategies [1] - 168:7</p> <p>Street [68] - 2:8, 5:1, 5:3, 5:5, 7:16, 14:13, 14:14, 15:1, 15:4, 17:6, 19:4, 23:12, 24:10, 24:14, 24:17, 24:18, 25:1, 26:3, 27:5, 27:14, 33:8, 33:13, 34:8, 34:11, 37:12, 46:4, 49:13, 51:15, 53:1, 57:2, 61:3, 61:6, 61:7, 62:14, 63:9, 65:6, 66:8, 68:18, 69:13, 70:3, 75:7, 75:9, 76:6, 76:18, 81:12, 82:9, 92:16, 93:7, 93:8, 105:3, 111:1, 112:13, 120:16, 120:17, 159:6, 161:9, 169:2, 175:8, 177:12, 181:6, 181:7, 216:12</p> <p>street [30] - 23:4, 29:12, 29:18, 32:7, 33:8, 36:11, 37:6, 56:16, 59:14, 59:18, 60:1, 64:10, 68:12, 72:8, 74:2, 74:10, 80:11, 82:2, 108:12, 111:12, 111:14, 114:16, 129:4, 136:4, 150:6, 151:15, 166:4, 180:5, 180:14</p> <p>streets [6] - 25:7, 25:18, 38:6, 57:3, 126:8, 180:12</p>	<p>streetscape [1] - 167:1</p> <p>stress [1] - 234:9</p> <p>stressful [1] - 234:10</p> <p>stretch [3] - 177:16, 180:10, 185:1</p> <p>strict [2] - 150:6, 150:13</p> <p>stringent [1] - 153:13</p> <p>strip [1] - 217:1</p> <p>strong [6] - 11:8, 16:8, 74:18, 119:2, 119:4, 175:17</p> <p>structured [5] - 128:17, 149:16, 199:17, 200:1</p> <p>structures [7] - 133:4, 133:5, 178:17, 211:3, 216:15, 216:16, 217:11</p> <p>struggling [1] - 236:10</p> <p>STUART [6] - 195:18, 198:17, 200:4, 200:11, 202:8, 229:5</p> <p>Stuart [3] - 1:14, 195:16, 199:15</p> <p>Stuart's [1] - 135:14</p> <p>stuck [1] - 165:9</p> <p>students [2] - 42:12, 127:5</p> <p>studied [3] - 159:6, 213:16, 215:3</p> <p>studies [2] - 33:17, 34:1</p> <p>study [26] - 55:9, 80:14, 80:15, 80:18, 81:7, 97:3, 107:17, 132:10, 138:10, 142:14, 152:1, 159:12, 187:6, 194:4, 195:5, 195:14, 196:9, 196:16, 196:18, 205:14, 205:16, 206:13, 208:5, 222:1, 222:9, 226:15</p> <p>studying [3] - 100:16, 238:5, 240:4</p> <p>stuff [2] - 105:17, 121:16</p> <p>style [1] - 114:17</p> <p>subdistrict [9] - 104:7, 119:13, 119:14, 119:18, 120:14, 145:15, 149:4, 224:2, 224:4</p> <p>Subdistrict [2] - 2:13, 2:15</p>	<p>subject [3] - 52:11, 97:18, 237:16</p> <p>subjected [1] - 157:2</p> <p>submit [1] - 46:10</p> <p>submitted [2] - 43:8, 175:18</p> <p>subscribe [1] - 245:16</p> <p>substantial [1] - 155:1</p> <p>substantially [1] - 176:4</p> <p>substantive [1] - 7:10</p> <p>substituting [1] - 203:11</p> <p>subtract [1] - 31:1</p> <p>suburbs [1] - 171:16</p> <p>subway [1] - 36:18</p> <p>successful [2] - 166:2, 212:4</p> <p>successfully [1] - 63:12</p> <p>sufficient [1] - 194:14</p> <p>sufficiently [1] - 215:2</p> <p>suggested [4] - 141:4, 195:12, 220:18, 224:7</p> <p>suggesting [6] - 201:8, 221:3, 221:4, 221:5, 221:7, 221:11</p> <p>suggestion [2] - 220:15, 226:9</p> <p>suit [1] - 54:18</p> <p>suited [1] - 83:6</p> <p>Sullivan [1] - 108:18</p> <p>summarizes [1] - 20:4</p> <p>summarizing [1] - 46:9</p> <p>summertime [1] - 110:12</p> <p>supplies [1] - 70:16</p> <p>support [41] - 31:12, 32:11, 33:4, 41:1, 41:7, 42:18, 44:5, 46:15, 47:1, 49:5, 52:1, 54:13, 60:15, 63:1, 68:15, 75:3, 77:16, 79:4, 79:11, 79:14, 87:8, 89:8, 89:9, 91:15, 97:14, 119:2, 132:2, 132:7, 132:18, 136:4, 164:7, 169:4, 170:9, 175:17, 189:2, 220:6, 220:14, 233:14, 236:9, 236:12, 236:15</p> <p>supported [5] - 31:7, 109:13, 110:11,</p>	<p>114:2, 179:8</p> <p>supporters [1] - 49:2</p> <p>supporting [2] - 72:18, 227:2</p> <p>supportive [3] - 40:15, 209:3, 209:8</p> <p>supports [2] - 18:9, 48:6</p> <p>supposed [2] - 61:10, 243:4</p> <p>surface [1] - 174:9</p> <p>surgery [1] - 116:14</p> <p>surrounding [1] - 167:3</p> <p>survey [4] - 61:11, 111:2, 111:18, 119:3</p> <p>SUSAN [2] - 70:2, 168:15</p> <p>Susan [3] - 70:2, 168:14, 168:17</p> <p>sushi [1] - 110:2</p> <p>suspect [2] - 195:8, 237:15</p> <p>Swaathi [1] - 1:14</p> <p>swing [1] - 17:1</p> <p>switch [1] - 121:3</p> <p>switches [1] - 226:1</p> <p>sympathetic [2] - 85:11, 87:4</p> <p>sympathy [1] - 83:12</p> <p>system [2] - 199:3, 230:18</p> <p>systematic [1] - 81:2</p> <p>systemic [1] - 33:17</p>
T				
<p>table [1] - 210:14</p> <p>tables [1] - 183:12</p> <p>tackle [1] - 198:14</p> <p>taco [1] - 163:15</p> <p>talks [4] - 65:7, 133:18, 135:13, 135:14</p> <p>taller [1] - 154:1</p> <p>tandem [1] - 11:11</p> <p>Taqueria [5] - 22:17, 32:6, 41:9, 53:17, 72:7</p> <p>Target [1] - 55:13</p> <p>targeted [1] - 221:6</p> <p>tasks [1] - 12:3</p> <p>taxes [1] - 40:10</p> <p>technical [3] - 103:14, 139:1, 140:8</p> <p>technician [1] - 36:7</p> <p>Ted [1] - 233:14</p> <p>temporary [5] - 145:7, 203:4, 203:5, 203:6,</p>				

<p>205:17</p> <p>ten [7] - 26:12, 28:8, 58:7, 81:6, 106:17, 180:9, 186:4</p> <p>ten-story [1] - 180:9</p> <p>tenancy [1] - 169:9</p> <p>tenant [2] - 80:5, 169:6</p> <p>tend [3] - 92:2, 95:15, 95:16</p> <p>tended [1] - 151:10</p> <p>tends [1] - 6:11</p> <p>term [2] - 138:15, 184:9</p> <p>terminology [1] - 221:11</p> <p>terms [11] - 11:5, 26:8, 82:18, 139:2, 169:9, 195:13, 196:16, 198:6, 203:6, 230:18, 235:12</p> <p>Terrace [1] - 164:6</p> <p>terrible [1] - 57:12</p> <p>terribly [1] - 88:17</p> <p>terrific [1] - 132:1</p> <p>territory [1] - 105:11</p> <p>testimony [1] - 101:12</p> <p>Texas [1] - 117:16</p> <p>text [2] - 139:16, 140:13</p> <p>texts [1] - 3:2</p> <p>THE [14] - 1:2, 1:17, 29:11, 30:3, 65:11, 110:13, 129:5, 192:14, 216:10, 223:18, 246:15, 246:16, 246:16</p> <p>themselves [3] - 54:13, 93:11</p> <p>THEODORE [99] - 4:3, 13:7, 13:14, 13:17, 14:2, 14:4, 14:7, 28:13, 28:16, 29:13, 43:7, 43:15, 46:8, 46:15, 47:2, 47:7, 47:11, 49:15, 50:7, 50:13, 51:6, 56:4, 56:9, 60:18, 63:4, 70:1, 71:18, 75:5, 77:18, 78:3, 79:17, 84:4, 86:11, 92:4, 95:1, 98:6, 98:10, 99:14, 99:16, 101:8, 101:17, 102:5, 102:10, 102:12, 102:15, 102:18, 103:12, 117:18, 118:6, 137:2, 144:6,</p>	<p>145:13, 146:9, 156:14, 158:12, 160:12, 160:18, 164:3, 168:13, 170:3, 175:2, 179:5, 188:11, 191:12, 191:16, 192:4, 193:16, 200:7, 200:12, 201:7, 206:2, 209:10, 216:6, 216:11, 222:15, 222:17, 223:4, 223:7, 223:14, 224:8, 224:13, 227:13, 228:8, 231:17, 232:5, 232:7, 232:12, 233:9, 233:12, 234:1, 235:9, 239:1, 240:7, 240:10, 240:16, 241:5, 241:11, 243:16, 244:1</p> <p>Theodore [2] - 1:7, 189:3</p> <p>there'd [1] - 55:1</p> <p>therefor [1] - 245:7</p> <p>they've [4] - 42:17, 54:7, 109:18, 110:1</p> <p>thick [1] - 16:12</p> <p>thin [1] - 16:11</p> <p>thinking [12] - 122:9, 122:11, 122:18, 131:16, 134:15, 142:2, 159:4, 198:10, 203:11, 210:13, 214:10, 222:4</p> <p>thinks [1] - 109:1</p> <p>Third [1] - 7:16</p> <p>THIS [1] - 246:15</p> <p>thoroughfare [1] - 160:5</p> <p>thousand [2] - 65:17, 66:1</p> <p>thousands [1] - 123:5</p> <p>threat [1] - 79:13</p> <p>threatening [1] - 61:9</p> <p>three [38] - 9:3, 22:12, 27:8, 27:15, 34:13, 51:10, 60:5, 68:3, 71:15, 80:6, 82:18, 84:10, 85:5, 86:7, 92:16, 93:5, 93:9, 98:10, 98:17, 105:4, 111:6, 119:11, 120:12, 127:8, 128:7, 156:5, 161:2, 167:5, 176:16, 177:10, 179:17, 180:2, 181:9, 183:16, 203:14,</p>	<p>213:3, 217:1, 239:4</p> <p>three-bedroom [1] - 80:6</p> <p>threshold [2] - 131:7, 131:8</p> <p>thriving [1] - 64:7</p> <p>throughout [1] - 90:1</p> <p>throughway [1] - 22:11</p> <p>throwing [1] - 19:18</p> <p>ticket [1] - 33:5</p> <p>tied [1] - 38:14</p> <p>tier [1] - 9:10</p> <p>tired [2] - 16:12, 209:13</p> <p>tiredness [1] - 21:15</p> <p>TO [1] - 246:15</p> <p>today [10] - 4:6, 5:9, 41:1, 116:1, 129:10, 175:15, 185:14, 186:1, 200:14, 239:18</p> <p>together [4] - 40:18, 58:4, 184:1</p> <p>toggle [1] - 35:8</p> <p>Tom [3] - 1:9, 79:17, 209:10</p> <p>TOM [7] - 79:18, 98:9, 102:8, 209:11, 216:2, 232:15, 240:9</p> <p>tomorrow [4] - 5:11, 139:5, 232:18, 235:5</p> <p>tonight [11] - 59:13, 68:5, 70:11, 169:18, 179:18, 189:14, 190:10, 231:18, 233:5, 243:18, 244:9</p> <p>tonight's [2] - 4:11, 175:16</p> <p>took [8] - 8:4, 21:13, 34:15, 36:11, 60:2, 60:3, 112:8, 150:10</p> <p>toothing [1] - 217:18</p> <p>top [4] - 26:10, 109:6, 126:17, 159:16</p> <p>torn [1] - 216:13</p> <p>total [6] - 7:17, 8:12, 68:3, 131:9, 135:16, 230:1</p> <p>touches [2] - 23:9, 32:4</p> <p>tough [5] - 91:5, 91:10, 91:11, 92:1, 201:2</p> <p>towards [2] - 52:15, 73:7</p> <p>towered [1] - 166:5</p> <p>town [1] - 37:5</p>	<p>Town [1] - 173:12</p> <p>townhouse [2] - 93:6, 93:7</p> <p>townhouses [4] - 27:13, 92:8, 95:5, 166:16</p> <p>tracking [1] - 7:14</p> <p>trade [1] - 171:11</p> <p>tradeoffs [2] - 157:13, 158:6</p> <p>traditional [1] - 108:3</p> <p>traditionally [1] - 137:11</p> <p>traffic [1] - 26:8</p> <p>Traffic [2] - 6:6, 7:6</p> <p>trained [1] - 112:5</p> <p>transaction [3] - 65:10, 69:11, 82:13</p> <p>transactions [1] - 77:6</p> <p>TRANSCRIPT [1] - 246:15</p> <p>transcript [6] - 13:12, 243:2, 245:2, 245:6, 245:15, 245:16</p> <p>Transcript(s) [1] - 2:4</p> <p>transcripts [1] - 13:10</p> <p>transform [1] - 204:6</p> <p>transformation [1] - 204:18</p> <p>transit [2] - 67:15, 71:12</p> <p>transition [1] - 117:10</p> <p>translating [1] - 179:14</p> <p>transportation [1] - 5:16</p> <p>traveled [1] - 211:8</p> <p>treat [2] - 125:11, 125:18</p> <p>tree [1] - 183:14</p> <p>trees [1] - 183:3</p> <p>trend [1] - 126:18</p> <p>tricky [3] - 75:16, 77:13</p> <p>tried [3] - 76:3, 94:10, 115:4</p> <p>trolley [2] - 180:15, 181:2</p> <p>trouble [1] - 69:8</p> <p>trucks [1] - 130:7</p> <p>true [6] - 30:3, 44:10, 82:14, 88:7, 133:9, 246:6</p> <p>True [1] - 44:13</p> <p>Trust [3] - 9:16, 110:15, 169:3</p> <p>trust [1] - 121:11</p> <p>trustee [1] - 169:4</p> <p>truth [1] - 114:6</p> <p>try [15] - 4:7, 72:9,</p>	<p>99:2, 106:8, 115:1, 124:15, 149:6, 159:1, 204:2, 209:12, 209:15, 210:8, 224:16, 237:12, 244:3</p> <p>trying [24] - 16:7, 18:14, 29:7, 49:13, 52:8, 53:13, 54:13, 83:13, 89:2, 94:17, 96:5, 106:7, 122:14, 122:15, 122:18, 134:10, 161:16, 163:7, 173:2, 173:13, 187:11, 228:4, 231:10, 237:18</p> <p>tucked [1] - 156:7</p> <p>Tuesday [1] - 1:4</p> <p>tunnel [1] - 177:4</p> <p>turn [1] - 140:6</p> <p>turned [5] - 17:3, 111:16, 115:13, 202:13, 216:14</p> <p>turning [1] - 219:6</p> <p>turns [2] - 59:4, 82:1</p> <p>tweaking [1] - 149:9</p> <p>tweaks [7] - 152:5, 152:6, 221:12, 221:14, 224:9, 226:5, 226:10</p> <p>twelve [1] - 49:5</p> <p>two [44] - 4:11, 5:6, 8:1, 8:14, 9:2, 11:12, 18:12, 18:17, 19:3, 21:16, 22:5, 24:11, 25:18, 34:13, 36:12, 37:11, 37:16, 39:7, 45:6, 56:12, 58:5, 60:6, 68:1, 72:15, 78:8, 93:6, 96:14, 111:6, 116:1, 116:8, 126:1, 126:2, 126:11, 147:11, 167:7, 177:10, 181:9, 183:12, 184:1, 186:4, 187:16, 216:12, 237:11, 244:1</p> <p>two-bedroom [1] - 9:2</p> <p>two-story [2] - 93:6, 147:11</p> <p>type [8] - 30:10, 90:1, 90:7, 90:9, 118:16, 130:15, 150:3, 153:9</p> <p>types [4] - 99:3, 152:10, 152:11, 152:12</p> <p>typically [1] - 8:8</p> <p>typing [1] - 29:9</p>
--	--	--	---	---

U				
<p>ultimately [2] - 213:15, 236:1</p> <p>unable [1] - 175:15</p> <p>unaffordable [1] - 78:14</p> <p>unanimous [2] - 100:3, 103:3</p> <p>unattractive [1] - 218:2</p> <p>unaware [1] - 86:3</p> <p>unclear [3] - 134:1, 134:14, 192:9</p> <p>uncomfortable [1] - 229:1</p> <p>under [5] - 75:18, 79:13, 154:5, 174:12, 229:14</p> <p>UNDER [1] - 246:16</p> <p>underground [2] - 174:11, 174:12</p> <p>undersigned [1] - 246:4</p> <p>understood [3] - 31:2, 161:13, 212:7</p> <p>undertake [1] - 194:4</p> <p>undertaking [1] - 189:5</p> <p>unfinished [1] - 139:9</p> <p>unfortunate [3] - 38:13, 112:17, 241:18</p> <p>unfortunately [1] - 49:6</p> <p>unilaterally [1] - 201:2</p> <p>unintended [6] - 158:15, 168:1, 168:8, 209:1, 228:17, 236:18</p> <p>unique [1] - 180:2</p> <p>unit [3] - 2:10, 6:17, 7:3</p> <p>units [10] - 6:16, 7:15, 7:17, 8:5, 8:9, 8:13, 9:2, 18:3, 116:3, 117:1</p> <p>University [1] - 107:12</p> <p>unknown [1] - 94:12</p> <p>unless [4] - 26:9, 129:2, 185:9, 234:9</p> <p>UNLESS [1] - 246:16</p> <p>unlike [1] - 243:18</p> <p>unlikely [2] - 198:5, 231:5</p> <p>unlimited [1] - 136:1</p> <p>unreasonable [1] - 101:2</p>	<p>untenable [1] - 162:8</p> <p>up [103] - 6:4, 12:18, 15:10, 16:18, 21:15, 22:6, 23:12, 26:10, 37:15, 38:14, 38:17, 40:14, 42:14, 43:16, 44:9, 48:7, 49:15, 50:14, 51:2, 51:17, 55:15, 57:5, 57:18, 58:5, 60:7, 60:11, 60:13, 61:15, 66:3, 66:10, 67:14, 74:2, 74:9, 76:6, 76:9, 84:9, 85:10, 91:16, 92:15, 97:2, 97:18, 99:5, 101:6, 103:8, 103:10, 106:8, 108:4, 110:8, 110:15, 115:2, 116:15, 117:8, 119:7, 123:5, 123:6, 123:15, 124:13, 125:2, 126:4, 128:15, 130:4, 130:17, 131:15, 134:16, 136:2, 139:10, 144:8, 144:10, 148:7, 149:12, 149:13, 152:2, 155:10, 156:5, 160:15, 171:15, 177:5, 180:13, 180:18, 181:1, 181:3, 181:13, 181:15, 183:17, 183:18, 187:13, 191:18, 196:4, 200:13, 200:15, 200:18, 205:16, 205:18, 206:3, 215:7, 222:5, 227:14, 227:17, 230:12, 240:12, 241:18, 243:8, 243:13</p> <p>update [1] - 7:11</p> <p>Update [1] - 2:2</p> <p>updates [3] - 4:9, 5:18, 9:17</p> <p>upgrade [1] - 187:11</p> <p>Upland [1] - 170:6</p> <p>upstairs [2] - 67:11, 132:1</p> <p>urban [9] - 87:5, 132:10, 142:3, 150:7, 160:1, 160:2, 192:10, 192:12, 227:10</p> <p>Urban [2] - 122:2, 122:4</p> <p>urgency [1] - 210:18</p> <p>usage [1] - 59:3</p>	<p>useful [1] - 202:6</p> <p>uses [20] - 2:9, 52:18, 54:2, 68:10, 71:16, 88:6, 89:15, 90:8, 91:1, 91:2, 91:9, 98:2, 119:11, 141:15, 144:1, 152:11, 152:12, 153:10, 156:4</p>	<p>volunteer [1] - 244:10</p> <p>vote [5] - 13:3, 100:2, 100:3, 103:3, 139:8</p> <p>vulnerability [1] - 10:14</p>	<p>103:5</p> <p>welcoming [1] - 77:12</p> <p>well-intentioned [3] - 210:2, 210:3</p> <p>wells [1] - 183:14</p> <p>west [1] - 183:1</p> <p>western [3] - 34:9, 45:2</p> <p>Western [34] - 2:7, 14:13, 22:10, 22:13, 24:8, 24:15, 27:1, 27:3, 32:9, 33:7, 33:10, 39:13, 41:10, 41:12, 44:13, 44:16, 49:10, 52:18, 56:15, 56:18, 60:7, 61:6, 62:2, 62:12, 72:4, 74:5, 76:7, 81:16, 81:18, 88:6, 92:15, 95:8, 97:4</p> <p>whereas [2] - 32:2, 185:12</p> <p>WHEREOF [1] - 246:8</p> <p>whichever [2] - 125:12, 125:15</p> <p>White [1] - 112:13</p> <p>Whole [1] - 26:9</p> <p>whole [21] - 24:15, 61:12, 67:3, 68:10, 84:6, 85:8, 86:8, 94:4, 108:15, 115:12, 125:11, 154:13, 159:12, 159:17, 159:18, 163:1, 191:9, 215:10, 222:18, 223:3</p> <p>wholeheartedly [1] - 65:1</p> <p>War [2] - 107:16, 108:1</p> <p>war [2] - 108:7, 122:16</p> <p>Wasserstein [2] - 107:6, 218:17</p> <p>waste [2] - 123:4, 210:8</p> <p>ways [2] - 9:4, 239:14</p> <p>wearing [1] - 16:17</p> <p>web [1] - 122:6</p> <p>website [5] - 122:1, 150:9, 177:18, 178:13, 179:3</p> <p>week [4] - 7:7, 9:18, 10:11, 10:15</p> <p>weekdays [1] - 38:11</p> <p>weekend [2] - 16:13, 69:6</p> <p>weekends [1] - 38:10</p> <p>weeks [2] - 7:13, 177:10</p> <p>welcome [2] - 4:4,</p>
		V	W	
		<p>vacation [1] - 140:4</p> <p>vague [1] - 243:15</p> <p>valuable [1] - 222:12</p> <p>value [2] - 46:3, 181:2</p> <p>valued [1] - 77:16</p> <p>vantage [3] - 23:11, 24:7, 34:6</p> <p>Variance [10] - 54:8, 54:9, 63:10, 86:15, 129:9, 129:12, 129:17, 130:12, 141:13, 185:17</p> <p>variance [4] - 118:14, 129:12, 135:9, 162:1</p> <p>variances [2] - 162:3</p> <p>Variances [1] - 101:16</p> <p>various [4] - 16:14, 18:14, 30:14, 114:5</p> <p>vending [1] - 49:9</p> <p>version [2] - 149:7, 166:16</p> <p>versus [3] - 130:16, 145:11, 205:5</p> <p>veterinarian [1] - 116:7</p> <p>viability [1] - 166:2</p> <p>vibrant [1] - 171:8</p> <p>Vice [1] - 1:8</p> <p>Victoria [1] - 122:14</p> <p>Victorian [7] - 108:3, 112:18, 113:1, 114:15, 114:17, 122:15, 216:13</p> <p>video [2] - 35:8, 36:10</p> <p>view [1] - 77:8</p> <p>viral [1] - 115:14</p> <p>vision [1] - 146:1</p> <p>visit [1] - 171:17</p> <p>visiting [1] - 26:12</p> <p>vital [1] - 54:3</p> <p>voice [1] - 92:1</p> <p>voices [2] - 42:16, 197:18</p> <p>Volpe [5] - 10:1, 10:6, 54:17, 96:4, 138:8</p> <p>volume [1] - 245:6</p>	<p>wait [2] - 187:15, 190:17</p> <p>waiting [2] - 66:11, 214:18</p> <p>Walden [1] - 19:5</p> <p>Walgreens [1] - 169:10</p> <p>walk [11] - 25:7, 34:13, 35:6, 111:13, 116:15, 163:18, 171:11, 176:16, 188:5, 207:11, 217:1</p> <p>walk-in [2] - 163:18, 171:11</p> <p>walking [5] - 37:16, 79:1, 177:12, 183:16, 183:17</p> <p>wall [3] - 110:18, 111:9, 165:9</p> <p>wallet [3] - 16:11, 48:9, 48:11</p> <p>wallets [1] - 16:12</p> <p>wants [15] - 50:18, 59:5, 59:7, 62:18, 68:6, 134:6, 136:1, 192:1, 194:3, 208:14, 215:6, 220:8, 220:9, 233:4, 233:9</p> <p>War [2] - 107:16, 108:1</p> <p>war [2] - 108:7, 122:16</p> <p>Wasserstein [2] - 107:6, 218:17</p> <p>waste [2] - 123:4, 210:8</p> <p>ways [2] - 9:4, 239:14</p> <p>wearing [1] - 16:17</p> <p>web [1] - 122:6</p> <p>website [5] - 122:1, 150:9, 177:18, 178:13, 179:3</p> <p>week [4] - 7:7, 9:18, 10:11, 10:15</p> <p>weekdays [1] - 38:11</p> <p>weekend [2] - 16:13, 69:6</p> <p>weekends [1] - 38:10</p> <p>weeks [2] - 7:13, 177:10</p> <p>welcome [2] - 4:4,</p>	<p>103:5</p> <p>welcoming [1] - 77:12</p> <p>well-intentioned [3] - 210:2, 210:3</p> <p>wells [1] - 183:14</p> <p>west [1] - 183:1</p> <p>western [3] - 34:9, 45:2</p> <p>Western [34] - 2:7, 14:13, 22:10, 22:13, 24:8, 24:15, 27:1, 27:3, 32:9, 33:7, 33:10, 39:13, 41:10, 41:12, 44:13, 44:16, 49:10, 52:18, 56:15, 56:18, 60:7, 61:6, 62:2, 62:12, 72:4, 74:5, 76:7, 81:16, 81:18, 88:6, 92:15, 95:8, 97:4</p> <p>whereas [2] - 32:2, 185:12</p> <p>WHEREOF [1] - 246:8</p> <p>whichever [2] - 125:12, 125:15</p> <p>White [1] - 112:13</p> <p>Whole [1] - 26:9</p> <p>whole [21] - 24:15, 61:12, 67:3, 68:10, 84:6, 85:8, 86:8, 94:4, 108:15, 115:12, 125:11, 154:13, 159:12, 159:17, 159:18, 163:1, 191:9, 215:10, 222:18, 223:3</p> <p>wholeheartedly [1] - 65:1</p> <p>War [2] - 107:16, 108:1</p> <p>war [2] - 108:7, 122:16</p> <p>Wasserstein [2] - 107:6, 218:17</p> <p>waste [2] - 123:4, 210:8</p> <p>ways [2] - 9:4, 239:14</p> <p>wearing [1] - 16:17</p> <p>web [1] - 122:6</p> <p>website [5] - 122:1, 150:9, 177:18, 178:13, 179:3</p> <p>week [4] - 7:7, 9:18, 10:11, 10:15</p> <p>weekdays [1] - 38:11</p> <p>weekend [2] - 16:13, 69:6</p> <p>weekends [1] - 38:10</p> <p>weeks [2] - 7:13, 177:10</p> <p>welcome [2] - 4:4,</p>

123:6 wintertime [2] - 33:15, 38:5 wisest [1] - 198:16 wish [7] - 46:11, 47:13, 90:5, 90:12, 114:5, 120:12, 212:9 wishes [5] - 72:1, 78:1, 85:4, 175:3, 191:13 withstanding [2] - 82:9, 211:14 WITNESS [1] - 246:8 woman [2] - 56:11 women [1] - 189:11 won [2] - 15:18, 85:3 wonderful [6] - 59:15, 59:16, 80:12, 163:8, 188:18, 207:11 wondering [1] - 221:3 wonders [1] - 194:2 word [2] - 105:10, 162:13 works [8] - 20:9, 45:18, 114:10, 132:1, 188:17, 208:16, 212:8, 212:9 world [5] - 6:8, 16:10, 20:10, 44:12, 239:17 world's [1] - 48:9 worry [1] - 145:3 worse [1] - 53:7 worth [2] - 109:1, 113:5 worthwhile [1] - 147:2 worthy [1] - 142:13 wrap [7] - 43:16, 49:15, 55:15, 60:11, 60:13, 67:14, 191:18 wrestle [1] - 94:8 write [3] - 144:10, 227:14, 234:5 writing [4] - 91:18, 175:16, 227:17, 228:6 written [6] - 62:1, 131:6, 163:3, 189:15, 207:17, 214:15 wrote [2] - 31:11, 91:15 www.cambridgema. gov/cdd/ zoninganddevelopment [1] - 3:3 www.reportersinc.	com [1] - 1:18	79:7, 81:14, 83:12, 90:2, 100:10, 158:7, 162:2, 162:6, 163:18, 223:6
	Y	
	yard [1] - 23:3 yards [1] - 166:10 year [16] - 15:18, 18:18, 48:12, 48:13, 94:15, 110:13, 110:14, 139:11, 140:3, 188:9, 195:17, 196:1, 196:3, 231:7, 237:11, 239:6 years [48] - 15:11, 15:17, 16:2, 17:4, 17:15, 18:12, 20:1, 28:10, 33:10, 56:17, 58:8, 61:4, 76:3, 76:17, 78:15, 81:6, 96:14, 97:10, 106:4, 106:12, 113:15, 119:11, 120:12, 122:8, 124:3, 159:1, 173:10, 175:9, 176:14, 177:14, 180:6, 187:4, 187:10, 191:6, 193:10, 201:18, 203:14, 211:8, 213:4, 218:10, 230:11, 235:11, 238:11, 239:5, 239:17 yellow [1] - 31:14 yesterday [2] - 34:1, 48:18 yourself [1] - 25:8	zoning [68] - 2:15, 3:2, 12:2, 26:18, 41:18, 55:2, 61:14, 62:18, 68:9, 69:4, 69:9, 70:11, 70:12, 81:13, 82:12, 84:1, 84:10, 85:4, 87:10, 88:14, 89:7, 89:14, 90:5, 91:9, 97:3, 97:8, 101:18, 104:9, 104:13, 124:16, 124:18, 127:17, 141:11, 142:6, 148:4, 150:13, 153:12, 154:5, 155:18, 157:3, 157:8, 161:10, 161:16, 162:11, 162:13, 168:9, 179:10, 179:15, 180:6, 181:12, 187:13, 193:6, 194:18, 199:6, 199:10, 211:6, 211:12, 212:10, 218:4, 228:5, 229:15, 234:5, 238:16, 239:12, 240:1 zoning/ amendments [1] - 3:4 zoom [1] - 93:4
	Z	
	ZBA [3] - 96:10, 96:14, 101:13 Zelinski [2] - 246:4, 246:11 zero [1] - 27:1 Zinc [2] - 165:1, 166:15 Zone [2] - 52:3 zone [9] - 64:8, 82:4, 88:10, 88:11, 88:12, 91:8, 95:3, 117:7, 146:18 zoned [6] - 18:16, 23:13, 24:8, 24:11, 26:4, 129:11 Zoning [20] - 2:6, 14:12, 32:16, 42:2, 58:18, 59:2, 59:8, 59:9, 63:16, 71:2,	