

BOARD OF ZONING APPEAL  
FOR THE  
CITY OF CAMBRIDGE

GENERAL HEARING

THURSDAY JANUARY 11, 2024

6:00 p.m.

Remote Meeting

via

831 Massachusetts Avenue  
Cambridge, Massachusetts 02139

Jim Monteverde, Chair

Steven Ng, Vice Chair

Virginia Kessler

William Boehm

Fernando Daniel Hidalgo

Carol Agate

City Employees

Maria Pacheco

Olivia Ratay



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P R O C E E D I N G S

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(6:00 p.m.)

Sitting Members: Jim Monteverde, Steven Ng, Virginia  
Keesler, William Boehm, Daniel Hidalgo,  
and Wendy Leiserson

JIM MONTEVERDE: Welcome to the January 11, 2024  
meeting of the Cambridge Board of Zoning Appeal. My name is  
Jim Monteverde, and I am the Chair.

Pursuant to Chapter 2 of the Acts of 2023 adopted  
by the Massachusetts Court, and approved by the Governor,  
the City is authorized to use remote participation at  
meetings of the Cambridge Board of Zoning Appeal.

This meeting is being video and audio recorded and  
is broadcast on cable television Channel 22 within  
Cambridge. There will also be a transcript of the  
proceedings.

All Board members, applicants, and members of the  
public will state their name before speaking. All votes  
will be taken by roll call.

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(6:01 p.m.)

Sitting Members: Jim Monteverde, Steven Ng, Virginia  
Keesler, William Boehm, and Daniel  
Hidalgo

JIM MONTEVERDE: Now, for the moment, we need to  
do our yearly elections for Chair and co-Chair. The members  
who should be participating: Steven Ng, you're here? Yep.

STEVEN NG: Yes. Steven Ng present.

JIM MONTEVERDE: Thank you. Daniel Hidalgo, are  
you present?

DANIEL HIDALGO: Daniel Hidalgo present.

JIM MONTEVERDE: Bill Boehm, you're there?

BILL BOEHM: Yep. Bill here.

JIM MONTEVERDE: Virginia Keesler?

VIRGINIA KEESLER: Yep. Virginia Keesler present.

JIM MONTEVERDE: Okay. And myself. Those are the  
voting Board members for Chair and co-Chair. So does anyone  
want to make a nomination for Chair?

DANIEL HIDALGO: I nominate Jim Monteverde.

JIM MONTEVERDE: Anyone want to second that?

BILL BOEHM: I'll second that.

1           JIM MONTEVERDE: Thank you. Okay. Can we take a  
2 vote on the same? That's to nominate Jim Monteverde -- me  
3 to be Chair for the coming year. So Steven?

4           STEVEN NG: Approved.

5           JIM MONTEVERDE: Thank you.

6           STEVEN NG: In favor.

7           JIM MONTEVERDE: Daniel?

8           DANIEL HIDALGO: In favor.

9           JIM MONTEVERDE: Bill?

10          BILL BOEHM: In favor.

11          JIM MONTEVERDE: Virginia?

12          VIRGINIA KEESLER: In favor.

13          JIM MONTEVERDE: And Jim Monteverde. I'll vote  
14 for myself.

15          [All vote YES]

16          JIM MONTEVERDE: Thank you all.

17          Now we need to vote for Vice Chair. Do we have  
18 any nominations for Vice Chair?

19          Well, I would nominate Steven Ng to continue in  
20 that role for the coming year, if he would be so gracious to  
21 do that.

22          STEVEN NG: Oh, I'd be happy to.

1           JIM MONTEVERDE: Okay. Someone want to second  
2 that motion?

3           DANIEL HIDALGO: I second.

4           JIM MONTEVERDE: Thank you. Okay. On a vote,  
5 then, to nominate Steven Ng to be Vice Chair for the coming  
6 year? Steven?

7           STEVEN NG: In favor.

8           JIM MONTEVERDE: Daniel?

9           DANIEL HIDALGO: In favor.

10          JIM MONTEVERDE: Bill?

11          BILL BOEHM: In favor.

12          JIM MONTEVERDE: Yep. Virginia?

13          VIRGINIA KEESLER: In favor.

14          JIM MONTEVERDE: And Jim Monteverde in favor.

15          [All vote YES]

16          JIM MONTEVERDE: Okay.

17          STEVEN NG: Thank you all.

18          JIM MONTEVERDE: Our elections are closed. Thank  
19 you. Thank you all.

20                 Let me finish the introduction.

21                 Members of the public will be kept on mute until  
22 it is time for public comment. I will give instructions for

1 public comment at that time, and you can also find  
2 instructions on the City's webpage for remote BZA meetings.

3 Generally, you will have up to three minutes to  
4 speak, but that might change based on the number of  
5 speakers.

6 I'll start by asking Staff to take Board member  
7 attendance and verify that all members are audible.

8 OLIVIA RATAY: Bill Boehm?

9 BILL BOEHM: Present.

10 OLIVIA RATAY: Steven Ng?

11 STEVEN NG: Present.

12 OLIVIA RATAY: Daniel Hidalgo?

13 DANIEL HIDALGO: Present.

14 OLIVIA RATAY: Virginia Keesler?

15 VIRGINIA KEESLER: Present.

16 OLIVIA RATAY: Wendy Leiserson?

17 WENDY LEISERSON: Present.

18 OLIVIA RATAY: Jim Monteverde?

19 JIM MONTEVERDE: And Jim Monteverde present.

20 Thank you.

21

22

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2 (6:04 p.m.)

3 Sitting Members: Jim Monteverde, Steven Ng, Virginia  
4 Keesler, Daniel Hidalgo, and Wendy  
5 Leiserson

6 JIM MONTEVERDE: The first case for tonight is a  
7 continued case. It was started previously and not resolved.

8 Before I call the first case, I show that this is  
9 sitting on this case Virginia, Steven, Daniel, Wendy, and  
10 myself. Right? So Steven Ng, are you done for the night?

11 STEVEN NG: I was at this particular hearing for  
12 the signage, correct?

13 JIM MONTEVERDE: Oh, sorry.

14 STEVEN NG: Yeah.

15 JIM MONTEVERDE: Oh, sorry. Yeah. It's right in  
16 front of me. Yep.

17 STEVEN NG: Yep.

18 JIM MONTEVERDE: Okay. The first case I'm going  
19 to call is Case No. BZA 245889 -- 585 Massachusetts Avenue.  
20 Is there anyone who wishes to speak on this case?

21 I don't see anything in the file changed. Okay.

22 Okay. We're just to give an a moment to see if

1 anybody wants to step forward to speak on this one. There  
2 is no new information in the file that I can see. So let's  
3 see where this is going.

4 [Pause]

5 Going once. Oooh, they have a half-hour to show  
6 up, I'm being advised, before we start the regular meeting.  
7 Okay. Let's hang tight.

8 [Pause]

9 Okay. Wendy, I see you. I saw Daniel. Virginia,  
10 I see you on the screen. Wendy, are you still there?  
11 Sorry.

12 WENDY LEISERSON: Yes, I'm here.

13 JIM MONTEVERDE: Okay. And Steven, are you with  
14 us yet? No. He's going to join us in a moment.

15 Steven, are you here?

16 STEVEN NG: Yes, sir.

17 JIM MONTEVERDE: Excellent. So talking with  
18 Staff, we have two choices here. We can -- there was  
19 nothing new submitted in the file, and no one showed up for  
20 the hearing. We can either choose to deny the variance  
21 request, or we can continue it one more time.

22 And I think I would suggest we continue it one

1 last time. And at that time, if they don't show up, then we  
2 can vote to either to deny.

3 So if that's okay with the Board members present,  
4 we'll do a continuance. Is that okay with everybody?

5 WENDY LEISERSON: Yes.

6 JIM MONTEVERDE: Do we all agree?

7 STEVEN NG: Sure.

8 BILL BOEHM: Fine with me.

9 JIM MONTEVERDE: Okay. So let me make a motion to  
10 continue this matter to the twenty-fifth, yeah. To January  
11 25, 2024 on the condition that the petitioner change the  
12 posting sign to reflect the new date of January 25, 2024 and  
13 the new time of 6 p.m.

14 Also that the petitioner sign a waiver to the  
15 statutory requirements for the hearing. This waiver can be  
16 obtained from Maria Pacheco or Olivia Ratay --

17 WENDY LEISERSON: Excuse me, Jim. I'm not able to  
18 attend on the twenty-fifth. I don't know if --

19 JIM MONTEVERDE: Oh, okay. Okay. We have another  
20 date? February 8?

21 WENDY LEISERSON: February 8, yes. That's fine.

22 JIM MONTEVERDE: Can everybody else do February 8?

1 COLLECTIVE: Yes.

2 JIM MONTEVERDE: Okay. So let me revise that. I  
3 want to make a motion to continue this matter to February 8,  
4 2024 on the condition that the petitioner change the posting  
5 sign to reflect the new date of February 8, 2024 and the new  
6 time of 6 p.m.

7 Also, that the petitioner sign a waiver to the  
8 statutory requirements for the hearing. This waiver can be  
9 obtained from Maria Pacheco or Olivia Ratay at the  
10 Inspectional Services Department.

11 I ask that you sign the waiver and return it to  
12 the Inspectional Services Department by a week from this  
13 coming Monday. Failure to do so will de facto cause this  
14 Board to give an adverse ruling in this case.

15 Also, that if there are any new submittal  
16 materials, changes to the drawings, dimensional forms, or  
17 any supporting statement that those be in our files by  
18 5 p.m. on the Monday prior to the continued meeting date.

19 On the motion to continue this matter until  
20 February 8, 2024? a voice vote by the Board members please?

21 Virginia?

22 VIRGINIA KEESLER: In favor.

1 JIM MONTEVERDE: Steven?

2 STEVEN NG: In favor.

3 JIM MONTEVERDE: Daniel?

4 DANIEL HIDALGO: In favor.

5 JIM MONTEVERDE: Wendy?

6 WENDY LEISERSON: In favor.

7 JIM MONTEVERDE: And Jim Monteverde in favor.

8 [All vote YES]

9 JIM MONTEVERDE: That's five in favor. The matter  
10 is continued.

11 WENDY LEISERSON: Have a good night, everyone.

12 JIM MONTEVERDE: Yes, thank you, Wendy.

13 STEVEN NG: Good evening, everybody.

14 JIM MONTEVERDE: And Steven, thank you.

15 STEVEN NG: Sure. Goodnight.

16 JIM MONTEVERDE: All right. Okay. Now, to the  
17 Regular Agenda.

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(6:34 p.m.)

Sitting Members: Jim Monteverde, Virginia Keesler, William Boehm, Daniel Hidalgo, and Carol Agate

JIM MONTEVERDE: First case is BZA 250024 -- 65 Bristol Street. Oh yeah, sorry. Can we just do a roll call of Board members, make sure we can hear everybody?

OLIVIA RATAY: Bill Boehm?

BILL BOEHM: Present.

OLIVIA RATAY: Virginia Keesler?

VIRGINIA KEESLER: Present.

OLIVIA RATAY: Carol Agate?

CAROL AGATE: Present.

OLIVIA RATAY: Daniel Hidalgo?

DANIEL HIDALGO: Present.

OLIVIA RATAY: Jim Monteverde?

JIM MONTEVERDE: And Jim Monteverde present.

Okay. Now, they're looked on the screen to be someone who was going to speak.

SISIA DAGLIAN: Hello, yes. My name is Sisia Daglian. I'm here to present 65 Bristol. And the owner is having difficulty getting on video. Hang on a second.

1 Well, I will start without the owner. I'm the  
2 architect for the project, and I will present the merits of  
3 the case. Thank you for hearing this case tonight.

4 Virginia, if you could project the drawings?

5 [Pause]

6 We're here to request three forms of relief: two  
7 in the form of a special permit. One is a change of  
8 openings in the rear yard in the side yard setbacks. The  
9 second special permit, as you can see on the upper right  
10 hand of this first drawing, is per 5.24.2.

11 We're proposing to encroach on the side yard  
12 setbacks. The side yard of the drawings you see are red are  
13 less than -- through the building is less than 3' from the  
14 side property lines. And we would like to add exterior  
15 insulation and wall covering in those areas. And a special  
16 permit is required for those. We will talk to the merits of  
17 that case in a minute.

18 And a third form of relief is the Request for a  
19 Variance to reconstruct the roofline within six feet of  
20 either end of the building. And here you can see in brief  
21 what that relief is about, and I will address the merits in  
22 a minute.

1           But on the left, you see the existing condition.  
2       It's a simple hip roof. In the middle you see the by-right  
3       roof reconstruction that is possible, and then the requested  
4       variance to extend that roofline to either end of the  
5       building.

6           You could go to the next page, please.

7           This is a -- it's a three-family structure. The  
8       house was constructed in 1886, so it's about 137 years old.  
9       It's not been significantly renovated since then.

10          And you can see on the locus plan that the actual  
11       configuration of the lot is different from all the other  
12       lots in the block around this property. It's a rather  
13       shallow lot, and it has three units that are side-by-side,  
14       so they are narrow and long lots. There are three narrow  
15       and long units.

16          And whereas all the other properties around it  
17       are, you know, your typical units are stacked one on top of  
18       the other, so they would not -- this lot, you know, the end  
19       units are restricted in being able to modernize the upper  
20       floor because of the sort of side-by-side configuration. So  
21       we want to point that out with this drawing.

22          And you can see the aerial image of the other

1 buildings around it. Behind it in the block, in the row of  
2 houses behind it, those are typically three-story houses.  
3 And the immediate adjacent properties are two-and-a-half  
4 story; typical -- similar to 65 Bristol.

5 Next page, please?

6 Here are some existing images of the house. It  
7 doesn't appear to have been significantly renovated over,  
8 you know, many years. The interior wall board is  
9 deteriorating in many areas. It was occupied until  
10 recently. The basement is not occupiable.

11 The upper floor, as you can see on the upper left,  
12 the house is made so that the first floor is a living area.  
13 The second floor are two bedrooms, and the third floor is  
14 this -- a third bedroom, which has very limited natural  
15 light.

16 There are two -- a single window at either end of  
17 the building, and then one dormer in the middle. And then  
18 it has this awkward chimney that goes through the space. It  
19 sort of cuts up the third floor.

20 In our renovated plans, we're again proposing to  
21 have two bedrooms on the second floor and a third bedroom on  
22 the third floor, but the reconstructed roofline allows the

1 building to have much better light and air quality.

2           And on the upper left, you can see how the stairs  
3 to the third floor are -- they're narrow and they're very  
4 steep. They are winder stairs, so they are definitely not  
5 to code. And this is one of the things that we wanted to  
6 correct with this renovation is to have code-compliant  
7 stairs within the building.

8           Next page, please?

9           So we'll discuss the special permit for the  
10 openings. In the rear, we're adding -- we're adding more  
11 openings to the rear in the form of skylights at the upper  
12 level.

13           At the second floor level, though it does look  
14 like there are more windows added, what's happened is in the  
15 bedrooms instead of having a single window, we've done  
16 double windows to get better light. And in fact we've  
17 decreased the number of windows on the side of the house and  
18 brought them -- concentrated them in the back.

19           And then on the first floor, we've -- you know,  
20 made a larger slider window -- you know, the door is in the  
21 same place, but it's become a slider with a transom above  
22 it, so there's more glass in order to have a better

1 connection from the inside of the house to the rear yard.

2 Next page, please?

3 So here you see, you know, the size of the house  
4 where there were previously five windows. We've reduced  
5 that to three windows. On the first-floor, there's one in  
6 the kitchen, one in the living room, and then on the second  
7 floor there's a single window to a bathroom on the second  
8 floor.

9 So on this -- in this plane of -- on the side  
10 elevations, this is where we would on the left side of the  
11 house add two inches of insulation on the exterior of the  
12 building. So I'll talk to that portion of the relief.

13 The -- you know, the current building code -- the  
14 current energy code, I should say sort of advocates for  
15 adding exterior insulation to the building. It helps reduce  
16 this phenomenon called "thermal bridging." So it's like  
17 having the window -- having the building have a blanket on  
18 it.

19 And we will be renovating this building to have  
20 exterior insulation, both on all the walls, and also on the  
21 roof of the structure, so that -- to have very high-  
22 performance building and a very airtight building.

1           And that's reason for asking for relief for this  
2 portion, for the sides of the property, so that we can take  
3 the exterior insulation and wrap it all the way around the  
4 building.

5           Next page, please?

6           Oh, and I should mention about the special permit  
7 that the access to and from the property is staying the  
8 same. The front windows -- the front doors are in the same  
9 location. The rear doors are in the same location. There's  
10 really no increase in traffic to the building. We are  
11 adding a basement bedroom, which mostly would be used as an  
12 office.

13           But, you know, it's three units. The gross floor  
14 area is not increasing. So we think that those requests  
15 will have no impact on the traffic patterns in the  
16 neighborhood or the customary use of the property.

17           Now to address the variance portion of our  
18 request. So this renovation is really to modernize the  
19 building.

20           The left and right units on the third floor, we  
21 want to have them have an equitable amount of light and air  
22 that the middle unit would enjoy by the reconstruction of

1 its roof.

2 As I mentioned, we wanted to have a high-  
3 performance building with really tight exterior envelope,  
4 and in order to do that, it is much easier to build sort of  
5 a uniform envelope with a uniform geometry of the roof.

6 If you could go back to the very first page,  
7 Olivia?

8 So you can see how in the by-right scheme, the  
9 building -- the third floor steps in about 6' on either end  
10 of the building.

11 In order to take sort of exterior insulation and  
12 step it back like that, it becomes more difficult to create  
13 a weather-tight envelope. It becomes more difficult to make  
14 it a weather-tight structure. And it reduces the amount of  
15 light and air that the end units would otherwise, you know,  
16 preferably enjoy as much as, like, the middle unit would be  
17 getting.

18 And if you could go back to page 6.

19 So you see here that the request is really about  
20 6" or 6' rather on either left and right end of the building  
21 to take that roofline and go continuously from one end of  
22 the structure to the other. This would also let us have

1 more surface area for a solar voltaic system that could go  
2 on the roof. So it would be -- have more flat roof for that  
3 ability.

4 Next page, please?

5 And here you can see how we're proposing to  
6 enlarge the building. So the reconstructed roofline would  
7 be just within the portion of the existing roof that is  
8 already 5' in height. So we're not increasing gross floor  
9 area.

10 We're also not maximizing the height of the  
11 structure. The current roofline is about 32' and some  
12 change from the average grade. Zoning would allow us to go  
13 to 35', but we're not increasing it that much. We're just  
14 leaving it at the same height as the current roof peak.

15 And I also wanted to address that this roof  
16 reconstruction is not a dormer. A dormer would be sort of a  
17 windowed structure that projects off a sloping roof, usually  
18 at or below the existing peak height. This is literally a  
19 reconstruction of the entire roof ridge.

20 Next page, please?

21 And so, here you can see the extent of the flat  
22 roof that we're proposing to put a PV panel capacity on.

1 And at the third-floor level, we would also be having decks  
2 in the front.

3 If you could actually go two more pages to the  
4 floor plan?

5 Yes. So on the upper left here you can see the  
6 third floor is one bedroom for each unit. And the deck in  
7 the front is the width of the unit, but it's very shallow.  
8 It's about 4'3". It's not a place that's intended for large  
9 gatherings. It's really -- you know, a few chairs and some  
10 plants. So we don't think that would cause a nuisance to  
11 the neighborhood.

12 If you can go back two pages, please, Olivia? To  
13 page 9. Yes.

14 So here we studied the volume of the building from  
15 the street level. Because the front and rear slopes of the  
16 roof are staying identical -- it's only the middle portion  
17 that's popping up -- we don't think the volume of the  
18 building that's experienced from the street level will  
19 really change in any material way.

20 It's not really going to cast shadow on the --  
21 it's not going to cast significant shadow on the adjacent  
22 buildings, because they are already lower.

1           And also, we're striving to have a building that  
2 is modern in expression, that is sort of aligned with the  
3 aesthetic of Kendall Square and the kind of sort of  
4 international -- you know, population that tends -- that  
5 prefers to live in that area.

6           Next page, please?

7           And here you can see a rendering from the other  
8 view. Again, the sloped roofline remains identical, the  
9 same location and same slope, and the third floor is really  
10 set back so that it really does not encroach on the street  
11 line.

12           And that is the extent of our presentation. If  
13 you have any questions, we'd be happy to answer them.

14           JIM MONTEVERDE: All right. Thank you, Sisia.  
15 Nice to see you again, by the way.

16           SISIA DAGLIAN: Thank you.

17           JIM MONTEVERDE: Do we have any questions from  
18 members of the Board? Please state your name first.

19           BILL BOEHM: I'm just curious that the plans that  
20 were circulated do not match the plans that you presented  
21 tonight. Not huge differences, but there are differences.  
22 So I just need to understand, you know, which version you're

1 proposing.

2           SISIA DAGLIAN: We submitted plans on January 4.  
3 There was an earlier set of plans that were submitted in I  
4 think November or December when the application was made,  
5 and then another set of plans were submitted January 4. So  
6 I would have hoped that you would have gotten this set of  
7 plans.

8           So the things that changed are probably the  
9 windows. The interior layout had some minor changes, I  
10 think on the second floor. But I think the third floor or  
11 the first floor and the basement did not materially change.

12           BILL BOEHM: Yeah, thanks. I probably should have  
13 checked to see if they had been updated online. The good  
14 news is that I think it's gotten better over time. So.

15           SISIA DAGLIAN: Thank you. The units will really  
16 function the way the current ones do. The first floor is  
17 living level. We're just trying to make it a little bit  
18 more open concept, open to the rear.

19           The second floor, you know, again, two bedrooms,  
20 one bathroom, and third floor one bedroom one bathroom. And  
21 then there's a bedroom and bathroom and a basement.

22           We are adding window wells to the front and back

1 of the building and reconstructing all the stairs.

2 JIM MONTEVERDE: Okay. Sisia, can I frame the  
3 discussion for the Board for a moment?

4 SISIA DAGLIAN: Mm-hm.

5 JIM MONTEVERDE: This has got both a variance and  
6 a special permit. So let's start with the variance. And  
7 are there any questions relative to the variance request?

8 The variance request is the extension of the --  
9 not the extension, but the construction of the, I'll call it  
10 the monitor or clear story for the full width of the roof  
11 and therefore, stepping into the side yard setback on both  
12 sides.

13 Any questions from members of the Board?

14 CAROL AGATE: I do. The - as I understand it,  
15 what you're gaining in effect is an extra 6' in the top  
16 floor on the first and third units, correct?

17 SISIA DAGLIAN: That's correct.

18 CAROL AGATE: Does that have any adverse effect on  
19 the adjacent buildings? It seemed to me that this building  
20 is going to be quite a bit higher than the others on the  
21 street. Do you know what the height will be? Is it sort of  
22 what the dormer now is?

1           SISIA DAGLIAN: Yeah. So the roof height is --  
2 the overall height of the building is not changing. We're  
3 keeping the same ridge height. But instead of coming to a  
4 point, it's going to be a flat area. So the building height  
5 is the same. The -- you can see that on, well, you can see  
6 that on the section on page 7, if Olivia can go back.

7           See on the left-hand side there's like a green-  
8 pitched line? That is the existing roofline. And our new  
9 roof, with the insulation will not be higher than the  
10 existing ridgeline. That's about, you know, 32' from  
11 average grade.

12           And then in terms of it's that -- the effect of  
13 that profile on the adjacent properties, if you go to let's  
14 say page 9, you see on the left-hand property is essentially  
15 a two-story building?

16           So our roofline, you know, the slight increase in  
17 volume is really not -- it's not like it's casting shadows  
18 on a window on that side of that building, because it's  
19 already lower.

20           And on the right-hand side, you know, that house,  
21 there's a driveway in between. We don't that it's also  
22 going to cast considerably more shadow than it is now.

1           The front of the building faces south, so shadows  
2 if they do happen would be, you know, late afternoon or  
3 early morning. So to answer your question, it's going to be  
4 the same height as the current one.

5           CAROL AGATE: The two bedrooms, if you did not get  
6 the variance, would be 6" narrower?

7           SISIA DAGLIAN: 6', yep.

8           CAROL AGATE: I'm sorry, 6'.

9           SISIA DAGLIAN: Yep.

10          CAROL AGATE: Is that actually a hardship with the  
11 bedrooms -- what would the measurement of the bedrooms be  
12 otherwise?

13          SISIA DAGLIAN: They would be rather small, about  
14 10' x 10' bedrooms. And in part of that 10', you know,  
15 there's a stair that cuts into that space as well as a  
16 closet, whereas the middle unit has -- you know, it would  
17 have a more gracious bedroom layout.

18          You know, part of our request for hardship is  
19 really to have the building envelope be more uniform and  
20 more robust and have a simpler geometry to the overall  
21 structure, as opposed to having this odd building that kind  
22 of steps in on the ends.

1 CAROL AGATE: Thank you.

2 JIM MONTEVERDE: Okay. Thank you. Any other  
3 questions from members of the Board?

4 VIRGINIA KEESLER: So you had mentioned the  
5 constrained and dangerous access to the third floor.

6 SISIA DAGLIAN: Mm-hm.

7 VIRGINIA KEESLER: And you showed us that kind of  
8 scary picture of the stairs. Could you just lay that out in  
9 a little bit more detail how your plans are improving that  
10 issue of access?

11 SISIA DAGLIAN: Yes. If you go to, let's see,  
12 let's go to page 3, please, Olivia.

13 So the upper left photo shows the stairs to the  
14 third floor.

15 First of all, they're 33" wide; code would require  
16 36". So that's not that difficult, but what's difficult  
17 about these stairs are that the treads are only about 8.5"  
18 deep, and they're 8.25" high. That's a very shallow tread  
19 and it's very tall. So it's really steep.

20 And as you can see, there are winders that, you  
21 know, would not be allowed by code. Not that you can't have  
22 winders, but these are very shallow winders.

1           So it doesn't feel good going up and down those  
2 stairs. So our stair going up to the third floor would be  
3 36" wide, and of course it would be code-conforming riser  
4 height and tread depth. I think we have like a 10" tread  
5 depth and about a 7.5" riser height. So it would be much  
6 more comfortable to get up to the third floor. And that's  
7 the same for each unit.

8           CAROL AGATE: Thank you.

9           JIM MONTEVERDE: Any other questions from members  
10 of the Board? If not, I'll open it up to public comment.  
11 Let me just say that there's no correspondence in the file  
12 either for or against.

13           So public comment: Any members of the public who  
14 wish to speak should now click the icon at the bottom of  
15 your Zoom screen that says, "Raise hand." If you're calling  
16 in by phone, you can raise your hand by pressing \*9 and  
17 unmute or mute by pressing \*6.

18           I'll now ask Staff to unmute speakers one at a  
19 time. You should begin by saying your name and address, and  
20 Staff will confirm that we can hear you. After that you  
21 will have up to three minutes to speak before I ask you to  
22 wrap up.

1 OLIVIA RATAY: Stephanie Ferraz?

2 DAVID FERRAZ: Hello. This is Stephanie and David  
3 Ferraz. We live across the street, directly across from the  
4 property, at 60 Bristol Street. Are you able to hear us?

5 JIM MONTEVERDE: Yes, thank you.

6 DAVID FERRAZ: Okay. First off, I'd like to say  
7 that we're at a disadvantage, because the notice that was  
8 put out for the meeting tonight was incorrect.

9 So we've been trying to get the information from  
10 the last probably 20 minutes. The Webinar ID is incorrect,  
11 so we had to search for it after the fact. I'm not sure if  
12 you're aware of that.

13 OLIVIA RATAY: The Webinar ID is correct. I think  
14 the link was not working.

15 DAVID FERRAZ: I'm going to read --

16 OLIVIA RATAY: But you can type the Webinar.

17 DAVID FERRAZ: -- I'm going to read to you what  
18 the actual written notice was sent to the public. It's  
19 Webinar ID 85702655517. And that was invalid. So the  
20 actual Notice of Public Hearing was not correct.

21 OLIVIA RATAY: Okay, I mean the -- I'm having a  
22 different Webinar on the calendar.

1           DAVID FERRAZ: That's not what we have, and that's  
2 not what we were -- we were both e-mailed this information,  
3 and it was physically mailed to us, and we have the copy  
4 that we're looking at right in front of us, and it is not  
5 accurate.

6           JIM MONTEVERDE: Okay. Were you able to access  
7 the documents -- did you receive notice as an abutter?

8           DAVID FERRAZ: Right. We received a notice, which  
9 --

10          JIM MONTEVERDE: You did?

11          DAVID FERRAZ: -- with the incorrect Webinar, so  
12 we just joined this meeting maybe about 15 minutes ago so --

13          JIM MONTEVERDE: Oh, okay.

14          DAVID FERRAZ: -- we missed.

15          JIM MONTEVERDE: Okay. Okay. Were you able to  
16 access the documents?

17          DAVID FERRAZ: We were.

18          JIM MONTEVERDE: Have you seen the documents?

19          DAVID FERRAZ: I have.

20          JIM MONTEVERDE: Or have you seen the documents?

21          DAVID FERRAZ: I have.

22          JIM MONTEVERDE: Okay. Do you have any comments

1 on those documents or what's being proposed?

2 DAVID FERRAZ: I do. So the primary concern is  
3 because we do live right across the street, the biggest  
4 impact to us is the fact that roofline, albeit the same  
5 height, it's going to extend forward, blocking natural  
6 sunlight to our first floor. It's a very narrow street.

7 And our first floor, we have a street front  
8 property, so we don't have a front yard. Our property is  
9 not set back. It's literally right at the sidewalk.

10 So now with that pitch being totally different and  
11 it overhanging, almost like a -- you know, an overhang on  
12 the front roof part, that's going to significantly reduce  
13 the natural light that our first floor would receive.

14 JIM MONTEVERDE: Sisia, can I ask you -- can you  
15 --

16 SISIA DAGLIAN: Yes.

17 JIM MONTEVERDE: -- elaborate on that a little  
18 bit?

19 SISIA DAGLIAN: Sure.

20 JIM MONTEVERDE: You said --

21 SISIA DAGLIAN: If you go to A.7 --

22 JIM MONTEVERDE: Sorry. Let me ask you a

1 question.

2 SISIA DAGLIAN: Mm-hm.

3 JIM MONTEVERDE: Your façade that faces Bristol  
4 Street, do you know what cardinal direction that is?

5 SISIA DAGLIAN: That is south.

6 JIM MONTEVERDE: Is it true south?

7 SISIA DAGLIAN: It is --

8 JIM MONTEVERDE: Or let me look on your survey.

9 SISIA DAGLIAN: It's slightly southeast. A.2 has  
10 a survey.

11 JIM MONTEVERDE: Southeast.

12 SISIA DAGLIAN: So it's slightly southeast, yeah.

13 JIM MONTEVERDE: Which -- I'll look at the survey  
14 -- which means for the neighbors across the street, your  
15 front face is facing north?

16 SISIA DAGLIAN: Yeah. Their front face is facing  
17 north, correct.

18 JIM MONTEVERDE: Between -- I have a house, my  
19 windows face north. I never get direct sunlight. It's  
20 north light. It's always one, constant light. Is that  
21 correct, the folks who were asking the question? When  
22 you're talking about sunlight in your ground floor?

1           DAVID FERRAZ: Yes. I have no idea the -- you  
2 know, which way it comes from, but I knew it is -- it's  
3 facing towards that property.

4           JIM MONTEVERDE: Yes. No, I understand it's  
5 facing toward that property, but when you say you think  
6 it'll impede the sunlight to your ground floor?

7           DAVID FERRAZ: Right.

8           JIM MONTEVERDE: Given its cardinal direction,  
9 unless you do a sun study, I'm not sure how that could be.  
10 But I'll take it at that. Any other comments on the  
11 proposal that you've seen?

12           DAVID FERRAZ: I mean, that was the main concern.  
13 The only other concern I would have I'm not sure would be  
14 related to this meeting is because there is no parking at  
15 that property, I'm not sure where they would -- you know, be  
16 able to, you know, put things like dumpsters on that street.  
17 You know, I think that's more of a question for parking.

18           JIM MONTEVERDE: Right. Correct. That's not  
19 within our purview, the construction activity.

20           DAVID FERRAZ: Sure.

21           JIM MONTEVERDE: Okay. Thank you for your  
22 comment.

1           DAVID FERRAZ: Okay.

2           JIM MONTEVERDE: Anyone else wish to speak?

3           OLIVIA RATAY: John Hawkinson?

4           JOHN HAWKINSON: Thank you, Mr. Chair. John  
5 Hawkinson. I wanted to flag the notice issue with a little  
6 more emphatically and with a little more particularity. So  
7 in addition to the issue raised by David Ferraz about the  
8 Webinar ID being wrong on the printed notice, it's also the  
9 case -- and I flagged this to Olivia in e-mail a little  
10 lately -- tardily that is -- the link on the City Calendar,  
11 which is the official notice posting location for the  
12 meeting -- was incorrect.

13           A diligent person could find the proper ID or the  
14 proper link and get access to the meeting, but I think most  
15 people would have given up.

16           And given that the City's website is the official  
17 notice posting location, it basically means that the notice  
18 was posted with the wrong information; tantamount to saying,  
19 "Go to the wrong building" or "Go to the wrong room."

20           And so I think the BZA should probably not hear  
21 any cases in full or decide on them tonight, at least not  
22 any variance cases. Or if you do, you should give very

1 careful consideration to the Notice problems. Because I  
2 think they are really a big deal.

3 Sorry, and thank you.

4 JIM MONTEVERDE: Thank you. Any other comments  
5 from members of the public?

6 OLIVIA RATAY: Justin?

7 JUSTIN MONTISANO: Yes. I'm Justin Montisano.  
8 I'm located next door at 59 Bristol Street. Are you guys  
9 able to hear me?

10 JIM MONTEVERDE: Yes. We can hear you. Thank  
11 you.

12 JUSTIN MONTISANO: Okay. I did want to just add  
13 voice. We also had issues joining, so I wasn't able to  
14 catch the beginning of the presentation. But I did get most  
15 of it.

16 I do know another neighbor on Portsmouth Street  
17 also had difficulty getting in and wasn't able to. So I  
18 don't know if he's been able to join since.

19 But I was also curious about with the variance as  
20 the top floor would -- roofline would be extending towards  
21 my property. And my back yard, which is small, is on the  
22 far side of the property line. I think that would get

1 limited sun with the south or -- you know, during the end of  
2 the day when the sun is in the southwest, basically.

3 So I was curious to see if there was any sort of  
4 study done as far as that goes.

5 JIM MONTEVERDE: There is no sun study, solar  
6 study in our file.

7 JUSTIN MONTISANO: Okay. And then additionally, I  
8 was curious for the exterior insulation, it sounds like  
9 there will be no increase in the overall footprint of the  
10 building. Is that correct?

11 JIM MONTEVERDE: That's correct.

12 JUSTIN MONTISANO: Okay. As far as the sun study  
13 goes, will one be planned if the variance is approved, or  
14 how does that work?

15 JIM MONTEVERDE: Only if one is -- only if we  
16 request one.

17 JUSTIN MONTISANO: Okay.

18 JIM MONTEVERDE: So I appreciate your comments.

19 JUSTIN MONTISANO: Thank you.

20 JIM MONTEVERDE: Thank you. Anyone else from the  
21 public? No.

22 I'll take a one-minute break here and confer with

1 my cohort.

2 [Side discussion with Staff]

3 Sorry, this is for Board members only who were  
4 participating in this.

5 I'm just going around -- discussing with Olivia  
6 the issue that -- and there was a difference in the  
7 information that was on the notices -- public notices that  
8 are placed on the building or on the fence or on the  
9 property for the webinar. That is different from what the  
10 webinar actually -- or link -- actually is. That was  
11 climate-ready on the City website as of the start of the  
12 meeting. So it wasn't available to anyone prior to when the  
13 meeting started.

14 So if anyone hadn't gone to the City website just  
15 before this meeting to get the link to log into the webinar,  
16 they wouldn't have gotten into the webinar, they would have  
17 been denied.

18 So the issue in front of us that Mr. Hawkinson  
19 raised and is accurate is, you know, we have to consider we  
20 may not want to process, or we may not be able to fairly  
21 process all of the cases we have this evening because of  
22 that.

1 (To staff) Can we leave it up to each proponent?

2 No, we don't want to leave it up to the  
3 proponent.

4 So the issue in front of us, Board members, is  
5 whether we need to continue and postpone/continue all of the  
6 cases we have on our Regular Agenda this evening because the  
7 information on the posting sign for the webinar information  
8 was inaccurate. I don't think we have any choice but to do  
9 that.

10 DANIEL HIDALGO: I tend to agree. And I don't  
11 think it really makes sense to differentiate between special  
12 permits and variances or anything like that.

13 I mean, I'm not aware of any -- you know, I don't  
14 have a long history on the Board, but I -- if there was a  
15 precedent for that kind of thing, it would be interesting to  
16 know. But it strikes me as probably not something that  
17 could be done.

18 JIM MONTEVERDE: Yeah. And I think that we'll  
19 have to repost the meeting announcements and just confirm we  
20 have the -- I'm sure it's corrected now, but the webinar  
21 link? Okay. So that's what it means.

22 Daniel, that's you. Virginia, do you concur?

1 VIRGINIA KEESLER: Yes. This is Virginia, I  
2 concur.

3 JIM MONTEVERDE: Bill?

4 BILL BOEHM: Yes, I concur.

5 JIM MONTEVERDE: Yep. Carol?

6 CAROL AGATE: Yes, Jim, except that we do have one  
7 request to continue, in any case.

8 JIM MONTEVERDE: Yes. Correct.

9 CAROL AGATE: Can we go ahead and continue that  
10 one separately, or just conclude with it?

11 JIM MONTEVERDE: Yeah. So -- yeah, hold on a  
12 second. We're going to get some more advice. Hang on. Be  
13 right back.

14 Sorry, Sisia.

15 CAROL AGATE: Jim, I do have another question for  
16 a personal problem. The sound has been a real struggle for  
17 me this evening. I've checked all my equipment, and it's  
18 fine. I've never had a problem being able to hear you. I  
19 wonder if there is something there where the sound is not  
20 set as high as it normally is.

21 JIM MONTEVERDE: All right. Can you not hear me?

22 CAROL AGATE: I can -- I'm relying much more on

1 the captions than I am on your voice.

2 JIM MONTEVERDE: Oh, okay.

3 CAROL AGATE: And that really isn't good.

4 JIM MONTEVERDE: All right. Let me wait until our  
5 IT person comes back, and I'll ask her if there's anything  
6 she can check and make sure that I can be heard, and Olivia  
7 can be heard.

8 CAROL AGATE: Thank you.

9 JIM MONTEVERDE: You bet.

10 [Pause]

11 JIM MONTEVERDE: Okay, Board members. Here's a  
12 suggestion. I'm suggesting we continue each one of these  
13 cases to February 1, at six o'clock, as a continued case.  
14 We've got to go through each one at their appointed time and  
15 do the introduction for a continuance and vote for it.

16 That'll give the City enough time to reissue the  
17 posting sign and make sure that both webinar information and  
18 everything jives between that and what's on the City  
19 website, so that there isn't any problem with folks who  
20 potentially were trying to call in or log in to the meeting.

21 So I think that's our -- it's not our only choice,  
22 but we have to continue these, all of them, one at a time

1 and vote on them.

2 And I'm suggesting we do that on February 1 if,  
3 first, each of the Board members are available on February  
4 1, and then if each of the proponents are available on  
5 February 1.

6 So Virginia, does that work for you?

7 VIRGINIA KEESLER: Yes. That works for me.

8 JIM MONTEVERDE: Thank you. Daniel?

9 DANIEL HIDALGO: Yes. So we would have a meeting  
10 on the twenty-fifth and the first, just to --

11 JIM MONTEVERDE: Yep.

12 DANIEL HIDALGO: -- be clear? All right. Yes.

13 JIM MONTEVERDE: Yep.

14 DANIEL HIDALGO: That's fine.

15 JIM MONTEVERDE: Bill?

16 BILL BOEHM: Yes. That works for me.

17 JIM MONTEVERDE: And Carol?

18 CAROL AGATE: Yes. Fine for me.

19 JIM MONTEVERDE: Thank you. And Jim Monteverde  
20 yes.

21 Oh, actually, these are cases that not heard,  
22 right? Except for this one. All right.

1           Okay.  Sisia, are you still with us?

2           SISIA DAGLIAN:  Yes.

3           JIM MONTEVERDE:  So regarding 65 Bristol Street,  
4 and we continue to February 1?

5           SISIA DAGLIAN:  Yes.

6           JIM MONTEVERDE:  Thank you.  Sorry for any  
7 inconvenience.  All right.  Let me make a motion to continue  
8 this matter -- and this matter is Case BZA-2500254 -- to  
9 February 1, 2024, on the condition that the petitioner  
10 change the posting sign to reflect the new date of February  
11 1, 2024, and the new time of 6 p.m.

12                  Should we give you a new sign?

13           OLIVIA RATAY:  Yeah.

14           JIM MONTEVERDE:  Yeah.  We're going to give you a  
15 new sign also.

16                  Also, that the petitioner sign a waiver to the  
17 statutory requirements for the hearing.  This waiver can be  
18 obtained from Maria Pacheco or Olivia Ratay at the  
19 Inspectional Services Department.

20                  I ask that you sign the waiver and return it to  
21 the Inspectional Services Department by a week from this  
22 coming Monday.  Failure to do so will de facto cause this

1 Board to give an adverse ruling on this case.

2 Also, that if there are any new submittals,  
3 changes to the drawings, dimensional forms, or any  
4 supporting statements that those be in the file by 5 p.m. on  
5 the Monday prior to the continued meeting date.

6 On the motion to continue this matter until  
7 February 1, 2024 by a voice vote of the Board members,  
8 Virginia?

9 VIRGINIA KEESLER: In favor.

10 JIM MONTEVERDE: Thank you. Daniel?

11 DANIEL HIDALGO: In favor.

12 JIM MONTEVERDE: Thank you. Bill?

13 BILL BOEHM: In favor.

14 JIM MONTEVERDE: Carol?

15 CAROL AGATE: In favor.

16 JIM MONTEVERDE: Thank you. And Jim Monteverde in  
17 favor.

18 [All vote YES]

19 JIM MONTEVERDE: That's five in favor on this  
20 case. 250024 is continued until February 1.

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(7:24 p.m.)

Sitting Members: Jim Monteverde, Virginia Keesler, Daniel Hidalgo Fernando, William Boehm, and Carol Agate

JIM MONTEVERDE: Now, I will call Case 249646 -- 15 Hazel Street. Is there anyone here representing that project?

BRIGITTE STEINES: Yes, I'm here.

JIM MONTEVERDE: Could you --

BRIGITTE STEINES: It took a long time to connect.

JIM MONTEVERDE: -- introduce yourself, please?

BRIGITTE STEINES: Yes of course. Good evening, Mr. Chair. Good evening, Board members. My name is Brigitte Steines, InkStone Architects. Now I'm doubled up. I don't know if you see me double as well.

JIM MONTEVERDE: No, that's okay.

BRIGITTE STEINES: I joined more than once.

JIM MONTEVERDE: I think I missed your name. Could you restate? Could you say that again?

BRIGITTE STEINES: Sure. My name is Brigitte Steines from InkStone Architects, and I'm representing the

1 owner, Mirko and Natasha Ristivojevic.

2 JIM MONTEVERDE: Thank you. Thank you.

3 BRIGITTE STEINES: Okay.

4 JIM MONTEVERDE: Before you start any  
5 presentation, we have an issue with the -- there was a  
6 difference in the information contained in the --

7 BRIGITTE STEINES: I know.

8 JIM MONTEVERDE: -- posting sign. Did you hear  
9 that whole --

10 BRIGITTE STEINES: I heard it.

11 JIM MONTEVERDE: -- discussion?

12 BRIGITTE STEINES: Yes.

13 JIM MONTEVERDE: So we're going through the  
14 process of continuing all of our cases from this evening to  
15 February 1. All the Board members are available. Are you?

16 BRIGITTE STEINES: Yes.

17 JIM MONTEVERDE: Okay. Let me make a motion to  
18 continue this matter -- and this matter is Case 249646, 15  
19 Hazel Street -- to February 1, 2024, on the condition that  
20 the petitioner change the posting sign to reflect the new  
21 date of February 1, 2024, and the new time of 6 p.m.

22 Also that the petitioner sign a waiver to the

1 statutory requirements for the hearing. This waiver can be  
2 obtained from Maria Pacheco or Olivia Ratay at the  
3 Inspectional Services Department.

4 I ask that you sign the waiver and return it to  
5 the Inspectional Services Department by a week from this  
6 coming Monday. Failure to do so will de facto cause this  
7 Board to give an adverse ruling on this case.

8 Also, that if there are any new submittals,  
9 changes to the drawings, dimensional forms, or any  
10 supporting statements that those be in our files by 5 p.m.  
11 on the Monday prior to the continued meeting date.

12 On the motion to continue this matter until  
13 February 1, 2024, Carol?

14 CAROL AGATE: I'm in favor.

15 JIM MONTEVERDE: Thank you. Bill?

16 BILL BOEHM: In favor.

17 JIM MONTEVERDE: Thank you. Daniel?

18 DANIEL HIDALGO: In favor.

19 JIM MONTEVERDE: Virginia?

20 VIRGINIA KEESLER: In favor.

21 JIM MONTEVERDE: And Jim Monteverde in favor.

22 [All vote YES]

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JIM MONTEVERDE: The matter is continued.

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2 (7:26 p.m.)

3 Sitting Members: Jim Monteverde, Virginia Keesler, Daniel  
4 Hidalgo Fernando, William Boehm, and Carol  
5 Agate

6 JIM MONTEVERDE: Next case is BZA-250874, 11  
7 Palermo Street. Is there anyone here this evening who  
8 wishes to speak on that matter?

9 Oh, this was going to be continued anyway? So we  
10 have a letter in the file requesting that this be continued.  
11 And they request the Board vote to continue the matter to  
12 the next available date, and we will make that February 1.

13 Let me make a motion to continue this matter to  
14 February -- and this matter is Case 250874, 11 Palermo  
15 Street -- continue this to February 1, 2024 on the condition  
16 that the petitioner change the posting sign to reflect the  
17 new date of February 1, 2024 and the new time of 6 p.m.

18 Also, that the petitioner sign a waiver to the  
19 statutory requirements for the hearing. This waiver can be  
20 obtained from Maria Pacheco or Olivia Ratay at the  
21 Inspectional Services Department.

22 I ask that you sign the waiver and return it to

1 the Inspectional Services Department by a week from this  
2 coming Monday. Failure to do so will de facto cause this  
3 Board to give an adverse ruling on this case.

4 Also, that if there are any new submittals,  
5 changes to the drawings, dimensional forms, or any  
6 supporting statements that those be in our files by 5 p.m.  
7 on the Monday prior to the continued meeting date.

8 On the motion to continue this matter until  
9 February 1, 2024 by a voice vote of the Board members?

10 Virginia?

11 VIRGINIA KEESLER: In favor.

12 JIM MONTEVERDE: Thank you. Daniel?

13 DANIEL HIDALGO: In favor.

14 JIM MONTEVERDE: Bill?

15 BILL BOEHM: In favor.

16 JIM MONTEVERDE: Carol?

17 CAROL AGATE: In favor.

18 JIM MONTEVERDE: Thank you. And Jim Monteverde in  
19 favor.

20 [All vote YES]

21 JIM MONTEVERDE: The matter is continued.  
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(7:29 p.m.)

Sitting Members: Jim Monteverde, Virginia Keesler, Daniel Hidalgo Fernando, William Boehm, and Carol Agate

JIM MONTEVERDE: Next case is BZA-250963, 82 Avon Hill Street. Is there anyone proponent -- wishing to speak on this matter?

KELLY BOUCHER: Yep. Yes. My name is Kelly Boucher, and I'm the architect for 82 Avon Hill Street.

JIM MONTEVERDE: Thank you. Have you been -- did you hear the spiel, what's going on tonight?

KELLY BOUCHER: I did. Do you know if the problem was fixed before our 7:15 advertised hearing time?

JIM MONTEVERDE: Okay, it wasn't that. It was on the sign that was at the property. That had a different login info for the meeting than what is currently or -- you know, moments before the meeting started -- there. So that's the conflict. If someone would have read that and tried to join the meeting, they're getting pushed out.

KELLY BOUCHER: Understood.

JIM MONTEVERDE: So it's really just to make sure

1 we have all of the people can participate as much as they'd  
2 like. So that's what we're doing. So can we continue this  
3 to February 1, please?

4 KELLY BOUCHER: Yes. We are --

5 JIM MONTEVERDE: Okay.

6 KELLY BOUCHER: -- available to be at that meeting  
7 also.

8 JIM MONTEVERDE: Thank you. Let me make a motion  
9 to continue this matter -- and this matter is Case 250963,  
10 82 Avon Hill Street -- to February 1, 2024, on the condition  
11 that the petitioner change the posting sign to reflect the  
12 new date of February 1, 2024 and the new time of 6 p.m.

13 Also that the petitioner sign a waiver to the  
14 statutory requirements for the hearing. This waiver can be  
15 obtained from Maria Pacheco or Olivia Ratay at the  
16 Inspectional Services Department.

17 I ask that you sign the waiver and return it to  
18 the Inspectional Services Department by a week from this  
19 coming Monday. Failure to do so will de facto cause this  
20 Board to give an adverse ruling on this case.

21 Also that if there are any new submittals, changes  
22 to the drawings, dimensional forms, or any supporting

1 statements that those be in our files by 5 p.m. on the  
2 Monday prior to the continued meeting date.

3 On the motion to continue this matter until  
4 February 1, 2024, Carol?

5 CAROL AGATE: In favor.

6 JIM MONTEVERDE: Thank you. Bill?

7 BILL BOEHM: In favor.

8 JIM MONTEVERDE: Thank you. Daniel?

9 DANIEL HIDALGO: In favor.

10 JIM MONTEVERDE: And Virginia?

11 VIRGINIA KEESLER: In favor.

12 JIM MONTEVERDE: And Jim Monteverde in favor.

13 [All vote YES]

14 JIM MONTEVERDE: The meeting is continued.

15 KELLY BOUCHER: Thank you.

16 JIM MONTEVERDE: Thank you for your cooperation.  
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(7:35 p.m.)

Sitting Members: Jim Monteverde, Virginia Keesler, Daniel Hidalgo Fernando, William Boehm, and Carol Agate

JIM MONTEVERDE: Next case is BZA-250764, 33 Hurlbut Street. Is there anyone here representing that project?

Adam, are you there?

ADAM GLASSMAN: I'm here. I'm here now.

JIM MONTEVERDE: All right. Did you hear our description of what our faux pas is this evening?

ADAM GLASSMAN: I did. This is the first time I've ever seen anything like this.

JIM MONTEVERDE: Yep.

ANTHONY GALUCCIO: So we're ready to continue.

JIM MONTEVERDE: Can you continue to February 1?

ADAM GLASSMAN: Yes.

JIM MONTEVERDE: All right. Thank you for your cooperation.

ADAM GLASSMAN: Thank you.

JIM MONTEVERDE: Let me make a motion to continue

1 this matter -- and this matter is BZA 250763 -- to February  
2 1, 2024, on the condition that the petitioner change the  
3 posting sign to reflect the new date of February 1, 2024,  
4 and the new time of 6 p.m.

5 Also that the petitioner sign a waiver to the  
6 statutory requirements for the hearing. The waiver can be  
7 obtained from Maria Pacheco or Olivia Ratay at the  
8 Inspectional Services Department.

9 I ask that you sign the waiver and return it to  
10 the Inspectional Services Department by a week from this  
11 coming Monday. Failure to do so will de facto cause this  
12 Board to give an adverse ruling on this case.

13 Also -- and this really shouldn't apply -- that if  
14 there are any new submittals, changes to the drawings,  
15 dimensional forms, or any supporting statements that those  
16 be in our files by 5 p.m. on the Monday prior to the  
17 continued meeting date.

18 On the motion to continue this matter to February  
19 1, 2024, by a voice vote of the Board members, Bill?

20 BILL BOEHM: In favor.

21 JIM MONTEVERDE: Thank you. Daniel?

22 DANIEL HIDALGO: In favor.

1 JIM MONTEVERDE: Virginia?

2 VIRGINIA KEESLER: In favor.

3 JIM MONTEVERDE: Carol?

4 CAROL AGATE: In favor.

5 JIM MONTEVERDE: Thank you. And Jim Monteverde in  
6 favor.

7 [All vote YES]

8 JIM MONTEVERDE: Thank you, Adam.

9 ADAM GLASSMAN: Mm-hm.

10 JIM MONTEVERDE: Now we have to wait 12 -- 11  
11 minutes.

12 BILL BOEHM: Jim, can I --

13 JIM MONTEVERDE: Oh, are you next, Adam?

14 ADAM GLASSMAN: I am next, yeah.

15 JIM MONTEVERDE: Do we still have to wait? All  
16 right.

17 We're in unknown territory, so we're going to  
18 wait.

19 Sorry, Bill, did you --

20 BILL BOEHM: I was just going to ask the question  
21 if this could be handled administratively, and if we all  
22 give preapproval for the continuances and Staff meets the

1     proponents when they arrive at their allotted time, is there  
2     a -- no.

3             JIM MONTEVERDE:   The only problem is if the  
4     proponent, that I could see, foresee -- is if any of the  
5     proponents can't make the February 1 and we needed another  
6     date then --

7             BILL BOEHM:   Gotcha.

8             JIM MONTEVERDE:   -- you know, you're not around.  
9     So --

10            BILL BOEHM:   Yep.  Makes sense.

11            JIM MONTEVERDE:   -- if you can hang in there for a  
12     little bit more?

13            BILL BOEHM:   Yep.  Yes.

14            [Pause]

15            NATASHA RISTIVOJEVIC:  Excuse me?

16            BILL BOEHM:   Jim, are you there?

17            JIM MONTEVERDE:  I am.  Can you hang on --

18            BILL BOEHM:   Okay.

19            JIM MONTEVERDE:   -- for one moment, please?

20            BILL BOEHM:   Jim, are you there?

21            JIM MONTEVERDE:  I am.

22            BILL BOEHM:   Okay.

1           JIM MONTEVERDE: Can you hang on for one moment,  
2 please?

3           I'm sorry, who was trying to speak?

4           NATASHA RISTIVOJEVIC: I am. Can I speak for a  
5 second, please?

6           JIM MONTEVERDE: Can you introduce yourself,  
7 please?

8           NATASHA RISTIVOJEVIC: Yes, absolutely. Hi. My  
9 name is Natasha Ristivojevic. We were the previous case --

10          JIM MONTEVERDE: Yep.

11          NATASHA RISTIVOJEVIC: -- Hazel Street, 15. I'm  
12 just thinking, do you think because the link was apparently  
13 printed out wrong on the sign as well, correct?

14          JIM MONTEVERDE: Correct. Correct.

15          NATASHA RISTIVOJEVIC: Would it be easier if you  
16 -- we leave the signs, and you just issue the new letters  
17 with the same -- so we don't have to change the signs?

18          JIM MONTEVERDE: I believe you will be issued a  
19 new sign.

20          NATASHA RISTIVOJEVIC: Yeah. But it's a hassle  
21 for me to go to the city, to come. We made all these  
22 contraptions that we can hold the sign. So you don't think

1 it's easier if you just issue the letter with the proper  
2 link, which is --

3 JIM MONTEVERDE: No.

4 NATASHA RISTIVOJEVIC: -- already have the signs.

5 JIM MONTEVERDE: That's some of the issue we had  
6 tonight. Then that sign would remain up. It would have not  
7 just the wrong information for the link to the Webinar, then  
8 if you didn't correct that sign, it would also have the  
9 wrong date on it.

10 NATASHA RISTIVOJEVIC: Okay.

11 JIM MONTEVERDE: So one way or the other, that  
12 sign has to be --

13 NATASHA RISTIVOJEVIC: I thought this would be  
14 just easier. All right.

15 JIM MONTEVERDE: Yep. Nope, we got to do it.

16 NATASHA RISTIVOJEVIC: Thank you. Sure.

17 JIM MONTEVERDE: Yes. Thank you.

18 NATASHA RISTIVOJEVIC: Have a good night.

19 JIM MONTEVERDE: Yep. Bye-bye.  
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(7:45 p.m.)

Sitting Members: Jim Monteverde, Virginia Keesler, Daniel Hidalgo Fernando, William Boehm, and Carol Agate

JIM MONTEVERDE: Okay. Adam, are you still with us?

ADAM GLASSMAN: I am.

JIM MONTEVERDE: Thank you.

Next case, BZA-249689, 12 Linnaean Street.

Adam, you are here. Can we continue this one to February 1, 2024, please?

ADAM GLASSMAN: Yes. Yes, please.

JIM MONTEVERDE: Thank you.

Let me make a motion to continue this matter -- and this matter is Case 249689 -- to February 1, 2024, on the condition that the petitioner change the posting sign to reflect the new date of February 1, 2024, and the new time of 6 p.m.

Also, that the petitioner sign a waiver to the statutory requirements for the hearing. The waiver can be obtained from Maria Pacheco or Olivia Ratay at the

1 Inspectional Services Department.

2 I ask that you sign the waiver and return it to  
3 the Inspectional Services Department by a week from this  
4 coming Monday. Failure to do so will de facto cause this  
5 Board to give an adverse ruling on this case.

6 Also, that if there are any new submittals,  
7 changes to the drawings, dimensional forms, or any  
8 supporting statements that those be in our files by 5 p.m.  
9 on the Monday prior to the continued meeting date.

10 On the motion to continue this matter to February  
11 1, 2024, by a voice vote of the Board members, Virginia?

12 VIRGINIA KEESLER: In favor.

13 JIM MONTEVERDE: Thank you. Daniel?

14 DANIEL HIDALGO: In favor.

15 JIM MONTEVERDE: Thank you. Bill?

16 BILL BOEHM: In favor.

17 JIM MONTEVERDE: Thank you. Carol?

18 CAROL AGATE: In favor.

19 JIM MONTEVERDE: Thank you. And Jim Monteverde in  
20 favor.

21 [All vote YES]

22 ADAM GLASSMAN: Hey, Jim, I just want to say I

1 know this is a difficult night so I want to thank you and  
2 the rest of the Board members for doing the best you can in  
3 a challenging situation, so we appreciate it.

4 JIM MONTEVERDE: Thank you.

5 ADAM GLASSMAN: All right. Goodnight.

6 JIM MONTEVERDE: Goodnight.

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(8:00 p.m.)

Sitting Members: Jim Monteverde, Virginia Keesler, Daniel Hidalgo Fernando, William Boehm, and Carol Agate

JIM MONTEVERDE: All right, campers, we are back.

Next case is Case BZA-250559 - 1436 Cambridge Street. Is there anyone here who wishes to speak on this matter?

ADAM DASH: That would be me, Mr. Chair, Attorney Adam Dash, representing the petitioner.

JIM MONTEVERDE: Oh, Adam. How are you?

ADAM DASH: I'm doing well. And how are you doing?

JIM MONTEVERDE: Have you been tuned in for a while?

ADAM DASH: Yeah. I think I grew the beard in the meantime.

JIM MONTEVERDE: I know [Laughter]. And mine went white when we were waiting, yeah.

So have you heard our sad story for the evening?

ADAM DASH: I have, and I have heard that tune

1 before in other communities, so if it makes you feel better,  
2 it is not unique to you.

3 JIM MONTEVERDE: Really?

4 ADAM DASH: And I think you have no choice, and  
5 you are doing what you can do.

6 JIM MONTEVERDE: All right. Can we continue to  
7 February 1?

8 ADAM DASH: Absolutely.

9 JIM MONTEVERDE: Okay. Let me make a motion to  
10 continue this matter -- and this matter is Case 250559 -- to  
11 February 1, 2024, on the condition that the petitioner  
12 change the posting sign to reflect the new date of February  
13 1, 2024, and the new time of 6 p.m.

14 Also, that the petitioner sign a waiver to the  
15 statutory requirements for the hearing. This waiver can be  
16 obtained from Maria Pacheco or Olivia Ratay at the  
17 Inspectional Services Department.

18 I ask that you sign the waiver and return it to  
19 the Inspectional Services Department by a week from this  
20 coming Monday. Failure to do so will de facto cause this  
21 Board to give an adverse ruling on this case.

22 Also -- and this shouldn't be applicable -- that

1 if there are any new submittals, changes to the drawings,  
2 dimensional forms, or any supporting statements that those  
3 be in our files by 5 p.m. on the Monday prior to the  
4 continued meeting date.

5 On the motion to continue this matter until  
6 February 1, 2024, by a voice vote of the Board members,  
7 Carol?

8 CAROL AGATE: In favor.

9 JIM MONTEVERDE: Thank you. Bill?

10 BILL BOEHM: In favor.

11 JIM MONTEVERDE: Thank you. Daniel?

12 DANIEL HIDALGO: In favor.

13 JIM MONTEVERDE: Thank you. Virginia?

14 VIRGINIA KEESLER: In favor.

15 JIM MONTEVERDE: Thank you. And Jim Monteverde in  
16 favor.

17 [All vote YES]

18 JIM MONTEVERDE: Matter is continued.

19 Thank you, Adam, for your cooperation and  
20 understanding.

21 ADAM DASH: You are quite all right. See you next  
22 time.

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JIM MONTEVERDE: Thank you.

All right. We will be back in 15 minutes.

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(8:15 p.m.)

Sitting Members: Jim Monteverde, Virginia Keesler, Daniel Hidalgo Fernando, William Boehm, and Carol Agate

JIM MONTEVERDE: All right, campers. Last but not least, the next case is BZA 2551115 -- 55 Harvey Street. Is there anyone present who wishes to speak on that property?

Richard Lynds?

RICHARD LYNDS: Yes. Good evening, Mr. Chairman and through the members of the Board. Richard Lynds on behalf of the petitioner.

JIM MONTEVERDE: Yep. Have you been tuned in for a while? Have you heard our spiel, our dilemma this evening?

RICHARD LYNDS: I have. And I understand. I consent to a continuance to February 1, and happy to execute whatever documents the Board needs.

JIM MONTEVERDE: Okay. Thank you. So let me make a motion to continue this matter -- and this matter is Case 251115 -- to February 1, 2024, on the condition that the petitioner change the posting sign to reflect the new date

1 of February 1, 2024, and the new time of 6 p.m.

2 Also that the petitioner sign a waiver to the  
3 statutory requirements for the hearing. This waiver can be  
4 obtained from Maria Pacheco or Olivia Ratay at the  
5 Inspectional Services Department.

6 I ask that you sign the waiver and return it to  
7 the Inspectional Services Department by a week from this  
8 coming Monday. Failure to do so will de facto cause this  
9 Board to give an adverse ruling on this case.

10 Also -- I don't think this applies -- that if  
11 there are any new submittals, changes to the drawings,  
12 dimensional forms, or any supporting statements that those  
13 be in our files by 5 p.m. on the Monday prior to the  
14 continued meeting date.

15 On the motion to continue this matter to February  
16 1, 2024, by a voice vote of the Board members, Virginia?

17 VIRGINIA KEESLER: In favor.

18 JIM MONTEVERDE: Thank you. Daniel?

19 DANIEL HIDALGO: In favor.

20 JIM MONTEVERDE: Thank you. Bill?

21 BILL BOEHM: In favor.

22 JIM MONTEVERDE: Thank you. Carol?

1 CAROL AGATE: In favor.

2 JIM MONTEVERDE: Thank you. And Jim Monteverde in  
3 favor.

4 [All vote YES]

5 JIM MONTEVERDE: This matter is continued. Thank  
6 you --

7 RICHARD LYNDS: Thank you very much.

8 JIM MONTEVERDE: -- for your cooperation.

9 RICHARD LYNDS: Yep. Have a good evening. Thank  
10 you.

11 JIM MONTEVERDE: Yeah. You too.

12 Board members, thanks for your help. Thanks for  
13 your patience. Thanks for hanging in there. See you all  
14 next time.

15 COLLECTIVE: Bye. Goodnight.

16 [8:18 p.m. End of Proceedings]

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CERTIFICATE

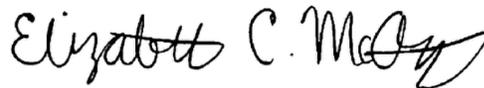
Commonwealth of Massachusetts

Middlesex, ss.

I, Elizabeth McAvoy, Notary Public in and for the Commonwealth of Massachusetts, do hereby certify that the above transcript is a true record, to the best of my ability, of the proceedings.

I further certify that I am neither related to nor employed by any of the parties in or counsel to this action, nor am I financially interested in the outcome of this action.

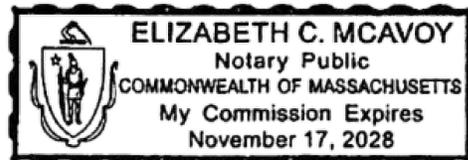
In witness whereof, I have hereunto set my hand this 25th day of January 2024.



Notary Public

My commission expires:

November 17, 2028



<b>A</b>			<b>B</b>	
<b>A.2</b> 33:9	<b>adverse</b> 11:14	54:16	<b>back</b> 17:18 20:6	<b>bit</b> 24:17 25:20
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