

BOARD OF ZONING APPEAL  
FOR THE  
CITY OF CAMBRIDGE

GENERAL HEARING

THURSDAY, NOVEMBER 9, 2017  
7:00 p.m.

in

Senior Center  
806 Massachusetts Avenue  
First Floor  
Cambridge, Massachusetts 02139

Constantine Alexander, Chair  
Brendan Sullivan, Vice Chair  
Janet Green, Member  
Patrick Tedesco, Member  
George S. Best, Associate Member

Maria Pacheco, Zoning Secretary

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I N D E X

CASE

PAGE

## NOTIFICATION TO THE BZA OF CHANGES IN PLANS APPROVED BY THE COMPREHENSIVE PERMIT:

BZA-6289 -- 26-50 York Street	5
-------------------------------	---

BZA-014106-2017 -- 66 Antrim Street	
Original Hearing Date: 09/14/17	25

BZA-014592-2017 -- 52 Kinnaird Street	84
---------------------------------------	----

BZA-014662-2017 -- 284 Norfolk Street	106
---------------------------------------	-----

BZA-014705-2017 -- 23 Lee Street	132
----------------------------------	-----

BZA-014621-2017 -- 25 Glenwood Avenue	139
---------------------------------------	-----

BZA-014725-2017 -- 299 Western Avenue	155
---------------------------------------	-----

KeyWordIndex

**PROCEEDINGS**

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(7:00 p.m.)

(Sitting Members: Constantine Alexander, Brendan Sullivan, Janet Green, Patrick Tedesco, George S. Best.)

CONSTANTINE ALEXANDER: The Chair will call this meeting the Board of Zoning Appeals to order. At the outset let me read a statement.

After notifying the Chair, any person may make a video or audio recording of our open sessions, which this is, or may transmit the meeting through any medium subject to reasonable requirements that the chair may impose as to the number, placement, and operation of equipment used so as to not to interfere with the conduct of the meeting.

At the beginning of the meeting the Chair will inform other attendees at that meeting that a recording is being made.

And I wish to advise everyone that actually two recordings are being made: A citizen of the city has left a tape recorder out here and he's recording the meeting. And

our stenographer records the meeting to assist her when she prepares the minutes of the meeting. So be advised that you're on tape if you speak.

With that I'm going to start with our continued cases. These are cases that we started -- actually, one is not a continued case, but the other is a continued case. I'll get to the non-continued case first. But continued cases are cases that started at an earlier date and for one reason or another got deferred to tonight.

\* \* \* \* \*

(7:00 p.m.)

(Sitting Members Case BZA-6289: Constantine Alexander, Brendan Sullivan, Janet Green, Patrick Tedesco, George S. Best.)

CONSTANTINE ALEXANDER: The non-continued case is a case which I'm going to call first, involving a Comprehensive Permit. I'm going to call the case permit No. -- case No. 6289, 26-50 York Street.

Is there anyone here wishing to be heard on this matter? If so, please come forward.

LAUREN CURRY: Good evening, Mr. Chairman.

CONSTANTINE ALEXANDER: Good evening.

LAUREN CURRY: Lauren Curry from Just-A-Start, and project manager for this project is Robert MacArthur.

JANET GREEN: We have the microphones.

CONSTANTINE ALEXANDER: It's on.

Just for the benefit of those in the audience who are here on this case. This case was not advertised in the

usual way because it didn't have to be. We had earlier granted a Special Permit. This is a Comprehensive Permit, I should say, not a Special Permit, a Comprehensive Permit for a project on York Street. It was tied to plans that were submitted at that time, preliminary drawings actually, and the final plans were made and there have been some changes. State law allows this Board with minimal advertising to pass upon the changes and to approve them if they are insubstantial, and that's the issue before us tonight in this case. The changes you're proposing are whether or not you're insubstantial. That's just for the benefit of the audience not for you.

So with that, why don't you go into your presentation.

LAUREN CURRY: Okay. We do have some plans that are a little clearer than the ones that were sent if people want them.

CONSTANTINE ALEXANDER: Yeah.

LAUREN CURRY: And we also have some boards if there's anything that a larger drawing would help illuminate for the Board.

CONSTANTINE ALEXANDER: These plans show what was approved before and --

ROBERT MacARTHUR: Yes. We have two sets, what was approved before --

CONSTANTINE ALEXANDER: And what it's going to look like now --

ROBERT MacARTHUR: And then --

CONSTANTINE ALEXANDER: -- should we give approval.

ROBERT MacARTHUR: Yes, that's right. That's the first set circulation.

LAUREN CURRY: Those were schematic boards as now the detailed drawings are ready.

ROBERT MacARTHUR: And then these are the new plans which are the modifications that we would like the

Board to approve.

CONSTANTINE ALEXANDER: Okay, so the first thing I just passed around were the old ones?

ROBERT MacARTHUR: That's right.

CONSTANTINE ALEXANDER: Originally. And this is what you want now?

ROBERT MacARTHUR: And it looks like you have an extra one of the old ones, and if you wouldn't mind holding on to that to help you --

CONSTANTINE ALEXANDER: We have more than enough paperwork here.

JOHN HAWKINSON: Mr. Chair, Ms. Curry is a little tough to hear.

JANET GREEN: You have to put the microphone right up to your mouth.

CONSTANTINE ALEXANDER: Take it off the holder. Just pull it up get it off.

ROBERT MacARTHUR: So again --



CONSTANTINE ALEXANDER: One second.

JANET GREEN: That's good, we can hear you. You can tell when it's being transmitted.

ROBERT MacARTHUR: Okay, so that's an extra as well.

CONSTANTINE ALEXANDER: Now you can go ahead.

ROBERT MacARTHUR: Okay, so what we have given to the Board are the plans that were submitted to the Board on March 9th as a request for an insubstantial change to the Comprehensive Permit for this property and that Comprehensive Permit actually dates back to 1991 --

CONSTANTINE ALEXANDER: Right.

ROBERT MacARTHUR: -- when the property was initially redeveloped as affordable housing from a church rectory and other affiliated buildings.

CONSTANTINE ALEXANDER: This is an area where they had the big fire?

ROBERT MacARTHUR: That's right.

The church building in the December fire of 2016 was destroyed and the building that's in front of you is a replacement building for that building. Given that the new building fits -- is being built within the parameters of the Comprehensive Permit that was approved in 1991, that it's the same number of units, the same number of parking spaces, the FAR is equal to or less than what was approved at the time, and all other dimensional requirements.

CONSTANTINE ALEXANDER: Good.

ROBERT MacARTHUR: We were allowed to make this change as an insubstantial change to the Comprehensive Permit and very appreciative of the Board of approving that insubstantial change.

Since the March meeting we've been working fast and furiously to engineer the building, develop construction documents, permit the project, put together the financing. During that time we also held public hearings because we -- the neighborhood is very interested in what was

happening there, to present the plans, and we actually went back to the Cambridge Historic Commission who had approved our demolition permit but wanted to see the building that we were --

CONSTANTINE ALEXANDER: These neighborhood meetings, did any opposition surface?

ROBERT MacARTHUR: No. It was a very -- partly because we were going back with the same size building. We weren't adding units. The neighborhood was very appreciative that we were pushing forward as quickly as we were. There were some people that wanted us to add more units. We felt that it was important to rebuild the buildings as quickly as we could, so we were doing it under the existing --

CONSTANTINE ALEXANDER: And Cambridge Historical had no issues?

ROBERT MacARTHUR: No.

They approved the demolition and asked us to come

back to present the design as we progressed through the design. The main issue that was raised by the community and a number of people at the city, including the Historic Commission, was the desire that we reuse some of the stained glass windows from the church.

CONSTANTINE ALEXANDER: Which is right here.

ROBERT MacARTHUR: And we incorporated a rosette window that wasn't in the plans that we presented earlier, and so that was a main feature that modified slightly the elevations to the building that was presented in March.

CONSTANTINE ALEXANDER: What's behind the rosette window?

ROBERT MacARTHUR: It's a stair tower. So the light will pass through it. Initially I believe we had our elevator tower there and we relocated it, and so you would have light, natural light that would come through the window.

Other changes, some of the window patterns have

changed. The unit layouts are almost identical to what we had presented before with the exception of we needed to relocate the entry to the parking garage which --

CONSTANTINE ALEXANDER: Can you show where the old entry -- the original entry proposal was and where you're now going to put it?

ROBERT MacARTHUR: The original --

CONSTANTINE ALEXANDER: I mean the plans we approved the last time around.

ROBERT MacARTHUR: Yes.

CONSTANTINE ALEXANDER: Where was the garage entry going to be and now where is it going to be?

ROBERT MacARTHUR: If you go to sheet 6 of 9 in the original plans, you'll see the garage entry is on the back side, but it is more or less mid span in the building or in the middle section of the building.

CONSTANTINE ALEXANDER: Let me just get there, one second.

ROBERT MacARTHUR: Okay.

CONSTANTINE ALEXANDER: Right. I see it.

ROBERT MacARTHUR: And if you look at the site plan for the new building, and I would say go to the third to the last sheet of that other set, you'll see a site plan. You'll see that the parking has been moved over closer to the -- further away from Berkshire Street to the right side of the building. And that was really -- we needed to redesign the garage so that we could get a, a van in for handicap access that required a deep --

CONSTANTINE ALEXANDER: The original one didn't allow that?

ROBERT MacARTHUR: It didn't. We didn't have -- so because of that, the height difference to get a ramp that would go deep enough into the building, we needed to relocate that ramp to a location where we could have a better swing.

So those two issues really dictated some minor

changes to the outside elevations of the building.

CONSTANTINE ALEXANDER: What about I think I saw in Ms. Curry's letter something about the ramp? Maybe I'm wrong. Something stairs on the side of the building?

ROBERT MacARTHUR: Yeah, so let me -- so we -- we had been marching ahead to get to a start of construction to really get the building rebuilt, and perhaps somewhat naively assumed that what we had designed was consistent with what was approved in the March meeting and have submitted a Building Permit, were closing -- intending to close next week and start construction next week on the new building, and in the plan review, when they looked at the buildings, they saw that we had the rosette tower, that there was some minor modifications to the plan, and said that technically it's not consistent and therefore you need to come back to the Board for approval for these changes.

CONSTANTINE ALEXANDER: Right.

And show us where the -- I'm not finding it.

ROBERT MacARTHUR: We had mentioned some stair changes.

CONSTANTINE ALEXANDER: That's what I'm looking for.

ROBERT MacARTHUR: And I'm getting there in my story.

So we submitted permit plans in June. We've since then added -- made some changes that we're calling alternate changes. And so our request tonight is to have the permit plans approved as well as those alternate changes.

So the alternate changes, if you go, again, back to the site plan which is the third to last sheet, we sort of bubbled in the changes from the permit set. And so those changes occurred at the front stairs. So I'll wait until people are on that sheet. The front stairs which came directly into the building before just -- and were a high set of stairs and they weren't split, and we felt that they were, they needed to be broken up to work better in



elevation. And we needed to add an egress stair on the side of the building, again, on the side away from Berkshire Street next to 40 York. So those two changes that are bubbled in are subsequent changes that we've, that we're calling the alternates and they're reflected in the following two sheets which are the elevations.

So in our mind, and we submitted the Building Permit for review to keep us on schedule. We continued to work on these couple of changes that we planned to come back to the Building Department as amendments. We've redesigned them, got the pricing for those changes, and when we realized we really needed your blessing, our desire was to come to the Board for approval of the permit drawings.

CONSTANTINE ALEXANDER: These?

ROBERT MacARTHUR: Yeah, both what we submitted as permit and the alternates so that the Building Department can move ahead and approve the permit.

CONSTANTINE ALEXANDER: I'm sorry, I'm a little

slow. What are the alternates?

ROBERT MacARTHUR: The alternates are just the last three sheets.

CONSTANTINE ALEXANDER: Okay.

ROBERT MacARTHUR: Just those two bubbled sections.

CONSTANTINE ALEXANDER: You put the permit set together which has the alternates attached to it.

ROBERT MacARTHUR: That's right.

CONSTANTINE ALEXANDER: It's only one document.

ROBERT MacARTHUR: It's only one document and I apologize for that. It just seemed like the easiest way to handle it, just two sets of sheets.

So our request is to have both the permits set which the Building Department has been reviewing, we would like them to complete the review approved, and the desire for maintaining those for approval is so that they can finish their approval and we'd also like the alternates

approved so that they can then approve those by amendment.

CONSTANTINE ALEXANDER: Okay.

ROBERT MacARTHUR: So that's the essence of our request.

CONSTANTINE ALEXANDER: Any questions from members of the Board?

(No Response.)

CONSTANTINE ALEXANDER: None.

I will open the matter up to public testimony.

Is there anyone here wishing to be heard on this matter?

(No Response.)

CONSTANTINE ALEXANDER: Apparently not. Last I looked there were no letters in the file from anyone.

So, I will -- any final comments you want to make? You don't have to but you have the opportunity.

ROBERT MacARTHUR: Well, it's been -- this has been a group effort from the beginning, from the fire. We

had a groundbreaking in late October and learned -- heard a lot of stories from people all through the city from the Fire Department, from City Hall about just how much effort people have -- it was very moving how much effort people have put in to re-house the families, to address the concerns. I think the Board has looked at how to help the families who were hurt by the loss of their houses in terms of the zoning. So we're very touched and appreciative of all the effort that the city has put in on, you know, both on a public and on a private basis to help us help the residents get back in their homes as quickly as possible.

CONSTANTINE ALEXANDER: Good comments.

Discussion or ready for a vote?

JANET GREEN: I'm ready.

CONSTANTINE ALEXANDER: Ready?

Okay, this is a little different vote than we usually take. Give me a second to frame it.

The Chair moves that based on the plans

called -- the first page of which is entitled, "The permit set," which contains the alternates? Alternates. The first page of which has been initialled by the Chair. That what is being proposed is an insubstantial change to the plans that we previously approved and, therefore, we find that you can go forward based on these plans, which I've initialled, the new revised permit set and alternates.

All those in favor say "Aye."

(Aye.)

CONSTANTINE ALEXANDER: Five in favor. Thank you for your efforts.

(Alexander, Sullivan, Green, Tedesco, Best.)

ROBERT MacARTHUR: Thank you very much.

\* \* \* \* \*

(7:15 p.m.)

(Sitting Members Case BZA-014106-2017: Constantine

Alexander, Brendan Sullivan, Janet Green, Patrick Tedesco,

George S. Best.)

CONSTANTINE ALEXANDER: The Chair will now call case No. 014106, 66 Antrim Street.

Is there anyone here wishing to be heard on this matter?

ALEX VAN PRAAGH: Yes.

Hello.

CONSTANTINE ALEXANDER: We see you again.

ALEX VAN PRAAGH: Nice to see you again, yes.

CONSTANTINE ALEXANDER: Your name and address for the stenographer, please.

ALEX VAN PRAAGH: Alex van Praagh, 95 Antrim Street. Thank you for the continuance and for encouraging me to revisit the design.

I tried to take some of your comments to heart and modify the design and I'd like to just run through briefly.

CONSTANTINE ALEXANDER: Please.

First of all for the record --

ALEX VAN PRAAGH: Certainly.

CONSTANTINE ALEXANDER: I've been advised by the Inspectional Services Department that the dimensional form sheet --

ALEX VAN PRAAGH: Yes.

CONSTANTINE ALEXANDER: -- last time was not quite correct --

ALEX VAN PRAAGH: Yes.

CONSTANTINE ALEXANDER: -- and in their opinion it is correct. So we're all set there.

ALEX VAN PRAAGH: Yes.

CONSTANTINE ALEXANDER: And just before you get there, the two issues we asked you to sort of think about, address, I think is going to be of concern to this Board are the dormers --

ALEX VAN PRAAGH: Yes.

CONSTANTINE ALEXANDER: -- you've got two, neither which complied originally with the dormer guidelines --

ALEX VAN PRAAGH: Yes.

CONSTANTINE ALEXANDER: And then separately the number of decks, elevated decks, particularly in the rear and side of the building, because of our general concerns about congested or dense neighborhoods, decks can be a problem for neighbors.

ALEX VAN PRAAGH: Yes.

CONSTANTINE ALEXANDER: Okay, with that now.

ALEX VAN PRAAGH: And so with that I -- all of these boards are replicated in the 11-by-17 set that was submitted, but I thought a larger format might be useful.

Briefly and as context with the lot on Antrim Street, it's a narrow non-conforming parcel, and I think that's triggering some of the nonconformity in the FAR. And the proposed reconfiguration tries to -- maintains the dwelling as a two-unit dwelling, it keeps the two off-street parking, it doesn't further violate any of the front, rear, side yard setbacks. And it also proposes removal of the



garage in the rear so that the percentage of usable open space will be increased if and when the project is done.

These are the existing drawings and one of the dormers -- there is only one dormer on the building.

PATRICK TEDESCO: I'm sorry, could you hold that up?

ALEX VAN PRAAGH: Yeah, no problem.

PATRICK TEDESCO: Thank you.

CONSTANTINE ALEXANDER: You're adding one dormer and you're expanding --

ALEX VAN PRAAGH: I'm adding one dormer. I'm expanding one dormer and adding another dormer.

CONSTANTINE ALEXANDER: Right.

ALEX VAN PRAAGH: Putting dormers on both sides of the building.

CONSTANTINE ALEXANDER: Right.

ALEX VAN PRAAGH: And I can run through the plans very briefly and try and speak to that.

CONSTANTINE ALEXANDER: Do your two dormers, just identified, do they comply with our --

ALEX VAN PRAAGH: They do not.

CONSTANTINE ALEXANDER: They do not. Okay.

To what extent do they not and why not?

ALEX VAN PRAAGH: Okay. So my understanding of the dormer guidelines is they want to be pulled back a foot and a half from the exterior wall, down a foot from the ridge, and be no more than 15 feet.

CONSTANTINE ALEXANDER: Got it. Those are the major elements of it.

ALEX VAN PRAAGH: Yes.

So the bedroom dormer, what I'm calling the bedroom dormer, and I can flip to the third floor, it's 15 feet wide, so it complies in that regard. However, to push it down a full foot from the ridge really reduces the pitch if one's to maintain adequate ceiling height within the space. So I pushed it down eight inches. I'm trying to

finesse things, and I pulled it back a foot from the exterior wall versus a foot and a half. It's noncompliant but it's making an attempt.

PATRICK TEDESCO: And it's width again?

ALEX VAN PRAAGH: It's width again is 15 feet.

On the other side, the existing dormer, and I should just flip to the third floor plan here. The -- I can go over these other plans, but I'm trying to speak to your questions directly.

So this is the dormer that I just described, 15 feet wide, 14 inches back from the edge of the groove.

CONSTANTINE ALEXANDER: Right.

ALEX VAN PRAAGH: This one here, the purpose of this dormer is to provide headroom for the stair that goes from the second to third floor. It does not meet current building codes. The head clearance on the stair is much less than the six-foot-six required on the low end and slightly more on the high end. But as an aggregate, it

would not pass current building codes. So the rebuilding of the dormer suggests moving it forward one foot to allow for proper head clearance. And then on the back side, currently the third floor is built to here. And it's my hope to have three bedrooms upstairs for my three children. And this is the back wall of the building. The original proposal was to build the third floor to the back wall. I've pulled that back three feet, removed the -- sort of the corner deck here that was near the neighbor, but this, this wall is a load bearing wall and this dormer effectively connects this load bearing wall with this headroom wall. And the result is a long dormer.

CONSTANTINE ALEXANDER: How long?

ALEX VAN PRAAGH: 18 feet 8 inches. I've tried to articulate the dormer sort of with pairs of windows such that the, the perception of it can be broken down. I could take that further by trying to sort of notch into it. It seemed as though it was going to get busy if I did that. I

can jump to the elevation and --

PATRICK TEDESCO: Can I ask a question in the meantime?

ALEX VAN PRAAGH: Certainly.

PATRICK TEDESCO: What's the what's the head height clearance as the stair passes beneath the side wall of the dormer?

ALEX VAN PRAAGH: The head height --

PATRICK TEDESCO: The ceiling height. As you go down the stair --

ALEX VAN PRAAGH: Yeah.

PATRICK TEDESCO: -- and you pass beneath that side wall, what's the ceiling height?

ALEX VAN PRAAGH: It is -- I should know exactly. It's about five, it's about four and a half feet on the low end and, and about six, ten on the high end.

PATRICK TEDESCO: But when you're on the stair --

ALEX VAN PRAAGH: When you're on the stair.

PATRICK TEDESCO: -- you're passing bee need the  
dormer --

ALEX VAN PRAAGH: And you go like that.

JANET GREEN: Existing.

ALEX VAN PRAAGH: Existing.

PATRICK TEDESCO: No currently, right. So what  
I'm asking when you extend --

ALEX VAN PRAAGH: Oh, when I move it forward?

PATRICK TEDESCO: Yes. What kind of ceiling do  
you achieve at that --

ALEX VAN PRAAGH: I get 6.6 at the low end.  
I -- on this step. On this step. On this step I get more.

PATRICK TEDESCO: Right. So as you pass beneath  
the ceiling you're at 7.6 or something like that?

ALEX VAN PRAAGH: Yes.

PATRICK TEDESCO: You're pretty much at minimum?

ALEX VAN PRAAGH: Yes.

PATRICK TEDESCO: So you've pushed the dormer --

ALEX VAN PRAAGH: Only as far close to the street as I needed to. It's, it's still 11 feet 4 inches back from the front of the building. This one is 15 feet back from the front of the building. So, you know, from the building, from quite a few angles, the dormers are far back enough that you barely perceive them if at all.

PATRICK TEDESCO: And you're not rebuilding the stair, that's the existing stair?

ALEX VAN PRAAGH: Not rebuilding the stair, yeah.

The -- the building was originally a single-family building. It's been a two-unit building for as long as I am sort of aware of recent records. But when it was constructed, you can tell by the stair that it was a single-family residence. And the plan is to return it to have the primary residence on the ground, second, and third floor and have the second unit in the basement.

The other concern that was voiced was the amount of deck space. And on the second floor I eliminated the

deck off the master bedroom. And on the third floor, I eliminated this deck. This does exist. It's a flat roof because I've, again, tried to reduce the massing and I thought, you know, with the flat roof here, the little sort of balcony.

CONSTANTINE ALEXANDER: Why do you need that deck?

ALEX VAN PRAAGH: It -- my family loves to garden and have sort of outdoor planters spots.

CONSTANTINE ALEXANDER: On the third floor?

ALEX VAN PRAAGH: Just a planter. And it's, you know, I did check in with the neighbors. I spoke to every single neighbor. And on my file you'll see quite a few, you know, notations of support. So there wasn't objection to the parties that could potentially be affected, not that I was made aware of. If it's a deal breaker, I am --

JANET GREEN: What size is the deck are we talking about?

ALEX VAN PRAAGH: It's three feet.



JANET GREEN: Oh, it's only three feet?

ALEX VAN PRAAGH: Sorry. Three feet deep by ten feet wide, but, you know, the door takes up the center three feet. So three and three on either side.

CONSTANTINE ALEXANDER: That's off one of your children's bedrooms.

ALEX VAN PRAAGH: Off of the rear bedroom, yeah. And then this, the dormer would provide another bedroom and then the other one would be in the front and there would be a shared bathroom.

CONSTANTINE ALEXANDER: Now let's talk about the second floor decks.

ALEX VAN PRAAGH: Certainly.

BRENDAN SULLIVAN: Can I see the drawings?

CONSTANTINE ALEXANDER: I think these are the right ones. Be careful, I was going to ask the question. There are so many plans floating around.

Maybe we should ask that question now, Brendan. I

want to make sure as Brendan looks at them, we're all looking at the plans that you're submitting tonight.

ALEX VAN PRAAGH: Yeah, I'm sorry that there have been multiple.

PATRICK TEDESCO: These are dated October 30th.

ALEX VAN PRAAGH: October 30th?

PATRICK TEDESCO: Yes.

CONSTANTINE ALEXANDER: You said November. Earlier in your presentation you said November drawings. That's why I was getting a little bit confused.

ALEX VAN PRAAGH: I may have misspoke.

PATRICK TEDESCO: Those are dated October 30th.

ALEX VAN PRAAGH: I may have misspoken. The 30th.

CONSTANTINE ALEXANDER: So these are the plans?

Okay, Brendan. I'm sorry. Go ahead.

ALEX VAN PRAAGH: Sorry, I may have misspoken.

The plans in question have a build out of 2,874 square feet and that in aggregate puts the building 90 feet

over the allowable square footage on the inside and 200 square feet over in terms of covered exterior space. So it's a, it's 0.77 FAR if you take the inside space. But it is a 0.83 FAR if you take inside and outside covered space.

CONSTANTINE ALEXANDER: And currently you are in compliance with FAR. You're --

ALEX VAN PRAAGH: The current building is in compliance.

CONSTANTINE ALEXANDER: 0.73.

ALEX VAN PRAAGH: It's at 0.73.

CONSTANTINE ALEXANDER: Right, okay.

ALEX VAN PRAAGH: This is original side porch of the building and the building to its side No. 62 still has this exterior porch. I, I think it's a lovely amenity and I want to restore it. This additional part of the porch deck would provide some coverage for the ground floor deck here.

CONSTANTINE ALEXANDER: You're increasing the size of that second floor deck?

ALEX VAN PRAAGH: The second -- yes. Yes.

CONSTANTINE ALEXANDER: Okay.

ALEX VAN PRAAGH: Yep, the second floor that used to be there.

CONSTANTINE ALEXANDER: Yeah.

ALEX VAN PRAAGH: That will then go back. And so this is the part of the ground floor deck adjacent to the entry that would be covered. There's great utility in having a partial covered outside spot on the ground floor with the families coming and going.

I presented to Historic. They, you know, were in approval with the general design. I've sort of lost my various points that I was going to present. I'm trying to speak to the most relevant concerns.

PATRICK TEDESCO: Sure. Can I just, because you asked the question, Gus, how does the bathroom dormer comply with the dormer guidelines? Could you answer that question as well --

CONSTANTINE ALEXANDER: Yes, thank you.

PATRICK TEDESCO: -- for the bedroom dormer we know it's --

ALEX VAN PRAAGH: Yeah.

PATRICK TEDESCO: -- why the bathroom dormer stayed open.

ALEX VAN PRAAGH: Okay. So the bedroom dormer --

PATRICK TEDESCO: The bedroom dormer you've addressed.

CONSTANTINE ALEXANDER: Yeah. The one with the headroom.

PATRICK TEDESCO: The stair bathroom.

CONSTANTINE ALEXANDER: The stair one. You said it's 18.8 feet long which obviously is longer than the dormer guidelines. What about the other aspects of the guidelines?

ALEX VAN PRAAGH: Yeah. So the length is being generated by the load bearing wall and the headroom, and

then also it doesn't pull back from the exterior walls in order to provide the headroom for the stair. So the front edge of the dormer doesn't jog when it hits the bathroom. It just continues along the exterior edge of the building because it's being driven by the need for the dormer to provide the headroom. That's sort of the essence of what started that dormer. I'm adding the bathroom.

PATRICK TEDESCO: And it's, I'm sorry, in relationship to the top of the dormer and the top of the ridge line?

ALEX VAN PRAAGH: And the relation is eight -- it's eight inches down from the ridge.

PATRICK TEDESCO: Just like the other one?

ALEX VAN PRAAGH: Yeah, yeah. So it would mirror that appearance.

And sloped, it would slope the same, so it would come down slightly lower than this one, but I think that would still resolve nicely.

PATRICK TEDESCO: And there's one full bath in the unit?

ALEX VAN PRAAGH: There is one full bath on the third floor and one full bath on the second floor. And, yeah -- and I -- doing the bathroom layout such that all -- they won't have to fight. There can be a sink and there can be a door separating the toilet and bathroom. The toilet and shower.

PATRICK TEDESCO: Could you share the elevation of that --

ALEX VAN PRAAGH: Yeah.

PATRICK TEDESCO: -- facade, please? Sorry.

ALEX VAN PRAAGH: The elevations are here.

This is the elevation of the bathroom and stair. And the front bedroom and the back bedroom. I can come back to this.

And this is the elevation of the opposite dormer bedroom. And this is the elevation from the front which is

deceptive because these are respectively 15 and 12 feet back from -- or actually 12 and 15 feet back from the front edge of the building.

CONSTANTINE ALEXANDER: And go to the other -- sorry.

ALEX VAN PRAAGH: And the same on the rear.

CONSTANTINE ALEXANDER: Go through the elevations with regard to the decks. Some of them are right there.

ALEX VAN PRAAGH: Okay.

CONSTANTINE ALEXANDER: The front deck, the front -- I'm not worried about the front. It's the side and back.

ALEX VAN PRAAGH: So the ground floor deck here, this is an extension of the covered porch and it in plan comes forward in this area here -- in --

CONSTANTINE ALEXANDER: Right.

ALEX VAN PRAAGH: In this area here.

CONSTANTINE ALEXANDER: Yep.



ALEX VAN PRAAGH: And then --

CONSTANTINE ALEXANDER: And that's your third floor deck up there?

ALEX VAN PRAAGH: And that's the -- so this third floor has been pulled back to reduce the massing and there's three feet of flat roof, and the center section was gonna be sort of a balcony deck.

Do you want me to flip back to the....

PATRICK TEDESCO: To the side elevation if you don't mind.

ALEX VAN PRAAGH: To the side elevation? I might be able to squeeze it a few more inches. It's really, it's, again, it's being driven by a sort of a load bearing wall here. But I could probably try and transfer the load a bit. This one is a little bit harder with the headroom, but I might be able to also cheat that a few inches.

PATRICK TEDESCO: I mean I understand what's driving the width of the dormer. The head height is the

head height which I'm sure you'll minimize.

ALEX VAN PRAAGH: Yeah.

PATRICK TEDESCO: And I can understand the desire to capture the load bearing point.

ALEX VAN PRAAGH: Yeah, yeah.

PATRICK TEDESCO: I am troubled by the width of it. You know, dormers to get head height for a stair absolutely, especially if you have to duck under currently.

ALEX VAN PRAAGH: Yeah.

PATRICK TEDESCO: I understand the desire for a second bath in a three-bedroom unit for sure.

ALEX VAN PRAAGH: Yeah.

PATRICK TEDESCO: Splitting the dormer into two and getting rid of that little linen closet by creating a gap between the two, you talked about it being a little busy, I don't necessarily disagree with that, I'm just, I'm just wondering if that doesn't --

ALEX VAN PRAAGH: I wonder if it could be

articulated with trim in a way -- I also would point out, and I don't want to diminish the fact that the dormer's not complying, but in terms of sight lines, the building sits on the lot such that the driveway is on this side and the dormer in question is on this side. It's the least visible elevation from anywhere that one would perceive of the building.

PATRICK TEDESCO: Except to your abutters directly adjacent to it.

ALEX VAN PRAAGH: Both of whom are in support of -- they both have submitted letters.

PATRICK TEDESCO: Do those buildings have occupied attic stories with dormers?

ALEX VAN PRAAGH: They have an occupied third floor. There's no dormer on the side that faces 66 Antrim. There's --

UNIDENTIFIED MEMBER FROM THE AUDIENCE: There's a dormer on the north side, not on the south side.

ALEX VAN PRAAGH: My wife is remembering there's a dormer on the other side.

PATRICK TEDESCO: And so this faces the slope of their roof?

ALEX VAN PRAAGH: So I'm not sure I'm understanding the question. The dormer faces the side of the roof that slopes that without the dormer.

PATRICK TEDESCO: Without the dormer, right.

ALEX VAN PRAAGH: Without the dormer, yes.

PATRICK TEDESCO: And could you show the elevation from the street, please?

ALEX VAN PRAAGH: Yeah.

PATRICK TEDESCO: I mean, the perspective from the street.

ALEX VAN PRAAGH: So this is drawn over a photograph and the dormer is just not visible as I stood there and took the picture. So when I rendered it with the proposed elements, I didn't include the dormer because

it -- the sight lines are such that you actually don't see it. So, again, the dormer's 16 feet back from this edge and 12 and a half feet back from that edge.

PATRICK TEDESCO: And I'm sorry, Brendan, the FAR remains compliant, right?

BRENDAN SULLIVAN: The FAR is going from -- right now is compliant 0.73 in a 0.75 and it's going to a 0.83.

ALEX VAN PRAAGH: Yes, it is.

CONSTANTINE ALEXANDER: Over 200 feet.

ALEX VAN PRAAGH: 290 feet. 200 of which are exterior covered space, 90 of which are the additional interior space:

I will also note as I noted in the supporting statement that the building really is in need of serious upgrades. The roof is -- has a leak and there's mold that's starting to form on the interior of the building. If it isn't attended to, it's gonna really mushroom into a large problem.

BRENDAN SULLIVAN: You do not live there now  
currently?

ALEX VAN PRAAGH: Excuse me?

BRENDAN SULLIVAN: You do not live there now?

ALEX VAN PRAAGH: I do not live there now, no.

BRENDAN SULLIVAN: So you have just purchased it?

ALEX VAN PRAAGH: We purchased it over a year ago  
and we have tenants on the ground floor and the upper unit  
is vacant. And....

CONSTANTINE ALEXANDER: Can you tell me why you  
have two kitchens in the building --

ALEX VAN PRAAGH: Certainly.

CONSTANTINE ALEXANDER: -- for the two units.

ALEX VAN PRAAGH: Yes.

CONSTANTINE ALEXANDER: And now I see in your  
plans a kitchenette on the second floor.

ALEX VAN PRAAGH: Yeah, a kitchenette on the  
second floor. Both my wife and I have Home Offices and

there would just be a convenience to have a fridge and a sink and a microwave --

CONSTANTINE ALEXANDER: The only trouble --

ALEX VAN PRAAGH: -- associated with the office space.

CONSTANTINE ALEXANDER: Is, you know, kitchenettes are the first step toward an illegal kitchen. Not from -- I'm not saying you're going to do that, but you're not going to be the person living in that building forever and ever. The next person comes in and sees a chance to maybe get a third unit in there.

ALEX VAN PRAAGH: Okay.

CONSTANTINE ALEXANDER: And at that trouble me.

ALEX VAN PRAAGH: I hear you, but I'm trying to be entirely transparent with how I plan to use the building.

CONSTANTINE ALEXANDER: Just walk down the five stairs to go get your cup of coffee --

ALEX VAN PRAAGH: All right. Okay.

CONSTANTINE ALEXANDER: -- or to use a sink.

ALEX VAN PRAAGH: Okay. You're right, it has a kitchenette. And I just think that it's a -- I don't know, it's the house that I hoped to work for the rest of my life in. I am putting forward --

CONSTANTINE ALEXANDER: I don't mean to get on a soapbox. I sense you're very well meaning, very well intentioned, but we have our own responsibilities.

ALEX VAN PRAAGH: Okay.

CONSTANTINE ALEXANDER: And that's why we're raising some of the issues. We have dormer guidelines given to us by Community Development and you're not there. But some people are not there.

You have decks that are -- seem to be most -- especially the third floor deck, I'm speaking for myself, complete nice thing to have. I don't think it's appropriate from a zoning point of view in the neighborhood.



You're not going to be there forever in that building, and somebody is going to have that deck up there and might intrude on a neighbor who is not there now or in the future and not going to be too comfortable with it. So I'm troubled.

ALEX VAN PRAAGH: Okay.

CONSTANTINE ALEXANDER: Just me. I'm troubled by what you want to do. I'm not saying that I'm going to turn you down --

ALEX VAN PRAAGH: Okay.

CONSTANTINE ALEXANDER: But you're pushing the envelope for me anyway.

ALEX VAN PRAAGH: Okay.

We currently live at 95 Antrim Street, and our third floor deck looks on to other people's properties. And the other side of the argument is that it's really engendered wonderful neighborhood relations to be able to have back porch conversations. And, you know, we literally

have our kids going back and forth between our abutting back neighbors, and the conversations are happening from the back porch. There's, you know, lightning storms that are viewed from the porch. There's fireworks view from the porch it's a quality of life thing that I cherish in a city like Cambridge where you actually can step outside and say hi to your neighbor. It's not always a negative.

CONSTANTINE ALEXANDER: Fair enough.

By the way, the last -- we continued the case the last time because at the last moment you had been contacted by a neighbor --

ALEX VAN PRAAGH: Yeah.

CONSTANTINE ALEXANDER: And what happened with that?

ALEX VAN PRAAGH: Well, I made changes -- first I went and I sat and presented the plans as they were. I listened to him. And he was concerned about the third floor build out. He was concerned that it was going to block his

sun. The sun tracks such that his building cast shade on my building not vice versa. The east, south, west is the way it tracks on this side of the building. And so it was really sort of a perplexing issue. However, I tried to hear what he said and I pulled, pulled the mass of the building on the third floor back and reduced the third bedroom by three feet. So I did, I did make an effort. And I took the porch that was adjacent to his side away. And, you know, in trying to respect the dormer guidelines, I also pulled the dormer back further from his house so the massing would be less noticeable on his side. I haven't heard from him.

CONSTANTINE ALEXANDER: Okay.

ALEX VAN PRAAGH: And I sent him those plans --

CONSTANTINE ALEXANDER: Right.

ALEX VAN PRAAGH: -- with the changes and I didn't hear back and I texted and asked if he had any questions and would like to speak? Silence.

CONSTANTINE ALEXANDER: Okay. We have nothing in

our files.

ALEX VAN PRAAGH: I reached out without trying to hassle him.

PATRICK TEDESCO: So this is the abutter directly to the rear?

ALEX VAN PRAAGH: This is the son of the owner that I've known and he's named on the LLC, and they have the property as a rental and he's, he's named as one of the owners.

PATRICK TEDESCO: He's a rear abutter?

ALEX VAN PRAAGH: Yes. No, no, he's a side abutter.

PATRICK TEDESCO: Side abutter?

ALEX VAN PRAAGH: As you stand on the side of the building on Antrim Street he's to the right.

CONSTANTINE ALEXANDER: On the other side of the driveway.

ALEX VAN PRAAGH: No. 62.

CONSTANTINE ALEXANDER: Other side of the driveway?

ALEX VAN PRAAGH: Other side of the driveway. So the one that's further away.

PATRICK TEDESCO: And you have support from both of the abutter?

ALEX VAN PRAAGH: Both have submitted letters of support.

CONSTANTINE ALEXANDER: I'll get to that.

ALEX VAN PRAAGH: And other neighbors have submitted letters.

CONSTANTINE ALEXANDER: Yes.

ALEX VAN PRAAGH: I'm happy to answer other questions.

CONSTANTINE ALEXANDER: Other questions?

BRENDAN SULLIVAN: Well, no, the thing that, you know, on first review of a case is obviously its impact on the abutters and surrounding neighborhood. And then you

sort of look at the numbers and whether or not if they're too large or too much of a request, whether it's fair and reasonable. But then also the hardship and in your supporting statements, the hardship is owing to the following circumstances relating to the soil conditions, shape, or topography, especially affecting such land or structures but not affecting the general zoning district in which it is located. And your reply is the building is on a non-conforming parcel in a neighborhood where many parcels are non-conforming in lot size and dimension, and therefore are also non-conforming. So rather than you having a unique situation which the granting of a Variance should pertain to, a uniqueness in your, you're saying, you know, we're all the same. We all have the -- you know, and so is it, you know, what is a hardship? It may an incumbrance, but yet, you know --

ALEX VAN PRAAGH: Yes.

BRENDAN SULLIVAN: And having recently bought the

property say a year ago and all the work it needs, well, I assume that you probably purchased it at a price that reflects that condition. And so my retort -- and they've heard it a thousand times, is that what you pay for it is the cost. The true value of a piece of property is what you can do with it as of right and not come down before the Zoning Board and say, you know, set aside or change -- allow me to set aside the requirements of the zoning. So anyhow, those are the -- as I sit here Thursday night after Thursday night --

ALEX VAN PRAAGH: Yeah.

BRENDAN SULLIVAN: -- and then when I see people come down and they're always saying, you know, we need more room for -- we have a growing family and so on and so forth.

ALEX VAN PRAAGH: Yeah.

BRENDAN SULLIVAN: And then I look at it and then all of a sudden you look at the plan, you see offices, you see, you know, expanded family rooms and you see a master

bedroom suite. You know, so it's really --

ALEX VAN PRAAGH: Yeah.

BRENDAN SULLIVAN: -- they're really blowing up the balloon and it's more than just we need more space for the children.

ALEX VAN PRAAGH: Okay.

I understand it is --

BRENDAN SULLIVAN: Anyway, those are my -- that's -- I just throw that out there.

CONSTANTINE ALEXANDER: I think he expressed well his views, at least mine, and I suspect others, too. You're looking to go get your dream house and that's fine, except you're clashing with zoning and that's our problem.

ALEX VAN PRAAGH: Yes.

One of the -- I understand it's not in my interest to argue, but I will just present an alternative --

BRENDAN SULLIVAN: And you don't have that -- you know, that's just my thinking. It may not have an answer.



ALEX VAN PRAAGH: When I purchased the house, the information that I had on the public database had the square footage of the house -- I could call it up on my phone, it would be on Zillow or in your records or whatever. It's at least 200 square feet less than it actually is. It's significantly below the -- I did measured drawings and drew the CAD files, and so the numbers that I submit for the existing conditions of 2,535 square feet is about 200 square feet over what the public records list. So I thought there was the potential to add a bedroom on the third floor when I purchased it. The building was sold to me by my business partner who moved to Colorado. It was -- I've been on the street for 15 years. I've tried to come about it in an organic way. I was looking for property for a while. This is not my dream house. There's a lot of compromises being made.

BRENDAN SULLIVAN: Okay.

CONSTANTINE ALEXANDER: I'm going to open the

matter up to public testimony.

Is there anyone here wishing to be heard on this matter?

(No Response.)

CONSTANTINE ALEXANDER: Apparently not. We are in receipt, as you pointed out, a number of letters from neighbors.

We have -- there is a letter from -- I can't read his handwriting. It says as a coowner of 70 Antrim Street which abuts 66 Antrim Street. (Reading) I have no objections to the plan renovations being considered by Alex, etcetera, etcetera, etcetera. My name is John R. Clover, there it is. Trustee.

We have a letter from Amy Meltzer, who resides -- and Philip MacArthur. They reside at 45 Antrim Street. (Reading) We have lived on Antrim Street since 1977. We know Alex and watched his family grow through the years they have lived here. We live at 45 Antrim Street and

often pass the house that Alex and his wife Whitney have bought. Alex has done work for us and we know he is thoughtful, careful, considerate of his neighbors and an excellent architect and builder. We support the plans Alex has for renovating their house. The house has fallen into a state of disrepair and the building and neighborhood would benefit from the proposed renovation. We are also happy at the thought of Alex and Whitney and their children having the room they need to stay in our neighborhood. We are in full support of the plans Alex has for renovating 66 Antrim Street and has requested this Variance.

A letter from Phyllis Bretholtz,  
B-R-E-T-H-O-L-T-Z, 65 Antrim Street. (Reading) I have known Alex and his family since they moved onto Antrim Street about 14 years ago. I live at 65 Antrim Street directly across from the house that Alex and his wife Whitney have bought and for which they are requesting a Variance. I am in strong support of the plans Alex has for renovating the

house. I feel that the changes he plans will not only add to the physical attractiveness of this house, but will more easily accommodate his growing family. As a long time city resident who very much wants families to remain and flourish in Cambridge, I'm excited at the prospect of having the van Praagh -- I'm mispronouncing --

ALEX VAN PRAAGH: It's okay. Van Praagh like the city.

CONSTANTINE ALEXANDER: -- van Praagh family across the street. Please note that I'm in full support of the plans Alex has for renovating 66 Antrim Street and his request for this Variance.

A note from Ameilia Joselow, J-O-S-E-L-O-W, 68 Antrim Street. (Reading) I am writing to formally offer support for this project. As a resident of Antrim Street and the owner of a condo directly abutting the property in question, I am happy to see this project move forward.

We have a letter from Jeff Perkins and Meghan

McCaffrey, M-C-C-A-F-F-R-E-Y, 55 Antrim Street. (Reading)

We support the petition of Alex van Praagh at 66 Antrim Street. We have carefully examined the drawings. We believe that the visible changes are an improvement to the neighborhood. We particularly like the second floor porch as we think that front facing porches encourage the neighborhood interactions and are visually appealing as well. I might note just an interjection, this porch that she supports is not the porches that we've been talking about. This is -- and I think personally I agree with what she has to say about the desirability of front porches facing the street.

We also support the additional space needed by the van Praagh family. It is difficult to find sufficient space for families in Cambridge, and we think the proposal provides the necessary space without any negative impact to the neighborhood. The necessary space -- repeats it. Okay. (Reading) We think that Cambridge should support changes

that better support families, especially families that are long-term Cambridge residents.

And the last -- not quite last, I'll save this one for a second. We have another copy of the letter from Phyllis Bretholtz.

There's one more letter, it's from George Metzker who lives at 90 Antrim Street. (Reading) As a neighbor of both the applicant and the subject property, I am writing in support of the requested Variance at 66 Antrim Street. I reviewed the plans and of course am very familiar with the general character and existing conditions of Antrim Street. The applicant and his family have lived on Antrim Street for more than a decade while raising a family in the Cambridge community and are themselves very vested in the neighborhood and the city. We all benefit from their ability to stay in the neighborhood and relocate to a more accommodating home. I believe the essence of the hardship cited by the applicant is the configuration of the existing dwelling on a

non-conforming parcel in a neighbor in which many parcels are non-conforming in lot size and dimension, and therefore also non-conforming in FAR. This is true on nearby dwellings on Antrim Street. The proposed reconstruction and reconfiguration of this dwelling is accomplished by utilizing existing exempt basement and the extension of the third floor to the rear of the structure. The proposed reconstruction maintains the property as a two-family house, maintains the existing off-street parking on this basis, and does not further violate the front, side, or rear yard setbacks. Therefore, I believe this Variance request can be granted without detriment to the intent of the district zoning and the resulting built form will be consistent with the existing pattern of development and occupancy on Antrim Street. I urge approval of this application. And that's it.

So as indicated, it is unanimous neighborhood support, at least of those neighbors who are willing to

express an opinion.

Anything final you want to say before we go to our deliberation?

ALEX VAN PRAAGH: Only if there are questions, no.

CONSTANTINE ALEXANDER: Okay. Anybody have any last questions?

(No Response.)

CONSTANTINE ALEXANDER: End public testimony.

It's now time for a decision. Anybody have any comments?

PATRICK TEDESCO: I just would -- I was hung up on the dormer. I'm not crazy about it, the length of the dormer. I understand what's driving it. I do think there's a solution where you could comply by making it two smaller dormers, however, given its location and what it faces, I'm not sure that that really would be worth doing. I've seen worse. That's not a ringing endorsement of this dormer, right? So I am, I'm inclined to support this with some reluctance. Mostly because of the neighborhood response,



and I think because the FAR, the actual occupiable square footage is only 90 additional square feet which is mostly driven by the head height. I do think the hardship argument was not well articulated, but I believe the project was presented, there's hardships here that this Board routinely does accept as hardships which is the need to accommodate a growing family, head height for stair clearances, second bathrooms for multiple bedrooms, and those sorts of things. So I don't want to reward a poorly written application either, but I think it's not inconsistent with previous variances we've granted. And, again, I'm not crazy about the dormer, but I think under the circumstances I'm inclined to support it with some reluctance.

CONSTANTINE ALEXANDER: Okay, thank you.

JANET GREEN: I'm impressed by the strong neighborhood support. I also think that when I first look at the plans, I just thought, whoa, what are all these decks? And then I thought about it both as you were talking

and thinking about it when I was looking at the plans, especially the third floor one which is only three feet wide, I thought, it's really to sit in a chair and maybe as you said, have a few plants out there. It's not -- and to be -- to have an outdoor space that's, you know, that's available to you and it's not like a party deck. And that's not even -- I'm not even saying that's because it's the children's thing. I just don't think it lends itself spatially to being a party deck, which is often our concerns when these houses are close together and decks are built and they're hanging over their neighbors and how are they going to be used? So I felt comfortable about that.

I also think that two bathrooms are reasonable in a house with three bedrooms and three floors. And so I felt comfortable with that.

I guess I would agree with Patrick about that the length of the dormer, while at the same time understanding the reasons that you've chosen to have it be that way rather

than divide it into two separate dormers, so I'm inclined to support this.

CONSTANTINE ALEXANDER: Well, I am -- have a lot of reluctance like Patrick and Janet as well. My reluctance goes to different things. I don't see any need for the third floor deck, whether a party deck or not, it's just a little bit much and I just don't need it. And considering the other, the extent you have, particularly with the large second floor deck or as you proposing it. So I am -- I'm troubled by that.

I don't like the dormer as well, the length of the dormer, but I understand what your issues are.

Not thrilled by, and this is not a zoning issue per se, by the kitchenette, I don't like because I do think it's going to lead to problems that the city's never going to be aware of in the future. So I think with a great deal of reluctance I would vote in favor. Again, I'm moved by the neighborhood support. That's my view.

Anybody else wish to express their views? Ready for a vote.

The Chair moves that we make the following findings with regard to the Variances being sought:

That a literal enforcement of the provisions of the Ordinance would involve a substantial hardship. Such hardship being that this house, a non-conforming structure, is causing problems for any families of any size, be it the current petitioner or families who move in later on, and so there is some need for reconfiguration of the outside of the building, for example, to have a code compliant staircase to the third floor.

That the hardship is owing to basically the fact that this is an older neighborhood with many non-conforming structures and therefore modification of the structure to the extent necessary to make it a more family-friendly structure requires zoning relief.

And that relief may be granted without substantial

detriment to the public good or nullifying or substantially derogating from the intent and purpose of the Ordinance.

In this regard the Chair would note that there is, as we all commented, unanimous and strong neighborhood support. That it is a building that will be better for family occupancy going forward, which is an increasing concern for the City of Cambridge, particularly in older neighborhoods such as this.

So on the basis of all these findings, the Chair moves that we grant the Variance sought on the condition that the work proceed in accordance with the plans submitted by the petitioner, the first page of which has been initialled by the Chair. And there are attached to -- there's the revised dimensional form. These plans are dated October 30th.

All those in favor of granting the Variance please say "Aye."

(Aye.)

CONSTANTINE ALEXANDER: Three? Four.

(Alexander, Green, Tedesco, Best.)

CONSTANTINE ALEXANDER: Opposed?

(Sullivan.)

CONSTANTINE ALEXANDER: One opposed. The Variance  
is granted.

ALEX VAN PRAAGH: Thank you.

Just as a point of clarification, the interior  
partitions if they need to be modified slightly.

CONSTANTINE ALEXANDER: I only raise the  
kitchenette because I saw problems coming down but interior  
is not a zoning issue.

ALEX VAN PRAAGH: Understood. Thank you.

\* \* \* \* \*

(8:05 p.m.)

(Sitting Members Case BZA-014592-2017: Constantine

Alexander, Brendan Sullivan, Janet Green, Patrick Tedesco,

George S. Best.)

CONSTANTINE ALEXANDER: The Chair will call case  
No. 014592, 52 Kinnaird Street.

Is there anyone here wishing to be heard on this  
matter?

DANIEL PALLIN: Yes, please.

CONSTANTINE ALEXANDER: Good evening.

MAGGIE BOOZ: Hi, I'm Maggie Booz, B-O-O-Z. I'm

the architect for Danny Pallin, my client at 52 Kinnaird Street.

JANET GREEN: Can you hear in the back? Yeah.

DANIEL PALLIN: P-A-L-L-I-N first name Daniel.

MAGGIE BOOZ: We're here tonight to request a Variance for an addition at the third floor level of the building. And there is an existing L at the rear of the building. So we've got, we have existing elevations across the top of this Board, proposed elevations across the center, and then the existing and proposed floor plans.

What we -- and the proposed floor plan being the third floor obviously.

The existing L that is at the back of the house is a two-story L with a deck extending off of that and then it has a spiral stair coming down from that back deck to the ground which is the egress, the second means of egress for the second floor unit. And so Danny and his family live on the second and third floors and we have a situation on the



third floor where the bedrooms are wherein one bedroom is quite ample, which is this front bedroom, and the other room that is being used as a bedroom is not ample at all and it's -- because it's coming down underneath the rafters -- thank you, Danny, that little knee wall back there is as you can see in the photograph is a foot, it's 16 inches high. So their toddler sleeps in that room so that, so that -- we were going to bring her tonight because she's more articulate than I am. Anyway, she sleeps in this room as well -- then as well there is the washer/dryer is in that room and there's a skylight for natural light and there's also a door out onto that, onto that flat area which you can see, you can see up in this elevation right here. So it's going out that gable end of the building and goes out onto that flat roof.

So we're requesting permission to build an addition on top of that flat roof. It's about, you know, about 15-by-15 approximately. We are over on our FAR

already.

CONSTANTINE ALEXANDER: Yeah.

MAGGIE BOOZ: And we're requesting additional overage. I can say that that deck and that -- the deck that -- at the second floor level that overhangs the ground as well as the, you know, front and side overhangs ends up being about 150 square feet of the floor area that we're calculating because it's covered area. We calculated as floor area. So just in terms of, you know, in terms of the total floor area that's contributing to the total floor area right now.

CONSTANTINE ALEXANDER: And just, I don't mean to interrupt you, but for the record, the FAR right now is 0.85 in a 0.75 district and you're going to 0.93.

MAGGIE BOOZ: That's what we're requesting, yes.

CONSTANTINE ALEXANDER: You're roughly adding roughly I think you said 225 square feet more or less.

MAGGIE BOOZ: That's right. And were that -- if

that room actually were a normal ceiling height, it, you know, the building would have a greater floor area already. It doesn't because this line that you're seeing through here is the zone, you know, the five-foot zoning height line. But as a usable room, by, you know, by state Building Code is considerably less than that usable seven foot height.

CONSTANTINE ALEXANDER: Would you consider, because I'm lost as to -- is the second floor a dormer? It looks like a dormer from the drawings.

MAGGIE BOOZ: The second floor or the third floor?

CONSTANTINE ALEXANDER: Yeah, the way it's going to come out from the roof line?

MAGGIE BOOZ: This right here?

CONSTANTINE ALEXANDER: Yeah.

MAGGIE BOOZ: Well, when you're looking at it from over here, I mean, this is the existing elevation. Sorry. This is the existing elevation and this is the proposed. And it appears to be a dormer.

CONSTANTINE ALEXANDER: Yeah.

MAGGIE BOOZ: It isn't because it's not on a roof.

CONSTANTINE ALEXANDER: Okay.

MAGGIE BOOZ: That's just the side of the  
addition.

CONSTANTINE ALEXANDER: Got it.

MAGGIE BOOZ: And the reason it's poking up like  
is that so we can get headroom in the space. Now that roof  
is a couple of steps higher than the third floor level. So  
we're having to step, I mean part -- we would dismantle that  
roof if we were doing this, you know, during construction,  
we would dismantle it, but I don't know how much room I have  
there. So I'm assuming that I don't have much room and that  
I'm still -- that I'm still going to have a floor  
approximately at that same level, which is giving me, you  
know, headroom in this space that's like six-three on one  
side and six-six on the other, on the sides of that new  
bedroom, that new third floor bedroom.

Does that make sense? So -- because you have to step up on to the, onto that roof as it were which would become the third floor bedroom level.

So, yeah, but this surface right here, if you were looking at, you know, if you were looking at the house from Kinnaird Street, this surface is 30 feet back from this surface. So it's, you know, it's appearing as though it's right there, but it isn't. But that's what illustrations do, they flatten things.

So, you know, the -- I think the advantage in a project like this and the advantage in the fact that there is this L there is that there is -- well, there is no land area to build on this site. It wouldn't want to anyway. They're trying to preserve the green -- you know, the green space that there is at the ground level, and they live on the second and third floors because they have a first floor rental apartment. So the amount of densification going up is just advantageous in terms of this building. We've

already got this slightly, I would say, awkward addition that was put on to the rear of the building and we're trying to normalize it somewhat with a window, with the window configuration and take advantage of the fact that we don't have to make any more densification at the ground level.

CONSTANTINE ALEXANDER: So you're addressing the legal requirements. The hardship is that second, I'll call it a second bedroom, is inadequate in terms of space for whoever occupies the property?

MAGGIE BOOZ: It's not occupiable, right.

CONSTANTINE ALEXANDER: So it leaves you basically with a one bedroom plus a study, if you will, or a spare room --

MAGGIE BOOZ: Yeah.

CONSTANTINE ALEXANDER: -- on the second floor.

MAGGIE BOOZ: Yeah.

And the room that was added on the second floor, that -- in that L, that you know, they call it their living

room, it's -- it's a cold room. I mean it's, you know, it's -- I mean, as construction methods and whenever, it was built in the 80s I think, you know, were less strict than they are now. And, you know, the materiality that was available then, the materials of insulation so forth and, you know, even double glazing was a lot less adequate than it is now. And so it's got these kind of sliders that make the windows -- sliding doors that make up the windows. And it has, you know, you can see there are, what elevation do I want? The side elevation. Thank you, Danny. Right across here. That's not a balcony or anything. That's just a railing put up against the sliders so that if you open the slider, you don't fall out. But it's, you know, it's a lightly built addition and not, you know, not a particularly comfortable room in the wintertime.

PATRICK TEDESCO: So are you changing the windows and insulating it?

MAGGIE BOOZ: We're not.

PATRICK TEDESCO: You're just extending the studs?

MAGGIE BOOZ: Yeah. I mean it will help to have a room on top of it for sure. You know, that will certainly take some of the curse off the cold of that room. But, yeah.

We have letters of support from --

CONSTANTINE ALEXANDER: Yeah, I'll read them in the file when we get to that point.

MAGGIE BOOZ: And okay. Yeah, this is all about typical Cambridge problem. Families, spaces.

CONSTANTINE ALEXANDER: Questions from members of the Board at this point?

BRENDAN SULLIVAN: Well, there's only one question I have. Maggie, on the dimensional form.

MAGGIE BOOZ: Yes.

BRENDAN SULLIVAN: Setback in feet on the right side existing is seven-foot, seven, requested is 18 feet.

MAGGIE BOOZ: I always have a hard time filling



out the dimensional form.

BRENDAN SULLIVAN: Where does the 18 feet come from?

MAGGIE BOOZ: That's going to this wall, because our addition -- so that's the dimension from the side property line over to the wall of the addition we're proposing. Even though this is seven -- seven and a half feet and it remains seven and a half feet, I was trying to -- I was trying to express in the dimensional form that our addition was over here.

PATRICK TEDESCO: It doesn't violate the setback?

MAGGIE BOOZ: On that side it does not.

CONSTANTINE ALEXANDER: On that side.

PATRICK TEDESCO: It's kind of a curious way to --

BRENDAN SULLIVAN: Huh?

PATRICK TEDESCO: It's a little bit curious the way it was filled out.

BRENDAN SULLIVAN: Well, yeah, because if you were

to say that wall were this and that -- and then you have -- well, anyhow.

MAGGIE BOOZ: It is curious.

BRENDAN SULLIVAN: It's like what dimension do you put down? I guess it's probably the existing house, you know. If you were going to violate that by pushing it towards that, then you would put down the new dimension that it's encroaching on.

MAGGIE BOOZ: Right.

BRENDAN SULLIVAN: Okay, that was just wondering.

MAGGIE BOOZ: Yeah.

BRENDAN SULLIVAN: I thought that's what you were --

MAGGIE BOOZ: Doing, yeah.

BRENDAN SULLIVAN: -- alluding to. But anyhow. That's it.

CONSTANTINE ALEXANDER: Any further questions?

PATRICK TEDESCO: Support from the abutters to the

rear as well as to the sides?

DANIEL PALLIN: Yes.

CONSTANTINE ALEXANDER: Let me ask anyone here wishing to be heard on this matter?

(No Response.)

CONSTANTINE ALEXANDER: Apparently not. We do have letters. One from Judith Amendola, A-M-E-N-D-O-L-A, who resides at 410 Franklin Street. (Reading) I have no objections to the proposed addition to the rear of the structure at 52 Kinnaird Street. Please grant their petition.

We have a letter from the owner of -- Robin Schuldenfrei, S-C-H-U-L-D-E-N-F-R-E-I who resides or owns 422 Franklin Street apartment No. 2. (Reading) I am writing to you as the owner of apartment No. 2 located at 422 Franklin Street to express my opinion about an addition requiring a Variance to be added to the property at 52 Kinnaird Street. I have no objection to the proposed

addition of the rear to the structure at 52 Kinnaird Street.

Another I have no objection letter from -- and there are several of them. I'll just read -- the letter just simply says: I have no objections to the proposed addition to the rear of the structure at 52 Kinnaird Street.

And you one is from Alexandrov D-R-O-V, Cule Stefan and Katherine E. Alexandrov who reside apparently at 406 Franklin Street.

One from Richard Edward Moore and Elizabeth Edda, E-D-D-A Fiebiger, F-I-E-B-I-G-E-R who resides at 4440 Franklin Street.

A letter from Edward Law Viddle, V-I-D-D-L-E and Noelie, NOELIE J. Viddle who reside at 428 Franklin Street.

And one from Barbara Gaffney, G-A-F-F-N-E-Y and Rita Cane who reside at 45 Kinnaird Street.

And one from Shankar Ramon (phonetic) who resides at 422 Franklin Street unit No. 3.

And I'm sorry, one more. From Susan Gittleman,

G-I-T-T-L-E-M-A-N care of Susan Butler 212 Aspinwal Avenue,  
Brookline. And that's it. Maybe she has a problem from  
Brookline. She can see the structure, I don't know.

Where is Franklin Street to the rear of your --

DANIEL PALLIN: Yes, that address that the other  
board member's question that Franklin is our rear row of  
abutters. So we spoke to all of the people in the rear  
since the structure's on the rear. And we also -- actually,  
I think one is missing. But I can, I can attest that we  
have support from the southern abutter on Kinnaird Street.  
Yeah, Julia -- oh, my goodness. I can produce that letter  
at a later time.

CONSTANTINE ALEXANDER: Your representation is  
that there's one more letter in support?

DANIEL PALLIN: Yeah, and that's the right-hand  
abutter as you face our property. So we have all the rear  
abutters, we have people across the street. We have the  
right hand. The left hand is a rental property that is

two-thirds empty lot that's owned by investors far away that I've never been able to get ahold of, and we did send them information and did not hear back. So all the people that we've heard from have been very, very supportive.

CONSTANTINE ALEXANDER: Thank you.

Any further final comments before we close public testimony?

MAGGIE BOOZ: I think just to say that, you know, preservation of two families, I think this is really a very -- I'm sure you see this all the time, it seems like a very typical, a very typical request, that is, a family wants to stay in a two family and having that rental apartment makes it possible to stay.

CONSTANTINE ALEXANDER: Right.

MAGGIE BOOZ: And yet a family needs a little more space than a typical rental apartment. And so that's what, that's what Danny and Laura are up against and that's why we're here.

DANIEL PALLIN: And I would like to add my thanks to the Board and just to say that the end result of this would be that we'll have two bedrooms. And if we have another child, when we do, they'll actually have a shared bedroom on this level. So we don't view this as being expansive. It's just -- I showed you this picture that she's living in our laundry room. And when she comes out of the little Ikea crib bed, we have a problem.

CONSTANTINE ALEXANDER: Thank you.

Comments from members of the Board regarding the petition?

(No Response.)

CONSTANTINE ALEXANDER: None? Ready for a vote? Okay.

The Chair moves that we make the following findings with regard to the Variance being sought:

That a literal enforcement of the provisions of the Ordinance would involve a substantial hardship. Such

hardship being is that the structure functionally is a one bedroom for purposes of this dwelling unit, and therefore inadequate -- not therefore but in fact is inadequate in terms of size for any, for certainly a growing family.

That the hardship is owing to the -- basically the shape of the structure as it is now.

And that relief may be granted without substantial detriment to the public good or nullifying or substantially derogating from the intent and purpose of the Ordinance.

In this regard the Chair would note that the project apparently has unanimous neighborhood support. It does promote better utilization of a two-family house which is an important goal for the City of Cambridge given the housing issues that we face.

So on the basis of these findings, the Chair moves we grant the Variance requested on the condition that the work proceed in accordance with the plans, three pages of which, prepared by Smart Architecture. They're dated



9/19/17 each of which has been initialed by the Chair.

All those in favor please say "Aye."

(Aye.)

CONSTANTINE ALEXANDER: Five in favor. Relief  
granted. Good luck.

(Alexander, Sullivan, Green, Tedesco, Best.)

\* \* \* \* \*

(8:20 p.m.)

(Sitting Members Case BZA-014662-2017: Constantine  
Alexander, Brendan Sullivan, Janet Patrick Tedesco, George  
S. Best.)

CONSTANTINE ALEXANDER: The Chair will call case  
No. 014662, 284 Norfolk Street.

Is there anyone here wishing to be heard on this matter?

ATTORNEY MICHAEL GIAIMO: Thank you, Mr. Chair and members of the Board. Michael Giaimo, G-I-A-I-M-O, Robinson Cole for Verizon Wireless.

CONSTANTINE ALEXANDER: Mr. Giaimo, before you start --

ATTORNEY MICHAEL GIAIMO: Sure.

CONSTANTINE ALEXANDER: Are you aware -- we got a memo from the Planning Board or the Community Development Department of the Planning Board with some comments. Have you seen that?

ATTORNEY MICHAEL GIAIMO: We have not seen that.

CONSTANTINE ALEXANDER: I was afraid of that. Okay. Okay, I'll try to bring it up in the course of our discussion.

ATTORNEY MICHAEL GIAIMO: Sure. Yeah, I mean that's great. Thank you.

This is an upgrade project for an existing wireless site. We've come in under Section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012, also known as The Spectrum Act. The proposal is to replace the existing six Verizon Wireless antennas that are on this building and to add three remote radio heads and replace three remote radio heads.

The -- this is probably the best way to understand the configuration here, but -- if some of you may recall, if you were on the Board at the time, that the installation of these antennas on this rooftop are within some false chimney enclosures so there's currently two antennas within that enclosure and two antennas within that enclosure and they each have one radio head. We would be adding a radio head and swapping out the antennas and they still would be within the enclosures.

CONSTANTINE ALEXANDER: Why don't you show the photo simulations to the Board.

ATTORNEY MICHAEL GIAIMO: The photos, sure. And so they're not visible in any respect.

CONSTANTINE ALEXANDER: That's what I want to get on the record.

ATTORNEY MICHAEL GIAIMO: Yeah.

The second piece of this would be replacing the two antennas that are currently on the penthouse facade. And those would be replaced at the same location and in the same, and at the same size. So I think the best view, and I can, I can show you all the views, I can pass these out if you like, but this is probably the best view of what's going on here. There's these two false chimneys. So there's equipment inside both of those two false chimneys. And then there are two Verizon Wireless antennas on the back of that penthouse right there. And those would be replaced with essentially identical size antennas at the same location there. There's also equipment low on the back side of this that's not visible from the ground, and that would be

upgraded as well. And so this is really consistent with all of your requests for stealth installations, and it's just a typical upgrade.

CONSTANTINE ALEXANDER: The appearance of the structure now is not going to change if we grant the you relief tonight?

ATTORNEY MICHAEL GIAIMO: It's not going to change at all no, that's right.

And so that's -- do people want to see the full set here? I know you've got a long night. I don't want to -- okay.

CONSTANTINE ALEXANDER: Hopefully not a long night.

ATTORNEY MICHAEL GIAIMO: So, you know, I could walk you through the write-up here on the Section 6409, but it's very similar to what we've discussed on other sites.

CONSTANTINE ALEXANDER: Let me at this point -- you don't need to do that.

ATTORNEY MICHAEL GIAIMO: Okay, thank you.

CONSTANTINE ALEXANDER: We do have this memo from the -- that we received today, as I said, from the Community Development staff and it has some comments --

ATTORNEY MICHAEL GIAIMO: Okay.

CONSTANTINE ALEXANDER: -- on -- and I'll just read them. It's not that long. This appears -- I'm dropping the introductory paragraph. (Reading) This appears to be an ordered installation with a majority of antennas located within existing fiberglass chimneys, as you've pointed out. Some suggestions to improve the appearance of the replacement antennas proposed for the western side of the facade of the penthouse, photo 2B, include utilize the smallest mounting brackets available so that antennas can be mounted as close to the surface of the building as possible.

Two, all painted materials, including cabling, should have a consistent (with no brick pattern) matte finish that matches the surface behind.

Any comments to those?

ATTORNEY MICHAEL GIAIMO: I don't think there'd be any objection to painting it consistent without a brick pattern if that's what the what the Board would prefer. I suspect the brick pattern's there because the last time the preference to have a brick pattern. But we're happy to -- I think we're happy if we're replacing the antennas to paint them accordingly.

CONSTANTINE ALEXANDER: What about using the smallest mounting brackets available?

ATTORNEY MICHAEL GIAIMO: These would be the same mounting brackets. We would just be affixing the antennas. I don't think we're replacing any mounting bracket or anything like that.

CONSTANTINE ALEXANDER: So the same brackets you have now?

ATTORNEY MICHAEL GIAIMO: Stay the same, yeah.  
And I believe the penthouse side is the side that faces the

Public Works yard, yeah. So it's not really a particularly scenic view from that side. And these are, as you can see them on this, they're pretty flush to the building. These are not things that sticking out very far. So I would respectfully say that that's a, you know, it's a reasonable comment but I don't think it's anything that we should do about that one.

BRENDAN SULLIVAN: Do you have another copy of the photo sims?

ATTORNEY MICHAEL GIAIMO: Yeah, sure, absolutely.

But the brick can certainly be foregone with, you know, I think it would probably always be their preference to paint a solid color. It's just easier to maintain it that way and match it.

You'll see on these, there are also exposed antennas. Those are not our antennas, that's another carrier.

CONSTANTINE ALEXANDER: Okay, we've had -- this



building has been before us many times, and I know at one point there was problems because the installations were not being properly maintained in terms of appearance. I don't know if it was yours or --

ATTORNEY MICHAEL GIAIMO: Again, because we're in those fiberglass enclosures, that shouldn't have been ours. That would have been somebody else probably.

CONSTANTINE ALEXANDER: I'll have to go back and track all the records.

ATTORNEY MICHAEL GIAIMO: I don't re-- Chuck is here. I don't recall we had any issues with this building on maintenance.

UNIDENTIFIED MEMBER FROM THE AUDIENCE: Correct.

ATTORNEY MICHAEL GIAIMO: Okay.

CONSTANTINE ALEXANDER: Also this building is in a residentially zoned district which means we have to make rather expressed findings with regard to whether non-res -- I'll read it. We have to make a finding that

nonresidential use is predominant in the vicinity of the proposed facility's location, and that the telecommunication facility is not inconsistent with the character that does prevail in the surrounding neighborhood.

Now in the past when we granted you relief, your client relief, we've made the findings that you meet these requirements.

ATTORNEY MICHAEL GIAIMO: Yes, and I don't have any objection of you making the finding, but I don't think legally you need to because we're coming in under Section 6409 which supplants any of these local standards.

CONSTANTINE ALEXANDER: Not according to the Legal Department -- the City's Legal --

ATTORNEY MICHAEL GIAIMO: Well, I think your Legal Department says we have to go through the process, but I don't think we --

CONSTANTINE ALEXANDER: Well, we're going through the process. They also have advised us that we can make

findings -- because I forget which of the six requirements of the Spectrum Act that this could be -- fall under.

In any event, the neighborhood hasn't changed since the last time we've approved things.

ATTORNEY MICHAEL GIAIMO: That's right.

CONSTANTINE ALEXANDER: So I don't think we have to be concerned about that, but we have to make a finding, I think we should make a finding, you may not agree, but I think we should make a finding that's consistent with what the Ordinance requires.

ATTORNEY MICHAEL GIAIMO: It's -- without waiving any rights, you should go ahead and make that finding.

CONSTANTINE ALEXANDER: And you're not waiving any rights.

Comments from members of the Board?

(No Response.)

CONSTANTINE ALEXANDER: I'll open the matter up to public testimony.

Is there anyone here wishing to be heard on this matter?

(No Response.)

CONSTANTINE ALEXANDER: No one wishes to be heard.

We have no letters from neighbors other than -- not a neighbor, but the memo from the Community Development staff that I earlier referred to.

I'm going to close public testimony. And discussion?

BRENDAN SULLIVAN: You know, what are the conditions that you're going to --

CONSTANTINE ALEXANDER: Excuse me?

BRENDAN SULLIVAN: -- in response to Community Development?

CONSTANTINE ALEXANDER: They had two comments:

Utilize the smallest mounting brackets available so that the antennas can be mounted as close to the surface of the building as possible.

And his testimony was that we're going to use the same brackets, which doesn't answer the question of whether they're smaller brackets that are better than what is there now. But that's the issue there.

And the second one was that everything should have a consistent matte finish with no brick pattern. And that's what he talked about.

BRENDAN SULLIVAN: Right.

CONSTANTINE ALEXANDER: And I think we wanted that in the past ourselves. We've been back and forth on brick patterns or non-brick patterns as I can recall.

JANET GREEN: Well, I think with the brick pattern idea was good, but the way it was implemented was pretty sloppy.

BRENDAN SULLIVAN: It was a good idea just a bad painter.

JANET GREEN: That's really true.

BRENDAN SULLIVAN: I don't know where that came

from. See that on there? Donnelly field.

ATTORNEY MICHAEL GIAIMO: That's the internal name for that site for Verizon Wireless. It's not the location in the city. It's the searching around --

BRENDAN SULLIVAN: Designation?

ATTORNEY MICHAEL GIAIMO: -- around Donnelly field, yeah. It's actually closer to the site you heard earlier tonight, it's in the same neighborhood.

BRENDAN SULLIVAN: Right.

CONSTANTINE ALEXANDER: Do you have photo simulations that show a brick pattern?

ATTORNEY MICHAEL GIAIMO: Do our photo simulations? Yes, if you look at --

CONSTANTINE ALEXANDER: Okay.

ATTORNEY MICHAEL GIAIMO: It's just the mortar really is predominant for some reason at least the way this looks. So I think it's good advice to put them on a solid color.

CONSTANTINE ALEXANDER: Okay. So to that extent we're not going to follow -- I'm talking to myself. Okay.

ATTORNEY MICHAEL GIAIMO: Well, that's what the Planning Board wanted. They wanted just a solid and we're happy to do that.

CONSTANTINE ALEXANDER: When we get to the vote, usually we say they have to be consistent with the photo simulations that you submitted. We're going to say except that --

ATTORNEY MICHAEL GIAIMO: Right. And I think you did that the last time I was in here, too, on a different site which is fine.

CONSTANTINE ALEXANDER: Okay.

Discussion? Further comments?

George, one more time?

GEORGE BEST: I'm good.

CONSTANTINE ALEXANDER: You're good. Okay.

Okay. The Chair moves that we make the following

findings with regard to the relief being sought, that we have to make first findings. We believe we have to make findings based on Sections 10.43.a through e of our Ordinance so let me do those first.

That the requirements of the Ordinance cannot be met without the relief being sought, at least in the opinion of our Legal Department.

That traffic generated or patterns of access or egress resulting from what you're proposing will not cause congestion, hazard, or substantial change in established neighborhood character.

That the continued operation of or development of adjacent uses as permitted in the Zoning Ordinance will not be adversely affected by what is being proposed.

That no nuisance or hazard will be created to the detriment of the health, safety, and/or welfare of the occupant of the proposed use or the citizens of the city.

And that generally what is being proposed will not



impair the integrity of the district or adjoining district or otherwise derogate from the intent and purpose of this Ordinance.

Further, given that the -- this project is going to be in a residentially zoned district, we have to make further findings. We've made those findings with regard to the structure in earlier cases involving this very site and I would propose that this neighborhood has not changed. None of the conditions that we found were satisfied last time are no longer satisfied.

And then moving on, we also find that the modification of the existing telecommunication facility at the site proposed by the petitioner does not substantially change the physical dimensions of the existing wireless tower or base stations at such facility within the meaning of 6400(a) of The Middle Class Tax Relief and Job Creation Act of 2012 also known as The Spectrum Act. Based on these findings, the Chair moves that the petitioner be granted the

Special Permit it is seeking subject to the following conditions:

That the work -- one, that the work proceed in accordance with the plans submitted by the petitioner and initialled by the Chair. And that's your exhibit A. I'm going to initial those.

Two, that upon completion of the work, the physical appearance and visual impact of the proposed work will be consistent with the photo simulations submitted by the petitioner and initialled by the Chair except that the project as completed will not have -- will have a matte finish and no brick pattern. Because those are shown on the photo simulations.

Three, that the petitioner shall at all times maintain the proposed work so that its physical appearance and visual impact will remain consistent with the photo simulations previously referred to except as modified as earlier indicated regarding the finish.

Four, that should the petitioner cease to utilize the equipment approved tonight for a continuous period of six months or more, it shall promptly thereafter remove such equipment and restore the building on which it is located to its prior condition and appearance to the extent reasonably practicable.

Five, that the petitioner is in compliance with and will continue to comply with in all respects the conditions proposed by this Board with regard to Special Permits granted to the petitioner with regard to the site in question.

And that further, inasmuch as the health affects of the transmission of electromagnetic energy waves is a matter of ongoing societal concern and scientific study, the Special Permit is also subject to the following conditions:

A, that the petitioner shall file with the Inspectional Services Department each report it files with the federal authorities regarding the electromagnetic energy

wave emissions emitting from all the petitioner's equipment on the site. Each such report shall be filed with the Inspectional Services Department no later than ten business days after the report has been filed with the federal authorities. Failure to timely file any such report with the Inspectional Services Department shall ipso facto terminate the Special Permit granted tonight.

B, that in the event that at any time federal authorities notify the petitioner that its equipment on the site, including but not limited to the Special Permit granted tonight, fails to comply with the requirements of law or governmental regulation, whether with regard to the emissions of electromagnetic energy waves or otherwise, the petitioner, within ten business days of receipt of such notification of such failure, shall file with the Inspectional Services Department a report disclosing in reasonable detail that such failure has occurred and the basis for such claimed failure. The Special Permit granted

tonight shall ipso facto terminate if any of the petitioner's federal licenses are suspended, revoked, or terminated.

C, that the to the extent a Special Permit is terminated pursuant to the foregoing paragraphs A and B, that petitioner may apply to this Board for a new Special Permit provided that the public notice concerning such application discloses in reasonable detail that the application has been filed because of a termination of Special Permit pursuant to paragraphs A or B above. Any such new application shall not be deemed a repetitive petition and, therefore, will not be subject to the two-year period during which repetitive petitions may not be filed.

And then D, that within ten business days after receipt of a Building Permit for the installation of the equipment subject to this petition, the petitioner shall file with the Inspectional Services Department a sworn Affidavit of the person in charge of the installation of

equipment by the petitioner with a geographical area that includes Cambridge stating that A, he or she has such responsibility;

And B, that the equipment being installed pursuant to the Special Permit we are granting tonight will comply with all federal safety rules and will be situated and maintained in locations with appropriate barricades and other protections such that individuals, including nearby residents and occupants of nearby structures, will be sufficiently protected from excessive radio frequency radiation under federal law.

So on the basis of all these findings, the Chair moves we grant the Special Permit requested.

All those in favor say "Aye."

(Aye.)

CONSTANTINE ALEXANDER: Five in favor. Special Permit granted.

ATTORNEY MICHAEL GIAIMO: Thanks very much.

(Alexander, Sullivan, Green, Tedesco, Best.)

(8:40 p.m.)

(Sitting Members Case BZA-014705-2017: Constantine

Alexander, Brendan Sullivan, Janet Green, Patrick Tedesco,

George S. Best.)

CONSTANTINE ALEXANDER: The Chair will call case  
No. 014705, 23 Lee Street.

Is there anyone here wishing to be heard on this  
matter? Sir, give your name and address for the  
stenographer.

ANDREW SCHULERT: I'm Andrew Schulert. I'm at 23  
Lee Street. I own the property with my wife.

CONSTANTINE ALEXANDER: And you want some dramatic  
zoning relief from us?

ANDREW SCHULERT: Pretty dramatic, yes. We did a  
major renovation on that house in 2001. At the time our  
architect recommended that we put a roof over the side  
porch. We did not take his advice. After 16 years living

there we would like to take his advice and put a roof over our side porch because it's the porch that we always use and we always get wet when it rains. And that apparently increases the overall gross square footage which requires a Variance from you folks.

CONSTANTINE ALEXANDER: Right.

I just want to for the record exactly what it is you need. I don't have too much information here. But it is just an FAR issue. You're over the limit with this roof unless we grant you the Variance you're requesting.

ANDREW SCHULERT: Yes. We actually got an increase of over ten percent back in 2001 --

CONSTANTINE ALEXANDER: Right.

ANDREW SCHULERT: -- of what it had been. And so even though this increment is fairly small, it is beyond the ten percent that we got.

CONSTANTINE ALEXANDER: So you're seeking a Special Permit, not a Variance. Yes?



ANDREW SCHULERT: Okay.

CONSTANTINE ALEXANDER: Take my word for it.

ANDREW SCHULERT: Okay.

CONSTANTINE ALEXANDER: Which is an easier standard to satisfy. Not that you have a difficult case anyway.

Questions from members of the Board?

(No Response.)

CONSTANTINE ALEXANDER: I'll open the matter up to public testimony.

Is there anyone here wishing to be heard on this matter? Oh, my goodness, Ma'am. One at a time. Ma'am. Why don't you come forward.

JANET GREEN: You need to tell her your name.

CONSTANTINE ALEXANDER: You need to give your name and address to the stenographer, please.

ROBIN GREELY: Yes. My name is Robin Greely from 21 Lee Street, apartment No. 5. We are their neighbors,

their direct neighbors, and I support this petition. They all support it, too.

CONSTANTINE ALEXANDER: You all want to speak or can she speak for all of you?

ROBIN GREELY: So they are the rest of 21 Lee Street and we want to support this petition.

CONSTANTINE ALEXANDER: Thank you and thank you for taking the time to come down. Good neighbors.

ANDREW SCHULERT: Everyone directly overlooks the porch.

CONSTANTINE ALEXANDER: Anyone else wishing to be heard?

(No Response.)

CONSTANTINE ALEXANDER: Apparently not. We have a letter in our file, I just think there's one. I want to be sure I'm right. From Kathleen Puckett, P-U-C-K-E-T-T.

(Reading) My husband Donald Lesley and I live at 21 Lee Street and are abutters to Andrew Schulert and Joy Lucas who

live at 23 Lee Street. We are in favor of their plan to construct a porch roof at their existing back door.

And that's all she wrote.

I'm going to close public testimony. We ready for a vote?

The Chair moves that we make -- this is a Special Permit as I mentioned before. The Chair moves that we make the following findings with regard to the Special Permit being sought:

That the requirements of the Ordinance are such that you cannot do what you want to do without granting -- obtaining the Special Permit from us.

That traffic generated or patterns of access or egress resulting from the addition of this porch roof will not cause congestion, hazard, or substantial change in established neighborhood character.

That the continued operation or development of adjacent uses as permitted in the Ordinance will not be

adversely affected by what you're proposing to do.

That no nuisance or hazard will be created to the detriment of the health, safety, and/or welfare of the occupant of the proposed use or the citizens of the city.

And that generally what you're proposing will not impair the integrity of the district or adjoining district or otherwise derogate from the intent and purpose of this Ordinance.

So on the basis of these findings the Chair moves that we grant the Special Permit that you're requesting on the condition that the work proceed in accordance with three pages of plans, drawings prepared by James van Sickle, S-I-C-K-L-E, all of which have been initialled by the Chair.

All those in favor please say "Aye."

(Aye.)

CONSTANTINE ALEXANDER: Five in favor. Good luck.

(Alexander, Sullivan, Green, Tedesco, Best.)

\* \* \* \* \*

(8:45 p.m.)

(Sitting Members Case BZA-014621-2017: Constantine

Alexander, Brendan Sullivan, Janet Green, Patrick Tedesco,

George S. Best.)

CONSTANTINE ALEXANDER: The Chair will call case  
No. 014621, 25 Glenwood Avenue.

Is there anyone here wishing to be heard on this  
matter?

Just one item before you start and a matter of  
probably information for you. You're seeking a Variance for  
a dormer and a Special Permit for windows in a setback.  
Those windows are going to be in the dormer.

JOHN LODGE: Correct.

CONSTANTINE ALEXANDER: The interpretation of the  
Inspectional Services Department is such that if we grant  
the Variance, you do not need a Special Permit.

JOHN LODGE: Oh, all right.

CONSTANTINE ALEXANDER: The Variance encompasses

what otherwise would require for a Special Permit.

JOHN LODGE: Okay.

CONSTANTINE ALEXANDER: So we're only talking about the Variance tonight.

JOHN LODGE: Oh, yeah. We will kill a few less trees that way.

CONSTANTINE ALEXANDER: Anyway, go ahead.

JOHN LODGE: I'll let you guys start.

KRISTIN CANAVAN: I'm Kristin Canavan. This is my husband Ross, Ross Berbeco. John Lodge our architect.

We live at 25 Glenwood, and we've been living there the last nine years. We moved from Magazine Street so we've been in the neighborhood 12 years and we are hoping to expand our upstairs. Right now similar to the case you heard earlier, our son is in a makeshift what was the laundry closet. So we have three children, and the girls are sharing a room and our son Max is in there. He's ten. Nine and six-and-a-half are our kids, and we are hoping to

be able to expand upstairs to fit everybody so my mom who had a stroke, I guess it's three years now, they sort of shifted into moving up with us from Connecticut. She recovered thankfully, but now they've started to sort of shut down their house in Connecticut and we want to make a space on their second floor that they could have a bathroom and a room for them. So that's, that's our hope, that we would be able to accommodate our growing family.

JOHN LODGE: All right, so why don't I start with how we don't conform.

So the house as it stands is in a, it's in a B Zone so it's 0.5, and with -- the existing FAR is 0.78. The dormer that we're proposing to add increases the FAR to 0.79. While it's only probably about 50 square feet of actual space, obviously the bulk of the dormer adds to the bulk of the building. We are proposing -- so the existing ridge line is -- violates the 35 feet, and we're actually proposing a gable dormer really based on sort of fitting of

the character of the house and the character of the neighborhood and that would also violate the -- it would be well below the existing ridge line but it would violate the 35-foot height.

CONSTANTINE ALEXANDER: Let me make it clear, since I learned this myself just studying your case, if you have a structure that's too high, more than 35 feet, any addition to that structure, modification of the structure, requires a Variance for that as well as whatever the Variances you're requiring, you need which includes the FAR issue.

JOHN LODGE: Right.

CONSTANTINE ALEXANDER: But the key is you're not going any higher.

JOHN LODGE: We're not going any higher.

CONSTANTINE ALEXANDER: To me that is key.

JOHN LODGE: Yes, that is the key.

And so just to give you sort of a sense of the



character of the street, this is two houses away. This is the house next-door, which has a dormers on both sides.

These have dormers on both sides. Here's the house that we're talking about. It has a, it has a gable dormer on the other side, but it doesn't have anything on this side.

Unfortunately the other side is the side where we have enough space for the setback, but to add a second dormer on that side didn't really make a lot of sense. The good news is that while we're within a setback here, there is a large sort of driveway corridor which helps with the privacy to some degree.

CONSTANTINE ALEXANDER: Right.

JOHN LODGE: And so here is a schematic of what we're proposing. The dormer meets all the dormer guidelines.

CONSTANTINE ALEXANDER: You're being congratulated in that regard.

KRISTIN CANAVAN: We were careful about that.

JOHN LODGE: Again, I gave them a long tutorial on the dormer guidelines.

And so the dormer, the dormer meets all the dormer guidelines. And it, it actually with a little bit of re-jiggering and taking out a second stair and taking out an overly large bathroom, we end up getting -- turning two bedrooms with a sort of laundry room/bedroom into four bedrooms. But the dormer is sort of an essential part of that.

So if anybody has any questions, I'd be happy to entertain them.

CONSTANTINE ALEXANDER: Questions from members of the Board?

(No Response.)

CONSTANTINE ALEXANDER: No questions apparently.

PATRICK TEDESCO: Does the height of the ridge of the new dormer match the existing dormer on the other side? It looks very close.

JOHN LODGE: It's very close. I'm not sure. I haven't been up on the roof. But, yeah, it is very close.

CONSTANTINE ALEXANDER: If there are no questions, I'll open the matter up to public testimony.

Is there anyone here wishing to be heard on this matter? Sir.

PAUL LYONS: Yeah, I'm Paul Lyons. I live at 24-26 Glenwood across the street. L-Y-O-N-S. My wife and I, we look out at Kristin and Ross's house everyday. We see them everyday. We see the children. We see them going to school. We see them coming back. We see them shovelling snow. I hope that they stay there forever. And I hope that whatever modifications they make to the house, that it, they will stay there forever. Yeah. They're really wonderful neighbors. And the fact that they're raising their children in the city and going to the public schools means a lot to us. We did the same with our children. We had a dormer which was subject to a Variance 15 years ago, and it made

all the difference. We had relief from the BZA and we raised the kids in the house and it was a wonderful experience. So I hope that, I hope this works out for Ross and for Kristin.

CONSTANTINE ALEXANDER: Good.

PAUL LYONS: Yeah, I think looking out at it will be no problem for us.

Thank you.

CONSTANTINE ALEXANDER: Thank you for taking the time and being a good neighbor.

PAUL LYONS: Thank you.

CONSTANTINE ALEXANDER: Is there anyone else who wishes to be heard on this matter?

(No Response.)

CONSTANTINE ALEXANDER: Apparently not. We are in receipt of a number of letters.

KRISTIN CANAVAN: We have across -- next to, the person to our left is currently renovating. So they, it's a

developer and the people behind us are many units of rentals. So we don't have letters from them.

CONSTANTINE ALEXANDER: You don't have to have letters from everybody.

The first letter that we have in our file is coincidentally is Mr. Wyman's letter. So I don't need to read it.

KRISTIN CANAVAN: Oh, that's Lyons. That's Mr. Lyons.

CONSTANTINE ALEXANDER: Oh, I'm sorry.

KRISTIN CANAVAN: That's okay.

CONSTANTINE ALEXANDER: Yeah, the next letter is Mr. Lyons. Yeah, the next letter is Mr. Wyman. I got them in the wrong order.

This letter is from Ron Wyman, W-Y-M-A-N, 29 Glenwood Avenue. (Reading) We are neighbors of Ross Berbeco and Kristin Canavan who live at 25 Glenwood Ave. We understand that they are hoping to renovate their house to

accommodate the changing needs of their growing family. We feel that the proposed renovations complement the current style of the house and are in character with our neighborhood. We hope the Board will grant them the Variance they are seeking and help keep them in the neighborhood for the long term.

Mr. Lyons's letter.

A letter from Jim Harrison, 23 Glenwood Ave.

KRISTIN CANAVAN: That's our downstairs neighbor.

CONSTANTINE ALEXANDER: I'm looking to see if it's identical to the other letter, but it's not. It's similar.

(Reading) I am the downstairs neighbor of Kristin Canavan and Ross Berbeco who live at 25 Glenwood Ave. I understand that they're hoping to renovate their home to accommodate the changing needs of their growing family. This letter is to offer my strongest support for the renovations they are proposing to the property we share at 23-25 Glenwood Ave. Kristin and Ross are precisely the type of people that the

City of Cambridge needs to encourage to remain in our city.

A city I have lived in for the last 32 years. I believe that the work they are proposing not only conforms to the character of the neighborhood but will be done with the utmost attention to detail and concerns for the structural integrity of our property. I sincerely hope the Board will grant them the Variance they are seeking and help keep them in the neighborhood for the long term.

A letter, the last letter, from Denise Thompson, T-H-O-M-P-S-O-N and Ben Thompson. (Reading) We live at 33 Glenwood Ave. and are neighbors of Ross Berbeco and Kristin Canavan who live at 25 Glenwood Ave. We've known Kristin and Ross since they've moved in and our oldest daughter used to babysit for them when their kids were very little. We understand that they are hoping to renovate their house to accommodate the changing needs of their growing family. We have looked at the drawings and feel are in character with the neighborhood. Adding the westerly dormer will not only

provide them with a much needed additional bedroom, but it will also balance the house from an architectural perspective. We hope the Board will grant them the Variance and Special Permit they are seeking as we want them to remain here on Glenwood Ave. for many years to come.

And that's it, very nice letters.

I'll close public testimony. Any -- ready for a vote?

JANET GREEN: Ready.

CONSTANTINE ALEXANDER: I think we're ready for a vote.

The Chair moves that we make the following findings with regard to the Variance being sought:

That a literal enforcement of the provisions of the Ordinance will involve a substantial hardship. Such hardship being, and this hardship would run to anyone who occupies the property, is the structure that in terms of bedrooms and liveable space is undersized and would benefit



from an expansion in the size or the amount of square footage in the property.

The hardship is owing to the current shape of the property and the small lot which causes FAR issues that result in the need for the Variance.

And that desirable relief may be granted without substantial detriment to the public good or nullifying or substantially derogating from the intent and purpose of the Ordinance.

In this regard the Chair would note that the proposed addition or modification complies 100 percent with our dormer guidelines and has received unanimous and heartfelt neighborhood support.

All those in favor please say "Aye."

(Aye.)

CONSTANTINE ALEXANDER: Five in favor. Good luck.

(Alexander, Sullivan, Green, Tedesco, Best.)

\* \* \* \* \*

(9:00 p.m.)

(Sitting Members Case BZA-014725-2017: Constantine

Alexander, Brendan Sullivan, Janet Green, Patrick Tedesco,

George S. Best.)

CONSTANTINE ALEXANDER: The Chair will call case  
No. 014725, 299 Western Avenue.

Is there anyone here wishing to be heard on this  
matter? Name and address to the stenographer.

JEREMY BATTLE: 299 Western Avenue, 02139,  
Cambridge Mass. Jeremy Battle, B-A-T-T-L-E. Pastor, senior  
pastor.

JANET GREEN: Can you hear?

JEREMY BATTLE: Those are our members.

JANET GREEN: I figured that. They know your  
voice.

CONSTANTINE ALEXANDER: They know your voice.

FARRIS BLOUNT: Farris Blount, F-A-R-R-I-S  
B-L-O-U-N-T and I'm Executive Minister at Western Ave.  
Baptist Church.

CONSTANTINE ALEXANDER: What dramatic zoning  
relief do you want from us tonight?

JEREMY BATTLE: Hopefully it's not too dramatic.

We have an aging population in our congregation and there has been significant challenges with accessibility throughout its history. And simply we've got support from the Historical Commission to add a lift that will give access to restrooms and so forth to the space and also to the sanctuary at large. We've, over the years made very charitable attempts that were affordable for us, like an aluminum steel lift that we've attached to the stairs as folks entered that it's starting to fail. We don't think that's the best way to treat our seniors, and so we've over several years after developing our congregation and trying to do several renovations and restorations, have found that this is a good time to really invest in accessibility. And so in short that's why we're here. We want to try our best to make the space accessible to the public. Yeah.

CONSTANTINE ALEXANDER: Okay. And you actually came before us with two proposals, alternatives for us to consider.

JEREMY BATTLE: Yeah. Okay, would you like me to express that -- explain that?

CONSTANTINE ALEXANDER: Maybe for benefit of the other members of the Board. I've seen what's in the file, but go ahead.

JEREMY BATTLE: So the point there was we --

JOHN HAWKINSON: Pardon me, Mr. Chair, could the petitioner speak up a little?

JEREMY BATTLE: Sure.

JANET GREEN: See if you can get to the microphone.

JEREMY BATTLE: The microphone? That's the first time I ever was asked to speak louder.

CONSTANTINE ALEXANDER: Your congregation will testify to that.

JEREMY BATTLE: So I have permission now. Goodness. That's funny.

Yes, so we have two proposals; one of which would

be on the left side entering the congregation. That we find is best and it takes advantage of our existing property line which goes all the way --

CONSTANTINE ALEXANDER: And that's this basically. Right?

JEREMY BATTLE: Yes, but on the other side.

CONSTANTINE ALEXANDER: On the other side, right.

JEREMY BATTLE: On the other side.

And our challenge was that, you know, in case that didn't meet egression rules, we also have proposal that could allow it to be on the front of the building.

CONSTANTINE ALEXANDER: And that's this one over here?

JEREMY BATTLE: Absolutely. But our preference is the one that would be right on the side, because it allows us to essentially not have to make as many modifications on the interior, because it actually comes right there close to the stairwell and the entrance to the sanctuary, the

vestibule.

CONSTANTINE ALEXANDER: I think my personal review that's also the best one because from an impact on the streetscape --

JEREMY BATTLE: Absolutely.

CONSTANTINE ALEXANDER: -- you don't see the addition. Not very attractive relatively speaking.

JEREMY BATTLE: Absolutely.

So our preference is certainly the one on the side, and we certainly wanted to have an alternative. Although we love the folks in Cambridge, we didn't want to have to come back to you and meet with you again.

BRENDAN SULLIVAN: Did you run either one by the Building Inspector?

JEREMY BATTLE: Uh-huh.

BRENDAN SULLIVAN: And did he have an okay with either one?

JEREMY BATTLE: Yep.

BRENDAN SULLIVAN: So it's really your preference?

JEREMY BATTLE: No. We have no preference for the front side. Our preference is to put it on the side. The reason we proposed the second option is because --

BRENDAN SULLIVAN: He had no problem with --

JEREMY BATTLE: Yeah, Ranjit, yeah.

BRENDAN SULLIVAN: -- as far as egress or what have you?

JEREMY BATTLE: No.

BRENDAN SULLIVAN: Okay.

CONSTANTINE ALEXANDER: You were about to see why you're proposing the alternative, just out of curiosity.

JEREMY BATTLE: Well, again, I don't know the rules of egression, and I am not the -- I'm a preacher, I'm not an inspector. And so our goal was not to have to come back before you folks. So we wanted to make sure that with our structural engineer and group and architects that we at least had a couple of alternatives in case the side, you



know, was too close either to the building, you know, what have you.

CONSTANTINE ALEXANDER: Okay.

JEREMY BATTLE: Our preference is the first proposal.

CONSTANTINE ALEXANDER: Do members of the Board have any thoughts about proposal one?

BRENDAN SULLIVAN: I think divine intervention is coming upon me would be the one on the side, the one that you prefer.

PATRICK TEDESCO: An intervention would be from an architect standpoint, not from --

CONSTANTINE ALEXANDER: I would agree.

BRENDAN SULLIVAN: Well, divine intervention is telling you your thoughts.

CONSTANTINE ALEXANDER: Any other questions?  
Comments?

JANET GREEN: No. Good plan.

CONSTANTINE ALEXANDER: Members of the congregation, do you want to speak or not? You don't have to. Just here for moral support.

LINDA ELLISON: I think it's an excellent job, because I have problems with my legs so it would be great. I have lupus that affects the joints.

CONSTANTINE ALEXANDER: Can you give your name and address to the stenographer, please? We have to keep a record of this.

LINDA ELLISON: My name is Linda Ellison. I live at 62 Norfolk Street in Cambridge. Zip code is 02139. And as I was saying, I have problems with my legs. I have lupus that affects the joints. So when I go to church, if I can't get upstairs or even in the church, my legs tend to numb up.

CONSTANTINE ALEXANDER: Thank you. Thank you for taking the time to come down.

Anyone else?

KATHERINE McKINNEY: Yes, I can speak loud enough.

My name is Katherine McKinney and I'm 74-years-old and I'm stricken with arthritis throughout my body, and so the stairs are a hindrance on me. And so the accessible features of up and down are, you know, suffers me. My apartment is on the first floor and I have a problem getting up and down. So that the assistance of the entrance back and forth into the church would be a blessing that no one can tell you but the Lord. So I appreciate that.

CONSTANTINE ALEXANDER: Thank you. Anyone else?

JEREMY BATTLE: And I guess what I will say is that, you know, just a few folks are able to come out tonight and the weather changing but a significant number of seniors who have challenging -- challenges getting into the space. I want to add a note that this is a challenge not only for our congregation but across the city. And so this did take significant effort and energy, especially in terms of resources financially to try to get to this place. And so we're excited about the opportunity. We're obviously

eager to hear from you all about our ability to go forward with this and get going.

CONSTANTINE ALEXANDER: Good. Thank you.

Ready for a vote?

JANET GREEN: Yep.

CONSTANTINE ALEXANDER: The Chair moves that we make the following findings with regard to the Variance being sought:

That a literal enforcement of the provisions of the Ordinance would involve a substantial hardship. Such hardship being that this place of worship has an aging congregation and there's a need, a strong need for the modification that's being proposed specifically to have a handicapped lift enclosure in order to address accessibility deficiencies.

That the hardship is owing to the basically -- it's an older structure and any modification to the structure requires zoning relief giving the fact that

its FAR, floor area ratio, is already over what is permitted or required by the city.

And that relief may be granted without substantial detriment to the public good or nullifying or substantially derogate from the intent and purpose of the Ordinance.

In this regard the Chair would note that not only it's not a substantial detriment to the public good, but it's a substantial benefit and that it makes this place of worship more accessible to the congregation, those now and those who will come afterwards.

And so on the basis of all of these findings, the Chair moves that we grant the Variance requested on the condition that the work proceed in accordance with proposal No. 1 as identified by the petitioner in his correspondence, and the first page of which has been initialled by the Chair.

All those in favor please say "Aye."

(Aye.)

CONSTANTINE ALEXANDER: Five in favor.

(Alexander, Sullivan, Green, Tedesco, Best.)

\* \* \* \* \*

(Whereupon, at 9:10 p.m., the

Board of Zoning Appeals Adjourned.)

\* \* \* \* \*

## ERRATA SHEET AND SIGNATURE INSTRUCTIONS

The original transcript and Errata Sheet has been delivered to Inspectional Services Department.

### INSTRUCTIONS

After reading this volume of the Zoning Board of Appeals transcript, note any change or correction and the reason therefor on this sheet. Sign and date this Errata Sheet.

PAGE	LINE	
_____	_____	CHANGE: _____ REASON: _____
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_____	_____	CHANGE: _____ REASON: _____

I have read the foregoing transcript of the Zoning Board of Appeals, and except for any corrections or changes noted above, I hereby subscribe to the transcript as an accurate record of the statement(s) made by me.

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C E R T I F I C A T E

COMMONWEALTH OF MASSACHUSETTS  
BRISTOL, SS.

I, Catherine Lawson Zelinski, a Certified Shorthand Reporter, the undersigned 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 29th day of November, 2017.

---

Catherine L. Zelinski  
Notary Public  
Certified Shorthand Reporter  
License No. 147703

My Commission Expires:  
April 29, 2022

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**0.73** <sup>[3]</sup> - 41:13,  
 41:14, 53:4  
**0.75** <sup>[2]</sup> - 53:4, 87:17  
**0.77** <sup>[1]</sup> - 41:6  
**0.78** <sup>[1]</sup> - 141:3  
**0.79** <sup>[1]</sup> - 141:4  
**0.83** <sup>[2]</sup> - 41:7, 53:5  
**0.85** <sup>[1]</sup> - 87:17  
**0.93** <sup>[1]</sup> - 87:18  
**014106** <sup>[1]</sup> - 25:6  
**014592** <sup>[1]</sup> - 84:6  
**014621** <sup>[1]</sup> - 138:6  
**014662** <sup>[1]</sup> - 106:6  
**014705** <sup>[1]</sup> - 131:6  
**014725** <sup>[1]</sup> - 154:6  
**02139** <sup>[3]</sup> - 1:7,  
 154:11, 162:18  
**09/14/17** <sup>[1]</sup> - 2:5

## 1

**1** <sup>[1]</sup> - 166:13  
**10.43.a** <sup>[1]</sup> - 122:14  
**100** <sup>[1]</sup> - 152:13  
**106** <sup>[1]</sup> - 2:7  
**11** <sup>[1]</sup> - 36:1  
**11-by-17** <sup>[1]</sup> - 28:1  
**12** <sup>[4]</sup> - 47:1, 47:2,  
 52:18, 139:18  
**132** <sup>[1]</sup> - 2:8  
**139** <sup>[1]</sup> - 2:9  
**14** <sup>[2]</sup> - 31:14, 70:1  
**147703** <sup>[1]</sup> - 169:12  
**15** <sup>[9]</sup> - 30:8, 30:14,  
 31:6, 31:14, 36:3,  
 47:1, 47:2, 67:12,  
 146:4  
**15-by-15** <sup>[1]</sup> - 87:2  
**150** <sup>[1]</sup> - 87:10  
**155** <sup>[1]</sup> - 2:10  
**16** <sup>[3]</sup> - 52:17, 86:6,  
 132:1  
**18** <sup>[3]</sup> - 33:4, 95:12,  
 95:15  
**18.8** <sup>[1]</sup> - 44:7  
**1977** <sup>[1]</sup> - 68:17  
**1991** <sup>[2]</sup> - 10:2, 10:16

## 2

**2** <sup>[2]</sup> - 98:16, 98:17  
**2,535** <sup>[1]</sup> - 67:6  
**2,874** <sup>[1]</sup> - 41:2  
**200** <sup>[5]</sup> - 41:4, 53:7,  
 53:8, 67:2, 67:6

**2001** <sup>[2]</sup> - 131:16,  
 132:15  
**2012** <sup>[2]</sup> - 107:12,  
 124:15  
**2016** <sup>[1]</sup> - 10:12  
**2017** <sup>[2]</sup> - 1:4, 169:8  
**2022** <sup>[1]</sup> - 169:13  
**21** <sup>[3]</sup> - 134:6, 134:12,  
 135:8  
**212** <sup>[1]</sup> - 100:8  
**225** <sup>[1]</sup> - 88:4  
**23** <sup>[5]</sup> - 2:8, 131:6,  
 131:11, 135:10,  
 148:14  
**23-25** <sup>[1]</sup> - 149:9  
**24-26** <sup>[1]</sup> - 145:9  
**25** <sup>[7]</sup> - 2:5, 2:9,  
 138:6, 139:15,  
 148:5, 149:4, 150:7  
**26-50** <sup>[2]</sup> - 2:3, 5:8  
**284** <sup>[2]</sup> - 2:7, 106:6  
**29** <sup>[2]</sup> - 148:3, 169:13  
**290** <sup>[1]</sup> - 53:8  
**299** <sup>[3]</sup> - 2:10, 154:6,  
 154:10  
**29th** <sup>[1]</sup> - 169:8  
**2B** <sup>[1]</sup> - 111:15

### 3

**3** <sup>[1]</sup> - 100:5  
**30** <sup>[1]</sup> - 91:5  
**30th** <sup>[5]</sup> - 40:3, 40:4,  
 40:12, 40:14, 82:7  
**32** <sup>[1]</sup> - 149:13  
**33** <sup>[1]</sup> - 150:5  
**35** <sup>[2]</sup> - 141:8, 141:18  
**35-foot** <sup>[1]</sup> - 141:14

### 4

**4** <sup>[1]</sup> - 36:2  
**40** <sup>[1]</sup> - 18:18  
**406** <sup>[1]</sup> - 99:12  
**410** <sup>[1]</sup> - 98:9  
**422** <sup>[3]</sup> - 98:15, 98:17,  
 100:5  
**428** <sup>[1]</sup> - 99:18  
**4440** <sup>[1]</sup> - 99:15  
**45** <sup>[3]</sup> - 68:16, 69:1,  
 100:2

### 5

**5** <sup>[2]</sup> - 2:3, 134:6  
**50** <sup>[1]</sup> - 141:5

**52** <sup>[7]</sup> - 2:6, 84:6,  
84:13, 98:12, 99:1,  
99:4, 99:9  
**55** <sup>[1]</sup> - 71:11

**6**

**6** <sup>[1]</sup> - 14:16  
**6.6** <sup>[1]</sup> - 35:6  
**617.786.7783/617.63**  
**9.0396** <sup>[1]</sup> - 1:16  
**62** <sup>[3]</sup> - 41:18, 62:3,  
162:17  
**6289** <sup>[1]</sup> - 5:8  
**6400(a)** <sup>[1]</sup> - 124:14  
**6409** <sup>[3]</sup> - 107:11,  
110:13, 116:6  
**65** <sup>[2]</sup> - 69:17, 70:2  
**66** <sup>[8]</sup> - 2:4, 25:6,  
51:8, 68:9, 69:14,  
71:1, 71:13, 73:6  
**68** <sup>[1]</sup> - 71:4

**7**

**7.6** <sup>[1]</sup> - 35:10  
**70** <sup>[1]</sup> - 68:9  
**74-years-old**  
<sup>[1]</sup> - 163:10  
**7:00** <sup>[3]</sup> - 1:4, 3:3, 5:1  
**7:15** <sup>[1]</sup> - 25:1

**8**

**8** <sup>[1]</sup> - 33:4  
**806** <sup>[1]</sup> - 1:6  
**80s** <sup>[1]</sup> - 93:9  
**84** <sup>[1]</sup> - 2:6  
**8:05** <sup>[1]</sup> - 84:1  
**8:20** <sup>[1]</sup> - 106:1  
**8:40** <sup>[1]</sup> - 131:1  
**8:45** <sup>[1]</sup> - 138:1

**9**

**9** <sup>[2]</sup> - 1:4, 14:17  
**9/19/17** <sup>[1]</sup> - 105:5  
**90** <sup>[4]</sup> - 41:3, 53:9,  
73:3, 76:9  
**95** <sup>[2]</sup> - 25:16, 58:7  
**9:00** <sup>[1]</sup> - 154:1  
**9:10** <sup>[1]</sup> - 167:5  
**9th** <sup>[1]</sup> - 9:17

**A**

**ability** <sup>[2]</sup> - 73:14,  
164:15

**able** <sup>[7]</sup> - 48:16, 49:3,  
58:11, 101:13,  
140:6, 140:15,  
164:4

**absolutely**  
<sup>[5]</sup> - 49:14, 113:18,  
158:11, 159:3,  
159:7

**abuts** <sup>[1]</sup> - 68:9

**abutter** <sup>[7]</sup> - 61:6,  
61:12, 61:14, 61:15,  
62:9, 101:1, 101:8

**abutters** <sup>[6]</sup> - 50:18,  
63:3, 98:2, 100:15,  
101:9, 135:9

**abutting** <sup>[2]</sup> - 58:14,  
71:7

**accept** <sup>[1]</sup> - 76:14

**access** <sup>[4]</sup> - 15:15,  
123:2, 136:7,  
155:12

**accessibility**  
<sup>[3]</sup> - 155:9, 156:5,  
165:11

**accessible**  
<sup>[3]</sup> - 156:7, 163:12,  
166:8

**accommodate**  
<sup>[6]</sup> - 70:9, 76:15,  
140:15, 148:6,  
149:6, 150:11

**accommodating**  
<sup>[1]</sup> - 73:15

**accomplished**  
<sup>[1]</sup> - 74:6

**accordance**  
<sup>[5]</sup> - 82:3, 105:3,  
125:3, 137:8,  
166:13

**according** <sup>[1]</sup> - 116:8

**accordingly**  
<sup>[1]</sup> - 112:13

**accurate** <sup>[2]</sup> - 168:16,  
169:6

**achieve** <sup>[1]</sup> - 35:5

**Act** <sup>[5]</sup> - 107:12,  
107:13, 116:16,  
124:15, 124:16

**actual** <sup>[2]</sup> - 76:8,  
141:5

**add** <sup>[10]</sup> - 12:8, 18:16,  
67:8, 70:7, 102:15,  
107:15, 141:4,  
143:3, 155:11,

164:8  
**added** <sup>[3]</sup> - 18:2, 93:4,  
 99:1  
**adding** <sup>[8]</sup> - 12:5,  
 29:4, 29:6, 29:7,  
 45:2, 88:4, 108:7,  
 150:14  
**addition** <sup>[16]</sup> - 85:1,  
 87:1, 89:17, 92:3,  
 94:4, 95:18, 96:2,  
 96:6, 98:11, 98:18,  
 99:3, 99:8, 136:7,  
 141:18, 152:12,  
 159:5  
**additional** <sup>[6]</sup> - 42:2,  
 53:10, 72:7, 76:9,  
 87:6, 150:16  
**address** <sup>[9]</sup> - 22:16,  
 25:15, 27:1, 100:13,  
 131:8, 134:3, 154:8,  
 162:14, 165:11  
**addressed** <sup>[1]</sup> - 44:2  
**addressing**  
<sup>[1]</sup> - 92:10  
**adds** <sup>[1]</sup> - 141:6  
**adequate** <sup>[2]</sup> - 30:17,  
 93:13  
**adjacent** <sup>[5]</sup> - 42:15,  
 51:1, 60:7, 123:7,  
 136:12  
**adjoining**  
<sup>[2]</sup> - 123:16, 137:3  
**Adjourned** <sup>[1]</sup> - 167:6  
**advantage**  
<sup>[4]</sup> - 91:10, 91:11,  
 92:6, 157:14  
**advantageous**  
<sup>[1]</sup> - 92:1  
**adversely** <sup>[2]</sup> - 123:8,  
 136:13  
**advertised** <sup>[1]</sup> - 6:4  
**advertising** <sup>[1]</sup> - 6:13  
**advice** <sup>[3]</sup> - 121:8,  
 132:1, 132:2  
**advise** <sup>[1]</sup> - 4:3  
**advised** <sup>[3]</sup> - 4:9,  
 26:7, 116:14  
**affected** <sup>[3]</sup> - 38:6,  
 123:8, 136:13  
**affecting** <sup>[2]</sup> - 63:11,  
 63:12  
**affects** <sup>[3]</sup> - 126:17,  
 162:11, 163:1  
**Affidavit** <sup>[1]</sup> - 129:13

**affiliated** <sup>[1]</sup> - 10:6  
**affixing** <sup>[1]</sup> - 112:18  
**affordable** <sup>[2]</sup> - 10:5,  
 155:15  
**afraid** <sup>[1]</sup> - 107:4  
**afterwards** <sup>[1]</sup> - 166:9  
**aggregate** <sup>[2]</sup> - 32:6,  
 41:2  
**aging** <sup>[2]</sup> - 155:7,  
 165:7  
**ago** <sup>[4]</sup> - 54:10, 64:8,  
 70:1, 146:4  
**agree** <sup>[4]</sup> - 72:4,  
 78:13, 117:7,  
 161:18  
**ahead** <sup>[7]</sup> - 9:14,  
 16:14, 19:17, 40:16,  
 117:11, 139:10,  
 156:15  
**ahold** <sup>[1]</sup> - 101:13  
**ALEX** <sup>[119]</sup> - 25:9,  
 25:12, 25:16, 26:6,  
 26:10, 26:13, 26:16,  
 27:3, 27:7, 27:14,  
 27:17, 29:2, 29:6,  
 29:10, 29:13, 29:18,  
 30:4, 30:11, 31:6,  
 31:17, 33:4, 33:13,  
 33:17, 34:2, 34:5,  
 34:11, 34:15, 34:17,  
 35:2, 35:6, 35:12,  
 35:15, 35:18, 36:10,  
 37:13, 37:18, 38:10,  
 38:12, 38:18, 39:7,  
 39:18, 40:4, 40:10,  
 40:13, 40:17, 41:11,  
 41:14, 41:16, 42:7,  
 42:10, 42:13, 43:14,  
 43:17, 44:10, 45:6,  
 45:10, 45:17, 46:8,  
 46:11, 47:6, 47:11,  
 47:15, 48:2, 48:4,  
 48:7, 48:15, 49:8,  
 49:11, 49:16, 50:2,  
 50:9, 51:2, 51:6,  
 51:12, 51:16, 52:4,  
 52:8, 52:11, 53:6,  
 53:8, 54:2, 54:5,  
 54:9, 54:14, 54:17,  
 55:2, 55:8, 55:17,  
 56:2, 56:7, 56:10,  
 57:1, 57:17, 58:3,  
 58:6, 59:8, 59:11,  
 60:13, 60:16, 61:4,

61:8, 61:13, 61:16,  
 62:3, 62:6, 62:10,  
 62:13, 62:16, 64:6,  
 65:2, 65:7, 65:13,  
 65:17, 66:8, 66:15,  
 70:14, 75:7, 82:17,  
 83:6

**Alex**<sup>[13]</sup> - 25:16,

68:11, 68:17, 69:2,  
 69:3, 69:6, 69:11,  
 69:13, 69:18, 70:3,  
 70:5, 70:18, 71:13

# **ALEXANDER**

<sup>[236]</sup> - 3:7, 5:5, 5:14,  
 6:1, 7:6, 7:10, 7:14,  
 7:17, 8:8, 8:12,  
 8:17, 9:5, 9:8, 9:13,  
 10:3, 10:8, 11:3,  
 11:18, 12:12, 13:4,  
 13:11, 14:5, 14:10,  
 14:13, 15:3, 15:6,  
 15:17, 16:9, 17:10,  
 17:15, 19:14, 20:1,  
 20:5, 20:8, 20:12,  
 21:8, 21:11, 21:14,  
 22:2, 23:6, 23:9,  
 24:7, 25:5, 25:11,  
 25:14, 26:4, 26:7,  
 26:11, 26:14, 26:17,  
 27:4, 27:8, 27:15,  
 29:4, 29:9, 29:12,  
 29:15, 30:1, 30:9,  
 31:16, 33:3, 37:11,  
 37:16, 38:16, 39:5,  
 39:10, 40:6, 40:15,  
 41:9, 41:13, 41:15,  
 42:5, 42:9, 42:12,  
 43:11, 44:3, 44:6,  
 47:4, 47:8, 47:12,  
 48:1, 48:3, 48:5,  
 53:7, 54:12, 54:15,  
 54:18, 55:6, 55:10,  
 55:18, 56:5, 56:8,  
 56:15, 57:2, 57:18,  
 58:4, 59:4, 59:9,  
 60:12, 60:15, 61:2,  
 62:1, 62:4, 62:12,  
 62:15, 62:18, 66:3,  
 67:17, 68:4, 70:16,  
 75:9, 75:12, 77:6,  
 79:1, 82:11, 82:13,  
 82:15, 83:3, 84:5,  
 84:10, 87:4, 87:15,  
 88:3, 88:15, 89:3,

89:6, 89:12, 89:15,  
 89:18, 92:9, 92:15,  
 93:1, 94:17, 95:4,  
 96:10, 97:17, 98:4,  
 98:7, 101:4, 101:17,  
 102:9, 103:7,  
 103:11, 105:9,  
 106:5, 106:13,  
 106:16, 107:4,  
 108:10, 108:14,  
 110:1, 110:9,  
 110:15, 111:1,  
 111:6, 112:14,  
 113:3, 114:8,  
 114:18, 115:8,  
 116:8, 116:13,  
 117:4, 117:13,  
 117:17, 118:4,  
 118:14, 118:17,  
 119:13, 120:18,  
 121:4, 121:9,  
 121:15, 122:4,  
 122:8, 130:14,  
 131:5, 131:13,  
 132:8, 132:16,  
 133:2, 133:5, 133:8,  
 133:13, 134:2,  
 134:10, 134:14,  
 135:1, 135:4,  
 137:14, 138:5,  
 138:15, 139:2,  
 139:6, 139:10,  
 141:15, 142:6,  
 142:9, 143:8,  
 143:12, 144:10,  
 144:13, 145:3,  
 146:9, 146:13,  
 146:16, 147:1,  
 147:8, 147:15,  
 147:17, 148:18,  
 151:8, 152:18,  
 154:5, 154:17,  
 155:4, 156:8,  
 156:13, 157:7,  
 157:16, 158:2,  
 158:9, 158:18,  
 159:4, 160:14,  
 161:8, 161:11,  
 161:18, 162:3,  
 162:6, 162:13,  
 163:5, 164:1,  
 164:16, 165:1,  
 167:1

**Alexander** <sup>[16]</sup> - 1:8,



3:4, 5:3, 24:9, 25:3,  
82:12, 84:3, 105:11,  
106:3, 130:18,  
131:3, 137:16,  
138:3, 153:2, 154:3,  
167:2

# **Alexandrov**

[2] - 99:10, 99:11

**allow** [4] - 15:18,

32:8, 64:16, 158:7

**allowable** [1] - 41:3

**allowed** [1] - 11:4

**allows** [2] - 6:12,

158:13

**alluding** [1] - 97:15

**almost** [1] - 14:2

**alternate** [3] - 18:3,

18:5, 18:6

**alternates** [9] - 19:2,

19:16, 20:2, 20:3,

20:9, 21:6, 23:15,

23:16, 24:4

# **alternative**

[3] - 66:11, 159:10,

160:15

# **alternatives**

[2] - 156:10, 161:5

# **aluminum**

[1] - 155:15

**Ameilia** [1] - 71:3

**amendment** [1] - 21:7

# **amendments**

[1] - 19:9

**Amendola** [1] - 98:8

# **AMENDOLA**

[1] - 98:9

**amenity** [1] - 42:1

**amount** [3] - 37:4,

91:18, 152:2

**ample** [2] - 85:18,

86:2

**Amy** [1] - 68:14

**AND** [1] - 168:1

**and...** [1] - 54:11

**AND/OR** [1] - 169:15

# **ANDREW**

[7] - 131:10, 131:15,

132:14, 132:17,

133:4, 133:7,

134:17

**Andrew** [2] - 131:10,

135:9

**angles** [1] - 36:5

**answer** [4] - 43:9,

62:16, 66:14, 119:5

# **antennas**

[16] - 107:14, 108:2,  
108:4, 108:5, 108:8,  
108:18, 109:9,  
109:12, 111:10,  
111:13, 111:17,  
112:13, 112:18,  
114:6, 119:2

# **Antrim** [27] - 2:4,

25:6, 25:17, 28:4,  
51:8, 58:7, 61:17,  
68:9, 68:16, 68:17,  
69:1, 69:14, 69:17,  
70:1, 70:2, 71:1,  
71:4, 71:6, 71:11,  
71:13, 73:3, 73:6,  
73:9, 73:10, 74:4,  
74:17

# **ANY** [2] - 169:15,

169:15

# **anyhow** [3] - 64:18,

96:18, 97:16

# **anyway** [6] - 58:5,

66:1, 86:9, 91:14,  
133:10, 139:10

# **apartment** [7] - 91:18,

98:15, 98:17, 102:8,  
102:12, 134:6,  
163:14

# **apologize** [1] - 20:15

# **APPEAL** [1] - 1:1

# **appealing** [1] - 72:1

# **Appeals** [4] - 3:8,

167:6, 168:6,  
168:15

# **appearance**

[7] - 45:11, 110:1,  
111:13, 114:12,  
125:8, 125:17,  
126:8

# **appearing** [1] - 91:6

# **applicant** [3] - 73:4,

73:9, 73:17

# **application**

[5] - 74:18, 77:1,  
128:17, 129:1,  
129:4

# **apply** [1] - 128:15

# **APPLY** [1] - 169:15

# **appreciate**

[1] - 163:18

# **appreciative**

[3] - 11:6, 12:6, 23:2

**appropriate**

[2] - 57:10, 130:4

**approval** [7] - 7:18,

17:9, 19:13, 21:4,

21:5, 43:2, 74:18

**approve** [4] - 6:14,

8:7, 19:18, 21:6

**APPROVED** [1] - 2:3**approved** [14] - 7:11,

7:13, 10:16, 11:1,

11:16, 12:15, 14:11,

16:18, 18:5, 21:3,

21:6, 24:1, 117:1,

126:4

**approving** [1] - 11:7**april** [1] - 169:13**architect** [5] - 69:6,

84:12, 131:17,

139:14, 161:17

**architects** [1] - 161:4**architectural**

[1] - 150:17

**Architecture**

[1] - 105:5

**area** [13] - 10:8,

47:17, 48:2, 86:13,

87:10, 87:11, 87:12,

87:13, 87:14, 88:9,

91:12, 129:15,

165:15

**argue** [1] - 66:10**argument** [2] - 58:10,

76:11

**arthritis** [1] - 163:10**articulate** [2] - 33:5,

86:9

**articulated**

[2] - 50:10, 76:12

**aside** [2] - 64:16,

64:17

**aspects** [1] - 44:9**Aspinwal** [1] - 100:8**assist** [1] - 4:7**assistance**

[1] - 163:16

**Associate** [1] - 1:10**associated** [1] - 55:8**assume** [1] - 64:9**assumed** [1] - 16:16**assuming** [1] - 90:8**attached** [3] - 20:10,

82:5, 155:16

**attempt** [1] - 31:4**attempts** [1] - 155:14

**attended** <sup>[1]</sup> - 53:16

**attendees** <sup>[1]</sup> - 4:1

**attention** <sup>[1]</sup> - 149:16

**attest** <sup>[1]</sup> - 100:18

**attic** <sup>[1]</sup> - 51:5

**ATTORNEY**

<sup>[28]</sup> - 106:9, 106:15,

107:2, 107:7,

108:12, 108:16,

110:4, 110:11,

110:17, 111:5,

112:6, 112:16,

113:5, 113:17,

114:14, 115:2,

115:7, 116:3,

116:10, 117:3,

117:10, 120:8,

120:13, 121:2,

121:5, 121:12,

122:1, 130:16

**attractive** <sup>[1]</sup> - 159:5

**attractiveness**

<sup>[1]</sup> - 70:8

**audience** <sup>[2]</sup> - 6:3,

6:18

**AUDIENCE** <sup>[2]</sup> - 51:9,

115:5

**audio** <sup>[1]</sup> - 3:11

**authorities**

<sup>[3]</sup> - 127:5, 127:11,

127:16

**available** <sup>[5]</sup> - 77:17,

93:11, 111:16,

112:15, 119:2

**Ave** <sup>[8]</sup> - 148:5,

148:15, 149:4,

149:10, 150:5,

150:7, 151:2, 155:3

**Avenue** <sup>[8]</sup> - 1:6, 2:9,

2:10, 100:8, 138:6,

148:3, 154:6,

154:10

**aware** <sup>[4]</sup> - 36:14,

38:6, 79:17, 106:16

**awkward** <sup>[1]</sup> - 92:3

**Aye** <sup>[14]</sup> - 24:5, 24:6,

82:9, 82:10, 105:7,

105:8, 130:12,

130:13, 137:12,

137:13, 152:16,

152:17, 166:17,

166:18

## B

### B-A-T-T-L-E

[1] - 154:12

### B-O-O-Z [1] - 84:12

**babysit** [1] - 150:9

**bad** [1] - 120:3

**balance** [1] - 150:17

**balcony** [3] - 37:10,  
48:11, 94:1

**balloon** [1] - 65:15

**Baptist** [1] - 155:3

**Barbara** [1] - 100:1

**barely** [1] - 36:6

**barricades** [1] - 130:4

**base** [1] - 124:12

**based** [5] - 23:13,  
24:2, 122:14,  
124:16, 141:10

**basement** [2] - 37:2,  
74:7

**basis** [8] - 23:4,  
74:11, 81:18, 105:1,  
128:9, 130:9, 137:5,  
166:10

**bath** [4] - 45:16,  
45:17, 45:18, 49:18

**bathroom** [11] - 39:4,  
43:8, 43:15, 44:5,  
44:15, 45:2, 46:2,  
46:4, 46:13, 140:14,  
144:4

**bathrooms**  
[2] - 76:16, 78:9

**BATTLE** [21] - 154:10,  
154:14, 155:6,  
156:11, 156:16,  
157:2, 157:5, 157:9,  
157:18, 158:4,  
158:11, 159:3,  
159:7, 159:15,  
159:18, 160:3,  
160:9, 160:12,  
160:17, 161:9,  
164:3

**Battle** [1] - 154:11

**bearing** [5] - 32:17,  
32:18, 44:11, 48:18,  
49:10

**become** [1] - 90:18

**bed** [1] - 103:6

**bedroom** [26] - 30:12,  
30:13, 37:5, 39:1,  
39:2, 43:12, 43:17,

44:1, 46:14, 46:15,  
 46:17, 49:18, 60:5,  
 65:11, 67:8, 85:18,  
 86:1, 86:2, 90:14,  
 90:15, 90:18, 92:11,  
 92:16, 103:1, 104:1,  
 150:16  
**bedrooms** <sup>[9]</sup> - 32:11,  
 38:17, 76:17, 78:10,  
 85:17, 102:18,  
 144:5, 144:6,  
 151:18  
**bee** <sup>[1]</sup> - 34:13  
**beginning** <sup>[2]</sup> - 3:18,  
 22:9  
**behind** <sup>[3]</sup> - 13:11,  
 112:4, 147:6  
**below** <sup>[2]</sup> - 67:3,  
 141:13  
**Ben** <sup>[1]</sup> - 150:4  
**beneath** <sup>[3]</sup> - 33:15,  
 34:3, 35:10  
**benefit** <sup>[7]</sup> - 6:2, 6:18,  
 69:9, 73:14, 152:1,  
 156:13, 166:6  
**Berbeco** <sup>[4]</sup> - 139:13,  
 148:4, 149:4, 150:6  
**Berkshire** <sup>[2]</sup> - 15:12,  
 18:17  
**Best** <sup>[15]</sup> - 3:6, 5:4,  
 24:10, 25:4, 82:12,  
 84:4, 105:12, 106:4,  
 130:18, 131:4,  
 137:17, 138:4,  
 153:3, 154:4, 167:3  
**best** <sup>[8]</sup> - 1:10,  
 107:17, 109:3,  
 109:6, 155:18,  
 156:6, 157:13,  
 159:1  
**BEST** <sup>[1]</sup> - 122:7  
**better** <sup>[6]</sup> - 16:5,  
 18:15, 72:14, 81:14,  
 104:15, 119:7  
**between** <sup>[2]</sup> - 50:5,  
 58:13  
**beyond** <sup>[1]</sup> - 133:1  
**big** <sup>[1]</sup> - 10:9  
**bit** <sup>[6]</sup> - 40:9, 49:1,  
 49:2, 79:6, 96:14,  
 144:2  
**blissing** <sup>[2]</sup> - 19:12,  
 163:17  
**block** <sup>[1]</sup> - 59:15

**BLOUNT** <sup>[2]</sup> - 155:1,  
155:2

**Blount** <sup>[1]</sup> - 155:1

**blowing** <sup>[1]</sup> - 65:15

**board** <sup>[1]</sup> - 100:14

**Board** <sup>[38]</sup> - 3:8, 6:12,  
7:9, 8:7, 9:16, 9:17,  
11:7, 17:9, 19:13,  
21:12, 22:17, 27:2,  
64:15, 76:13, 85:5,  
95:5, 102:16, 103:8,  
106:10, 106:17,  
107:1, 108:1,  
108:11, 112:9,  
117:15, 121:13,  
126:13, 128:16,  
133:11, 144:11,  
148:10, 149:18,  
150:18, 156:14,  
161:12, 167:6,  
168:6, 168:15

**BOARD** <sup>[1]</sup> - 1:1

**boards** <sup>[3]</sup> - 7:8, 8:4,  
27:18

**body** <sup>[1]</sup> - 163:11

**BOOZ** <sup>[27]</sup> - 84:11,  
84:18, 87:5, 88:1,  
88:6, 89:1, 89:5,  
89:7, 89:13, 89:16,  
90:1, 92:14, 92:18,  
93:3, 94:9, 94:12,  
95:1, 95:9, 95:13,  
95:17, 96:9, 97:1,  
97:8, 97:11, 97:14,  
102:2, 102:10

**Booz** <sup>[1]</sup> - 84:11

**bought** <sup>[3]</sup> - 64:8,  
69:3, 70:3

**bracket** <sup>[1]</sup> - 113:1

**brackets** <sup>[7]</sup> - 111:16,  
112:15, 112:17,  
113:4, 119:1, 119:5,  
119:6

**breaker** <sup>[1]</sup> - 38:7

**Brendan** <sup>[13]</sup> - 1:8,  
3:4, 5:3, 25:3,  
39:15, 40:16, 53:1,  
84:3, 106:3, 131:3,  
138:3, 154:3

**BRENDAN** <sup>[38]</sup> - 39:8,  
53:3, 53:18, 54:3,  
54:7, 63:1, 64:7,  
65:3, 65:8, 65:14,  
66:1, 66:12, 67:16,

95:6, 95:10, 95:15,  
 96:13, 96:16, 97:2,  
 97:9, 97:12, 97:15,  
 113:15, 118:12,  
 118:15, 119:12,  
 120:2, 120:5,  
 120:12, 120:17,  
 159:13, 159:16,  
 160:1, 160:7,  
 160:10, 160:13,  
 161:13, 162:1

**Bretholtz** <sup>[2]</sup> - 69:16,  
 73:1

## **BRETHOLTZ**

<sup>[1]</sup> - 69:17

**brick** <sup>[11]</sup> - 112:2,  
 112:8, 112:10,  
 112:11, 114:1,  
 119:11, 119:15,  
 119:18, 121:1,  
 125:13

**briefly** <sup>[3]</sup> - 26:3,  
 28:3, 29:14

**bring** <sup>[2]</sup> - 86:8, 107:5

**BRISTOL** <sup>[1]</sup> - 169:3

**broken** <sup>[2]</sup> - 18:15,  
 33:7

**Brookline** <sup>[2]</sup> - 100:8,  
 100:9

**bubbled** <sup>[3]</sup> - 18:8,  
 19:1, 20:6

**build** <sup>[5]</sup> - 32:13, 41:1,  
 59:14, 86:18, 91:13

**builder** <sup>[1]</sup> - 69:6

**building** <sup>[73]</sup> - 10:11,  
 10:12, 10:13, 10:14,  
 11:10, 11:17, 12:5,  
 13:10, 15:1, 15:2,  
 15:8, 15:13, 16:4,  
 16:8, 16:12, 16:15,  
 17:3, 18:12, 18:17,  
 27:11, 28:17, 29:11,  
 32:2, 32:6, 32:13,  
 36:3, 36:4, 36:5,  
 36:12, 36:13, 36:14,  
 41:3, 41:11, 41:17,  
 44:17, 47:3, 50:13,  
 50:17, 53:12, 53:15,  
 54:13, 55:14, 56:4,  
 57:12, 59:16, 59:17,  
 60:1, 60:4, 61:17,  
 63:14, 67:9, 69:8,  
 80:16, 81:14, 85:2,  
 85:3, 86:16, 88:8,



92:2, 92:4, 107:15,  
111:18, 113:10,  
114:9, 115:4, 115:9,  
119:3, 126:7, 141:7,  
158:8, 161:7

**Building** <sup>[8]</sup> - 17:1,  
19:6, 19:9, 19:17,  
21:1, 88:13, 129:9,  
159:14

**buildings** <sup>[4]</sup> - 10:7,  
12:10, 17:5, 51:4

**built** <sup>[6]</sup> - 10:15,  
32:10, 74:16, 78:5,  
93:8, 94:4

**bulk** <sup>[2]</sup> - 141:6

**business** <sup>[4]</sup> - 67:10,  
127:10, 128:4,  
129:8

**busy** <sup>[2]</sup> - 33:9, 50:6

**Butler** <sup>[1]</sup> - 100:7

**BY** <sup>[1]</sup> - 2:3

**BZA** <sup>[2]</sup> - 2:2, 146:6

**BZA-014106-2017**  
<sup>[2]</sup> - 2:4, 25:2

**BZA-014592-2017**  
<sup>[2]</sup> - 2:6, 84:2

**BZA-014621-2017**  
<sup>[2]</sup> - 2:9, 138:2

**BZA-014662-2017**  
<sup>[2]</sup> - 2:7, 106:2

**BZA-014705-2017**  
<sup>[2]</sup> - 2:8, 131:2

**BZA-014725-2017**  
<sup>[2]</sup> - 2:10, 154:2

**BZA-6289** <sup>[2]</sup> - 2:3,  
5:2

## C

**cabling** <sup>[1]</sup> - 112:2

**CAD** <sup>[1]</sup> - 67:4

**calculated** <sup>[1]</sup> - 87:12

**calculating**  
<sup>[1]</sup> - 87:11

**CAMBRIDGE** <sup>[1]</sup> - 1:2

**Cambridge** <sup>[17]</sup> - 1:7,  
11:15, 12:12, 59:1,  
70:11, 72:10, 72:13,  
72:16, 73:12, 81:16,  
95:2, 104:17,  
129:15, 149:11,  
154:11, 159:11,  
162:17

**CANAVAN**

[6] - 139:12, 143:14,  
 147:3, 147:13,  
 147:16, 148:16

**Canavan** [4] - 139:12,  
 148:4, 149:3, 150:6

**Cane** [1] - 100:2

**cannot** [2] - 122:17,  
 136:3

**capture** [1] - 49:10

**CAPTURING**  
 [1] - 1:15

**care** [1] - 100:7

**careful** [3] - 39:11,  
 69:4, 143:14

**carefully** [1] - 71:14

**carrier** [1] - 114:7

**case** [23] - 4:12, 4:13,  
 4:14, 5:6, 5:8, 6:3,  
 6:15, 25:6, 59:6,  
 63:2, 84:6, 106:6,  
 131:6, 133:10,  
 138:6, 140:1,  
 141:17, 154:6,  
 158:6, 161:5

**CASE** [1] - 2:1

**Case** [7] - 5:2, 25:2,  
 84:2, 106:2, 131:2,  
 138:2, 154:2

**cases** [5] - 4:11, 4:15,  
 124:4

**cast** [1] - 59:16

**Catherine** [2] - 169:4,  
 169:10

**causes** [1] - 152:5

**causing** [1] - 80:13

**cease** [1] - 126:3

**ceiling** [6] - 30:17,  
 33:18, 34:4, 35:5,  
 35:10, 88:8

**center** [3] - 38:14,  
 48:10, 85:6

**Center** [1] - 1:5

**certainly** [9] - 26:6,  
 33:13, 39:7, 54:14,  
 94:14, 104:5, 114:1,  
 159:8, 159:9

**CERTIFICATION**  
 [1] - 169:14

**Certified** [2] - 169:4,  
 169:11

**certify** [1] - 169:5

**CERTIFYING**  
 [1] - 169:16

**chair** [4] - 3:14, 9:1,

77:15, 106:10

**Chair** <sup>[37]</sup> - 1:8, 1:8,  
3:7, 3:10, 3:18,  
23:13, 23:17, 25:5,  
80:6, 81:11, 82:1,  
82:5, 84:5, 103:13,  
104:13, 105:2,  
105:6, 106:5,  
122:10, 124:16,  
125:4, 125:11,  
130:10, 131:5,  
135:16, 135:17,  
137:6, 137:11,  
138:5, 151:10,  
152:11, 154:5,  
156:18, 165:1,  
166:4, 166:11,  
166:16

**Chairman** <sup>[1]</sup> - 5:13

**challenge** <sup>[2]</sup> - 158:5,  
164:8

**challenges**  
<sup>[2]</sup> - 155:9, 164:7

**challenging**  
<sup>[1]</sup> - 164:7

**chance** <sup>[1]</sup> - 55:15

**change** <sup>[12]</sup> - 9:18,  
11:5, 11:7, 23:18,  
64:16, 110:2, 110:5,  
123:4, 124:11,  
136:9, 168:6

**CHANGE** <sup>[6]</sup> - 168:8,  
168:9, 168:10,  
168:11, 168:12,  
168:13

**changed** <sup>[3]</sup> - 14:1,  
117:1, 124:6

**CHANGES** <sup>[1]</sup> - 2:2

**changes** <sup>[23]</sup> - 6:12,  
6:13, 6:16, 13:18,  
16:7, 17:9, 17:14,  
18:2, 18:3, 18:5,  
18:6, 18:8, 18:9,  
18:18, 19:1, 19:8,  
19:11, 59:11, 60:16,  
70:6, 71:15, 72:14,  
168:16

**changing** <sup>[5]</sup> - 94:7,  
148:7, 149:6,  
150:12, 164:5

**character** <sup>[10]</sup> - 73:8,  
115:16, 123:5,  
136:10, 141:10,  
141:11, 142:13,

148:9, 149:15,  
150:13  
**charge** <sup>[1]</sup> - 129:13  
**charitable**  
<sup>[1]</sup> - 155:14  
**cheat** <sup>[1]</sup> - 49:3  
**check** <sup>[1]</sup> - 38:1  
**cherish** <sup>[1]</sup> - 58:18  
**child** <sup>[1]</sup> - 102:18  
**children** <sup>[7]</sup> - 32:12,  
65:16, 69:11, 140:3,  
145:12, 146:1,  
146:3  
**children's** <sup>[2]</sup> - 38:17,  
78:2  
**chimney** <sup>[1]</sup> - 108:3  
**chimneys** <sup>[3]</sup> - 109:7,  
109:8, 111:11  
**chosen** <sup>[1]</sup> - 78:15  
**Chuck** <sup>[1]</sup> - 115:3  
**Church** <sup>[1]</sup> - 155:3  
**church** <sup>[6]</sup> - 10:6,  
10:11, 13:3, 163:2,  
163:3, 163:17  
**circulation** <sup>[1]</sup> - 8:2  
**circumstances**  
<sup>[2]</sup> - 63:9, 77:4  
**cited** <sup>[1]</sup> - 73:17  
**citizen** <sup>[1]</sup> - 4:5  
**citizens** <sup>[2]</sup> - 123:13,  
136:18  
**City** <sup>[4]</sup> - 22:13,  
81:16, 104:17,  
149:11  
**CITY** <sup>[1]</sup> - 1:2  
**city** <sup>[16]</sup> - 4:5, 13:1,  
22:12, 23:2, 59:1,  
70:10, 70:15, 73:13,  
120:10, 123:13,  
136:18, 146:1,  
149:12, 164:9,  
165:17  
**city's** <sup>[1]</sup> - 79:17  
**City's** <sup>[1]</sup> - 116:9  
**claimed** <sup>[1]</sup> - 128:9  
**clarification**  
<sup>[1]</sup> - 82:18  
**clashing** <sup>[1]</sup> - 66:7  
**Class** <sup>[2]</sup> - 107:11,  
124:14  
**clear** <sup>[1]</sup> - 141:16  
**clearance** <sup>[3]</sup> - 32:3,  
32:9, 33:15  
**clearances** <sup>[1]</sup> - 76:16

**clearer** <sup>[1]</sup> - 7:4  
**client** <sup>[2]</sup> - 84:13,  
 116:1  
**close** <sup>[14]</sup> - 17:2,  
 35:18, 78:5, 102:1,  
 111:17, 118:10,  
 119:3, 135:14,  
 144:17, 144:18,  
 145:2, 151:5,  
 158:16, 161:6  
**closer** <sup>[2]</sup> - 15:11,  
 120:14  
**closet** <sup>[2]</sup> - 50:5,  
 140:3  
**closing** <sup>[1]</sup> - 17:1  
**clover** <sup>[1]</sup> - 68:12  
**code** <sup>[2]</sup> - 80:17,  
 162:18  
**Code** <sup>[1]</sup> - 88:13  
**codes** <sup>[2]</sup> - 32:2, 32:7  
**coffee** <sup>[1]</sup> - 56:6  
**coincidentally**  
<sup>[1]</sup> - 147:11  
**cold** <sup>[2]</sup> - 93:6, 94:15  
**Cole** <sup>[1]</sup> - 106:11  
**color** <sup>[2]</sup> - 114:3,  
 121:8  
**Colorado** <sup>[1]</sup> - 67:11  
**comfortable**  
<sup>[4]</sup> - 57:16, 78:7,  
 78:11, 94:5  
**coming** <sup>[7]</sup> - 42:18,  
 83:4, 85:12, 86:3,  
 116:6, 145:13,  
 161:14  
**comment** <sup>[1]</sup> - 113:13  
**commented**  
<sup>[1]</sup> - 81:12  
**comments** <sup>[13]</sup> - 22:5,  
 23:6, 26:1, 75:14,  
 101:18, 103:8,  
 107:1, 111:4, 112:5,  
 117:15, 118:18,  
 122:5, 162:4  
**Commission**  
<sup>[4]</sup> - 11:16, 13:2,  
 155:11, 169:13  
**COMMONWEALTH**  
<sup>[1]</sup> - 169:2  
**Community**  
<sup>[5]</sup> - 57:4, 106:18,  
 111:3, 118:8,  
 118:16  
**community**

[2] - 12:18, 73:12

## **complement**

[1] - 148:8

**complete** [2] - 21:2,  
57:9

## **completed**

[1] - 125:12

## **completion**

[1] - 125:7

## **compliance**

[3] - 41:10, 41:12,  
126:11

**compliant** [3] - 53:2,  
53:4, 80:17

**complied** [1] - 27:5

**complies** [2] - 30:14,  
152:12

**comply** [6] - 29:16,  
43:8, 76:1, 126:11,  
128:1, 130:2

**complying** [1] - 50:12

## **Comprehensive**

[7] - 5:7, 6:6, 6:8,  
9:18, 10:1, 10:16,  
11:6

## **COMPREHENSIVE**

[1] - 2:3

## **compromises**

[1] - 67:15

**concern** [4] - 27:2,  
37:3, 81:15, 127:1

## **concerned**

[3] - 59:14, 59:15,  
117:5

## **concerning**

[1] - 128:17

**concerns** [5] - 22:16,  
27:11, 43:5, 78:4,  
149:17

**condition** [6] - 64:11,  
82:2, 105:3, 126:8,  
137:7, 166:12

## **conditions**

[8] - 63:10, 67:5,  
73:9, 118:13, 124:6,  
125:1, 126:12,  
127:2

**condo** [1] - 71:7

**conduct** [1] - 3:16

## **configuration**

[3] - 73:17, 92:6,  
107:18

**conform** [1] - 140:18

## **conforming**

[9] - 28:4, 63:14,  
63:16, 63:17, 73:18,  
74:2, 74:3, 80:12,  
81:3

**conforms** [1] - 149:15

**confused** [1] - 40:9

**congested** [1] - 27:12

**congestion**

[2] - 123:3, 136:8

**congratulated**

[1] - 143:13

**congregation**

[8] - 155:8, 156:2,  
157:7, 157:13,  
162:7, 164:9, 165:7,  
166:8

**Connecticut**

[2] - 140:10, 140:12

**connects** [1] - 32:18

**consider** [2] - 88:16,  
156:10

**considerably**

[1] - 88:13

**considerate** [1] - 69:5

**considered**

[1] - 68:11

**considering** [1] - 79:7

**consistent**

[11] - 16:17, 17:8,  
74:16, 109:16,  
112:2, 112:8, 117:8,  
119:10, 121:17,  
125:9, 125:18

**Constantine** [9] - 1:8,  
3:4, 5:2, 25:3, 84:3,  
106:3, 131:3, 138:3,  
154:3

**CONSTANTINE**

[236] - 3:7, 5:5, 5:14,  
6:1, 7:6, 7:10, 7:14,  
7:17, 8:8, 8:12,  
8:17, 9:5, 9:8, 9:13,  
10:3, 10:8, 11:3,  
11:18, 12:12, 13:4,  
13:11, 14:5, 14:10,  
14:13, 15:3, 15:6,  
15:17, 16:9, 17:10,  
17:15, 19:14, 20:1,  
20:5, 20:8, 20:12,  
21:8, 21:11, 21:14,  
22:2, 23:6, 23:9,  
24:7, 25:5, 25:11,  
25:14, 26:4, 26:7,  
26:11, 26:14, 26:17,

27:4, 27:8, 27:15,  
29:4, 29:9, 29:12,  
29:15, 30:1, 30:9,  
31:16, 33:3, 37:11,  
37:16, 38:16, 39:5,  
39:10, 40:6, 40:15,  
41:9, 41:13, 41:15,  
42:5, 42:9, 42:12,  
43:11, 44:3, 44:6,  
47:4, 47:8, 47:12,  
48:1, 48:3, 48:5,  
53:7, 54:12, 54:15,  
54:18, 55:6, 55:10,  
55:18, 56:5, 56:8,  
56:15, 57:2, 57:18,  
58:4, 59:4, 59:9,  
60:12, 60:15, 61:2,  
62:1, 62:4, 62:12,  
62:15, 62:18, 66:3,  
67:17, 68:4, 70:16,  
75:9, 75:12, 77:6,  
79:1, 82:11, 82:13,  
82:15, 83:3, 84:5,  
84:10, 87:4, 87:15,  
88:3, 88:15, 89:3,  
89:6, 89:12, 89:15,  
89:18, 92:9, 92:15,  
93:1, 94:17, 95:4,  
96:10, 97:17, 98:4,  
98:7, 101:4, 101:17,  
102:9, 103:7,  
103:11, 105:9,  
106:5, 106:13,  
106:16, 107:4,  
108:10, 108:14,  
110:1, 110:9,  
110:15, 111:1,  
111:6, 112:14,  
113:3, 114:8,  
114:18, 115:8,  
116:8, 116:13,  
117:4, 117:13,  
117:17, 118:4,  
118:14, 118:17,  
119:13, 120:18,  
121:4, 121:9,  
121:15, 122:4,  
122:8, 130:14,  
131:5, 131:13,  
132:8, 132:16,  
133:2, 133:5, 133:8,  
133:13, 134:2,  
134:10, 134:14,  
135:1, 135:4,



137:14, 138:5,  
 138:15, 139:2,  
 139:6, 139:10,  
 141:15, 142:6,  
 142:9, 143:8,  
 143:12, 144:10,  
 144:13, 145:3,  
 146:9, 146:13,  
 146:16, 147:1,  
 147:8, 147:15,  
 147:17, 148:18,  
 151:8, 152:18,  
 154:5, 154:17,  
 155:4, 156:8,  
 156:13, 157:7,  
 157:16, 158:2,  
 158:9, 158:18,  
 159:4, 160:14,  
 161:8, 161:11,  
 161:18, 162:3,  
 162:6, 162:13,  
 163:5, 164:1,  
 164:16, 165:1,  
 167:1  
**construct** <sup>[1]</sup> - 135:11  
**constructed**  
<sup>[1]</sup> - 36:15  
**construction**  
<sup>[5]</sup> - 11:10, 16:15,  
 17:3, 90:7, 93:8  
**contacted** <sup>[1]</sup> - 59:7  
**contains** <sup>[1]</sup> - 23:15  
**context** <sup>[1]</sup> - 28:3  
**continuance**  
<sup>[1]</sup> - 25:17  
**continue** <sup>[1]</sup> - 126:11  
**continued** <sup>[10]</sup> - 4:11,  
 4:12, 4:13, 4:14,  
 5:5, 19:7, 59:5,  
 123:6, 136:11  
**continues** <sup>[1]</sup> - 44:16  
**continuous**  
<sup>[1]</sup> - 126:5  
**contributing**  
<sup>[1]</sup> - 87:14  
**CONTROL**  
<sup>[1]</sup> - 169:15  
**convenience**  
<sup>[1]</sup> - 55:4  
**conversations**  
<sup>[2]</sup> - 58:12, 58:14  
**coowner** <sup>[1]</sup> - 68:8  
**copy** <sup>[2]</sup> - 72:18,  
 113:16

**corner** <sup>[1]</sup> - 32:16  
**correct** <sup>[4]</sup> - 26:12,  
 26:15, 115:6,  
 138:14  
**correction** <sup>[1]</sup> - 168:7  
**corrections**  
<sup>[1]</sup> - 168:16  
**correspondence**  
<sup>[1]</sup> - 166:15  
**corridor** <sup>[1]</sup> - 143:6  
**cost** <sup>[1]</sup> - 64:13  
**couple** <sup>[3]</sup> - 19:7,  
 90:3, 161:5  
**course** <sup>[2]</sup> - 73:7,  
 107:6  
**coverage** <sup>[1]</sup> - 42:3  
**covered** <sup>[7]</sup> - 41:5,  
 41:7, 42:15, 42:16,  
 47:16, 53:9, 87:11  
**crazy** <sup>[2]</sup> - 75:16, 77:3  
**created** <sup>[2]</sup> - 123:11,  
 136:16  
**creating** <sup>[1]</sup> - 50:5  
**Creation** <sup>[2]</sup> - 107:12,  
 124:15  
**crib** <sup>[1]</sup> - 103:5  
**Cule** <sup>[1]</sup> - 99:10  
**cup** <sup>[1]</sup> - 56:6  
**curiosity** <sup>[1]</sup> - 160:16  
**curious** <sup>[3]</sup> - 96:11,  
 96:15, 97:1  
**current** <sup>[6]</sup> - 32:2,  
 32:6, 41:11, 80:14,  
 148:9, 152:3  
**CURRY** <sup>[5]</sup> - 5:12,  
 5:15, 7:3, 7:7, 8:3  
**Curry** <sup>[2]</sup> - 5:15, 9:1  
**Curry's** <sup>[1]</sup> - 16:10  
**curse** <sup>[1]</sup> - 94:14

## D

**DANIEL** <sup>[6]</sup> - 84:9,  
 84:16, 98:3, 100:13,  
 101:7, 102:15  
**Daniel** <sup>[1]</sup> - 84:17  
**Danny** <sup>[5]</sup> - 84:12,  
 85:15, 86:4, 93:18,  
 102:12  
**database** <sup>[1]</sup> - 66:17  
**Date** <sup>[1]</sup> - 2:5  
**date** <sup>[2]</sup> - 4:15, 168:7  
**dated** <sup>[4]</sup> - 40:2,  
 40:11, 82:7, 105:5

**dates** <sup>[1]</sup> - 10:2  
**daughter** <sup>[1]</sup> - 150:9  
**days** <sup>[3]</sup> - 127:10,  
 128:5, 129:8  
**deal** <sup>[2]</sup> - 38:7, 79:18  
**decade** <sup>[1]</sup> - 73:11  
**December** <sup>[1]</sup> - 10:11  
**deceptive** <sup>[1]</sup> - 46:18  
**decision** <sup>[1]</sup> - 75:13  
**deck** <sup>[26]</sup> - 32:16,  
 37:4, 37:5, 37:6,  
 37:12, 38:8, 42:2,  
 42:3, 42:6, 42:14,  
 47:12, 47:16, 48:6,  
 48:11, 57:8, 57:13,  
 58:8, 77:18, 78:4,  
 79:4, 79:5, 79:8,  
 85:11, 85:13, 87:6,  
 87:7  
**decks** <sup>[8]</sup> - 27:9,  
 27:12, 39:6, 47:9,  
 57:7, 77:10, 78:5  
**deemed** <sup>[1]</sup> - 129:4  
**deep** <sup>[3]</sup> - 15:16, 16:3,  
 38:12  
**deferred** <sup>[1]</sup> - 4:16  
**deficiencies**  
<sup>[1]</sup> - 165:11  
**degree** <sup>[1]</sup> - 143:7  
**deliberation** <sup>[1]</sup> - 75:6  
**delivered** <sup>[1]</sup> - 168:3  
**demolition**  
<sup>[2]</sup> - 11:16, 12:15  
**Denise** <sup>[1]</sup> - 150:3  
**dense** <sup>[1]</sup> - 27:12  
**densification**  
<sup>[2]</sup> - 91:18, 92:8  
**Department**  
<sup>[16]</sup> - 19:9, 19:17,  
 21:1, 22:13, 26:8,  
 106:18, 116:9,  
 116:11, 122:18,  
 127:4, 127:9,  
 127:13, 128:7,  
 129:12, 138:17,  
 168:4  
**derogate** <sup>[3]</sup> - 123:16,  
 137:3, 166:2  
**derogating** <sup>[3]</sup> - 81:9,  
 104:11, 152:9  
**described** <sup>[1]</sup> - 31:14  
**design** <sup>[5]</sup> - 12:16,  
 12:17, 25:18, 26:2,  
 43:2

**designation**

[1] - 120:12

**designed** [1] - 16:17

**desirability** [1] - 72:5

**desirable** [1] - 152:7

**desire** [5] - 13:2,

19:12, 21:3, 49:10,

49:17

**destroyed** [1] - 10:12

**detail** [3] - 128:8,

128:18, 149:16

**detailed** [1] - 8:4

**detriment** [8] - 74:14,

81:8, 104:10,

123:11, 136:16,

152:8, 166:1, 166:5

**develop** [1] - 11:10

**developer** [1] - 147:5

**developing**

[1] - 156:1

**development**

[3] - 74:17, 123:7,

136:12

**Development**

[5] - 57:4, 106:18,

111:3, 118:8,

118:16

**dictated** [1] - 16:6

**difference** [2] - 16:2,

146:5

**different** [3] - 23:10,

79:3, 122:3

**difficult** [2] - 72:8,

133:10

**dimension**

[5] - 63:16, 74:2,

95:18, 97:3, 97:6

**dimensional**

[6] - 11:2, 26:9, 82:6,

95:7, 95:14, 96:5

**dimensions**

[1] - 124:12

**diminish** [1] - 50:11

**DIRECT** [1] - 169:15

**direct** [1] - 134:7

**DIRECTION**

[1] - 169:16

**directly** [7] - 18:12,

31:12, 51:1, 61:7,

70:2, 71:7, 134:17

**disagree** [1] - 50:7

**discloses** [1] - 128:18

**disclosing** [1] - 128:7

**discussed**

[1] - 110:14

**discussion** [4] - 23:7,  
107:6, 118:11,  
122:5

**dismantle** [2] - 90:5,  
90:7

**disrepair** [1] - 69:8

**district** [9] - 63:12,  
74:15, 87:17, 115:9,  
123:15, 123:16,  
124:1, 137:2, 137:3

**divide** [1] - 78:16

**divine** [2] - 161:13,  
162:1

**document** [2] - 20:13,  
20:14

**documents**

[1] - 11:10

**DOES** [1] - 169:15

**Donald** [1] - 135:8

**done** [3] - 28:14, 69:3,  
149:16

**Donnelly** [2] - 120:6,  
120:14

**door** [5] - 38:13, 46:4,  
86:13, 135:12,  
142:14

**doors** [1] - 93:15

**dormer** [76] - 27:6,  
28:16, 29:5, 29:6,  
29:7, 29:8, 30:5,  
30:12, 30:13, 31:8,  
31:13, 31:18, 32:7,  
32:18, 33:2, 33:5,  
33:16, 34:14, 35:17,  
39:1, 43:8, 43:13,  
43:16, 43:18, 44:1,  
44:8, 44:15, 44:18,  
45:1, 45:4, 46:17,  
49:5, 50:3, 50:14,  
51:7, 51:10, 51:13,  
51:17, 52:1, 52:2,  
52:4, 52:12, 52:15,  
57:3, 60:8, 60:9,  
75:16, 75:17, 76:5,  
77:4, 78:14, 79:11,  
79:12, 88:17, 89:11,  
138:11, 138:13,  
141:3, 141:6, 141:9,  
142:17, 143:3,  
143:10, 143:11,  
143:17, 143:18,  
144:1, 144:6,  
144:16, 146:3,

150:15, 152:13  
**dormer's** <sup>[2]</sup> - 50:12,  
 52:17  
**dormers** <sup>[11]</sup> - 27:2,  
 28:16, 29:10, 29:16,  
 36:5, 49:13, 51:5,  
 76:2, 78:17, 142:15  
**double** <sup>[1]</sup> - 93:13  
**down** <sup>[21]</sup> - 30:7,  
 30:15, 30:18, 33:7,  
 34:1, 45:7, 45:13,  
 56:5, 58:2, 64:15,  
 65:4, 83:4, 85:13,  
 86:3, 97:3, 97:6,  
 134:15, 140:11,  
 163:6, 163:13,  
 163:15  
**downstairs**  
<sup>[2]</sup> - 148:16, 149:3  
**dramatic** <sup>[4]</sup> - 131:14,  
 131:15, 155:4,  
 155:7  
**drawing** <sup>[1]</sup> - 7:8  
**drawings** <sup>[11]</sup> - 6:10,  
 8:4, 19:13, 28:15,  
 39:9, 40:8, 67:4,  
 71:14, 88:18, 137:9,  
 150:13  
**drawn** <sup>[1]</sup> - 52:11  
**dream** <sup>[2]</sup> - 66:6,  
 67:14  
**drew** <sup>[1]</sup> - 67:4  
**driven** <sup>[3]</sup> - 44:17,  
 48:17, 76:10  
**driveway** <sup>[5]</sup> - 50:14,  
 62:2, 62:5, 62:7,  
 143:6  
**driving** <sup>[2]</sup> - 49:5,  
 75:18  
**dropping** <sup>[1]</sup> - 111:8  
**DROV** <sup>[1]</sup> - 99:10  
**duck** <sup>[1]</sup> - 49:15  
**during** <sup>[3]</sup> - 11:11,  
 90:6, 129:6  
**dwelling** <sup>[5]</sup> - 28:8,  
 73:18, 74:6, 104:2  
**dwellings** <sup>[1]</sup> - 74:4

## E

**eager** <sup>[1]</sup> - 164:14  
**easier** <sup>[2]</sup> - 114:4,  
 133:9  
**easiest** <sup>[1]</sup> - 20:16

**easily** <sup>[1]</sup> - 70:9  
**east** <sup>[1]</sup> - 59:17  
**Edda** <sup>[1]</sup> - 99:14  
**EDDA** <sup>[1]</sup> - 99:14  
**edge** <sup>[6]</sup> - 31:15,  
 44:14, 44:16, 47:2,  
 52:17, 52:18  
**Edward** <sup>[2]</sup> - 99:13,  
 99:16  
**effectively** <sup>[1]</sup> - 32:18  
**effort** <sup>[6]</sup> - 22:9,  
 22:14, 22:15, 23:2,  
 60:6, 164:10  
**efforts** <sup>[1]</sup> - 24:8  
**egress** <sup>[6]</sup> - 18:16,  
 85:14, 123:2, 136:7,  
 160:10  
**egression** <sup>[2]</sup> - 158:6,  
 160:18  
**eight** <sup>[3]</sup> - 30:18, 45:7  
**either** <sup>[5]</sup> - 38:15,  
 77:1, 159:13,  
 159:17, 161:6  
**electromagnetic**  
<sup>[3]</sup> - 126:17, 127:6,  
 128:3  
**elements** <sup>[2]</sup> - 30:10,  
 52:14  
**elevated** <sup>[1]</sup> - 27:9  
**elevation** <sup>[15]</sup> - 18:15,  
 33:10, 46:7, 46:13,  
 46:16, 46:17, 48:13,  
 48:15, 50:16, 52:7,  
 86:15, 89:9, 89:10,  
 93:17, 93:18  
**elevations** <sup>[7]</sup> - 13:9,  
 16:7, 19:4, 46:11,  
 47:9, 85:4, 85:5  
**elevator** <sup>[1]</sup> - 13:15  
**eliminated** <sup>[2]</sup> - 37:5,  
 37:6  
**Elizabeth** <sup>[1]</sup> - 99:14  
**Ellison** <sup>[1]</sup> - 162:16  
**ELLISON** <sup>[2]</sup> - 162:9,  
 162:16  
**emissions** <sup>[2]</sup> - 127:6,  
 128:3  
**emitting** <sup>[1]</sup> - 127:7  
**empty** <sup>[1]</sup> - 101:12  
**enclosure** <sup>[3]</sup> - 108:5,  
 108:6, 165:10  
**enclosures**  
<sup>[3]</sup> - 108:4, 108:9,  
 114:15

**encompasses**

[1] - 139:3

**encourage**

[2] - 71:18, 149:12

**encouraging**

[1] - 25:18

**encroaching**

[1] - 97:7

**end** [9] - 32:4, 32:5,

34:7, 34:8, 35:7,

75:12, 86:16,

102:17, 144:4

**endorsement**

[1] - 76:5

**ends** [1] - 87:9**energy** [4] - 126:18,

127:6, 128:3,

164:11

**enforcement**

[4] - 80:9, 103:16,

151:13, 165:4

**engendered**

[1] - 58:10

**engineer** [2] - 11:9,

161:4

**entered** [1] - 155:17**entering** [1] - 157:12**entertain** [1] - 144:9**entirely** [1] - 56:3**entitled** [1] - 23:14**entrance** [2] - 158:16,

163:16

**entry** [6] - 14:4, 14:6,

14:14, 14:18, 42:15

**envelope** [1] - 58:5**equal** [1] - 10:18**equipment** [10] - 3:15,

109:7, 109:13,

126:4, 126:6, 127:7,

127:17, 129:10,

129:14, 129:18

**ERRATA** [1] - 168:1**Errata** [2] - 168:2,

168:7

**especially** [6] - 49:14,

57:8, 63:11, 72:15,

77:13, 164:11

**essence** [3] - 21:9,

45:1, 73:16

**essential** [1] - 144:7**essentially**

[2] - 109:11, 158:13

**established**

[2] - 123:4, 136:9



**etcetera** <sup>[3]</sup> - 68:11,  
68:12

**evening** <sup>[3]</sup> - 5:12,  
5:14, 84:10

**event** <sup>[2]</sup> - 116:18,  
127:15

**everyday** <sup>[2]</sup> - 145:11

**exactly** <sup>[2]</sup> - 34:6,  
132:9

**examined** <sup>[1]</sup> - 71:14

**example** <sup>[1]</sup> - 80:17

**excellent** <sup>[2]</sup> - 69:5,  
162:9

**except** <sup>[6]</sup> - 50:18,  
66:6, 121:18,  
125:11, 126:1,  
168:15

**exception** <sup>[1]</sup> - 14:3

**excessive** <sup>[1]</sup> - 130:7

**excited** <sup>[2]</sup> - 70:11,  
164:13

**excuse** <sup>[2]</sup> - 54:2,  
118:14

**Executive** <sup>[1]</sup> - 155:2

**exempt** <sup>[1]</sup> - 74:7

**exhibit** <sup>[1]</sup> - 125:5

**exist** <sup>[1]</sup> - 37:7

**existing** <sup>[31]</sup> - 12:11,  
28:15, 31:8, 34:16,  
34:17, 36:9, 67:5,  
73:8, 73:18, 74:7,  
74:10, 74:16, 85:3,  
85:4, 85:6, 85:10,  
89:9, 95:11, 97:4,  
107:10, 107:14,  
111:11, 124:9,  
124:12, 135:12,  
141:2, 141:8,  
141:13, 144:16,  
157:14

**expand** <sup>[2]</sup> - 139:18,  
140:7

**expanded** <sup>[1]</sup> - 65:10

**expanding** <sup>[2]</sup> - 29:5,  
29:7

**expansion** <sup>[1]</sup> - 152:1

**expansive** <sup>[1]</sup> - 103:3

**experience**  
<sup>[1]</sup> - 146:7

**Expires** <sup>[1]</sup> - 169:13

**explain** <sup>[1]</sup> - 156:12

**exposed** <sup>[1]</sup> - 114:6

**express** <sup>[5]</sup> - 75:4,  
80:4, 96:5, 98:18,

156:12  
**expressed** <sup>[2]</sup> - 66:4,  
 115:10  
**extend** <sup>[1]</sup> - 35:1  
**extending** <sup>[2]</sup> - 85:11,  
 94:10  
**extension** <sup>[2]</sup> - 47:16,  
 74:7  
**extent** <sup>[6]</sup> - 30:3, 79:7,  
 81:4, 121:10, 126:8,  
 128:13  
**exterior** <sup>[7]</sup> - 30:7,  
 31:2, 41:5, 41:18,  
 44:13, 44:16, 53:9  
**extra** <sup>[2]</sup> - 8:15, 9:12

## F

**facade** <sup>[3]</sup> - 46:9,  
 109:1, 111:14  
**face** <sup>[2]</sup> - 101:8,  
 104:18  
**faces** <sup>[5]</sup> - 51:8,  
 51:14, 51:17, 76:3,  
 113:7  
**facility** <sup>[3]</sup> - 115:15,  
 124:10, 124:13  
**facility's** <sup>[1]</sup> - 115:14  
**facing** <sup>[2]</sup> - 71:17,  
 72:6  
**fact** <sup>[7]</sup> - 50:11, 81:2,  
 91:11, 92:7, 104:3,  
 145:18, 165:15  
**facto** <sup>[2]</sup> - 127:13,  
 128:10  
**fail** <sup>[1]</sup> - 155:17  
**fails** <sup>[1]</sup> - 128:1  
**failure** <sup>[4]</sup> - 127:11,  
 128:6, 128:8, 128:9  
**fair** <sup>[2]</sup> - 59:4, 63:7  
**fairly** <sup>[1]</sup> - 132:18  
**fall** <sup>[2]</sup> - 94:3, 116:17  
**fallen** <sup>[1]</sup> - 69:8  
**false** <sup>[3]</sup> - 108:3,  
 109:7, 109:8  
**familiar** <sup>[1]</sup> - 73:7  
**families** <sup>[11]</sup> - 22:16,  
 22:17, 42:18, 70:10,  
 72:9, 72:15, 80:13,  
 80:14, 95:2, 102:3  
**family** <sup>[26]</sup> - 36:13,  
 36:16, 37:13, 65:6,  
 65:11, 68:18, 69:18,  
 70:9, 70:17, 72:8,

73:10, 73:11, 74:10,  
 76:15, 81:5, 81:14,  
 85:15, 102:6, 102:7,  
 102:10, 104:5,  
 104:16, 140:16,  
 148:7, 149:7,  
 150:12

**family-friendly**

[1] - 81:5

**far** [5] - 35:18, 36:6,  
 101:12, 113:11,  
 160:10

**FAR** [17] - 10:18,  
 28:6, 41:6, 41:7,  
 41:10, 53:2, 53:3,  
 74:3, 76:8, 87:3,  
 87:17, 132:11,  
 141:3, 141:4, 142:4,  
 152:5, 165:15

**FARRIS** [2] - 155:1,  
 155:2

**Farris** [1] - 155:1

**fast** [1] - 11:9

**favor** [15] - 24:5, 24:7,  
 80:1, 82:8, 105:7,  
 105:9, 130:12,  
 130:14, 135:10,  
 137:12, 137:14,  
 152:16, 152:18,  
 166:17, 167:1

**Fax** [1] - 1:16

**feature** [1] - 13:8

**features** [1] - 163:12

**federal** [6] - 127:5,  
 127:11, 127:16,  
 128:11, 130:2,  
 130:8

**feet** [42] - 30:8, 30:14,  
 31:7, 31:14, 32:15,  
 33:4, 34:7, 36:2,  
 36:3, 38:10, 38:11,  
 38:12, 38:13, 38:14,  
 41:2, 41:3, 41:4,  
 44:7, 47:1, 47:2,  
 48:9, 52:17, 52:18,  
 53:7, 53:8, 60:5,  
 67:2, 67:6, 76:10,  
 77:14, 87:10, 88:4,  
 91:5, 95:10, 95:12,  
 95:15, 96:3, 96:4,  
 141:5, 141:8,  
 141:18

**felt** [4] - 12:9, 18:14,  
 78:7, 78:11

**few** <sup>[7]</sup> - 36:5, 38:3,  
48:16, 49:3, 77:15,  
139:9, 164:4

**fiberglass**  
<sup>[2]</sup> - 111:11, 114:15

**Fiebigler** <sup>[1]</sup> - 99:14

**FIEBIGER** <sup>[1]</sup> - 99:14

**field** <sup>[2]</sup> - 120:7,  
120:14

**fight** <sup>[1]</sup> - 46:3

**figured** <sup>[1]</sup> - 154:15

**file** <sup>[10]</sup> - 22:3, 38:3,  
94:18, 127:3,  
127:12, 128:6,  
129:11, 135:5,  
147:10, 156:15

**filed** <sup>[4]</sup> - 127:8,  
127:11, 129:1,  
129:7

**files** <sup>[3]</sup> - 61:3, 67:4,  
127:5

**filled** <sup>[1]</sup> - 96:15

**filling** <sup>[1]</sup> - 95:14

**final** <sup>[4]</sup> - 6:11, 22:5,  
75:5, 101:18

**financially**  
<sup>[1]</sup> - 164:12

**financing** <sup>[1]</sup> - 11:11

**findings** <sup>[19]</sup> - 80:7,  
81:18, 103:14,  
105:1, 115:11,  
116:2, 116:15,  
122:11, 122:13,  
124:2, 124:3,  
124:16, 130:9,  
135:18, 137:5,  
151:11, 165:2,  
166:11

**fine** <sup>[2]</sup> - 66:6, 122:3

**finesse** <sup>[1]</sup> - 31:1

**finish** <sup>[5]</sup> - 21:5,  
112:3, 119:10,  
125:13, 126:2

**fire** <sup>[3]</sup> - 10:9, 10:11,  
22:10

**Fire** <sup>[1]</sup> - 22:12

**fireworks** <sup>[1]</sup> - 58:17

**first** <sup>[21]</sup> - 4:14, 5:6,  
8:2, 8:9, 23:14,  
23:16, 26:5, 55:11,  
59:12, 63:2, 77:9,  
82:4, 84:16, 91:17,  
122:12, 122:15,  
147:10, 157:6,

161:10, 163:14,  
 166:15  
**First** <sup>[1]</sup> - 1:6  
**fit** <sup>[1]</sup> - 140:7  
**fits** <sup>[1]</sup> - 10:14  
**fitting** <sup>[1]</sup> - 141:10  
**five** <sup>[10]</sup> - 24:7, 34:6,  
 56:6, 88:11, 105:9,  
 126:10, 130:14,  
 137:14, 152:18,  
 167:1  
**five-foot** <sup>[1]</sup> - 88:11  
**flat** <sup>[6]</sup> - 37:7, 37:9,  
 48:9, 86:13, 86:17,  
 87:1  
**flatten** <sup>[1]</sup> - 91:8  
**flip** <sup>[3]</sup> - 30:13, 31:9,  
 48:12  
**floating** <sup>[1]</sup> - 39:12  
**Floor** <sup>[1]</sup> - 1:6  
**floor** <sup>[60]</sup> - 30:14,  
 31:9, 32:2, 32:10,  
 32:14, 37:1, 37:4,  
 37:6, 37:17, 39:6,  
 42:3, 42:6, 42:10,  
 42:14, 42:17, 45:18,  
 46:1, 47:15, 48:6,  
 48:8, 51:7, 54:10,  
 55:1, 55:3, 57:8,  
 58:8, 59:14, 60:4,  
 67:9, 71:17, 74:8,  
 77:13, 79:4, 79:8,  
 80:18, 85:2, 85:6,  
 85:8, 85:9, 85:15,  
 85:17, 87:7, 87:10,  
 87:12, 87:13, 87:14,  
 88:9, 88:17, 89:1,  
 89:2, 90:4, 90:10,  
 90:15, 90:18, 91:17,  
 93:2, 93:5, 140:13,  
 163:14, 165:15  
**floors** <sup>[3]</sup> - 78:11,  
 85:16, 91:17  
**flourish** <sup>[1]</sup> - 70:11  
**flush** <sup>[1]</sup> - 113:10  
**folks** <sup>[5]</sup> - 132:7,  
 155:16, 159:10,  
 161:2, 164:4  
**follow** <sup>[1]</sup> - 121:10  
**following** <sup>[10]</sup> - 19:3,  
 63:9, 80:7, 103:14,  
 122:11, 124:18,  
 127:2, 135:18,  
 151:11, 165:2

**foot** <sup>[11]</sup> - 30:6, 30:7,  
 30:15, 31:2, 32:4,  
 32:8, 86:6, 88:11,  
 88:14, 95:11

**footage** <sup>[5]</sup> - 41:4,  
 66:17, 76:9, 132:6,  
 152:2

**FOR** <sup>[1]</sup> - 1:1

**foregoing**  
<sup>[2]</sup> - 128:14, 168:15

**FOREGOING**  
<sup>[1]</sup> - 169:14

**foregone** <sup>[1]</sup> - 114:1

**forever** <sup>[4]</sup> - 55:14,  
 57:12, 145:15,  
 145:17

**forget** <sup>[1]</sup> - 116:15

**form** <sup>[7]</sup> - 26:9, 53:14,  
 74:16, 82:6, 95:8,  
 95:14, 96:5

**formally** <sup>[1]</sup> - 71:5

**format** <sup>[1]</sup> - 28:2

**forth** <sup>[7]</sup> - 58:13, 65:6,  
 93:12, 119:15,  
 155:12, 163:16,  
 169:6

**forward** <sup>[11]</sup> - 5:11,  
 12:7, 24:2, 32:8,  
 35:3, 47:17, 56:14,  
 71:9, 81:15, 133:17,  
 164:15

**four** <sup>[4]</sup> - 34:6, 82:11,  
 126:3, 144:6

**frame** <sup>[1]</sup> - 23:11

**Franklin** <sup>[9]</sup> - 98:9,  
 98:15, 98:17, 99:12,  
 99:15, 99:18, 100:5,  
 100:11, 100:14

**frequency** <sup>[1]</sup> - 130:8

**fridge** <sup>[1]</sup> - 55:5

**friendly** <sup>[1]</sup> - 81:5

**FROM** <sup>[2]</sup> - 51:9,  
 115:5

**front** <sup>[21]</sup> - 10:13,  
 18:10, 18:11, 28:10,  
 36:2, 36:4, 39:3,  
 44:14, 46:14, 46:18,  
 47:2, 47:12, 47:13,  
 71:17, 72:5, 74:12,  
 86:1, 87:9, 158:8,  
 160:4

**full** <sup>[7]</sup> - 30:15, 45:15,  
 45:17, 45:18, 69:13,  
 70:18, 110:7

**functionally**

[1] - 104:1

**funny** [1] - 157:10

**furiously** [1] - 11:9

**future** [2] - 57:15,  
79:18

**G**

**gable** [3] - 86:16,  
141:9, 142:17

**Gaffney** [1] - 100:1

**GAFFNEY** [1] - 100:2

**gap** [1] - 50:5

**garage** [5] - 14:4,  
14:14, 14:17, 15:14,  
28:11

**garden** [1] - 37:14

**GENERAL** [1] - 1:3

**general** [4] - 27:11,  
43:2, 63:12, 73:8

**generally**

[2] - 123:14, 137:1

**generated** [3] - 44:11,  
123:1, 136:6

**geographical**

[1] - 129:15

**George** [11] - 1:10,  
3:5, 5:4, 25:4, 73:2,  
84:4, 106:4, 122:6,  
131:4, 138:4, 154:4

**GEORGE** [1] - 122:7

**GIAIMO** [29] - 106:9,  
106:11, 106:15,  
107:2, 107:7,  
108:12, 108:16,  
110:4, 110:11,  
110:17, 111:5,  
112:6, 112:16,  
113:5, 113:17,  
114:14, 115:2,  
115:7, 116:3,  
116:10, 117:3,  
117:10, 120:8,  
120:13, 121:2,  
121:5, 121:12,  
122:1, 130:16

**Giaimo** [2] - 106:11,  
106:13

**girls** [1] - 140:4

**Gittleman** [1] - 100:7

**GITTLEMAN**

[1] - 100:7

**given** [6] - 9:16,

10:14, 57:4, 76:2,  
 104:17, 123:18  
**glass** <sup>[1]</sup> - 13:3  
**glazing** <sup>[1]</sup> - 93:13  
**Glenwood** <sup>[12]</sup> - 2:9,  
 138:6, 139:15,  
 145:9, 148:3, 148:5,  
 148:14, 149:4,  
 149:10, 150:5,  
 150:7, 151:2  
**goal** <sup>[2]</sup> - 104:16,  
 161:1  
**gonna** <sup>[2]</sup> - 48:10,  
 53:16  
**goodness** <sup>[3]</sup> - 101:2,  
 133:16, 157:10  
**governmental**  
<sup>[1]</sup> - 128:2  
**grant** <sup>[12]</sup> - 82:1,  
 98:12, 105:2, 110:3,  
 130:10, 132:13,  
 137:6, 138:17,  
 148:11, 149:18,  
 150:18, 166:11  
**granted** <sup>[16]</sup> - 6:5,  
 74:14, 77:3, 81:7,  
 82:16, 104:9,  
 105:10, 115:18,  
 124:17, 126:13,  
 127:14, 127:18,  
 128:10, 130:15,  
 152:7, 165:18  
**granting** <sup>[4]</sup> - 64:1,  
 82:8, 130:1, 136:4  
**great** <sup>[4]</sup> - 42:16,  
 79:18, 107:8,  
 162:11  
**greater** <sup>[1]</sup> - 88:9  
**GREELY** <sup>[2]</sup> - 134:5,  
 134:12  
**Greely** <sup>[1]</sup> - 134:6  
**GREEN** <sup>[18]</sup> - 5:18,  
 9:3, 9:9, 23:8,  
 34:16, 38:8, 38:11,  
 77:7, 84:14, 119:17,  
 120:4, 133:18,  
 151:7, 154:13,  
 154:15, 157:3,  
 162:5, 164:18  
**Green** <sup>[15]</sup> - 1:9, 3:5,  
 5:3, 24:9, 25:4,  
 82:12, 84:4, 105:11,  
 130:18, 131:4,  
 137:16, 138:4,



153:2, 154:4, 167:2

**green** <sup>[2]</sup> - 91:14,  
91:15

**groove** <sup>[1]</sup> - 31:15

**gross** <sup>[1]</sup> - 132:5

**ground** <sup>[11]</sup> - 36:18,  
42:3, 42:14, 42:17,  
47:15, 54:10, 85:13,  
87:8, 91:16, 92:8,  
109:14

**groundbreaking**  
<sup>[1]</sup> - 22:10

**group** <sup>[2]</sup> - 22:9,  
161:4

**grow** <sup>[1]</sup> - 68:18

**growing** <sup>[8]</sup> - 65:5,  
70:9, 76:15, 104:5,  
140:16, 148:7,  
149:7, 150:12

**guess** <sup>[4]</sup> - 78:13,  
97:3, 140:8, 164:3

**guidelines** <sup>[11]</sup> - 27:6,  
30:5, 43:9, 44:8,  
44:9, 57:4, 60:8,  
143:11, 143:17,  
144:1, 152:13

**Gus** <sup>[1]</sup> - 43:7

**guys** <sup>[1]</sup> - 139:11

## H

**half** <sup>[7]</sup> - 30:6, 31:3,  
34:7, 52:18, 96:3,  
96:4, 140:5

**Hall** <sup>[1]</sup> - 22:13

**hand** <sup>[4]</sup> - 101:8,  
101:10, 101:11,  
169:8

**handicap** <sup>[1]</sup> - 15:15

**handicapped**

<sup>[1]</sup> - 165:10

**handle** <sup>[1]</sup> - 20:16

**handwriting** <sup>[1]</sup> - 68:8

**hanging** <sup>[1]</sup> - 78:6

**happy** <sup>[7]</sup> - 62:16,  
69:10, 71:8, 112:12,  
121:14, 144:9

**hard** <sup>[1]</sup> - 95:13

**harder** <sup>[1]</sup> - 49:2

**hardship** <sup>[19]</sup> - 63:7,  
63:8, 64:4, 73:16,  
76:11, 80:11, 81:1,  
92:10, 103:18,  
104:6, 151:15,

151:16, 152:3,  
 165:6, 165:12  
**hardships** <sup>[2]</sup> - 76:13,  
 76:14  
**Harrison** <sup>[1]</sup> - 148:14  
**hassle** <sup>[1]</sup> - 61:5  
**HAWKINSON**  
<sup>[2]</sup> - 9:1, 156:18  
**hazard** <sup>[4]</sup> - 123:3,  
 123:10, 136:9,  
 136:15  
**head** <sup>[11]</sup> - 32:3, 32:9,  
 33:15, 33:17, 49:5,  
 49:6, 49:13, 76:10,  
 76:15, 108:6, 108:7  
**headroom** <sup>[9]</sup> - 31:18,  
 33:1, 44:4, 44:12,  
 44:14, 44:18, 49:2,  
 90:2, 90:12  
**heads** <sup>[2]</sup> - 107:16  
**health** <sup>[3]</sup> - 123:11,  
 126:16, 136:16  
**hear** <sup>[9]</sup> - 9:2, 9:9,  
 56:2, 60:2, 60:17,  
 84:14, 101:14,  
 154:13, 164:14  
**heard** <sup>[22]</sup> - 5:10,  
 21:17, 22:11, 25:7,  
 60:11, 64:11, 68:1,  
 84:7, 98:5, 101:15,  
 106:7, 118:1, 118:5,  
 120:15, 131:7,  
 133:15, 135:2,  
 138:7, 140:2, 145:6,  
 146:17, 154:7  
**hearing** <sup>[1]</sup> - 169:6  
**Hearing** <sup>[1]</sup> - 2:5  
**HEARING** <sup>[1]</sup> - 1:3  
**hearings** <sup>[1]</sup> - 11:12  
**heart** <sup>[1]</sup> - 26:2  
**heartfelt** <sup>[1]</sup> - 152:14  
**height** <sup>[16]</sup> - 16:2,  
 30:17, 33:15, 33:17,  
 33:18, 34:4, 49:6,  
 49:14, 76:11, 76:15,  
 88:8, 88:12, 88:14,  
 141:14, 144:15  
**held** <sup>[1]</sup> - 11:12  
**hello** <sup>[1]</sup> - 25:10  
**help** <sup>[8]</sup> - 7:9, 8:16,  
 22:17, 23:4, 94:12,  
 148:11, 150:1  
**helps** <sup>[1]</sup> - 143:6  
**hereby** <sup>[1]</sup> - 168:16

**herein** <sup>[1]</sup> - 169:6  
**hereunto** <sup>[1]</sup> - 169:7  
**hi** <sup>[2]</sup> - 59:2, 84:11  
**high** <sup>[5]</sup> - 18:13, 32:5,  
 34:8, 86:6, 141:18  
**higher** <sup>[3]</sup> - 90:3,  
 142:7, 142:8  
**hindrance**  
<sup>[1]</sup> - 163:12  
**Historic** <sup>[3]</sup> - 11:15,  
 13:1, 43:1  
**Historical** <sup>[2]</sup> - 12:13,  
 155:11  
**history** <sup>[1]</sup> - 155:10  
**hits** <sup>[1]</sup> - 44:15  
**hold** <sup>[1]</sup> - 29:1  
**holder** <sup>[1]</sup> - 9:6  
**holding** <sup>[1]</sup> - 8:16  
**Home** <sup>[1]</sup> - 55:3  
**home** <sup>[2]</sup> - 73:16,  
 149:6  
**homes** <sup>[1]</sup> - 23:5  
**hope** <sup>[9]</sup> - 32:11,  
 140:15, 145:14,  
 145:15, 146:7,  
 146:8, 148:10,  
 149:18, 150:18  
**hoped** <sup>[1]</sup> - 56:12  
**hopefully** <sup>[2]</sup> - 110:9,  
 155:6  
**hoping** <sup>[5]</sup> - 139:18,  
 140:6, 148:6, 149:5,  
 150:11  
**house** <sup>[33]</sup> - 22:15,  
 56:12, 60:9, 66:6,  
 66:16, 66:17, 67:14,  
 69:2, 69:7, 70:2,  
 70:6, 70:8, 74:10,  
 78:10, 80:12, 85:11,  
 91:4, 97:4, 104:16,  
 131:16, 140:11,  
 141:1, 141:11,  
 142:14, 142:16,  
 145:11, 145:16,  
 146:6, 148:6, 148:9,  
 150:11, 150:17  
**houses** <sup>[3]</sup> - 22:18,  
 78:5, 142:14  
**housing** <sup>[2]</sup> - 10:5,  
 104:17  
**hung** <sup>[1]</sup> - 75:16  
**hurt** <sup>[1]</sup> - 22:18  
**husband** <sup>[2]</sup> - 135:8,  
 139:13

# I

**idea** <sup>[2]</sup> - 119:18,  
120:2

**identical** <sup>[3]</sup> - 14:2,  
109:12, 149:1

**identified** <sup>[2]</sup> - 29:16,  
166:14

**Ikea** <sup>[1]</sup> - 103:5

**illegal** <sup>[1]</sup> - 55:11

**illuminate** <sup>[1]</sup> - 7:9

**illustrations** <sup>[1]</sup> - 91:8

**impact** <sup>[5]</sup> - 63:3,  
72:11, 125:8,  
125:17, 159:2

**impair** <sup>[2]</sup> - 123:15,  
137:2

**implemented**  
<sup>[1]</sup> - 120:1

**important** <sup>[2]</sup> - 12:9,  
104:16

**impose** <sup>[1]</sup> - 3:14

**impressed** <sup>[1]</sup> - 77:7

**improve** <sup>[1]</sup> - 111:12

**improvement**  
<sup>[1]</sup> - 71:15

**IN** <sup>[3]</sup> - 2:2, 169:7,  
169:15

**inadequate**  
<sup>[3]</sup> - 92:12, 104:3,  
104:4

**inasmuch**  
<sup>[1]</sup> - 126:16

**INC** <sup>[1]</sup> - 1:15

**inches** <sup>[8]</sup> - 30:18,  
31:14, 33:4, 36:2,  
45:7, 48:16, 49:3,  
86:6

**inclined** <sup>[3]</sup> - 76:6,  
77:5, 78:17

**include** <sup>[2]</sup> - 52:15,  
111:15

**includes** <sup>[2]</sup> - 129:15,  
142:4

**including** <sup>[4]</sup> - 13:1,  
112:1, 127:17,  
130:5

**inconsistent**  
<sup>[2]</sup> - 77:2, 115:15

**incorporated**  
<sup>[1]</sup> - 13:6

**increase** <sup>[1]</sup> - 132:15

**increased** <sup>[1]</sup> - 28:13

**increases** <sup>[2]</sup> - 132:5,  
141:4

**increasing** <sup>[2]</sup> - 42:5,  
81:15

**increment**  
<sup>[1]</sup> - 132:18

**incumbrance**  
<sup>[1]</sup> - 64:5

**indicated** <sup>[2]</sup> - 75:2,  
126:2

**individuals**  
<sup>[1]</sup> - 130:5

**inform** <sup>[1]</sup> - 4:1

**information**  
<sup>[4]</sup> - 66:16, 101:14,  
132:11, 138:10

**initial** <sup>[1]</sup> - 125:5

**initialed** <sup>[1]</sup> - 105:6

**initialled** <sup>[7]</sup> - 23:17,  
24:3, 82:5, 125:4,  
125:11, 137:10,  
166:16

**inside** <sup>[4]</sup> - 41:4, 41:6,  
41:7, 109:8

**Inspectional**  
<sup>[8]</sup> - 26:8, 127:4,  
127:9, 127:12,  
128:6, 129:12,  
138:16, 168:3

**Inspector** <sup>[1]</sup> - 159:14

**inspector** <sup>[1]</sup> - 161:1

**installation**  
<sup>[4]</sup> - 108:2, 111:10,  
129:10, 129:14

**installations**  
<sup>[2]</sup> - 109:17, 114:11

**installed** <sup>[1]</sup> - 129:18

**INSTRUCTIONS**  
<sup>[2]</sup> - 168:1, 168:5

**insubstantial**  
<sup>[6]</sup> - 6:14, 6:17, 9:18,  
11:5, 11:7, 23:18

**insulating** <sup>[1]</sup> - 94:8

**insulation** <sup>[1]</sup> - 93:12

**integrity** <sup>[3]</sup> - 123:15,  
137:2, 149:17

**intending** <sup>[1]</sup> - 17:2

**intent** <sup>[7]</sup> - 74:15,  
81:10, 104:12,  
123:17, 137:4,  
152:10, 166:3

**intentioned**  
<sup>[1]</sup> - 56:17

**interactions**

[1] - 71:18  
**interest** [1] - 66:10  
**interested** [1] - 11:13  
**interfere** [1] - 3:16  
**interior** [5] - 53:10,  
 53:15, 83:1, 83:5,  
 158:15  
**interjection** [1] - 72:2  
**internal** [1] - 120:9  
**interpretation**  
 [1] - 138:16  
**interrupt** [1] - 87:16  
**intervention**  
 [3] - 161:14, 161:16,  
 162:2  
**introductory**  
 [1] - 111:8  
**intrude** [1] - 57:14  
**invest** [1] - 156:4  
**investors** [1] - 101:12  
**involve** [4] - 80:10,  
 103:17, 151:14,  
 165:5  
**involving** [2] - 5:7,  
 124:4  
**ipso** [2] - 127:13,  
 128:10  
**issue** [8] - 6:15,  
 12:17, 60:2, 79:15,  
 83:5, 119:8, 132:11,  
 142:4  
**issues** [8] - 12:13,  
 16:6, 26:18, 57:3,  
 79:13, 104:17,  
 115:3, 152:5  
**item** [1] - 138:9  
**itself** [1] - 78:3

## J

**James** [1] - 137:9  
**JANET** [18] - 5:18,  
 9:3, 9:9, 23:8,  
 34:16, 38:8, 38:11,  
 77:7, 84:14, 119:17,  
 120:4, 133:18,  
 151:7, 154:13,  
 154:15, 157:3,  
 162:5, 164:18  
**Janet** [10] - 1:9, 3:5,  
 5:3, 25:3, 79:2,  
 84:3, 106:3, 131:3,  
 138:3, 154:3  
**Jeff** [1] - 71:10

**JEREMY**

[21] - 154:10,  
 154:14, 155:6,  
 156:11, 156:16,  
 157:2, 157:5, 157:9,  
 157:18, 158:4,  
 158:11, 159:3,  
 159:7, 159:15,  
 159:18, 160:3,  
 160:9, 160:12,  
 160:17, 161:9,  
 164:3

**Jeremy** [1] - 154:11

**jiggering** [1] - 144:2

**Jim** [1] - 148:14

**Job** [2] - 107:12,  
 124:14

**job** [1] - 162:10

**jog** [1] - 44:15

**John** [2] - 68:12,  
 139:13

**JOHN** [14] - 9:1,  
 138:14, 139:1,  
 139:5, 139:8,  
 139:11, 140:17,  
 142:5, 142:8,  
 142:11, 143:9,  
 143:16, 144:18,  
 156:18

**joints** [2] - 162:12,  
 163:2

**Joselow** [1] - 71:3

**JOSELOW** [1] - 71:4

**Joy** [1] - 135:9

**Judith** [1] - 98:8

**Julia** [1] - 101:2

**jump** [1] - 33:10

**June** [1] - 18:1

**Just-A-Start** [1] - 5:16

**K****KATHERINE**

[1] - 163:8

**Katherine** [2] - 99:11,  
 163:9

**Kathleen** [1] - 135:7

**keep** [4] - 19:6,  
 148:12, 150:1,  
 162:15

**keeps** [1] - 28:8

**key** [3] - 142:6,  
 142:10, 142:11

**KeyWordIndex**

[1] - 2:11

**kids** [4] - 58:13,  
140:6, 146:6, 150:9

**kill** [1] - 139:8

**kind** [3] - 35:4, 93:14,  
96:11

**Kinnaird** [10] - 2:6,  
84:6, 84:13, 91:4,  
98:12, 99:2, 99:4,  
99:9, 100:3, 101:2

**kitchen** [1] - 55:12

**kitchenette** [5] - 55:1,  
55:2, 56:11, 79:15,  
83:4

**kitchenettes**  
[1] - 55:11

**kitchens** [1] - 54:13

**knee** [1] - 86:4

**known** [5] - 61:9,  
69:18, 107:12,  
124:15, 150:7

**KRISTIN** [6] - 139:12,  
143:14, 147:3,  
147:13, 147:16,  
148:16

**Kristin** [8] - 139:12,  
145:10, 146:8,  
148:4, 149:3,  
149:10, 150:6,  
150:7

## L

### L-Y-O-N-S

[1] - 145:10

**land** [2] - 63:11, 91:12

**large** [6] - 53:17, 63:6,  
79:8, 143:6, 144:3,  
155:13

**larger** [2] - 7:8, 28:2

**last** [19] - 14:11, 15:9,  
18:8, 20:4, 22:3,  
26:11, 59:5, 59:6,  
72:17, 75:10,  
112:10, 117:1,  
122:2, 124:7,  
139:16, 149:13,  
150:3

**late** [1] - 22:10

**laundry** [3] - 103:4,  
140:3, 144:5

**Laura** [1] - 102:13

**LAUREN** [5] - 5:12,  
5:15, 7:3, 7:7, 8:3



**Lauren** <sup>[1]</sup> - 5:15  
**law** <sup>[3]</sup> - 6:12, 128:1, 130:8  
**Law** <sup>[1]</sup> - 99:16  
**Lawson** <sup>[1]</sup> - 169:4  
**layout** <sup>[1]</sup> - 46:2  
**layouts** <sup>[1]</sup> - 14:1  
**lead** <sup>[1]</sup> - 79:16  
**leak** <sup>[1]</sup> - 53:14  
**learned** <sup>[2]</sup> - 22:11, 141:16  
**least** <sup>[7]</sup> - 50:15, 66:4, 67:2, 75:3, 121:7, 122:18, 161:5  
**leaves** <sup>[1]</sup> - 92:15  
**Lee** <sup>[7]</sup> - 2:8, 131:6, 131:11, 134:6, 134:13, 135:8, 135:10  
**left** <sup>[4]</sup> - 4:5, 101:11, 147:4, 157:12  
**legal** <sup>[1]</sup> - 92:10  
**Legal** <sup>[4]</sup> - 116:9, 116:11, 122:18  
**legally** <sup>[1]</sup> - 116:5  
**legs** <sup>[3]</sup> - 162:10, 163:1, 163:3  
**lends** <sup>[1]</sup> - 78:3  
**length** <sup>[4]</sup> - 44:10, 75:17, 78:14, 79:12  
**Lesley** <sup>[1]</sup> - 135:8  
**less** <sup>[10]</sup> - 11:1, 14:18, 32:3, 60:10, 67:2, 88:5, 88:13, 93:9, 93:13, 139:9  
**letter** <sup>[25]</sup> - 16:10, 68:7, 68:14, 69:16, 71:10, 73:1, 73:2, 98:13, 99:5, 99:7, 99:16, 101:3, 101:5, 135:5, 147:10, 147:11, 147:18, 148:2, 148:13, 148:14, 149:1, 149:7, 150:3  
**letters** <sup>[12]</sup> - 22:3, 51:3, 62:11, 62:14, 68:6, 94:16, 98:8, 118:6, 147:2, 147:7, 147:9, 151:4  
**level** <sup>[8]</sup> - 85:2, 87:8, 90:4, 90:11, 91:1, 91:16, 92:8, 103:2  
**License** <sup>[1]</sup> - 169:12

**licenses** <sup>[1]</sup> - 128:12  
**life** <sup>[2]</sup> - 56:13, 58:18  
**lift** <sup>[3]</sup> - 155:11,  
 155:16, 165:10  
**light** <sup>[4]</sup> - 13:14,  
 13:16, 13:17, 86:12  
**lightly** <sup>[1]</sup> - 94:4  
**lightning** <sup>[1]</sup> - 58:16  
**limit** <sup>[1]</sup> - 132:12  
**limited** <sup>[1]</sup> - 127:18  
**LINDA** <sup>[2]</sup> - 162:9,  
 162:16  
**Linda** <sup>[1]</sup> - 162:16  
**line** <sup>[8]</sup> - 45:5, 88:10,  
 88:12, 89:4, 96:1,  
 141:8, 141:13,  
 157:14  
**LINE** <sup>[1]</sup> - 168:8  
**linen** <sup>[1]</sup> - 50:4  
**lines** <sup>[2]</sup> - 50:13,  
 52:15  
**list** <sup>[1]</sup> - 67:7  
**listened** <sup>[1]</sup> - 59:13  
**literal** <sup>[4]</sup> - 80:9,  
 103:16, 151:13,  
 165:4  
**literally** <sup>[1]</sup> - 58:12  
**live** <sup>[17]</sup> - 53:18, 54:3,  
 54:5, 58:7, 69:1,  
 70:1, 85:16, 91:16,  
 135:8, 135:10,  
 139:15, 145:9,  
 148:4, 149:4, 150:5,  
 150:7, 162:17  
**liveable** <sup>[1]</sup> - 151:18  
**lived** <sup>[4]</sup> - 68:16, 69:1,  
 73:10, 149:13  
**lives** <sup>[1]</sup> - 73:3  
**living** <sup>[5]</sup> - 55:14,  
 93:6, 103:4, 132:1,  
 139:16  
**LLC** <sup>[1]</sup> - 61:9  
**load** <sup>[6]</sup> - 32:17,  
 32:18, 44:11, 48:18,  
 49:1, 49:10  
**local** <sup>[1]</sup> - 116:7  
**located** <sup>[4]</sup> - 63:13,  
 98:17, 111:11,  
 126:7  
**location** <sup>[6]</sup> - 16:5,  
 76:2, 109:2, 109:12,  
 115:14, 120:10  
**locations** <sup>[1]</sup> - 130:3  
**LODGE** <sup>[12]</sup> - 138:14,

139:1, 139:5, 139:8,  
 139:11, 140:17,  
 142:5, 142:8,  
 142:11, 143:9,  
 143:16, 144:18

**Lodge** <sup>[1]</sup> - 139:14

**long-term** <sup>[1]</sup> - 72:15

**look** <sup>[8]</sup> - 7:15, 15:7,  
 63:5, 65:8, 65:9,  
 77:9, 121:3, 145:10

**looked** <sup>[4]</sup> - 17:4,  
 22:3, 22:17, 150:13

**looking** <sup>[10]</sup> - 17:16,  
 39:16, 66:5, 67:13,  
 77:12, 89:7, 91:3,  
 91:4, 146:10,  
 148:18

**looks** <sup>[6]</sup> - 8:14,  
 39:15, 58:8, 88:17,  
 121:7, 144:17

**Lord** <sup>[1]</sup> - 163:18

**loss** <sup>[1]</sup> - 22:18

**lost** <sup>[2]</sup> - 43:3, 88:16

**loud** <sup>[1]</sup> - 163:9

**louder** <sup>[1]</sup> - 157:6

**love** <sup>[1]</sup> - 159:10

**lovely** <sup>[1]</sup> - 42:1

**loves** <sup>[1]</sup> - 37:13

**low** <sup>[4]</sup> - 32:4, 34:7,  
 35:6, 109:13

**lower** <sup>[1]</sup> - 45:13

**Lucas** <sup>[1]</sup> - 135:9

**luck** <sup>[3]</sup> - 105:10,  
 137:15, 153:1

**lupus** <sup>[2]</sup> - 162:11,  
 163:1

**LYONS** <sup>[3]</sup> - 145:8,  
 146:10, 146:15

**Lyons** <sup>[4]</sup> - 145:8,  
 147:13, 147:14,  
 147:18

**Lyons's** <sup>[1]</sup> - 148:13

## M

**Ma'am** <sup>[2]</sup> - 133:16,  
 133:17

**MacArthur** <sup>[35]</sup> - 5:17,  
 7:12, 7:16, 8:1, 8:5,  
 8:11, 8:14, 9:7,  
 9:11, 9:15, 10:4,  
 10:10, 11:4, 12:3,  
 12:14, 13:6, 13:13,  
 14:9, 14:12, 14:16,

15:5, 15:7, 16:1,  
16:13, 17:13, 17:17,  
19:15, 20:3, 20:6,  
20:11, 20:14, 21:9,  
22:8, 24:11, 68:15

**Magazine** <sup>[1]</sup> - 139:17

**MAGGIE** <sup>[27]</sup> - 84:11,  
84:18, 87:5, 88:1,  
88:6, 89:1, 89:5,  
89:7, 89:13, 89:16,  
90:1, 92:14, 92:18,  
93:3, 94:9, 94:12,  
95:1, 95:9, 95:13,  
95:17, 96:9, 97:1,  
97:8, 97:11, 97:14,  
102:2, 102:10

**Maggie** <sup>[2]</sup> - 84:11,  
95:7

**main** <sup>[2]</sup> - 12:17, 13:8

**maintain** <sup>[3]</sup> - 30:17,  
114:4, 125:16

**maintained**  
<sup>[2]</sup> - 114:12, 130:3

**maintaining** <sup>[1]</sup> - 21:4

**maintains** <sup>[3]</sup> - 28:7,  
74:9, 74:10

**maintenance**  
<sup>[1]</sup> - 115:4

**major** <sup>[2]</sup> - 30:10,  
131:16

**majority** <sup>[1]</sup> - 111:10

**makeshift** <sup>[1]</sup> - 140:2

**manager** <sup>[1]</sup> - 5:16

**March** <sup>[4]</sup> - 9:17, 11:8,  
13:10, 16:18

**marching** <sup>[1]</sup> - 16:14

**Maria** <sup>[1]</sup> - 1:11

**Mass** <sup>[1]</sup> - 154:11

**mass** <sup>[1]</sup> - 60:3

**MASSACHUSETTS**  
<sup>[1]</sup> - 169:2

**Massachusetts**  
<sup>[2]</sup> - 1:6, 1:7

**massing** <sup>[3]</sup> - 37:8,  
48:9, 60:10

**master** <sup>[2]</sup> - 37:5,  
65:11

**match** <sup>[2]</sup> - 114:4,  
144:16

**matches** <sup>[1]</sup> - 112:3

**materiality** <sup>[1]</sup> - 93:11

**materials** <sup>[2]</sup> - 93:12,  
112:1

**matte** <sup>[3]</sup> - 112:3,

119:10, 125:12  
**matter** <sup>[21]</sup> - 5:11,  
 21:15, 21:18, 25:8,  
 67:18, 68:2, 84:8,  
 98:5, 106:8, 117:18,  
 118:2, 126:18,  
 131:8, 133:14,  
 133:16, 138:8,  
 138:10, 145:4,  
 145:7, 146:17,  
 154:8  
**Max** <sup>[1]</sup> - 140:4  
**McCaffrey** <sup>[1]</sup> - 71:11  
**MCCAFFREY**  
<sup>[1]</sup> - 71:11  
**McKinney** <sup>[2]</sup> - 163:8,  
 163:9  
**mean** <sup>[11]</sup> - 14:10,  
 49:4, 52:9, 56:15,  
 87:16, 89:8, 90:5,  
 93:7, 94:12, 107:8  
**meaning** <sup>[2]</sup> - 56:17,  
 124:13  
**means** <sup>[3]</sup> - 85:14,  
 115:10, 146:2  
**meantime** <sup>[1]</sup> - 33:12  
**measured** <sup>[1]</sup> - 67:3  
**medium** <sup>[1]</sup> - 3:13  
**meet** <sup>[4]</sup> - 32:2, 116:2,  
 158:6, 159:12  
**meeting** <sup>[10]</sup> - 3:8,  
 3:13, 3:17, 3:18,  
 4:1, 4:6, 4:7, 4:8,  
 11:8, 16:18  
**meetings** <sup>[1]</sup> - 12:1  
**meets** <sup>[2]</sup> - 143:10,  
 143:18  
**Meghan** <sup>[1]</sup> - 71:11  
**Meltzer** <sup>[1]</sup> - 68:14  
**Member** <sup>[3]</sup> - 1:9, 1:9,  
 1:10  
**MEMBER** <sup>[2]</sup> - 51:9,  
 115:5  
**member's**  
<sup>[1]</sup> - 100:14  
**Members** <sup>[8]</sup> - 3:4,  
 5:2, 25:2, 84:2,  
 106:2, 131:2, 138:2,  
 154:2  
**members** <sup>[11]</sup> - 21:12,  
 95:5, 103:8, 106:10,  
 117:15, 133:11,  
 144:11, 154:14,  
 156:14, 161:11,

162:6  
**memo** <sup>[3]</sup> - 106:17,  
 111:2, 118:7  
**mentioned**  
<sup>[2]</sup> - 17:13, 135:17  
**met** <sup>[1]</sup> - 122:17  
**methods** <sup>[1]</sup> - 93:8  
**Metzker** <sup>[1]</sup> - 73:3  
**MICHAEL**  
<sup>[28]</sup> - 106:9, 106:15,  
 107:2, 107:7,  
 108:12, 108:16,  
 110:4, 110:11,  
 110:17, 111:5,  
 112:6, 112:16,  
 113:5, 113:17,  
 114:14, 115:2,  
 115:7, 116:3,  
 116:10, 117:3,  
 117:10, 120:8,  
 120:13, 121:2,  
 121:5, 121:12,  
 122:1, 130:16  
**Michael** <sup>[1]</sup> - 106:10  
**microphone** <sup>[3]</sup> - 9:4,  
 157:4, 157:5  
**microphones**  
<sup>[1]</sup> - 5:18  
**microwave** <sup>[1]</sup> - 55:5  
**mid** <sup>[1]</sup> - 15:1  
**Middle** <sup>[2]</sup> - 107:11,  
 124:14  
**middle** <sup>[1]</sup> - 15:1  
**might** <sup>[5]</sup> - 28:2,  
 48:16, 49:3, 57:14,  
 72:1  
**mind** <sup>[3]</sup> - 8:16, 19:5,  
 48:14  
**mine** <sup>[1]</sup> - 66:4  
**minimal** <sup>[1]</sup> - 6:13  
**minimize** <sup>[1]</sup> - 49:7  
**minimum** <sup>[1]</sup> - 35:14  
**Minister** <sup>[1]</sup> - 155:3  
**minor** <sup>[2]</sup> - 16:7, 17:6  
**minutes** <sup>[1]</sup> - 4:8  
**mirror** <sup>[1]</sup> - 45:11  
**mispronouncing**  
<sup>[1]</sup> - 70:13  
**missing** <sup>[1]</sup> - 100:18  
**misspoke** <sup>[1]</sup> - 40:10  
**misspoken**  
<sup>[2]</sup> - 40:13, 40:18  
**modification**  
<sup>[6]</sup> - 81:4, 124:9,

142:1, 152:12,  
165:9, 165:14

# **modifications**

<sup>[4]</sup> - 8:6, 17:6,  
145:15, 158:14

**modified** <sup>[3]</sup> - 13:9,  
83:1, 126:1

**modify** <sup>[1]</sup> - 26:2

**mold** <sup>[1]</sup> - 53:14

**mom** <sup>[1]</sup> - 140:7

**moment** <sup>[1]</sup> - 59:6

**months** <sup>[1]</sup> - 126:5

**Moore** <sup>[1]</sup> - 99:13

**moral** <sup>[1]</sup> - 162:8

**mortar** <sup>[1]</sup> - 121:6

**most** <sup>[2]</sup> - 43:4, 57:8

**mostly** <sup>[2]</sup> - 76:7,  
76:10

**mounted** <sup>[2]</sup> - 111:17,  
119:2

# **mounting**

<sup>[5]</sup> - 111:16, 112:15,  
112:17, 113:1,  
119:1

**mouth** <sup>[1]</sup> - 9:4

**move** <sup>[4]</sup> - 19:17,  
35:2, 71:8, 80:14

**moved** <sup>[6]</sup> - 15:11,  
67:10, 69:18, 80:2,  
139:16, 150:8

**moves** <sup>[14]</sup> - 23:13,  
80:6, 82:1, 103:13,  
105:2, 122:10,  
124:16, 130:10,  
135:16, 135:18,  
137:6, 151:10,  
165:1, 166:11

**moving** <sup>[4]</sup> - 22:14,  
32:8, 124:8, 140:9

**multiple** <sup>[2]</sup> - 40:1,  
76:17

**mushroom** <sup>[1]</sup> - 53:16

# **N**

**naively** <sup>[1]</sup> - 16:16

**name** <sup>[12]</sup> - 25:14,  
68:12, 84:16, 120:9,  
131:8, 134:1, 134:3,  
134:5, 154:8,  
162:14, 162:16,  
163:9

**named** <sup>[2]</sup> - 61:9,  
61:11

**narrow** <sup>[1]</sup> - 28:4

**natural** <sup>[2]</sup> - 13:17,  
86:12

**near** <sup>[1]</sup> - 32:16

**nearby** <sup>[3]</sup> - 74:4,  
130:5, 130:6

**necessarily** <sup>[1]</sup> - 50:7

**necessary** <sup>[3]</sup> - 72:11,  
72:12, 81:5

**need** <sup>[24]</sup> - 17:8,  
34:14, 37:11, 44:17,  
53:13, 65:5, 65:16,  
69:12, 76:15, 79:4,  
79:6, 80:15, 83:1,  
110:16, 116:5,  
132:10, 133:18,  
134:2, 138:18,  
142:3, 147:12,  
152:5, 165:8

**needed** <sup>[9]</sup> - 14:3,  
15:14, 16:4, 18:14,  
18:16, 19:11, 36:1,  
72:8, 150:16

**needs** <sup>[6]</sup> - 64:9,  
102:10, 148:7,  
149:6, 149:11,  
150:12

**negative** <sup>[2]</sup> - 59:3,  
72:11

**neighbor** <sup>[11]</sup> - 32:16,  
38:2, 57:14, 59:2,  
59:7, 73:4, 74:1,  
118:7, 146:14,  
148:17, 149:3

**neighborhood**  
<sup>[35]</sup> - 11:13, 12:1,  
12:6, 57:11, 58:11,  
63:4, 63:15, 69:9,  
69:12, 71:16, 71:18,  
72:12, 73:13, 73:15,  
75:3, 76:7, 77:8,  
80:2, 81:2, 81:13,  
104:14, 115:17,  
116:18, 120:16,  
123:4, 124:5,  
136:10, 139:17,  
141:12, 148:10,  
148:12, 149:15,  
150:2, 150:14,  
152:14

**neighborhoods**  
<sup>[2]</sup> - 27:12, 81:17

**neighbors**  
<sup>[15]</sup> - 27:13, 38:2,



58:14, 62:13, 68:6,  
 69:5, 75:3, 78:6,  
 118:6, 134:7,  
 134:16, 145:18,  
 148:3, 150:6  
**never** <sup>[2]</sup> - 79:17,  
 101:13  
**new** <sup>[11]</sup> - 8:6, 10:14,  
 15:8, 17:3, 24:3,  
 90:14, 97:6, 128:16,  
 129:3, 144:16  
**news** <sup>[1]</sup> - 143:4  
**next** <sup>[8]</sup> - 17:2, 17:3,  
 18:18, 55:15,  
 142:14, 147:3,  
 147:17, 147:18  
**next-door** <sup>[1]</sup> - 142:14  
**nice** <sup>[3]</sup> - 25:12, 57:9,  
 151:4  
**nicely** <sup>[1]</sup> - 45:14  
**night** <sup>[4]</sup> - 65:1,  
 110:8, 110:10  
**nine** <sup>[2]</sup> - 139:16,  
 140:5  
**Noelie** <sup>[1]</sup> - 99:17  
**NOELIE** <sup>[1]</sup> - 99:17  
**non** <sup>[13]</sup> - 4:14, 5:5,  
 28:4, 63:14, 63:16,  
 63:17, 73:18, 74:2,  
 74:3, 80:12, 81:3,  
 115:11, 119:15  
**non-brick** <sup>[1]</sup> - 119:15  
**non-conforming**  
<sup>[9]</sup> - 28:4, 63:14,  
 63:16, 63:17, 73:18,  
 74:2, 74:3, 80:12,  
 81:3  
**non-continued**  
<sup>[2]</sup> - 4:14, 5:5  
**non-res** <sup>[1]</sup> - 115:11  
**noncompliant**  
<sup>[1]</sup> - 31:3  
**nonconformity**  
<sup>[1]</sup> - 28:6  
**None** <sup>[1]</sup> - 124:6  
**none** <sup>[2]</sup> - 21:14,  
 103:11  
**nonresidential**  
<sup>[1]</sup> - 115:13  
**Norfolk** <sup>[3]</sup> - 2:7,  
 106:6, 162:17  
**normal** <sup>[1]</sup> - 88:7  
**normalize** <sup>[1]</sup> - 92:5  
**north** <sup>[1]</sup> - 51:10

**NOT** <sup>[1]</sup> - 169:15  
**Notary** <sup>[2]</sup> - 169:4,  
 169:11  
**notations** <sup>[1]</sup> - 38:4  
**notch** <sup>[1]</sup> - 33:8  
**note** <sup>[10]</sup> - 53:11,  
 70:17, 71:3, 72:1,  
 81:11, 104:13,  
 152:11, 164:8,  
 166:4, 168:6  
**noted** <sup>[2]</sup> - 53:11,  
 168:16  
**nothing** <sup>[1]</sup> - 61:3  
**notice** <sup>[1]</sup> - 128:17  
**noticeable** <sup>[1]</sup> - 60:10  
**NOTIFICATION**  
<sup>[1]</sup> - 2:2  
**notification**  
<sup>[1]</sup> - 128:5  
**notify** <sup>[1]</sup> - 127:16  
**notifying** <sup>[1]</sup> - 3:10  
**November** <sup>[3]</sup> - 40:7,  
 40:8, 169:8  
**NOVEMBER** <sup>[1]</sup> - 1:4  
**nuisance** <sup>[2]</sup> - 123:10,  
 136:15  
**nullifying** <sup>[4]</sup> - 81:9,  
 104:11, 152:9,  
 166:2  
**numb** <sup>[1]</sup> - 163:4  
**number** <sup>[8]</sup> - 3:15,  
 10:17, 10:18, 12:18,  
 27:9, 68:5, 147:2,  
 164:6  
**numbers** <sup>[2]</sup> - 63:5,  
 67:5

## O

**objection** <sup>[5]</sup> - 38:4,  
 99:2, 99:5, 112:7,  
 116:4  
**objections**  
<sup>[3]</sup> - 68:10, 98:10,  
 99:8  
**obtaining** <sup>[1]</sup> - 136:4  
**obviously** <sup>[5]</sup> - 44:7,  
 63:3, 85:9, 141:6,  
 164:14  
**occupancy**  
<sup>[2]</sup> - 74:17, 81:14  
**occupant**  
<sup>[2]</sup> - 123:12, 136:17  
**occupants** <sup>[1]</sup> - 130:6

**occupiable** <sup>[2]</sup> - 76:9,  
92:14

**occupied** <sup>[2]</sup> - 51:5,  
51:6

**occupies** <sup>[2]</sup> - 92:12,  
151:16

**occurred** <sup>[2]</sup> - 18:10,  
128:8

**october** <sup>[1]</sup> - 40:4

**October** <sup>[4]</sup> - 22:11,  
40:2, 40:11, 82:7

**OF** <sup>[7]</sup> - 1:1, 1:2, 2:2,  
169:2, 169:14,  
169:15, 169:16

**off-street** <sup>[2]</sup> - 28:9,  
74:11

**offer** <sup>[2]</sup> - 71:5, 149:7

**office** <sup>[1]</sup> - 55:9

**offices** <sup>[1]</sup> - 65:10

**Offices** <sup>[1]</sup> - 55:4

**OFFICIAL** <sup>[1]</sup> - 1:15

**often** <sup>[2]</sup> - 69:2, 78:4

**old** <sup>[3]</sup> - 8:9, 8:15,  
14:6

**older** <sup>[3]</sup> - 81:2,  
81:16, 165:13

**oldest** <sup>[1]</sup> - 150:8

**one** <sup>[68]</sup> - 4:12, 4:16,  
8:15, 9:8, 15:4,  
15:17, 20:12, 20:14,  
28:15, 28:16, 29:4,  
29:6, 29:7, 31:17,  
32:8, 36:3, 38:16,  
39:2, 44:3, 44:6,  
45:9, 45:13, 45:15,  
45:17, 45:18, 49:2,  
50:16, 61:11, 62:7,  
66:9, 72:18, 73:2,  
77:13, 82:15, 85:18,  
90:13, 92:16, 95:6,  
98:8, 99:10, 99:13,  
100:1, 100:4, 100:6,  
100:18, 101:5,  
104:1, 108:6,  
113:14, 114:10,  
118:4, 119:9, 122:6,  
125:2, 133:16,  
135:6, 138:9,  
157:11, 158:10,  
158:12, 159:1,  
159:8, 159:13,  
159:17, 161:12,  
161:14, 161:15,  
163:17

**one's** <sup>[1]</sup> - 30:16

**ones** <sup>[4]</sup> - 7:4, 8:10,  
8:15, 39:11

**ongoing** <sup>[1]</sup> - 126:18

**open** <sup>[9]</sup> - 3:11, 21:15,  
28:12, 43:16, 67:17,  
94:3, 117:17,  
133:13, 145:4

**operation** <sup>[3]</sup> - 3:15,  
123:6, 136:11

**opinion** <sup>[4]</sup> - 26:15,  
75:4, 98:18, 122:18

**opportunity**  
<sup>[2]</sup> - 22:7, 164:13

**opposed** <sup>[2]</sup> - 82:13,  
82:15

**opposite** <sup>[1]</sup> - 46:16

**opposition** <sup>[1]</sup> - 12:1

**option** <sup>[1]</sup> - 160:6

**order** <sup>[4]</sup> - 3:9, 44:13,  
148:1, 165:10

**ordered** <sup>[1]</sup> - 111:10

**Ordinance**  
<sup>[16]</sup> - 80:10, 81:10,  
103:17, 104:12,  
117:9, 122:15,  
122:16, 123:8,  
123:17, 136:2,  
136:13, 137:4,  
151:14, 152:10,  
165:5, 166:3

**organic** <sup>[1]</sup> - 67:13

**original** <sup>[7]</sup> - 14:6,  
14:9, 14:17, 15:17,  
32:13, 41:16, 168:2

**Original** <sup>[1]</sup> - 2:5

**originally** <sup>[3]</sup> - 8:12,  
27:5, 36:12

**otherwise**  
<sup>[4]</sup> - 123:16, 128:4,  
137:3, 139:3

**ourselves**  
<sup>[1]</sup> - 119:14

**outdoor** <sup>[2]</sup> - 37:14,  
77:17

**outset** <sup>[1]</sup> - 3:9

**outside** <sup>[5]</sup> - 16:7,  
41:7, 42:17, 59:2,  
80:16

**overage** <sup>[1]</sup> - 87:6

**overall** <sup>[1]</sup> - 132:5

**overhangs** <sup>[2]</sup> - 87:8,  
87:9

**overlooks**

[1] - 134:18

**overly** [1] - 144:3

**owing** [5] - 63:9, 81:1,  
104:6, 152:3,  
165:12

**own** [2] - 56:18,  
131:11

**owned** [1] - 101:12

**owner** [4] - 61:9, 71:7,  
98:13, 98:16

**owners** [1] - 61:11

**owns** [1] - 98:15

## P

### P-U-C-K-E-T-T

[1] - 135:7

**p.m** [10] - 1:4, 3:3,  
5:1, 25:1, 84:1,  
106:1, 131:1, 138:1,  
154:1, 167:5

**Pacheco** [1] - 1:11

**page** [4] - 23:14,  
23:16, 82:4, 166:15

**PAGE** [2] - 2:1, 168:8

**pages** [2] - 105:4,  
137:8

**paint** [2] - 112:13,  
114:3

**painted** [1] - 112:1

**painter** [1] - 120:3

**painting** [1] - 112:7

**pairs** [1] - 33:5

**PALLIN** [7] - 84:9,  
84:16, 98:3, 100:13,  
101:7, 102:15

**Pallin** [1] - 84:12

**paperwork** [1] - 8:18

**paragraph** [1] - 111:9

**paragraphs**  
[2] - 128:15, 129:3

**parameters**

[1] - 10:15

**parcel** [3] - 28:5,  
63:14, 73:18

**parcels** [2] - 63:15,  
74:1

**Pardon** [1] - 156:18

**parking** [5] - 10:18,  
14:4, 15:11, 28:9,  
74:11

**part** [4] - 42:2, 42:14,  
90:5, 144:7

**partial** [1] - 42:16

**particularly**

[6] - 27:10, 71:16,  
79:8, 81:16, 94:5,  
113:8

**parties** [1] - 38:5

**partitions** [1] - 83:1

**partly** [1] - 12:4

**partner** [1] - 67:10

**party** [3] - 77:18,  
78:3, 79:5

**pass** [7] - 6:13, 13:14,  
32:6, 34:3, 35:9,  
69:2, 109:5

**passed** [1] - 8:9

**passes** [1] - 33:15

**passing** [1] - 34:13

**past** [2] - 115:18,  
119:14

**pastor** [2] - 154:12

**PATRICK** [54] - 28:18,  
29:3, 31:5, 33:11,  
33:14, 33:18, 34:3,  
34:9, 34:13, 34:18,  
35:4, 35:9, 35:13,  
35:16, 36:8, 40:2,  
40:5, 40:11, 43:6,  
43:12, 43:15, 44:1,  
44:5, 45:3, 45:8,  
45:15, 46:6, 46:9,  
48:13, 49:4, 49:9,  
49:12, 49:17, 50:3,  
50:18, 51:4, 51:14,  
52:2, 52:6, 52:9,  
53:1, 61:6, 61:12,  
61:15, 62:8, 75:15,  
94:7, 94:10, 96:7,  
96:11, 96:14, 98:1,  
144:15, 161:16

**Patrick** [11] - 1:9, 3:5,  
5:3, 25:4, 78:13,  
79:2, 84:4, 106:4,  
131:4, 138:4, 154:4

**pattern** [8] - 74:17,  
112:3, 112:8,  
112:11, 119:11,  
119:18, 121:1,  
125:13

**pattern's** [1] - 112:10

**patterns** [5] - 14:1,  
119:15, 119:16,  
123:1, 136:6

**PAUL** [3] - 145:8,  
146:10, 146:15

**Paul** [1] - 145:8

**pay** <sup>[1]</sup> - 64:12

**penthouse**  
<sup>[4]</sup> - 109:1, 109:10,  
 111:15, 113:6

**people** <sup>[15]</sup> - 7:5,  
 12:8, 13:1, 18:11,  
 22:12, 22:14, 22:15,  
 57:5, 65:4, 100:16,  
 101:9, 101:15,  
 110:6, 147:6,  
 149:11

**people's** <sup>[1]</sup> - 58:9

**per** <sup>[1]</sup> - 79:15

**perceive** <sup>[2]</sup> - 36:6,  
 50:17

**percent** <sup>[3]</sup> - 132:15,  
 133:1, 152:13

**percentage**  
<sup>[1]</sup> - 28:12

**perception** <sup>[1]</sup> - 33:6

**perhaps** <sup>[1]</sup> - 16:16

**period** <sup>[2]</sup> - 126:5,  
 129:6

**Perkins** <sup>[1]</sup> - 71:10

**permission**  
<sup>[2]</sup> - 86:18, 157:9

**PERMIT** <sup>[1]</sup> - 2:3

**Permit** <sup>[32]</sup> - 5:7, 6:6,  
 6:7, 6:8, 10:1, 10:2,  
 10:16, 11:6, 17:1,  
 19:6, 124:17, 127:1,  
 127:14, 127:18,  
 128:10, 128:14,  
 128:16, 129:2,  
 129:9, 130:1,  
 130:10, 130:15,  
 133:3, 135:17,  
 136:1, 136:4, 137:6,  
 138:12, 138:18,  
 139:4, 151:1

**permit** <sup>[12]</sup> - 5:8,  
 11:10, 11:16, 18:1,  
 18:4, 18:9, 19:13,  
 19:16, 19:18, 20:9,  
 23:15, 24:4

**Permits** <sup>[1]</sup> - 126:13

**permits** <sup>[1]</sup> - 21:1

**permitted** <sup>[3]</sup> - 123:7,  
 136:12, 165:16

**perplexing** <sup>[1]</sup> - 60:2

**person** <sup>[5]</sup> - 3:10,  
 55:13, 55:15,  
 129:13, 147:4

**personal** <sup>[1]</sup> - 159:1

**personally** <sup>[1]</sup> - 72:4

**perspective**

<sup>[2]</sup> - 52:9, 150:18

**pertain** <sup>[1]</sup> - 64:1

**petition** <sup>[7]</sup> - 71:12,  
98:12, 103:9, 129:5,  
129:11, 134:8,  
134:13

**petitioner**

<sup>[18]</sup> - 80:14, 82:4,  
124:10, 124:17,  
125:4, 125:10,  
125:15, 126:3,  
126:10, 126:14,  
127:3, 127:16,  
128:4, 128:15,  
129:11, 129:14,  
157:1, 166:14

**petitioner's**

<sup>[2]</sup> - 127:7, 128:11

**petitions** <sup>[1]</sup> - 129:7

**Philip** <sup>[1]</sup> - 68:15

**phone** <sup>[1]</sup> - 66:18

**phonetic** <sup>[1]</sup> - 100:4

**photo** <sup>[9]</sup> - 108:11,  
111:15, 113:16,  
120:18, 121:2,  
121:17, 125:9,  
125:14, 125:18

**photograph**

<sup>[2]</sup> - 52:12, 86:6

**photos** <sup>[1]</sup> - 108:12

**Phyllis** <sup>[2]</sup> - 69:16,  
73:1

**physical** <sup>[4]</sup> - 70:7,  
124:11, 125:8,  
125:17

**picture** <sup>[2]</sup> - 52:13,  
103:4

**piece** <sup>[2]</sup> - 64:13,  
108:17

**pitch** <sup>[1]</sup> - 30:16

**place** <sup>[3]</sup> - 164:12,  
165:7, 166:7

**placement** <sup>[1]</sup> - 3:15

**plan** <sup>[14]</sup> - 15:8,  
15:10, 17:4, 17:7,  
18:7, 31:9, 36:17,  
47:17, 56:3, 65:9,  
68:10, 85:8, 135:11,  
162:5

**planned** <sup>[1]</sup> - 19:8

**Planning** <sup>[3]</sup> - 106:17,  
106:18, 121:13



**plans** <sup>[38]</sup> - 6:9, 6:11,  
 7:4, 7:10, 8:6, 9:16,  
 11:14, 13:7, 14:10,  
 14:17, 18:1, 18:4,  
 23:13, 23:18, 24:3,  
 29:14, 31:10, 39:12,  
 39:16, 40:16, 41:1,  
 55:1, 59:12, 60:14,  
 69:6, 69:13, 70:5,  
 70:7, 70:18, 73:7,  
 77:9, 77:12, 82:3,  
 82:7, 85:7, 105:4,  
 125:3, 137:8

**PLANS** <sup>[1]</sup> - 2:2

**planter** <sup>[1]</sup> - 37:18

**planters** <sup>[1]</sup> - 37:14

**plants** <sup>[1]</sup> - 77:15

**plus** <sup>[1]</sup> - 92:16

**point** <sup>[9]</sup> - 49:10,  
 50:11, 57:11, 82:18,  
 94:18, 95:5, 110:16,  
 114:10, 156:16

**pointed** <sup>[2]</sup> - 68:5,  
 111:12

**points** <sup>[1]</sup> - 43:3

**poking** <sup>[1]</sup> - 90:1

**poorly** <sup>[1]</sup> - 76:18

**population** <sup>[1]</sup> - 155:7

**porch** <sup>[17]</sup> - 41:17,  
 41:18, 42:2, 47:17,  
 58:12, 58:15, 58:17,  
 60:6, 71:17, 72:2,  
 131:18, 132:3,  
 134:18, 135:11,  
 136:8

**porches** <sup>[3]</sup> - 71:17,  
 72:3, 72:6

**possible** <sup>[4]</sup> - 23:5,  
 102:8, 111:18,  
 119:3

**potential** <sup>[1]</sup> - 67:8

**potentially** <sup>[1]</sup> - 38:5

**PRAAGH** <sup>[119]</sup> - 25:9,  
 25:12, 25:16, 26:6,  
 26:10, 26:13, 26:16,  
 27:3, 27:7, 27:14,  
 27:17, 29:2, 29:6,  
 29:10, 29:13, 29:18,  
 30:4, 30:11, 31:6,  
 31:17, 33:4, 33:13,  
 33:17, 34:2, 34:5,  
 34:11, 34:15, 34:17,  
 35:2, 35:6, 35:12,  
 35:15, 35:18, 36:10,

37:13, 37:18, 38:10,  
 38:12, 38:18, 39:7,  
 39:18, 40:4, 40:10,  
 40:13, 40:17, 41:11,  
 41:14, 41:16, 42:7,  
 42:10, 42:13, 43:14,  
 43:17, 44:10, 45:6,  
 45:10, 45:17, 46:8,  
 46:11, 47:6, 47:11,  
 47:15, 48:2, 48:4,  
 48:7, 48:15, 49:8,  
 49:11, 49:16, 50:2,  
 50:9, 51:2, 51:6,  
 51:12, 51:16, 52:4,  
 52:8, 52:11, 53:6,  
 53:8, 54:2, 54:5,  
 54:9, 54:14, 54:17,  
 55:2, 55:8, 55:17,  
 56:2, 56:7, 56:10,  
 57:1, 57:17, 58:3,  
 58:6, 59:8, 59:11,  
 60:13, 60:16, 61:4,  
 61:8, 61:13, 61:16,  
 62:3, 62:6, 62:10,  
 62:13, 62:16, 64:6,  
 65:2, 65:7, 65:13,  
 65:17, 66:8, 66:15,  
 70:14, 75:7, 82:17,  
 83:6

**Praagh** <sup>[6]</sup> - 25:16,  
 70:12, 70:14, 70:16,  
 71:13, 72:8

**practicable**

<sup>[1]</sup> - 126:9

**preacher** <sup>[1]</sup> - 161:1

**precisely** <sup>[1]</sup> - 149:10

**predominant**

<sup>[2]</sup> - 115:13, 121:6

**prefer** <sup>[2]</sup> - 112:9,

161:15

**preference**

<sup>[8]</sup> - 112:11, 114:3,

158:12, 159:8,

160:2, 160:4, 161:9

**preliminary** <sup>[1]</sup> - 6:10

**prepared** <sup>[2]</sup> - 105:4,

137:9

**prepares** <sup>[1]</sup> - 4:8

**present** <sup>[4]</sup> - 11:14,

12:16, 43:4, 66:10

**presentation** <sup>[2]</sup> - 7:2,

40:7

**presented** <sup>[6]</sup> - 13:8,

13:10, 14:2, 43:1,

59:12, 76:13

**preservation**

[1] - 102:3

**preserve** [1] - 91:14

**pretty** [4] - 35:13,

113:10, 120:1,

131:15

**prevail** [1] - 115:16

**previous** [1] - 77:2

**previously** [2] - 24:1,

125:18

**price** [1] - 64:10

**pricing** [1] - 19:10

**primary** [1] - 36:18

**privacy** [1] - 143:7

**private** [1] - 23:4

**problem** [10] - 27:13,

29:2, 53:17, 66:7,

95:2, 100:9, 103:6,

146:11, 160:7,

163:15

**problems** [6] - 79:16,

80:13, 83:4, 114:10,

162:10, 163:1

**proceed** [5] - 82:2,

105:3, 125:3, 137:8,

166:13

**proceedings**

[1] - 169:6

**process** [2] - 116:12,

116:14

**produce** [1] - 101:3

**progressed**

[1] - 12:17

**project** [13] - 5:16,

5:17, 6:8, 11:11,

28:13, 71:6, 71:8,

76:12, 91:10,

104:14, 107:9,

123:18, 125:11

**promote** [1] - 104:15

**promptly** [1] - 126:6

**proper** [1] - 32:8

**properly** [1] - 114:11

**properties** [1] - 58:9

**property** [21] - 10:1,

10:4, 61:10, 64:8,

64:14, 67:13, 71:7,

73:5, 74:9, 92:13,

96:1, 99:1, 101:8,

101:11, 131:11,

149:9, 149:18,

151:17, 152:2,

152:4, 157:14

**proposal** <sup>[8]</sup> - 14:7,  
 32:13, 72:10,  
 107:13, 158:7,  
 161:10, 161:12,  
 166:13

**proposals** <sup>[2]</sup> - 156:9,  
 157:11

**propose** <sup>[1]</sup> - 124:5

**proposed**  
<sup>[27]</sup> - 23:18, 28:6,  
 52:14, 69:9, 74:5,  
 74:9, 85:5, 85:6,  
 85:8, 89:10, 98:11,  
 99:3, 99:8, 111:14,  
 115:14, 123:9,  
 123:12, 123:14,  
 124:10, 125:9,  
 125:16, 126:12,  
 136:17, 148:8,  
 152:12, 160:5,  
 165:9

**proposes** <sup>[1]</sup> - 28:11

**proposing** <sup>[13]</sup> - 6:16,  
 79:9, 96:2, 123:3,  
 136:14, 137:1,  
 141:3, 141:7, 141:9,  
 143:10, 149:9,  
 149:14, 160:15

**prospect** <sup>[1]</sup> - 70:12

**protected** <sup>[1]</sup> - 130:7

**protections**  
<sup>[1]</sup> - 130:4

**provide** <sup>[6]</sup> - 31:18,  
 39:2, 42:3, 44:13,  
 44:18, 150:15

**provided** <sup>[1]</sup> - 128:16

**provides** <sup>[1]</sup> - 72:10

**provisions**  
<sup>[4]</sup> - 80:10, 103:17,  
 151:14, 165:5

**Public** <sup>[3]</sup> - 113:7,  
 169:4, 169:11

**public** <sup>[22]</sup> - 11:12,  
 21:15, 23:3, 66:16,  
 67:7, 67:18, 75:12,  
 81:8, 102:1, 104:10,  
 117:18, 118:10,  
 128:17, 133:14,  
 135:14, 145:4,  
 146:2, 151:5, 152:8,  
 156:7, 166:1, 166:6

**Puckett** <sup>[1]</sup> - 135:7

**pull** <sup>[2]</sup> - 9:6, 44:12

**pulled** <sup>[7]</sup> - 30:6, 31:1,

32:14, 48:8, 60:3,  
60:9

**purchased** <sup>[5]</sup> - 54:8,  
54:9, 64:10, 66:15,  
67:9

**purpose** <sup>[7]</sup> - 31:18,  
81:10, 104:12,  
123:17, 137:4,  
152:10, 166:3

**purposes** <sup>[1]</sup> - 104:2

**pursuant** <sup>[3]</sup> - 128:14,  
129:2, 130:1

**push** <sup>[1]</sup> - 30:15

**pushed** <sup>[2]</sup> - 30:18,  
35:16

**pushing** <sup>[3]</sup> - 12:7,  
58:5, 97:5

**put** <sup>[14]</sup> - 9:3, 11:11,  
14:7, 20:8, 22:15,  
23:3, 92:3, 94:2,  
97:3, 97:6, 121:8,  
131:17, 132:2,  
160:5

**puts** <sup>[1]</sup> - 41:2

**putting** <sup>[2]</sup> - 29:10,  
56:13

## Q

**quality** <sup>[1]</sup> - 58:18

**questions**

<sup>[15]</sup> - 21:11, 31:11,  
60:18, 62:17, 62:18,  
75:8, 75:10, 95:4,  
97:18, 133:11,  
144:8, 144:10,  
144:13, 145:4,  
162:4

**quickly** <sup>[3]</sup> - 12:7,  
12:10, 23:5

**quite** <sup>[5]</sup> - 26:12, 36:5,  
38:3, 72:17, 85:18

## R

**radiation** <sup>[1]</sup> - 130:8

**radio** <sup>[5]</sup> - 107:15,  
107:16, 108:6,  
108:7, 130:7

**rafters** <sup>[1]</sup> - 86:4

**railing** <sup>[1]</sup> - 94:2

**rains** <sup>[1]</sup> - 132:4

**raise** <sup>[1]</sup> - 83:3

**raised** <sup>[2]</sup> - 12:18,  
146:6

**raising** <sup>[3]</sup> - 57:3,  
 73:11, 145:18  
**Ramon** <sup>[1]</sup> - 100:4  
**ramp** <sup>[3]</sup> - 16:3, 16:4,  
 16:11  
**Ranjit** <sup>[1]</sup> - 160:9  
**rather** <sup>[3]</sup> - 63:17,  
 78:16, 115:10  
**ratio** <sup>[1]</sup> - 165:16  
**re** <sup>[3]</sup> - 22:15, 115:2,  
 144:2  
**re-house** <sup>[1]</sup> - 22:15  
**re-jiggering**  
<sup>[1]</sup> - 144:2  
**reached** <sup>[1]</sup> - 61:4  
**read** <sup>[8]</sup> - 3:9, 68:8,  
 94:17, 99:7, 111:7,  
 115:12, 147:12,  
 168:15  
**reading** <sup>[1]</sup> - 168:6  
**Reading** <sup>[14]</sup> - 68:10,  
 68:16, 69:17, 71:4,  
 71:12, 72:13, 73:3,  
 98:10, 98:16, 111:9,  
 135:7, 148:3, 149:2,  
 150:5  
**ready** <sup>[11]</sup> - 8:4, 23:7,  
 23:8, 23:9, 80:5,  
 103:11, 135:15,  
 151:6, 151:7, 151:9,  
 164:17  
**realized** <sup>[1]</sup> - 19:11  
**really** <sup>[24]</sup> - 15:13,  
 16:6, 16:15, 19:11,  
 30:16, 48:17, 53:12,  
 53:16, 58:10, 60:1,  
 65:12, 65:14, 76:3,  
 77:14, 102:4,  
 109:16, 113:8,  
 120:4, 121:6,  
 141:10, 143:4,  
 145:17, 156:4,  
 160:1  
**rear** <sup>[20]</sup> - 27:10,  
 28:10, 28:12, 38:18,  
 47:7, 61:7, 61:12,  
 74:8, 74:12, 85:3,  
 92:4, 98:2, 98:11,  
 99:3, 99:8, 100:11,  
 100:15, 100:16,  
 100:17, 101:9  
**REASON** <sup>[6]</sup> - 168:9,  
 168:10, 168:11,  
 168:12, 168:13,

168:14  
**reason** <sup>[5]</sup> - 4:16,  
 90:1, 121:6, 160:5,  
 168:7  
**reasonable** <sup>[6]</sup> - 3:13,  
 63:7, 78:10, 113:13,  
 128:8, 128:18  
**reasonably**  
<sup>[1]</sup> - 126:9  
**reasons** <sup>[1]</sup> - 78:15  
**rebuild** <sup>[1]</sup> - 12:9  
**rebuilding** <sup>[3]</sup> - 32:7,  
 36:9, 36:10  
**rebuilt** <sup>[1]</sup> - 16:16  
**receipt** <sup>[4]</sup> - 68:5,  
 128:5, 129:9, 147:2  
**received** <sup>[2]</sup> - 111:2,  
 152:14  
**recent** <sup>[1]</sup> - 36:15  
**recently** <sup>[1]</sup> - 64:7  
**recommended**  
<sup>[1]</sup> - 131:17  
**reconfiguration**  
<sup>[3]</sup> - 28:7, 74:5,  
 80:16  
**reconstruction**  
<sup>[2]</sup> - 74:5, 74:9  
**record** <sup>[7]</sup> - 26:5,  
 87:16, 108:15,  
 132:9, 162:15,  
 168:16, 169:6  
**RECORD** <sup>[1]</sup> - 1:15  
**recorder** <sup>[1]</sup> - 4:5  
**recording** <sup>[3]</sup> - 3:11,  
 4:2, 4:6  
**recordings** <sup>[1]</sup> - 4:4  
**records** <sup>[5]</sup> - 4:7,  
 36:15, 67:1, 67:7,  
 115:1  
**recovered**  
<sup>[1]</sup> - 140:10  
**rectory** <sup>[1]</sup> - 10:6  
**redesign** <sup>[1]</sup> - 15:14  
**redesigned**  
<sup>[1]</sup> - 19:10  
**redeveloped**  
<sup>[1]</sup> - 10:5  
**reduce** <sup>[2]</sup> - 37:8,  
 48:8  
**reduced** <sup>[1]</sup> - 60:4  
**reduces** <sup>[1]</sup> - 30:16  
**referred** <sup>[2]</sup> - 118:9,  
 126:1  
**reflected** <sup>[1]</sup> - 19:3

**reflects** <sup>[1]</sup> - 64:10  
**regard** <sup>[18]</sup> - 30:15,  
 47:9, 80:7, 81:11,  
 103:14, 104:13,  
 115:11, 122:11,  
 124:3, 126:13,  
 126:14, 128:2,  
 136:1, 143:13,  
 151:11, 152:11,  
 165:2, 166:4  
**regarding** <sup>[3]</sup> - 103:9,  
 126:2, 127:5  
**regulation** <sup>[1]</sup> - 128:2  
**relating** <sup>[1]</sup> - 63:9  
**relation** <sup>[1]</sup> - 45:6  
**relations** <sup>[1]</sup> - 58:11  
**relationship** <sup>[1]</sup> - 45:4  
**relatively** <sup>[1]</sup> - 159:5  
**relevant** <sup>[1]</sup> - 43:5  
**relief** <sup>[15]</sup> - 81:6, 81:7,  
 104:9, 105:10,  
 110:3, 116:1,  
 122:11, 122:17,  
 131:14, 146:5,  
 152:7, 155:5,  
 165:15, 165:18  
**Relief** <sup>[2]</sup> - 107:11,  
 124:14  
**relocate** <sup>[3]</sup> - 14:3,  
 16:4, 73:15  
**relocated** <sup>[1]</sup> - 13:16  
**reluctance** <sup>[5]</sup> - 76:7,  
 77:5, 79:2, 79:3,  
 80:1  
**remain** <sup>[4]</sup> - 70:11,  
 125:17, 149:12,  
 151:2  
**remains** <sup>[2]</sup> - 53:2,  
 96:3  
**remembering**  
<sup>[1]</sup> - 51:12  
**remote** <sup>[2]</sup> - 107:15,  
 107:16  
**removal** <sup>[1]</sup> - 28:11  
**remove** <sup>[1]</sup> - 126:6  
**removed** <sup>[1]</sup> - 32:15  
**rendered** <sup>[1]</sup> - 52:14  
**renovate** <sup>[3]</sup> - 148:6,  
 149:5, 150:11  
**renovating** <sup>[5]</sup> - 69:7,  
 69:14, 70:6, 71:1,  
 147:5  
**renovation**  
<sup>[2]</sup> - 69:10, 131:16



**renovations**

[4] - 68:11, 148:8,  
149:8, 156:3

**rental** [5] - 61:10,

91:18, 101:11,  
102:7, 102:11

**rentals** [1] - 147:6**repeats** [1] - 72:12**repetitive** [2] - 129:4,  
129:6**replace** [2] - 107:13,  
107:16**replaced** [2] - 109:2,  
109:11**replacement**

[2] - 10:13, 111:13

**replacing**

[3] - 108:18, 112:13,  
113:1

**replicated** [1] - 27:18**reply** [1] - 63:13**report** [5] - 127:4,  
127:8, 127:10,  
127:12, 128:7**Reporter** [2] - 169:4,  
169:11**REPORTER**

[1] - 169:16

**REPORTERS**

[1] - 1:15

**representation**

[1] - 101:5

**REPRODUCTION**

[1] - 169:15

**request** [9] - 9:17,  
18:4, 20:18, 21:10,  
63:6, 71:1, 74:14,  
85:1, 102:6**requested** [6] - 69:14,  
73:6, 95:12, 105:2,  
130:11, 166:12**requesting** [6] - 70:4,  
86:18, 87:5, 88:2,  
132:13, 137:7**requests** [1] - 109:16**require** [1] - 139:3**required** [3] - 15:15,  
32:4, 165:17**requirements**

[9] - 3:14, 11:2,  
64:17, 92:10, 116:2,  
116:16, 122:16,  
128:1, 136:2

**requires** [5] - 81:6,

117:9, 132:6, 142:2,  
165:14

**requiring** <sup>[2]</sup> - 98:18,  
142:3

**res** <sup>[1]</sup> - 115:11

**reside** <sup>[4]</sup> - 68:15,  
99:11, 99:18, 100:2

**residence** <sup>[2]</sup> - 36:17,  
36:18

**resident** <sup>[2]</sup> - 70:10,  
71:6

**residentially**  
<sup>[2]</sup> - 115:9, 124:1

**residents** <sup>[3]</sup> - 23:4,  
72:16, 130:5

**resides** <sup>[5]</sup> - 68:15,  
98:9, 98:15, 99:15,  
100:5

**resolve** <sup>[1]</sup> - 45:14

**resources**  
<sup>[1]</sup> - 164:11

**respect** <sup>[2]</sup> - 60:8,  
108:13

**RESPECT**  
<sup>[1]</sup> - 169:15

**respectfully**  
<sup>[1]</sup> - 113:12

**respectively**  
<sup>[1]</sup> - 47:1

**respects** <sup>[1]</sup> - 126:12

**response** <sup>[2]</sup> - 76:8,  
118:15

**Response**  
<sup>[12]</sup> - 21:13, 22:1,  
68:3, 75:11, 98:6,  
103:10, 117:16,  
118:3, 133:12,  
135:3, 144:12,  
146:18

**responsibilities**  
<sup>[1]</sup> - 56:18

**responsibility**  
<sup>[1]</sup> - 129:17

**rest** <sup>[2]</sup> - 56:13,  
134:12

**restorations**  
<sup>[1]</sup> - 156:3

**restore** <sup>[2]</sup> - 42:1,  
126:7

**restrooms**  
<sup>[1]</sup> - 155:12

**result** <sup>[3]</sup> - 33:1,  
102:17, 152:5

**resulting** <sup>[3]</sup> - 74:15,

123:2, 136:7  
**retort** <sup>[1]</sup> - 64:11  
**return** <sup>[1]</sup> - 36:17  
**reuse** <sup>[1]</sup> - 13:2  
**review** <sup>[5]</sup> - 17:4,  
 19:6, 21:3, 63:2,  
 159:1  
**reviewed** <sup>[1]</sup> - 73:7  
**reviewing** <sup>[1]</sup> - 21:2  
**revised** <sup>[2]</sup> - 24:3,  
 82:6  
**revisit** <sup>[1]</sup> - 25:18  
**revoked** <sup>[1]</sup> - 128:12  
**reward** <sup>[1]</sup> - 76:18  
**Richard** <sup>[1]</sup> - 99:13  
**rid** <sup>[1]</sup> - 50:4  
**ridge** <sup>[7]</sup> - 30:7,  
 30:16, 45:5, 45:7,  
 141:8, 141:13,  
 144:16  
**right-hand** <sup>[1]</sup> - 101:8  
**rights** <sup>[2]</sup> - 117:11,  
 117:14  
**ringing** <sup>[1]</sup> - 76:5  
**Rita** <sup>[1]</sup> - 100:2  
**ROBERT** <sup>[33]</sup> - 7:12,  
 7:16, 8:1, 8:5, 8:11,  
 8:14, 9:7, 9:11,  
 9:15, 10:4, 10:10,  
 11:4, 12:3, 12:14,  
 13:6, 13:13, 14:9,  
 14:12, 14:16, 15:5,  
 15:7, 16:1, 16:13,  
 17:13, 17:17, 19:15,  
 20:3, 20:6, 20:11,  
 20:14, 21:9, 22:8,  
 24:11  
**Robert** <sup>[1]</sup> - 5:17  
**ROBIN** <sup>[2]</sup> - 134:5,  
 134:12  
**Robin** <sup>[2]</sup> - 98:14,  
 134:5  
**Robinson** <sup>[1]</sup> - 106:11  
**Ron** <sup>[1]</sup> - 148:2  
**roof** <sup>[19]</sup> - 37:7, 37:9,  
 48:9, 51:15, 51:18,  
 53:13, 86:17, 87:1,  
 89:4, 89:14, 90:3,  
 90:5, 90:17, 131:18,  
 132:2, 132:12,  
 135:11, 136:8,  
 145:1  
**rooftop** <sup>[1]</sup> - 108:3  
**room** <sup>[20]</sup> - 65:5,

69:12, 86:1, 86:7,  
 86:10, 86:11, 88:7,  
 88:12, 90:8, 90:9,  
 92:17, 93:4, 93:6,  
 93:7, 94:6, 94:13,  
 94:15, 103:4, 140:4,  
 140:14

# **room/bedroom**

[1] - 144:5

**rooms** [1] - 65:11

**rosette** [3] - 13:7,  
 13:12, 17:5

**Ross** [8] - 139:13,  
 146:8, 148:4, 149:3,  
 149:10, 150:6,  
 150:8

**Ross's** [1] - 145:11

**roughly** [2] - 88:3,  
 88:4

**routinely** [1] - 76:14

**row** [1] - 100:15

**rules** [3] - 130:2,  
 158:6, 160:18

**run** [4] - 26:3, 29:13,  
 151:16, 159:13

# **S**

**safety** [3] - 123:11,  
 130:2, 136:16

**SAME** [1] - 169:15

**sanctuary**  
 [2] - 155:13, 158:17

**sat** [1] - 59:12

**satisfied** [2] - 124:7

**satisfy** [1] - 133:9

**save** [1] - 72:17

**saw** [3] - 16:10, 17:5,  
 83:4

**scenic** [1] - 113:8

**schedule** [1] - 19:7

**schematic** [2] - 8:3,  
 143:9

**school** [1] - 145:13

**schools** [1] - 146:2

**Schuldenfrei**

[1] - 98:14

**SCHULDENFREI**

[1] - 98:14

**SCHULERT**

[7] - 131:10, 131:15,  
 132:14, 132:17,  
 133:4, 133:7,  
 134:17

**Schulert** <sup>[2]</sup> - 131:10,  
135:9

**scientific** <sup>[1]</sup> - 127:1

**se** <sup>[1]</sup> - 79:15

**searching**

<sup>[1]</sup> - 120:11

**second** <sup>[36]</sup> - 9:8,

15:4, 23:11, 32:1,

36:18, 37:1, 37:4,

39:6, 42:6, 42:7,

42:10, 46:1, 49:18,

55:1, 55:3, 71:16,

72:18, 76:16, 79:8,

85:14, 85:15, 85:16,

87:7, 88:16, 89:1,

91:16, 92:11, 93:1,

93:4, 108:17, 119:9,

140:13, 143:3,

144:3, 160:6

**Secretary** <sup>[1]</sup> - 1:11

**Section** <sup>[3]</sup> - 107:11,

110:13, 116:6

**section** <sup>[2]</sup> - 15:1,

48:10

**Sections** <sup>[1]</sup> - 122:14

**sections** <sup>[1]</sup> - 20:7

**see** <sup>[36]</sup> - 11:17,

14:17, 15:6, 15:10,

25:11, 25:12, 38:3,

39:8, 52:16, 54:18,

65:3, 65:10, 65:11,

71:8, 79:4, 86:5,

86:14, 93:17,

100:10, 102:4,

110:6, 113:9, 114:5,

120:6, 145:11,

145:12, 145:13,

149:1, 157:3, 159:4,

160:15

**seeing** <sup>[1]</sup> - 88:10

**seeking** <sup>[6]</sup> - 124:18,

133:2, 138:11,

148:11, 150:1,

151:1

**seem** <sup>[1]</sup> - 57:7

**sees** <sup>[1]</sup> - 55:15

**send** <sup>[1]</sup> - 101:14

**Senior** <sup>[1]</sup> - 1:5

**senior** <sup>[1]</sup> - 154:12

**seniors** <sup>[2]</sup> - 155:18,

164:6

**sense** <sup>[4]</sup> - 56:16,

90:16, 142:12,

143:4

**sent** <sup>[2]</sup> - 7:5, 60:13  
**separate** <sup>[1]</sup> - 78:17  
**separately** <sup>[1]</sup> - 27:9  
**separating** <sup>[1]</sup> - 46:4  
**serious** <sup>[1]</sup> - 53:13  
**Services** <sup>[8]</sup> - 26:8,  
 127:4, 127:9,  
 127:13, 128:7,  
 129:12, 138:16,  
 168:3  
**sessions** <sup>[1]</sup> - 3:12  
**set** <sup>[15]</sup> - 8:2, 15:10,  
 18:9, 18:13, 20:9,  
 21:1, 23:15, 24:4,  
 26:15, 28:1, 64:16,  
 64:17, 110:7, 169:6,  
 169:7  
**setback** <sup>[5]</sup> - 95:10,  
 96:8, 138:12, 143:3,  
 143:5  
**setbacks** <sup>[2]</sup> - 28:10,  
 74:13  
**sets** <sup>[2]</sup> - 7:13, 20:16  
**seven** <sup>[6]</sup> - 88:14,  
 95:11, 96:3, 96:4  
**seven-foot** <sup>[1]</sup> - 95:11  
**several** <sup>[3]</sup> - 99:6,  
 156:1, 156:2  
**shade** <sup>[1]</sup> - 59:16  
**shall** <sup>[9]</sup> - 125:15,  
 126:5, 127:3, 127:8,  
 127:13, 128:6,  
 128:10, 129:4,  
 129:11  
**Shankar** <sup>[1]</sup> - 100:4  
**shape** <sup>[3]</sup> - 63:10,  
 104:7, 152:4  
**share** <sup>[2]</sup> - 46:6, 149:9  
**shared** <sup>[2]</sup> - 39:3,  
 103:1  
**sharing** <sup>[1]</sup> - 140:4  
**sheet** <sup>[6]</sup> - 14:16,  
 15:9, 18:8, 18:11,  
 26:9, 168:7  
**SHEET** <sup>[1]</sup> - 168:1  
**Sheet** <sup>[2]</sup> - 168:2,  
 168:7  
**sheets** <sup>[3]</sup> - 19:3,  
 20:4, 20:17  
**shifted** <sup>[1]</sup> - 140:9  
**short** <sup>[1]</sup> - 156:5  
**Shorthand**  
<sup>[2]</sup> - 169:4, 169:11  
**shovelling**

[1] - 145:14  
**show** [7] - 7:10, 14:5,  
 17:11, 52:6, 108:11,  
 109:4, 121:1  
**showed** [1] - 103:3  
**shower** [1] - 46:5  
**shown** [1] - 125:14  
**shut** [1] - 140:11  
**Sickle** [1] - 137:9  
**SICKLE** [1] - 137:10  
**side** [65] - 14:18,  
 15:13, 16:12, 18:16,  
 18:17, 27:10, 28:10,  
 31:8, 32:9, 33:16,  
 34:4, 38:15, 41:16,  
 41:18, 47:14, 48:13,  
 48:15, 50:14, 50:15,  
 51:7, 51:10, 51:11,  
 51:13, 51:18, 58:9,  
 59:18, 60:7, 60:10,  
 61:14, 61:15, 61:17,  
 62:1, 62:4, 62:6,  
 74:12, 87:9, 89:16,  
 93:18, 95:11, 96:1,  
 96:9, 96:10, 109:14,  
 111:14, 113:6,  
 113:7, 113:9,  
 131:18, 132:3,  
 142:18, 143:1,  
 143:2, 143:3,  
 144:17, 157:12,  
 158:1, 158:3, 158:4,  
 158:13, 159:9,  
 160:4, 160:5, 161:6,  
 161:15  
**sides** [5] - 29:11,  
 90:14, 98:2, 142:15,  
 142:16  
**sight** [2] - 50:13,  
 52:15  
**Sign** [1] - 168:7  
**SIGNATURE**  
 [1] - 168:1  
**significant**  
 [3] - 155:8, 164:6,  
 164:10  
**significantly**  
 [1] - 67:3  
**silence** [1] - 61:1  
**similar** [3] - 110:13,  
 140:1, 149:2  
**simply** [2] - 99:7,  
 155:10  
**sims** [1] - 113:16

**simulations**

[7] - 108:11, 121:1,  
121:3, 121:17,  
125:10, 125:14,  
125:18

**sincerely** [1] - 149:18

**single** [3] - 36:13,  
36:16, 38:2

**single-family**

[2] - 36:13, 36:16

**sink** [3] - 46:3, 55:5,  
56:9

**sit** [2] - 64:18, 77:14

**site** [14] - 15:8, 15:10,  
18:7, 90:13, 91:13,  
107:10, 120:9,  
120:15, 122:3,  
124:4, 124:10,  
126:14, 127:8,  
127:17

**sites** [1] - 110:14

**sits** [1] - 50:13

**Sitting** [8] - 3:4, 5:2,  
25:2, 84:2, 106:2,  
131:2, 138:2, 154:2

**situated** [1] - 130:3

**situation** [2] - 63:18,  
85:17

**six** [10] - 32:4, 34:7,  
90:13, 107:14,  
116:16, 126:5,  
140:5

**six-and-a-half**

[1] - 140:5

**six-foot-six** [1] - 32:4

**six-six** [1] - 90:13

**six-three** [1] - 90:13

**size** [10] - 12:5, 38:8,  
42:6, 63:16, 74:2,  
80:13, 104:4, 109:3,  
109:12, 152:1

**skylight** [1] - 86:12

**sleeps** [2] - 86:7,  
86:10

**slider** [1] - 94:3

**sliders** [2] - 93:14,  
94:2

**sliding** [1] - 93:15

**slightly** [5] - 13:9,  
32:5, 45:13, 83:2,  
92:2

**slope** [2] - 45:12,  
51:15

**sloped** [1] - 45:12



**slopes** <sup>[1]</sup> - 51:18  
**sloppy** <sup>[1]</sup> - 120:1  
**slow** <sup>[1]</sup> - 20:2  
**small** <sup>[2]</sup> - 133:1,  
 152:4  
**smaller** <sup>[2]</sup> - 76:1,  
 119:6  
**smallest** <sup>[3]</sup> - 111:16,  
 112:15, 119:1  
**Smart** <sup>[1]</sup> - 105:5  
**snow** <sup>[1]</sup> - 145:14  
**soapbox** <sup>[1]</sup> - 56:16  
**societal** <sup>[1]</sup> - 126:18  
**soil** <sup>[1]</sup> - 63:10  
**sold** <sup>[1]</sup> - 67:10  
**solid** <sup>[3]</sup> - 114:3,  
 121:8, 121:14  
**solution** <sup>[1]</sup> - 75:18  
**somewhat** <sup>[2]</sup> - 16:16,  
 92:5  
**son** <sup>[3]</sup> - 61:8, 140:2,  
 140:4  
**sorry** <sup>[13]</sup> - 20:1,  
 28:18, 38:12, 39:18,  
 40:16, 40:17, 45:3,  
 46:10, 47:5, 53:1,  
 89:9, 100:6, 147:15  
**sort** <sup>[21]</sup> - 18:8, 27:1,  
 32:15, 33:5, 33:8,  
 36:14, 37:10, 37:14,  
 43:3, 45:1, 48:10,  
 48:18, 60:1, 63:4,  
 140:9, 140:11,  
 141:10, 142:12,  
 143:6, 144:5, 144:6  
**sorts** <sup>[1]</sup> - 76:17  
**sought** <sup>[8]</sup> - 80:8,  
 82:1, 103:15,  
 122:12, 122:17,  
 136:1, 151:12,  
 165:3  
**south** <sup>[2]</sup> - 51:11,  
 59:17  
**southern** <sup>[1]</sup> - 101:1  
**space** <sup>[27]</sup> - 28:12,  
 30:18, 37:4, 41:5,  
 41:6, 41:8, 53:9,  
 53:10, 55:9, 65:16,  
 72:7, 72:9, 72:11,  
 72:12, 77:17, 90:3,  
 90:12, 91:15, 92:12,  
 102:11, 140:12,  
 141:5, 143:2,  
 151:18, 155:13,

156:6, 164:7  
**spaces** <sup>[2]</sup> - 10:18,  
 95:3  
**span** <sup>[1]</sup> - 15:1  
**spare** <sup>[1]</sup> - 92:17  
**spatially** <sup>[1]</sup> - 78:3  
**speaking** <sup>[2]</sup> - 57:9,  
 159:6  
**Special** <sup>[23]</sup> - 6:6, 6:7,  
 124:17, 126:13,  
 127:1, 127:14,  
 127:18, 128:10,  
 128:13, 128:16,  
 129:2, 130:1,  
 130:10, 130:15,  
 133:3, 135:17,  
 136:1, 136:4, 137:6,  
 138:11, 138:18,  
 139:4, 151:1  
**specifically**  
<sup>[1]</sup> - 165:9  
**Spectrum**  
<sup>[3]</sup> - 107:13, 116:16,  
 124:15  
**spiral** <sup>[1]</sup> - 85:12  
**split** <sup>[1]</sup> - 18:14  
**splitting** <sup>[1]</sup> - 50:3  
**spot** <sup>[1]</sup> - 42:17  
**spots** <sup>[1]</sup> - 37:15  
**square** <sup>[14]</sup> - 41:2,  
 41:3, 41:4, 66:17,  
 67:2, 67:6, 76:9,  
 76:10, 87:10, 88:4,  
 132:6, 141:5, 152:2  
**squeeze** <sup>[1]</sup> - 48:16  
**SS** <sup>[1]</sup> - 169:3  
**staff** <sup>[2]</sup> - 111:3, 118:8  
**stained** <sup>[1]</sup> - 13:3  
**stair** <sup>[21]</sup> - 13:13,  
 17:14, 18:16, 32:1,  
 32:3, 33:15, 34:1,  
 34:10, 34:12, 36:9,  
 36:11, 36:16, 44:5,  
 44:6, 44:14, 46:14,  
 49:14, 76:16, 85:12,  
 144:3  
**staircase** <sup>[1]</sup> - 80:17  
**stairs** <sup>[7]</sup> - 16:11,  
 18:10, 18:11, 18:13,  
 56:6, 155:16,  
 163:11  
**stairwell** <sup>[1]</sup> - 158:16  
**stand** <sup>[1]</sup> - 61:16  
**standard** <sup>[1]</sup> - 133:9

**standards** <sup>[1]</sup> - 116:7

**standpoint**

<sup>[1]</sup> - 161:17

**stands** <sup>[1]</sup> - 141:1

**start** <sup>[7]</sup> - 4:10, 16:15,  
17:2, 106:14, 138:9,  
139:11, 140:18

**Start** <sup>[1]</sup> - 5:16

**started** <sup>[4]</sup> - 4:12,  
4:15, 45:1, 140:11

**starting** <sup>[2]</sup> - 53:14,  
155:17

**state** <sup>[3]</sup> - 6:12, 69:8,  
88:13

**statement** <sup>[2]</sup> - 3:9,  
53:12

**statement(s)**

<sup>[1]</sup> - 168:17

**statements** <sup>[1]</sup> - 63:8

**stating** <sup>[1]</sup> - 129:16

**stations** <sup>[1]</sup> - 124:13

**stay** <sup>[7]</sup> - 69:12,  
73:14, 102:7, 102:8,  
113:5, 145:14,  
145:16

**stayed** <sup>[1]</sup> - 43:16

**stealth** <sup>[1]</sup> - 109:17

**steel** <sup>[1]</sup> - 155:15

**Stefan** <sup>[1]</sup> - 99:10

**stenographer**

<sup>[6]</sup> - 4:7, 25:15,  
131:9, 134:3, 154:9,  
162:14

**step** <sup>[7]</sup> - 35:7, 35:8,  
55:11, 59:1, 90:5,  
90:17

**steps** <sup>[1]</sup> - 90:3

**sticking** <sup>[1]</sup> - 113:11

**still** <sup>[6]</sup> - 36:1, 41:18,  
45:14, 90:9, 90:10,  
108:8

**stood** <sup>[1]</sup> - 52:13

**stories** <sup>[2]</sup> - 22:11,  
51:5

**storms** <sup>[1]</sup> - 58:16

**story** <sup>[2]</sup> - 17:18,  
85:11

**Street** <sup>[60]</sup> - 2:3, 2:4,  
2:6, 2:7, 2:8, 5:9,  
6:9, 15:12, 18:18,  
25:6, 25:17, 28:4,  
58:7, 61:17, 68:9,  
68:16, 68:17, 69:1,  
69:14, 69:17, 70:1,

70:2, 71:1, 71:4,  
 71:6, 71:12, 71:13,  
 73:3, 73:6, 73:9,  
 73:10, 74:4, 74:18,  
 84:6, 84:13, 91:4,  
 98:10, 98:12, 98:15,  
 98:17, 99:2, 99:4,  
 99:9, 99:12, 99:15,  
 99:18, 100:3, 100:5,  
 100:11, 101:2,  
 106:6, 131:6,  
 131:11, 134:6,  
 134:13, 135:8,  
 135:10, 139:17,  
 162:17  
**street** <sup>[11]</sup> - 28:9,  
 36:1, 52:7, 52:10,  
 67:11, 70:17, 72:6,  
 74:11, 101:10,  
 142:13, 145:9  
**streetscape**  
<sup>[1]</sup> - 159:2  
**stricken** <sup>[1]</sup> - 163:10  
**strict** <sup>[1]</sup> - 93:9  
**stroke** <sup>[1]</sup> - 140:8  
**strong** <sup>[4]</sup> - 70:5,  
 77:7, 81:13, 165:8  
**strongest** <sup>[1]</sup> - 149:8  
**structural**  
<sup>[2]</sup> - 149:17, 161:4  
**structure** <sup>[18]</sup> - 74:8,  
 80:12, 81:4, 81:6,  
 98:11, 99:3, 99:9,  
 100:10, 104:1,  
 104:7, 110:2, 124:3,  
 141:17, 142:1,  
 151:17, 165:13,  
 165:14  
**structure's**  
<sup>[1]</sup> - 100:16  
**structures** <sup>[3]</sup> - 63:11,  
 81:3, 130:6  
**studs** <sup>[1]</sup> - 94:11  
**study** <sup>[2]</sup> - 92:16,  
 127:1  
**studying** <sup>[1]</sup> - 141:16  
**style** <sup>[1]</sup> - 148:9  
**subject** <sup>[7]</sup> - 3:13,  
 73:5, 124:18, 127:2,  
 129:5, 129:10,  
 146:4  
**submit** <sup>[1]</sup> - 67:5  
**submitted** <sup>[14]</sup> - 6:9,  
 9:17, 17:1, 18:1,

19:5, 19:16, 28:1,  
51:3, 62:10, 62:14,  
82:3, 121:18, 125:3,  
125:10

**submitting** <sup>[1]</sup> - 39:17

**subscribe**

<sup>[1]</sup> - 168:16

**subsequent** <sup>[1]</sup> - 19:1

**substantial**

<sup>[12]</sup> - 80:11, 81:8,  
103:18, 104:10,  
123:4, 136:9,  
151:15, 152:8,  
165:6, 166:1, 166:5,  
166:6

**substantially**

<sup>[5]</sup> - 81:9, 104:11,  
124:11, 152:9,  
166:2

**sudden** <sup>[1]</sup> - 65:9

**suffers** <sup>[1]</sup> - 163:13

**sufficient** <sup>[1]</sup> - 72:9

**sufficiently**

<sup>[1]</sup> - 130:7

**suggestions**

<sup>[1]</sup> - 111:12

**suggests** <sup>[1]</sup> - 32:7

**suite** <sup>[1]</sup> - 65:11

**SULLIVAN** <sup>[38]</sup> - 39:8,

53:3, 53:18, 54:3,  
54:7, 63:1, 64:7,  
65:3, 65:8, 65:14,  
66:1, 66:12, 67:16,  
95:6, 95:10, 95:15,  
96:13, 96:16, 97:2,  
97:9, 97:12, 97:15,  
113:15, 118:12,  
118:15, 119:12,  
120:2, 120:5,  
120:12, 120:17,  
159:13, 159:16,  
160:1, 160:7,  
160:10, 160:13,  
161:13, 162:1

**Sullivan** <sup>[16]</sup> - 1:8,

3:5, 5:3, 24:9, 25:3,  
82:14, 84:3, 105:11,  
106:3, 130:18,  
131:3, 137:16,  
138:3, 153:2, 154:3,  
167:2

**sun** <sup>[2]</sup> - 59:15, 59:16

**supplants** <sup>[1]</sup> - 116:7

**support** <sup>[33]</sup> - 38:4,

51:3, 62:8, 62:11,  
 69:6, 69:13, 70:5,  
 70:18, 71:5, 71:12,  
 72:7, 72:14, 73:5,  
 75:3, 76:6, 77:5,  
 77:8, 78:17, 80:2,  
 81:13, 94:16, 98:1,  
 101:1, 101:6,  
 104:15, 134:8,  
 134:13, 149:8,  
 152:15, 155:10,  
 162:8

### **supporting**

[2] - 53:12, 63:8

### **supportive**

[1] - 101:16

### **supports** [1] - 72:2

**surface** [7] - 12:2,  
 91:2, 91:5, 111:17,  
 112:3, 119:3

### **surrounding**

[2] - 63:4, 115:17

**Susan** [2] - 100:6,  
 100:7

**suspect** [2] - 66:5,  
 112:9

### **suspended**

[1] - 128:12

### **swapping** [1] - 108:7

**swing** [1] - 16:5

**sworn** [1] - 129:12

## **T**

**tape** [2] - 4:5, 4:9

**Tax** [2] - 107:11,  
 124:14

**technically** [1] - 17:7

**Tedesco** [16] - 1:9,  
 3:5, 5:4, 24:9, 25:4,  
 82:12, 84:4, 105:11,  
 106:4, 130:18,  
 131:4, 137:16,  
 138:4, 153:2, 154:4,  
 167:2

### **TEDESCO**

[54] - 28:18, 29:3,  
 31:5, 33:11, 33:14,  
 33:18, 34:3, 34:9,  
 34:13, 34:18, 35:4,  
 35:9, 35:13, 35:16,  
 36:8, 40:2, 40:5,  
 40:11, 43:6, 43:12,  
 43:15, 44:1, 44:5,

45:3, 45:8, 45:15,  
 46:6, 46:9, 48:13,  
 49:4, 49:9, 49:12,  
 49:17, 50:3, 50:18,  
 51:4, 51:14, 52:2,  
 52:6, 52:9, 53:1,  
 61:6, 61:12, 61:15,  
 62:8, 75:15, 94:7,  
 94:10, 96:7, 96:11,  
 96:14, 98:1, 144:15,  
 161:16

# **telecommunication**

[2] - 115:15, 124:9

**ten** [8] - 34:7, 38:13,  
 127:10, 128:4,  
 129:8, 132:15,  
 133:1, 140:5

**tenants** [1] - 54:10

**tend** [1] - 163:3

**term** [3] - 72:15,  
 148:12, 150:2

# **terminate**

[2] - 127:13, 128:11

# **terminated**

[2] - 128:12, 128:14

# **termination**

[1] - 129:2

**terms** [11] - 22:18,  
 41:5, 50:12, 87:12,  
 87:13, 92:1, 92:12,  
 104:4, 114:12,  
 151:17, 164:11

**testify** [1] - 157:8

# **testimony**

[11] - 21:16, 67:18,  
 75:13, 102:1,  
 117:18, 118:10,  
 119:4, 133:14,  
 135:14, 145:5,  
 151:5

**texted** [1] - 60:17

# **thankfully**

[1] - 140:10

**THE** [10] - 1:1, 1:15,

2:2, 2:3, 51:9,  
 115:5, 169:14,  
 169:15, 169:15,  
 169:16

**the...** [1] - 48:12

# **themselves**

[1] - 73:12

**there'd** [1] - 112:7

**thereafter** [1] - 126:6

**therefor** [1] - 168:7

**therefore** <sup>[9]</sup> - 17:8,  
 24:1, 63:17, 74:3,  
 74:13, 81:3, 104:2,  
 104:3, 129:5

**they've** <sup>[3]</sup> - 64:11,  
 140:11, 150:8

**thinking** <sup>[2]</sup> - 66:13,  
 77:11

**third** <sup>[34]</sup> - 15:9, 18:7,  
 30:13, 31:9, 32:1,  
 32:10, 32:14, 37:1,  
 37:6, 37:16, 45:18,  
 48:6, 48:8, 51:7,  
 55:16, 57:8, 58:8,  
 59:14, 60:4, 60:5,  
 67:9, 74:8, 77:13,  
 79:4, 80:18, 85:1,  
 85:9, 85:16, 85:17,  
 89:2, 90:4, 90:14,  
 90:18, 91:17

**thirds** <sup>[1]</sup> - 101:11

**THIS** <sup>[1]</sup> - 169:14

**Thompson** <sup>[2]</sup> - 150:4

**THOMPSON**  
<sup>[1]</sup> - 150:4

**thoughtful** <sup>[1]</sup> - 69:4

**thoughts** <sup>[2]</sup> - 161:12,  
 162:2

**thousand** <sup>[1]</sup> - 64:12

**three** <sup>[25]</sup> - 20:4,  
 32:11, 32:12, 32:15,  
 38:10, 38:11, 38:12,  
 38:14, 48:9, 49:18,  
 60:5, 77:14, 78:10,  
 78:11, 82:11, 90:13,  
 105:4, 107:15,  
 107:16, 125:15,  
 137:8, 140:3, 140:8

**three-bedroom**  
<sup>[1]</sup> - 49:18

**thrilled** <sup>[1]</sup> - 79:14

**throughout**  
<sup>[2]</sup> - 155:9, 163:11

**throw** <sup>[1]</sup> - 66:2

**THURSDAY** <sup>[1]</sup> - 1:4

**Thursday** <sup>[2]</sup> - 64:18,  
 65:1

**tied** <sup>[1]</sup> - 6:9

**timely** <sup>[1]</sup> - 127:12

**TO** <sup>[2]</sup> - 2:2, 169:15

**today** <sup>[1]</sup> - 111:2

**toddler** <sup>[1]</sup> - 86:7

**together** <sup>[3]</sup> - 11:11,  
 20:9, 78:5



**toilet** <sup>[2]</sup> - 46:4, 46:5

**tonight** <sup>[16]</sup> - 4:17,  
6:15, 18:4, 39:17,  
84:18, 86:8, 110:3,  
120:15, 126:4,  
127:14, 127:18,  
128:10, 130:2,  
139:7, 155:5, 164:5

**took** <sup>[2]</sup> - 52:13, 60:6

**top** <sup>[5]</sup> - 45:4, 85:4,  
87:1, 94:13

**topography**  
<sup>[1]</sup> - 63:10

**total** <sup>[2]</sup> - 87:13, 87:14

**touched** <sup>[1]</sup> - 23:1

**tough** <sup>[1]</sup> - 9:2

**toward** <sup>[1]</sup> - 55:11

**towards** <sup>[1]</sup> - 97:5

**tower** <sup>[4]</sup> - 13:13,  
13:15, 17:6, 124:12

**track** <sup>[1]</sup> - 115:1

**tracks** <sup>[2]</sup> - 59:16,  
59:18

**traffic** <sup>[2]</sup> - 123:1,  
136:6

**transcript** <sup>[4]</sup> - 168:2,  
168:6, 168:15,  
168:16

**TRANSCRIPT**  
<sup>[1]</sup> - 169:14

**transfer** <sup>[1]</sup> - 49:1

**transmission**  
<sup>[1]</sup> - 126:17

**transmit** <sup>[1]</sup> - 3:12

**transmitted** <sup>[1]</sup> - 9:10

**transparent** <sup>[1]</sup> - 56:3

**treat** <sup>[1]</sup> - 155:18

**trees** <sup>[1]</sup> - 139:9

**tried** <sup>[5]</sup> - 26:1, 33:5,  
37:8, 60:2, 67:12

**tries** <sup>[1]</sup> - 28:7

**triggering** <sup>[1]</sup> - 28:5

**trim** <sup>[1]</sup> - 50:10

**trouble** <sup>[2]</sup> - 55:7,  
56:1

**troubled** <sup>[4]</sup> - 49:12,  
57:16, 58:1, 79:9

**true** <sup>[4]</sup> - 64:13, 74:4,  
120:4, 169:6

**trustee** <sup>[1]</sup> - 68:13

**try** <sup>[5]</sup> - 29:14, 49:1,  
107:5, 156:6,  
164:12

**trying** <sup>[12]</sup> - 31:1,

31:11, 33:8, 43:4,  
56:3, 60:8, 61:5,  
91:14, 92:4, 96:4,  
96:5, 156:2

**turn** <sup>[1]</sup> - 58:2

**turning** <sup>[1]</sup> - 144:4

**tutorial** <sup>[1]</sup> - 143:17

**two** <sup>[41]</sup> - 4:4, 7:12,  
16:6, 18:18, 19:3,  
20:6, 20:16, 26:18,  
27:5, 28:8, 29:15,  
36:13, 50:4, 50:5,  
54:13, 54:15, 74:10,  
76:1, 78:9, 78:17,  
85:11, 101:11,  
102:3, 102:7,  
102:17, 104:16,  
108:4, 108:5,  
108:18, 109:7,  
109:8, 109:9, 112:1,  
118:17, 125:7,  
129:6, 142:13,  
144:4, 156:9,  
157:11

**two-family**

<sup>[2]</sup> - 74:10, 104:16

**two-story** <sup>[1]</sup> - 85:11

**two-thirds**

<sup>[1]</sup> - 101:11

**two-unit** <sup>[2]</sup> - 28:8,

36:13

**two-year** <sup>[1]</sup> - 129:6

**type** <sup>[1]</sup> - 149:11

**typical** <sup>[5]</sup> - 95:2,

102:5, 102:6,

102:11, 109:18

## U

**unanimous** <sup>[4]</sup> - 75:2,

81:12, 104:14,

152:14

**UNDER** <sup>[1]</sup> - 169:15

**under** <sup>[7]</sup> - 12:11,

49:15, 77:4, 107:10,

116:6, 116:17,

130:8

**underneath** <sup>[1]</sup> - 86:3

**undersigned**

<sup>[1]</sup> - 169:4

**undersized**

<sup>[1]</sup> - 151:18

**understood** <sup>[1]</sup> - 83:6

**unfortunately**

[1] - 143:1

# UNIDENTIFIED

[2] - 51:9, 115:5

**unique** [1] - 63:18

**uniqueness** [1] - 64:2

**unit** [11] - 14:1, 28:8,

36:13, 37:1, 45:16,

49:18, 54:11, 55:16,

85:15, 100:5, 104:2

**units** [5] - 10:17, 12:5,

12:9, 54:16, 147:6

**UNLESS** [1] - 169:15

**unless** [1] - 132:12

**up** [32] - 9:4, 9:6,

18:15, 21:15, 29:1,

38:14, 48:6, 57:13,

65:15, 66:18, 67:18,

75:16, 86:14, 87:9,

90:2, 90:17, 92:1,

93:16, 94:2, 102:13,

107:5, 110:12,

117:18, 133:14,

140:9, 144:4, 145:1,

145:4, 157:1, 163:4,

163:13, 163:15

**upgrade** [2] - 107:9,

109:18

**upgraded** [1] - 109:15

**upgrades** [1] - 53:13

**upper** [1] - 54:11

**upstairs** [4] - 32:11,

140:1, 140:7, 163:3

**urge** [1] - 74:18

**usable** [3] - 28:12,

88:12, 88:14

**useful** [1] - 28:2

**uses** [2] - 123:7,

136:12

**usual** [1] - 6:4

**utility** [1] - 42:16

# utilization

[1] - 104:15

**utilize** [3] - 111:15,

119:1, 126:4

**utilizing** [1] - 74:6

**utmost** [1] - 149:16

# V

**vacant** [1] - 54:11

**value** [1] - 64:13

**VAN** [119] - 25:9,

25:12, 25:16, 26:6,

26:10, 26:13, 26:16,

27:3, 27:7, 27:14,  
 27:17, 29:2, 29:6,  
 29:10, 29:13, 29:18,  
 30:4, 30:11, 31:6,  
 31:17, 33:4, 33:13,  
 33:17, 34:2, 34:5,  
 34:11, 34:15, 34:17,  
 35:2, 35:6, 35:12,  
 35:15, 35:18, 36:10,  
 37:13, 37:18, 38:10,  
 38:12, 38:18, 39:7,  
 39:18, 40:4, 40:10,  
 40:13, 40:17, 41:11,  
 41:14, 41:16, 42:7,  
 42:10, 42:13, 43:14,  
 43:17, 44:10, 45:6,  
 45:10, 45:17, 46:8,  
 46:11, 47:6, 47:11,  
 47:15, 48:2, 48:4,  
 48:7, 48:15, 49:8,  
 49:11, 49:16, 50:2,  
 50:9, 51:2, 51:6,  
 51:12, 51:16, 52:4,  
 52:8, 52:11, 53:6,  
 53:8, 54:2, 54:5,  
 54:9, 54:14, 54:17,  
 55:2, 55:8, 55:17,  
 56:2, 56:7, 56:10,  
 57:1, 57:17, 58:3,  
 58:6, 59:8, 59:11,  
 60:13, 60:16, 61:4,  
 61:8, 61:13, 61:16,  
 62:3, 62:6, 62:10,  
 62:13, 62:16, 64:6,  
 65:2, 65:7, 65:13,  
 65:17, 66:8, 66:15,  
 70:14, 75:7, 82:17,  
 83:6

**van** <sup>[8]</sup> - 15:15, 25:16,  
 70:12, 70:14, 70:16,  
 71:13, 72:8, 137:9

**Variance** <sup>[29]</sup> - 64:1,  
 69:15, 70:4, 71:2,  
 73:6, 74:13, 82:1,  
 82:9, 82:16, 85:1,  
 99:1, 103:14, 105:2,  
 132:6, 132:13,  
 133:3, 138:11,  
 138:17, 139:2,  
 139:7, 142:2, 146:4,  
 148:11, 150:1,  
 151:1, 151:11,  
 152:6, 165:3,  
 166:12

**Variances** <sup>[2]</sup> - 80:7,  
142:3  
**variances** <sup>[1]</sup> - 77:2  
**various** <sup>[1]</sup> - 43:3  
**Verizon** <sup>[4]</sup> - 106:11,  
107:14, 109:9,  
120:9  
**versa** <sup>[1]</sup> - 59:17  
**versus** <sup>[1]</sup> - 31:2  
**vested** <sup>[1]</sup> - 73:13  
**vestibule** <sup>[1]</sup> - 158:17  
**vice** <sup>[1]</sup> - 59:17  
**Vice** <sup>[1]</sup> - 1:8  
**vicinity** <sup>[1]</sup> - 115:13  
**Viddle** <sup>[2]</sup> - 99:16,  
99:17  
**VIDDLE** <sup>[1]</sup> - 99:17  
**video** <sup>[1]</sup> - 3:11  
**view** <sup>[7]</sup> - 57:11,  
58:17, 80:3, 103:2,  
109:3, 109:6, 113:8  
**viewed** <sup>[1]</sup> - 58:16  
**views** <sup>[3]</sup> - 66:4, 80:4,  
109:4  
**violate** <sup>[6]</sup> - 28:9,  
74:12, 96:7, 97:5,  
141:12, 141:14  
**violates** <sup>[1]</sup> - 141:8  
**visible** <sup>[5]</sup> - 50:16,  
52:12, 71:15,  
108:13, 109:14  
**visual** <sup>[2]</sup> - 125:8,  
125:17  
**visually** <sup>[1]</sup> - 72:1  
**voice** <sup>[2]</sup> - 154:16,  
154:18  
**voiced** <sup>[1]</sup> - 37:3  
**volume** <sup>[1]</sup> - 168:6  
**vote** <sup>[10]</sup> - 23:7,  
23:10, 80:1, 80:5,  
103:12, 121:16,  
135:15, 151:6,  
151:9, 164:17

## W

**wait** <sup>[1]</sup> - 18:10  
**waiving** <sup>[2]</sup> - 117:11,  
117:14  
**walk** <sup>[2]</sup> - 56:5,  
110:12  
**wall** <sup>[16]</sup> - 30:7, 31:2,  
32:12, 32:14, 32:17,  
33:1, 33:16, 34:4,

44:11, 48:18, 86:5,  
95:17, 96:1, 96:17  
**walls** <sup>[1]</sup> - 44:13  
**wants** <sup>[2]</sup> - 70:10,  
102:6  
**washer/dryer**  
<sup>[1]</sup> - 86:11  
**watched** <sup>[1]</sup> - 68:18  
**wave** <sup>[1]</sup> - 127:6  
**waves** <sup>[2]</sup> - 126:18,  
128:3  
**weather** <sup>[1]</sup> - 164:5  
**week** <sup>[2]</sup> - 17:2, 17:3  
**welfare** <sup>[2]</sup> - 123:12,  
136:17  
**west** <sup>[1]</sup> - 59:18  
**westerly** <sup>[1]</sup> - 150:14  
**Western** <sup>[4]</sup> - 2:10,  
154:6, 154:10,  
155:3  
**western** <sup>[1]</sup> - 111:14  
**wet** <sup>[1]</sup> - 132:4  
**wherein** <sup>[1]</sup> - 85:18  
**WHEREOF** <sup>[1]</sup> - 169:7  
**Whitney** <sup>[3]</sup> - 69:3,  
69:11, 70:3  
**whoa** <sup>[1]</sup> - 77:9  
**wide** <sup>[4]</sup> - 30:14,  
31:14, 38:13, 77:14  
**width** <sup>[4]</sup> - 31:5, 31:6,  
49:5, 49:13  
**wife** <sup>[6]</sup> - 51:12, 55:3,  
69:2, 70:3, 131:12,  
145:10  
**willing** <sup>[1]</sup> - 75:4  
**window** <sup>[6]</sup> - 13:7,  
13:12, 13:17, 13:18,  
92:5, 92:6  
**windows** <sup>[7]</sup> - 13:3,  
33:6, 93:15, 93:16,  
94:8, 138:12  
**wintertime** <sup>[1]</sup> - 94:6  
**Wireless** <sup>[4]</sup> - 106:12,  
107:14, 109:9,  
120:9  
**wireless** <sup>[2]</sup> - 107:10,  
124:12  
**wish** <sup>[2]</sup> - 4:3, 80:4  
**wishes** <sup>[2]</sup> - 118:4,  
146:17  
**wishing** <sup>[14]</sup> - 5:10,  
21:17, 25:7, 68:1,  
84:7, 98:5, 106:7,  
118:1, 131:7,

133:15, 135:2,  
138:7, 145:6, 154:7

**WITNESS** <sup>[1]</sup> - 169:7

**wonder** <sup>[1]</sup> - 50:9

**wonderful** <sup>[3]</sup> - 58:10,  
145:17, 146:7

**wondering** <sup>[2]</sup> - 50:8,  
97:10

**word** <sup>[1]</sup> - 133:5

**works** <sup>[1]</sup> - 146:8

**Works** <sup>[1]</sup> - 113:7

**worried** <sup>[1]</sup> - 47:13

**worse** <sup>[1]</sup> - 76:4

**worship** <sup>[2]</sup> - 165:7,  
166:7

**worth** <sup>[1]</sup> - 76:4

**write** <sup>[1]</sup> - 110:12

**write-up** <sup>[1]</sup> - 110:12

**writing** <sup>[3]</sup> - 71:5,  
73:5, 98:16

**written** <sup>[1]</sup> - 76:18

**wrote** <sup>[1]</sup> - 135:13

**www.reportersinc.c**  
**om** <sup>[1]</sup> - 1:16

**Wyman** <sup>[2]</sup> - 148:1,  
148:2

**WYMAN** <sup>[1]</sup> - 148:2

**Wyman's** <sup>[1]</sup> - 147:11

## Y

**yard** <sup>[3]</sup> - 28:10,  
74:12, 113:7

**year** <sup>[3]</sup> - 54:10, 64:8,  
129:6

**years** <sup>[12]</sup> - 67:12,  
68:18, 70:1, 132:1,  
139:16, 139:18,  
140:8, 146:4,  
149:13, 151:3,  
155:14, 156:1

**York** <sup>[4]</sup> - 2:3, 5:9,  
6:8, 18:18

## Z

**Zelinski** <sup>[2]</sup> - 169:4,  
169:10

**Zillow** <sup>[1]</sup> - 67:1

**zip** <sup>[1]</sup> - 162:17

**zone** <sup>[1]</sup> - 88:11

**Zone** <sup>[1]</sup> - 141:2

**zoned** <sup>[2]</sup> - 115:9,  
124:1

**ZONING** <sup>[1]</sup> - 1:1

**zoning** <sup>[13]</sup> - 23:1,  
57:10, 63:12, 64:17,  
66:7, 74:15, 79:14,  
81:6, 83:5, 88:11,  
131:14, 155:5,  
165:14

**Zoning** <sup>[7]</sup> - 1:11, 3:8,  
64:15, 123:8, 167:6,  
168:6, 168:15