

BOARD OF ZONING APPEAL
FOR THE
CITY OF CAMBRIDGE

GENERAL HEARING

THURSDAY, NOVEMBER 30, 2017
7:00 p.m.

in

Senior Center
806 Massachusetts Avenue
First Floor
Cambridge, Massachusetts 02139

Constantine Alexander, Chair
Brendan Sullivan, Vice Chair
Andrea A. Hickey, Member
Patrick Tedesco, Member
Slater W. Anderson, Associate Member
Alison Hammer, Associate Member

Sisia Daglian, Assistant Commissioner

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I N D E X

CASE

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

BZA-4874 -- 2050-2070 Mass. Avenue 5

BZA-014830-2017 -- 1350 Mass. Avenue 27

BZA-014099-2017 -- 140-142 Prospect Street 49

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PROCEEDINGS

(7:00 p.m.)

(Sitting Members: Constantine Alexander, Brendan Sullivan,
Andrea A. Hickey, Patrick Tedesco, Slater W. Anderson.)

CONSTANTINE ALEXANDER: The Chair will call this meeting of the Zoning Board of Appeals to order. And the first case we're going to hear is case No. 4874 involving 2050-2070 Massachusetts Avenue. But before we start that case, I would like to make an announcement.

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 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 inform you in the audience that two

recordings are being made. A citizen of the city has left a tape recorder right in front of me. He's recording the meeting. And our stenographer records the meeting to assist her when she does, she actually transcribes the minutes of the meeting. So be advised that this meeting is being recorded.

With that, as I said, I'm going to call the next case.

* * * * *

(7:00 p.m.)

(Sitting Members Case BZA-4874: Constantine Alexander, Brendan Sullivan, Andrea A. Hickey, Patrick Tedesco, Slater W. Anderson.)

CONSTANTINE ALEXANDER: The Chair will case No. 4874.

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

GARRETT ANDERSON: Yes, sir. My name is Garrett Anderson. You need me to spell that?

CONSTANTINE ALEXANDER: She needs it.

GARRETT ANDERSON: G-A-R-R-E-T-T Anderson, A-N-D-E-R-S-O-N. And I'm the Deputy Director of the Planning and Development Department here to speak on behalf of the case.

As you may know, we were recently issued a building permit for renovation. I have two other folks with me, I should introduce. If I do, I have to then spell their names.

Devon Chausse is an assistant planner in the CHA. Devon, you want to spell your last name for me?

DEVON CHAUSSE: C-H-A-U-S-S-E.

GARRETT ANDERSON: And Judith Omara is the architect from STV, Inc.

JUDITH OMARA: O-M-A-R-A.

GARRETT ANDERSON: As I was saying, as you may know we were recently issued a Building Permit for the renovation of Russell apartments. It was issued under a Comp Permit in the early 1980s, a senior housing development. As a part of that redevelopment, we would like to take a space that's a two-story common area that has not been successful as a common area, and turn it into an additional loft studio apartment. So there's an addition of one more unit to the Comp Permit and a minor change to the FAR --

CONSTANTINE ALEXANDER: But no exterior changes to the building?

GARRETT ANDERSON: No. The exterior scope for this project, which is already under the Building Permit, is renovation of the masonry.

CONSTANTINE ALEXANDER: Should we grant you relief, there will be 52 units in the building as opposed to

the current 51?

GARRETT ANDERSON: That's correct.

CONSTANTINE ALEXANDER: And let me says something at the outset. This case is a little bit troubling, not for me, but I think for you in certain respects. As you pointed out or you mentioned, this building was built pursuant to a Comprehensive Permit back in '81 I think it was. I read the file. At the time there was significant neighborhood opposition. And when -- but the Board of Appeals nevertheless granted the permit obviously. But put a condition in there that said if any changes like the number of units in the project, you have to come back before this Board. Okay.

That's -- that's would suggest to me that you have to come back to the Board in the regular fashion: Notice, advertisement, posting of signs, so that all the neighborhood can be made aware. The only notice of this meeting of your case is something that was on the website

of -- the City's website 24 hours ago. There's virtually no public notice. The only person who knows about it is this gentleman over here who reads it faithfully.

GARRETT ANDERSON: Yes.

CONSTANTINE ALEXANDER: But -- so, I'm not troubled by the merits.

GARRETT ANDERSON: Yes.

CONSTANTINE ALEXANDER: I don't think there's a big deal here. But I've got to warn you -- I don't know, maybe other members of the Board feel otherwise, but should we grant you relief, I think you're susceptible to attack. Now, maybe no one's going to bother. But, you know, you're taking a little bit of a risk here. While if you went the usual way, notice advertisement, blah, blah, blah, and got relief, I think you would be pretty much immune to attack.

So first, any members of the Board feel differently than I do?

ANDREA HICKEY: I agree with you. And I'm sort of

troubled by the hearing on its case without proper notice.

CONSTANTINE ALEXANDER: Well, that's -- the question is -- well, no, there is -- if you claim -- if there's claim to be an inconsequential change case, the 24 hours on the website apparently can --

JOHN HAWKINSON: Mr. Chair, it's 48.

CONSTANTINE ALEXANDER: Is it 48?

JOHN HAWKINSON: Well, the open meeting law requirement is 48.

CONSTANTINE ALEXANDER: Well then we don't have 48 hours. The website yesterday afternoon more than 24 hours, certainly less than 48 hours, and there was nothing on the website.

GARRETT ANDERSON: Our letter was submitted more than 48 -- yes, that would have been beyond our control.

CONSTANTINE ALEXANDER: Well, yeah. That's not your -- it's -- that's the problem. We have, we have to be sensitive to notice, to proper notice.

GARRETT ANDERSON: Of course.

CONSTANTINE ALEXANDER: And you should be, too, obviously.

GARRETT ANDERSON: Obviously, yeah. We conduct our own --

PATRICK TEDESCO: Can I ask a question?

CONSTANTINE ALEXANDER: Yeah, sure.

PATRICK TEDESCO: A couple weeks ago we saw the case, it was one of the St. Patrick's development in East Cambridge --

CONSTANTINE ALEXANDER: Yes.

PATRICK TEDESCO: -- was inconsequential change.

CONSTANTINE ALEXANDER: Yeah.

PATRICK TEDESCO: -- did that go through the standard notice?

CONSTANTINE ALEXANDER: No. But that wasn't an inconsequential change case. There was nothing --

PATRICK TEDESCO: It was not a --

CONSTANTINE ALEXANDER: -- not a condition that -- in my view anyway.

PATRICK TEDESCO: -- condition specifically subscribed to or attached to the case in 1981?

CONSTANTINE ALEXANDER: Yes.

And it doesn't say that -- it just says you have to go back before the Board of Appeals. It doesn't say with regard to what notice, but I would assume that what is intended, certainly, is the conventional notice, as I said.

PATRICK TEDESCO: So they're not seeking conventional relief?

CONSTANTINE ALEXANDER: No.

PATRICK TEDESCO: Got it.

CONSTANTINE ALEXANDER: They're claiming this notice on the website which as Mr. Hawkinson points out, if it's less than 48 hours, and the open meeting law does require 48 hours, I don't think we have a -- I think it's an open and shut case now.

BRENDAN SULLIVAN: Well, is it just notice on the website? There has to be obviously notice in the clerk's office. So the question is was there notice in the clerk's office? In other words, what is the trip wire here that they have failed to comply with? Is it just the website?

CONSTANTINE ALEXANDER: I think they're failing to --

BRENDAN SULLIVAN: Or is it, or is notice in the clerk's office? If, you know, I don't know that.

CONSTANTINE ALEXANDER: Yeah, I don't know either.

BRENDAN SULLIVAN: But all of these have to be posted in the clerk's office. And I'm wondering if that is not sufficient.

JOHN HAWKINSON: Mr. Chair?

CONSTANTINE ALEXANDER: Yes, Mr. Hawkinson.

JOHN HAWKINSON: The open meeting law requirement is for notice on the website and notice in the clerk's office.

CONSTANTINE ALEXANDER: 48 hours?

JOHN HAWKINSON: Yes.

CONSTANTINE ALEXANDER: For both?

JOHN HAWKINSON: Right. So it does not meet the -- if in fact it wasn't there on the website 48 hours ago, then it does not comply with the open meeting law requirement.

SLATER ANDERSON: I got the e-mail from Maria at 1:53 on the 28th. So that is more than 48 hours.

CONSTANTINE ALEXANDER: But I, I checked the website thereafter.

SLATER ANDERSON: Yeah, I didn't check the website.

CONSTANTINE ALEXANDER: And it wasn't there. When I -- the first time I saw it on the website was the morning of -- yesterday morning at nine o'clock or thereabouts.

BRENDAN SULLIVAN: The e-mails to us are fine, but it doesn't serve a public interest.

GARRETT ANDERSON: Well, suggested it was in, but you know that it was in --

CONSTANTINE ALEXANDER: Yeah. (Inaudible).
Critical of you.

GARRETT ANDERSON: I'm only able to speak to what we're able to control.

CONSTANTINE ALEXANDER: Why -- what's the urgency? In other words, why don't you -- why don't you go -- I think you may have to by the way. We'll get that. Why don't you just do a conventional notice, you know, posting of the sign, the mailing and clean-up everything? No risk.

GARRETT ANDERSON: So the discussion -- the reason we're here tonight was based upon our discussions with Ranjit at ISD.

CONSTANTINE ALEXANDER: Well, I wish Ranjit had talked to members of the Board. At least he didn't talk to this member.

GARRETT ANDERSON: Yes.

CONSTANTINE ALEXANDER: All of a sudden I got that e-mail that someone's referred to on that afternoon, Monday afternoon.

GARRETT ANDERSON: Yeah.

PATRICK TEDESCO: I mean, one would think that the opposition of the project 30-something years ago --

CONSTANTINE ALEXANDER: Yeah, they're gone.

PATRICK TEDESCO: -- was mass, use, density, parking. You're not adding parking. You're not changing the exterior of the building. I would imagine that even people that were opposed 30-some years ago would not object to an additional affordable unit in the community, that's just my sense. So to me there's little risk. At the same time I would say there's little legal risk to proceeding, but I want to defer to others who are much more focussed on due process than --

CONSTANTINE ALEXANDER: I'm very sensitive to notice. I think we've got to be very careful. I think

we've as a Board have been a little bit sloppy, frankly, in the past. Emergencies come up and people say oh, well, this is a no-brainer, let's rush it through. Because you probably, or the petitioner comes and says, we're in a rush. There's a reason why we got to do it in a hurry. If we don't have 48 hours notice, and I don't believe there was 48 hours on the website, then we don't have -- I don't think we can hear the case in my opinion.

GARRETT ANDERSON: Well, again I can't speak to the publication of notice on the website, the city website.

CONSTANTINE ALEXANDER: Let me go back, what's the rush if you will? These are my words. I mean why can't we continue this case? You go through the proper notice and then off we go. Is there a reason why?

GARRETT ANDERSON: No. We certainly can do that. That's not a real issue to --

CONSTANTINE ALEXANDER: Okay.

GARRETT ANDERSON: -- you know.

CONSTANTINE ALEXANDER: Other members of the Board feel otherwise?

ANDREA HICKEY: I agree with you. I think we sort of need to give as much notice whenever possible.

CONSTANTINE ALEXANDER: Yeah.

PATRICK TEDESCO: Can I ask for a clarification then?

CONSTANTINE ALEXANDER: By all means.

PATRICK TEDESCO: Is it simply the website and the clerk's office, or is it also posting --

GARRETT ANDERSON: No, we'll produce the sign and we'll do the regular --

ANDREA HICKEY: In my opinion, the posting. The full notice.

CONSTANTINE ALEXANDER: I think that was contemplated. It's not spelled out in '81 in the Board decision. But I think it was contemplated in the usual course for hearing cases in the usual course is, you know,

the sign outside. The 14 days blah, blah, blah.

SLATER ANDERSON: I mean the other path is 48 hours and then you're counting on us determining that it's insubstantial change, right?

CONSTANTINE ALEXANDER: But I don't think that's the issue here. Insubstantial change is what you usually have with Comprehensive Permits when they want to tweak. But this was not that. There's a specific condition in the decision.

SLATER ANDERSON: Yeah, going back, but I would say, even -- I'm not sure I would consider this insubstantial change. When you're adding a unit, it's a unit. I mean it may be you're only going from whatever it is, from 52 to 53 or something, but it's a whole housing unit and that's --

CONSTANTINE ALEXANDER: And --

SLATER ANDERSON: It's different than changing signing.

CONSTANTINE ALEXANDER: And if you're going to be theoretical about it, in '81 you didn't comply with the parking requirements and now you're going to be even more out of compliance with another unit now.

GARRETT ANDERSON: Yeah.

CONSTANTINE ALEXANDER: I don't get too worked up about it.

GARRETT ANDERSON: Yeah, we're actually underutilized in parking.

CONSTANTINE ALEXANDER: I presume that to be the case, and there's perfect public transportation right in front of that building. I can't believe a building is better for seniors in terms of public transportation.

GARRETT ANDERSON: Yeah, it's a great site.

CONSTANTINE ALEXANDER: Walk up the street --

GARRETT ANDERSON: Well, the senior center is in the building. I mean, the other senior center is in that building.

CONSTANTINE ALEXANDER: My sentiment is we should continue that case? Anybody else feel otherwise? I know Andrea doesn't feel --

SLATER ANDERSON: Continued heard or not heard?

CONSTANTINE ALEXANDER: Not heard.

ANDREA HICKEY: Not heard.

GARRETT ANDERSON: We'll just go through the regular notice process --

CONSTANTINE ALEXANDER: Okay.

GARRETT ANDERSON: -- and we'll be on the agenda for the next meeting.

CONSTANTINE ALEXANDER: I have to pick a date to continue the case to. We can pick a date far out and then you can advertise and hear the case earlier and dismiss the continued case at that point.

I don't know how much time you will need. Do you have any sense, Sisia?

SISIA DAGLIAN: Well, the December 14th meeting

you already have booked.

CONSTANTINE ALEXANDER: Oh, we're booked.

SISIA DAGLIAN: That's really full. So January 11th there's zero continued cases at this point.

CONSTANTINE ALEXANDER: Okay. So we'll continue it to January 11th and you work with Maria and the usual.

GARRETT ANDERSON: Okay. We'll do that.

CONSTANTINE ALEXANDER: And we need to take a vote.

The Chair moves that we continue this case as a case not heard subject to the following conditions:

That the petitioner sign a waiver of time for a decision. And Sisia will have that to be signed.

GARRETT ANDERSON: Okay, yeah.

CONSTANTINE ALEXANDER: Two, that you post a sign for the 14 days prior to that meeting that complies with our signage and maintain it for those 14 days. And to the extent that the plans that you've already submitted are

gonna be changed, you decide to make some changes, those changed plans must be in our files no later than the five p.m. on the Monday before January 14th. That's in our rules. So I don't know if you're going to change it, probably not. If you do, you've got to do it and get them filed with the ISD no later than five p.m. on the Monday before.

GARRETT ANDERSON: Okay.

CONSTANTINE ALEXANDER: All those in favor please say "Aye."

(Aye.)

CONSTANTINE ALEXANDER: Five in favor. See you in January.

(Alexander, Sullivan, Hickey, Tedesco, Anderson.)

GARRETT ANDERSON: Thanks so much. Have a good holiday.

* * * * *

(7:30 p.m.)

(Sitting Members Case BZA-014-830-2017: Brendan Sullivan,

Andrea A. Hickey, Patrick Tedesco, Slater W. Anderson,

Alison Hammer.)

BRENDAN SULLIVAN: The Board will hear case No. 014830, 1350 Mass. Ave., Whole Heart Provisions. Mr. Disabatino, whoever is going to speak.

JAMES DISABATINO: Sure, I'll speak. So we are here to request a Special Use Permit for the Smith Campus center location at 1350 Mass. Ave.

BRENDAN SULLIVAN: You might just want to talk into the mic a little bit.

JAMES DISABATINO: Sure.

BRENDAN SULLIVAN: Talk into it like a telephone.

ANDREA HICKEY: You have to get really close to it.

JAMES DISABATINO: All right. Sounds good. So we are here to request a Special Use Permit for 1350 Mass. Ave. for the Smith Campus Center for use of fast food.

BRENDAN SULLIVAN: Okay. And you're offerings are?

JAMES DISABATINO: So Whole Heart Provisions

is -- will be Cambridge's second all vegan restaurant. First in Harvard Square. So we offer plant-based, really fresh, local vegetables. And our kind of value is that we add spices from all over the world to make them taste different than you've ever tasted them before. So we think we're unique because it's something not the -- the city right now doesn't have, especially Harvard Square. And most of all we've actually been asked to come to Harvard Square by many of our existing customers at our Allston location.

BRENDAN SULLIVAN: Okay.

All right, there is, aside from the use is permitted in the zone but you are required to get a Special Permit. There are two parts of that Special Permit, the normal Special Permit criteria, plus also 11.30 which is the fast order food establishment. And in considering the applications for a Special Permit, the Board shall find in addition to the other criteria specified in 10.40 that the following requirements are met:

The operation of the establishment shall not create traffic problems. And your response to that is that?

JAMES DISABATINO: We -- yeah, that we wouldn't anticipate any traffic problems. We're inside the Smith Campus Center in the middle of the section so we wouldn't, we wouldn't be seeing any cars or anything of that sort.

BRENDAN SULLIVAN: So you rely almost exclusively on walk in?

JAMES DISABATINO: Entirely on walk in, yeah.

BRENDAN SULLIVAN: Okay.

Reduce available parking. Well, there isn't any in Harvard Square so you're not going to reduce it. Okay.

Threaten the public safety in the streets and the sidewalks. We don't feel you're any threat to that.

The physical design, including color and use of materials of the establishment shall be compatible with and sensitive to the visual and physical characteristics of other buildings, public spaces, and uses in the particular

location. In other words, the Smith Center. So could you show us sort of what you're --

JAMES DISABATINO: Yeah, sure. The materials that we use for our specific space are very natural. Lots of -- some reclaimed wood and, you know, just kind of general equipment that is consistent with the rest of the Smith Campus Center.

BRENDAN SULLIVAN: Okay.

And obviously the property owner has to approve all of the --

JAMES DISABATINO: Correct.

BRENDAN SULLIVAN: Okay.

Just going back to the -- you would not encourage or produce double parking on adjacent public streets.

JAMES DISABATINO: No.

BRENDAN SULLIVAN: Don't feel as if you would.

The establishment fulfills a need for such service in the neighborhood or in the city. And your testimony?

JAMES DISABATINO: Yeah, I believe so because we've been, we've been requested to do one of these locations here. And frankly there isn't this type of offering in the square.

BRENDAN SULLIVAN: Okay.

The establishment will attract patrons primarily from walk-in trade as opposed to drive-in or automobile-related trade. Should the Board find that the district within the establishment is proposed does not have significant pedestrian traffic, this requirement need not be met.

And I would fair say that Harvard Square does have a significant pedestrian traffic.

The establishment shall to the greatest extent feasible utilize biodegradable materials and packaging and food and in the utensils and other items provided for consumption.

Therefore, if you can address that issue.

JAMES DISABATINO: Sure. So currently everything on our entire menu, the food and packaging, is all plant-based.

BRENDAN SULLIVAN: Okay.

The establishment shall provide convenient, suitable, and well-marked waste receptacles to encourage patrons properly to dispose of all packaging materials, utensils and other items provided with the sale of food.

JAMES DISABATINO: Yes, so all of that will be provided by the landlord.

BRENDAN SULLIVAN: Okay. Your patrons will come in, purchase your product, and then use the general seating area?

JAMES DISABATINO: Yep.

BRENDAN SULLIVAN: Which obviously has receptacles provided by the landlord.

JAMES DISABATINO: Correct.

BRENDAN SULLIVAN: And the property owner. Okay.

And are you and any of these other, are you responsible in any way for emptying the trash receptacles or monitoring that or --

JAMES DISABATINO: We're not responsible for removing the common area trash and stuff like that. We are responsible for our own. But we'll also be responsible for -- in the general vicinity of our area to make sure it's well kept.

BRENDAN SULLIVAN: Okay.

The establishment complies with all state and local requirements applicable to ingress, egress, and all use of facilities on the premises of handicapped and disabled persons. And that the Smith Center is handicapped accessible and has no barriers to persons with disabilities.

Okay.

The Special Permit issued for fast order food establishment herein shall be utilized only by the owner/operator of such establishment as described in the

application documents, those documents may be modified by the condition of a Special Permit. So that if we were to grant the Special Permit is to you people as the applicant.

JAMES DISABATINO: Okay.

BRENDAN SULLIVAN: Okay.

In granting a Special Permit the Board shall specifically detail in its decision the kind of fast order food for which the permit is granted and shall also identify those other aspects of the establishment as outlined in the application for which alterations will require an issuance of a new Special Permit.

All right, where we will accept your submissions and the description of such as incorporated into the record.

Does anybody have any questions of the petitioner?

PATRICK TEDESCO: I just have one relative to traffic. You don't utilize any delivery services?

JAMES DISABATINO: We do at our current location. However, it seems generally understood that it's not gonna

be feasible in the Smith Campus Center location just due to the traffic in the square and kind of the distance from our kiosk or from our section to where the actual entrances are. It just wouldn't really be feasible.

PATRICK TEDESCO: Okay, thank you.

BRENDAN SULLIVAN: Any other questions?

ANDREA HICKEY: No, thank you.

BRENDAN SULLIVAN: Let me open it to public comment.

Is there anybody here who would like to comment on the application of Whole Heart Provisions?

Mr. Williamson.

JAMES WILLIAMSON: Could I ask a couple of informational questions?

BRENDAN SULLIVAN: If you would identify yourself for the record, please.

JAMES WILLIAMSON: Yes, sir. James Williamson, 1000 Jackson Place. Thank you.

The two questions I have is could you clarify, and I haven't had a chance to look at the layout, if you've had that in your submission.

JAMES DISABATINO: We do.

JAMES WILLIAMSON: A question about all of the so-called kiosks in this place. Is it a sort of open format where you sort of wander through an open space and there's a kind of a freestanding kiosk like set up or are you --does it -- do the public walk through a doorway into a discrete, your discrete space?

JAMES DISABATINO: No. So it's more of a food hall set up where you walk through a common hall and you have access to multiple kiosks versus a segregated space where you would just come to ours. So anyone walking through would be able to see any of the options that they have.

JAMES WILLIAMSON: A little bit like, if you're familiar with the BU student center the food court that they

have there? Where, you know, you -- there would be a counter and then next to that counter there be the counter for one of the other offerings.

JAMES DISABATINO: It is similar to that, I think it's a little bit more of a collaborative space where the kiosks are spread out so there is some --

JAMES WILLIAMSON: Some separation?

JAMES DISABATINO: Yeah, there is some separation.

JAMES WILLIAMSON: Thank you.

And the other question is the hours. Could you clarify?

JAMES DISABATINO: Sure. So our operating hours are seven a.m. to ten p.m. So we'll be able to do breakfast, lunch, and dinner.

JAMES WILLIAMSON: And that's Monday --

JAMES DISABATINO: Seven days a week.

JAMES WILLIAMSON: Seven days a week? Thank you.

JAMES DISABATINO: You're welcome.

JAMES WILLIAMSON: My comment is really about sort of an administrative dimension. I think it's -- I just want to say that I think Harvard are doing a good job of selecting not the usual sort of corporate -- actually, if you go to the BU student center, you'll see a lot of big corporate vendors, and I think Harvard seem to be doing a good job trying to find some, you know, more local, more interesting businesses that are gonna provide interesting offerings. So I am -- I find that, you know, I'm happy about that.

Just a comment about the application. Apparently in order to do the applications that the various applicants have already filled out and the future ones, the city ISD website, the interface that people are required to -- I was sort of looking at it going like what? \$36 billion university and this is the best they can do? Well, it turns out that there's some problem with the website that people are required to use to do the on-line applications that

result in this odd, maybe some of you have noticed, the typos and the corrections and the spaces and all that stuff. And it just seems like I just wanted to bring it to your attention and maybe through you to the entity that could maybe address this to have it be an easier to use interface for that applicant -- for applications in the future. And I don't know if anybody wants to comment on that, but apparently there's a problem with this software.

BRENDAN SULLIVAN: Duly noted.

JAMES WILLIAMSON: Thank you.

BRENDAN SULLIVAN: Are there any other comments?

Yes.

DENISE JILLSON: Good evening. Denise Jillson with the Harvard Square Business Association. I'm just lending our support. We're excited to have a vegan restaurant. We have Sweet Green. Do they have -- I don't know that they have meat.

UNIDENTIFIED MEMBER FROM THE AUDIENCE: Clover is

there.

DENISE JILLSON: What is it?

UNIDENTIFIED MEMBER FROM THE AUDIENCE: Clover is there.

DENISE JILLSON: Clover. Yes.

JAMES DISABATINO: Sweet Green a little differentiation. Sweet green does have meat. Clover serves -- they're vegetarian. They do serve animal products. The main differentiation as far as ingredients go, is everything we serve is plant-based. We don't use eggs. We don't use any dairy, meat or anything.

DENISE JILLSON: Yeah, that's what I thought. So absolutely unique. Nothing like what we have yet, and looking forward to working with you.

Thank you.

JAMES DISABATINO: Thanks.

BRENDAN SULLIVAN: Sounds like we're getting healthier. Anybody else wish to speak on the moment on the

application?

(No Response.)

BRENDAN SULLIVAN: I see none.

There was correspondence from the Harvard Square Advisory Committee. (Reading) James Disabatino and Meghan Goodwin presented the application for the Special Permit. The proposal is for a vegan eatery restaurant inside the arcade area. The company uses 100 percent compostable utensils and dishes. Serves only a vegan menu. The hours of operation from seven a.m. to ten p.m. and will utilize the common area seating at the Smith Campus Center for seating. Deliveries will be made daily as the food is all prepared on-site. Trash and composting will be done through the building's common area in the basement. Motion was made and seconded to support the application for the fast order food establishment that the proposal meets the guidelines of the Harvard Square Overlay District. There was no need for access to -- there is a need for healthy -- for access to

healthy food in Harvard Square. The committee also discussed how the ground floor of the Smith Campus Center included such uses during the review of that BZA case. The signage will be part of the overall building signage. All members in attendance supported the fast order food permit and finds it in conformance with the Harvard Square Overlay District guidelines.

Sum substance of the correspondence. I will close public comment.

Any questions? Anything else to say? No?

JAMES DISABATINO: I think we --

BRENDAN SULLIVAN: Said it all?

JAMES DISABATINO: -- covered it.

BRENDAN SULLIVAN: Okay.

Having gone through the prerequisite for the fast food, it appears that you have met all of those requirements under 10.43.

The requirements for a Special Permit will

normally be granted with the specific provisions for this Ordinance are met. It appears, let me make a motion, then, that it appears that the requirements of the Ordinance can be met.

It appears that traffic generated or patterns of access or egress would not cause congestion, hazard, or substantial change in established neighborhood character.

The Board finds that the application is within the arcade area and is totally dependent on walk-in trade prevalent through the Smith Center.

The Board finds that continued operation or development of adjacent uses as permitted would not be adversely affected.

The Board finds that the proposed use would actually complement some of the existing establishments in the Smith Center, and also the Harvard Square area in general.

The Board finds that there would not be any

nuisance, hazard created to the health, safety, and/or welfare of the occupants of the proposed use or to the citizens of the city.

The Board finds that the proposed use would not impair the integrity of the district or adjoining district or otherwise derogate from the intent and purpose of the Ordinance, which is to provide a multitude of food offerings and establishments to add to the variety in the Harvard Square area and also to Cambridge citizens.

Anything else to add to that?

(No Response.)

BRENDAN SULLIVAN: On the motion, then, to grant the Special Permit, all in favor?

(Show of hands.)

BRENDAN SULLIVAN: Five. Good luck.

(Sullivan, Hickey, Tedesco, Anderson, Hammer.)

* * * * *

(7:45 p.m.)

(Sitting Members Case BZA-014-099-2017: Constantine Alexander, Brendan Sullivan, Andrea A. Hickey, Patrick Tedesco, Slater W. Anderson.)

CONSTANTINE ALEXANDER: The Chair will call case No. 014099, 140-142 Prospect Street.

Is there anyone here wishing to be heard on this

matter?

DAVID CHOI: Yes, sir. My name is David Choi.

I'm an architect representing --

CONSTANTINE ALEXANDER: Why don't you come closer.

It would just be easier.

DAVID CHOI: My name is David Choi. I'm an architect representing the Islamic Society of Boston. And at this point we respectfully ask for a continuance on the matter, because we're still working through design concerns that the Cambridge Historic Society and Commission had. And we still have not resolved to their satisfaction. So we would respectfully ask that --

CONSTANTINE ALEXANDER: Do you have a date in mind that you'd like it to be continued to? The earliest would be?

SISIA DAGLIAN: 11th.

CONSTANTINE ALEXANDER: January 11th. We meet twice a month and the next will be the 25th.

DAVID CHOI: Okay. January 11th does work with the Islamic Society of Boston.

CONSTANTINE ALEXANDER: You sure? Because you've got the holidays and --

DAVID CHOI: Yes, sir.

CONSTANTINE ALEXANDER: -- you have to work with other boards, and you may have trouble getting ahold of people.

DAVID CHOI: Okay. We're very thankful that you can understand our position.

CONSTANTINE ALEXANDER: Yeah, okay. So the 11th?

DAVID CHOI: Yes, sir. Thank you.

CONSTANTINE ALEXANDER: Okay. Well, wait, don't go yet. You can sit down. You don't have to stand up.

DAVID CHOI: Okay, thank you.

CONSTANTINE ALEXANDER: Okay. The Chair moves that we continue this case as a case not heard until seven p.m. as a case not heard until seven p.m. on January 11th

subject to the following conditions.

These are standard just so you know.

DAVID CHOI: Yes.

CONSTANTINE ALEXANDER: The first condition is that you sign a waiver for a time of decision. And Sisia over here will have you do that. It's a form that has to be signed.

DAVID CHOI: Okay.

CONSTANTINE ALEXANDER: Second, that the posting sign that's up there now, be modified or get a new one, reflecting the new date --

DAVID CHOI: Yes.

CONSTANTINE ALEXANDER: -- and the new time.

DAVID CHOI: Yes.

CONSTANTINE ALEXANDER: Seven p.m. on January 11th. And that the sign be maintained for the 14 days before the 11th as you did for this hearing.

And then last and maybe most importantly, to the

extent that you're going to modify the plans or the dimensional form that's in our file now, those modified plans or dimensional form must be in our files no later than five p.m. on the Monday before January 11th. If you don't do that, we will not hear the case on January 11th.

DAVID CHOI: Yes.

CONSTANTINE ALEXANDER: So just make sure you keep that in mind if you decide to make changes in your plans.

Okay?

All those in favor of continuing the case on this basis, please say "Aye."

(Aye.)

CONSTANTINE ALEXANDER: Five in favor. We'll see you on January 11th.

DAVID CHOI: Thank you very much.

(Alexander, Sullivan, Hickey, Tedesco, Anderson.)

* * * * *

(8:00 p.m.)

(Sitting Members Case BZA-014-762-2017: Constantine Alexander, Brendan Sullivan, Andrea A. Hickey, Patrick Tedesco, Slater W. Anderson.)

CONSTANTINE ALEXANDER: The Chair will now call case No. 014762, 51 Harvey Street.

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

JENNIFER VAN CAMPEN: Hello.

CONSTANTINE ALEXANDER: Give your name and address to the stenographer.

JENNIFER VAN CAMPEN: Sure. I'm Jennifer van Campen, 51 Harvey Street, owner and resident.

CONSTANTINE ALEXANDER: Okay. And what do you want from us tonight?

JENNIFER VAN CAMPEN: Well, I would love

permission to alter some windows and a door on the exterior of my house.

CONSTANTINE ALEXANDER: And just for the record, you need to come before us tonight because those windows and doors are in setbacks. And our rules require that if it's in a prescribed setback, you have to get a Special Permit from us, not a Variance.

JENNIFER VAN CAMPEN: Yes, that's what I'm hoping to get.

CONSTANTINE ALEXANDER: I have the plans here. Do you have a set of plans?

JENNIFER VAN CAMPEN: I do have a set of plans.

CONSTANTINE ALEXANDER: If you could show the other members of the Board just exactly where the changes are going to be made.

JENNIFER VAN CAMPEN: I have a smaller version.

CONSTANTINE ALEXANDER: If not, I have -- you can take this. I have a set right here.

SLATER ANDERSON: There you go.

JENNIFER VAN CAMPEN: Thank you.

So this is the proposed drawing of the rear of my house. Right here is the windows and door in question.

So when I purchased the house, this was a sunroom, a year round sunroom, and it had four windows across the back and two windows on each -- sorry, two windows on this side and a window and a door on this side of the house.

There was an exterior staircase. It was -- when I purchased it, it was a two-family house, although my understanding was it was an illegal two-family house. It wasn't assessed or taxed at a two-family rate. And my desire was to convert that sunroom into a bathroom. So we needed to close up some windows, because six windows in a bathroom is a little too much. And a doorway, an exterior doorway into a bathroom, bad news. So we were -- the plan was to reduce again from four, five, six, seven windows down to one on each side will remain, and just one in the rear, a smaller -- and a smaller

window.

And then on the first floor there was a one, one panel door, sort of a standard one doorway with door. And as you probably know this neighborhood better than I, the houses are pretty close together. My one neighbor is two feet from one side and the other is, is I think five feet. So we don't have a lot of light. There's not a lot of windows on the first floor. So I thought, ah-ha, I could change the door into a double width glass door and it would let in more light. And so that is what I am requesting permission to do.

As I said, reduce the number of windows, but increase the opening for the door. The total effect is still a reduction in the number of openings in the house.

CONSTANTINE ALEXANDER: Have you spoken to your neighbor who -- to your rear?

JENNIFER VAN CAMPEN: Directly behind me, yes, yep.

CONSTANTINE ALEXANDER: And any objection?

JENNIFER VAN CAMPEN: He said fine. Yeah, no objections.

CONSTANTINE ALEXANDER: Okay. Let me have that back.

JENNIFER VAN CAMPEN: Thank you for sharing that with me.

CONSTANTINE ALEXANDER: Questions from members of the Board?

(No Response.)

CONSTANTINE ALEXANDER: Apparently not.

ANDREA HICKEY: Can I see your pictures there?

CONSTANTINE ALEXANDER: I have the file here, too, Andrea, if you want.

ANDREA HICKEY: Thanks.

CONSTANTINE ALEXANDER: While other members are looking over the files, 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.

Slater, whenever you're ready.

SLATER ANDERSON: Yeah, go ahead.

CONSTANTINE ALEXANDER: Okay.

Well, any -- I don't assume you have any further comments to make. You've made your comments.

JENNIFER VAN CAMPEN: Yes.

CONSTANTINE ALEXANDER: Any questions from members of the Board or ready for a vote?

(No Response.)

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

The Chair moves that we make the following findings with regard to the Special Permit you are seeking:

That the requirements of the Ordinance cannot be

met without the Special Permit.

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 Ordinance would not be adversely affected by what you're proposing. And you've said you've spoken to the neighbor most affected and there is no objection there.

No nuisance or hazard will be created to the detriment of the health, safety, and/or welfare of the occupant of the proposed use, that's you, 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 all of these findings, the Chair moves that we grant the Special Permit you are seeking on the condition that the work proceed in accordance with these plans.

They are plans that have been initialled by the Chair and they've been prepared by HDS Architecture. And it looks like the date is April 21, 2017.

So just to warn you, if you decide to make some changes, you're going to have to come back. This has got to be it. Okay?

JENNIFER VAN CAMPEN: Yeah.

CONSTANTINE ALEXANDER: All those in favor please say "Aye."

(Show of hands.)

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

(Alexander, Sullivan, Hickey, Tedesco, Anderson.)

* * * * *

(8:15 p.m.)

(Sitting Members Case BZA-014793-2017: Constantine Alexander, Brendan Sullivan, Andrea A. Hickey, Patrick Tedesco, Slater W. Anderson.)

CONSTANTINE ALEXANDER: The Chair will call case No. 014793, 50 JFK Street.

Is anyone here wishing to be heard on this matter?

ATTORNEY DENNIS QUILTY: Yes, sir. We were visiting an old friend who is before you in a few minutes. Sorry to take up your time. Good evening.

CONSTANTINE ALEXANDER: Good evening.

ATTORNEY DENNIS QUILTY: My name is Dennis Quilty. I'm an attorney representing the applicant before you Lea Sasportes, whose business is Amarino Gelato. With us is Jack Moriarty who is their consultant on construction and design. And we're delighted to be here tonight. Thank you.

So our proposal is, I think, probably easiest to have you -- if you'd like to sort of flip through some informational packets here, some photos, and menus which are very instructive. If you don't mind me sliding that. The product. Thank you very much. And so slide this around.

And we have the plans here in front of us as well. So the application is for a Special Permit for a fast order food cafe selling primarily gelato and then some related soft drink coffees, teas, and pastries and the like.

CONSTANTINE ALEXANDER: No pure ice cream? What I call pure ice cream.

ATTORNEY DENNIS QUILTY: It's all gelato from Italy. And I'm sorry. And we --

CONSTANTINE ALEXANDER: Go ahead.

ATTORNEY DENNIS QUILTY: They actually operate a -- the only other venue of its kind in the region is on Newbury Street in Boston. And they've been looking for a location in Cambridge for sometime now and we're lucky

enough to like upon this formerly retail business at 50 JFK and we're very excited to go forward here on this proposal.

So it's no cooking, no oils, no odors, etcetera, and the like. Very, you know, very transportable but also very easily disposed of paper goods only would wrap a cone for example.

CONSTANTINE ALEXANDER: Is the gelato brought into the store, you don't make it at the store?

LEA SASPORTES: Yeah, we don't make it at the store.

CONSTANTINE ALEXANDER: Okay.

How often do you expect to have deliveries made?

LEA SASPORTES: So during the summer we have two deliveries a month.

CONSTANTINE ALEXANDER: I'm sorry?

LEA SASPORTES: Twice a month.

CONSTANTINE ALEXANDER: Twice a month?

LEA SASPORTES: And in the winter it's like just

once a month.

CONSTANTINE ALEXANDER: Really, only twice a month?

LEA SASPORTES: Yep.

CONSTANTINE ALEXANDER: Okay. You don't sell a lot of gelato.

LEA SASPORTES: Oh, we do.

JACK MORIARTY: We have a freezer.

LEA SASPORTES: We have a big working freezer.

ATTORNEY DENNIS QUILTY: And we did -- in preparation for coming before you tonight, we did meet with the advisory committee.

CONSTANTINE ALEXANDER: We have a letter which I'll read into the record.

ATTORNEY DENNIS QUILTY: Thank you, sir. They also went door to door with their neighboring businesses and people in the area.

CONSTANTINE ALEXANDER: And we have letters of

support which I'll read into the record from at least two of your business neighbors. So you've touched all the bases which is to your credit.

ATTORNEY DENNIS QUILTY: I hope. Thank you.

CONSTANTINE ALEXANDER: As you know, I assume you know under our Zoning Ordinance we have a defined term "fast order food establishment." And you meet that requirements, I'll get to those. It's basically a place that's a takeout as opposed to a tablecloth and tables and the like kind of place, a restaurant in other words. And in Harvard Square you need to get a Special Permit, which is why you're before us tonight. But there are a number of requirements in our Ordinance that we have to meet -- we have to find, this Board does, to grant you the Special Permit. So let me just go down the list if I may. I think you're going to be okay but not a problem.

First condition is that you're not going to create traffic problems, reduce available parking, threaten public

safety in the streets, or encourage or produce double parking on the adjacent public streets.

ATTORNEY DENNIS QUILTY: We think the use will be almost entirely pedestrian related. There's no parking involved in the lease.

CONSTANTINE ALEXANDER: I assume it's the case in your Newbury Street operation?

LEA SASPORTES: Just the customers they walk by and do shopping.

CONSTANTINE ALEXANDER: And order gelato.

JACK MORIARTY: Precisely.

CONSTANTINE ALEXANDER: That the physical design, including color and use of materials, shall be compatible with and sensitive to the visual and physical characteristics of other buildings, public spaces, and uses in the particular location. Do we have a --

ATTORNEY DENNIS QUILTY: We do have a -- we have a certificate of non-applicability from the Historic

Commission with regard to the minor changes.

CONSTANTINE ALEXANDER: Okay.

What about in terms of the signage on the building, the exterior appearance?

LEA SASPORTES: So, yeah, we have the signage here. So we tried to keep the historical (inaudible) of the building and especially the two columns just here by the entrance here. We kept also the corner of the wall.

CONSTANTINE ALEXANDER: And we have sign requirements in our Ordinance. Have you, have you talked to Community Development to be sure that you're all set?

JACK MORIARTY: Yes.

ATTORNEY DENNIS QUILTY: Yes.

CONSTANTINE ALEXANDER: Okay.

ATTORNEY DENNIS QUILTY: That's the existing condition so you can see where.

JACK MORIARTY: This years ago was the drugstore.

CONSTANTINE ALEXANDER: Drugstore? Really?

JACK MORIARTY: Well, when I was in school, it was a drugstore.

CONSTANTINE ALEXANDER: Many years ago. I could remember Burke's being there. I don't remember a drugstore.

JACK MORIARTY: It was there in '78, '79.

CONSTANTINE ALEXANDER: Really?

JACK MORIARTY: Yeah.

ATTORNEY DENNIS QUILTY: So the same sign then would be utilized.

CONSTANTINE ALEXANDER: And the height of the sign, I mean, under our Ordinance there's all kinds of restrictions. You've gone through all of that?

JACK MORIARTY: Yes.

CONSTANTINE ALEXANDER: Okay.

The establishment fulfills a need for such a service in the neighborhood. And here's your time to advertise. What's the need you're going to satisfy?

ATTORNEY DENNIS QUILTY: You should take this.

LEA SASPORTES: So, yeah, I mean Amorino is a high end gelato coffee shop and we want our customer experience the real gelato like we have in Italy. So we use like traditional recipes; no flavoring, no colorings. It's very natural ingredients. What's very unique about the concept is the flower shape, so it's the way we shape the gelato in the cone. This is actually our signature product. So it's a flower shape on the cone with a macaron filled with gelato inside. So I mean I don't think you can find anything like this around here. And we also have other special products like the waffle, the crepes. We have like affogato which is a very like Italian drink. And we also have like the very thick Italian hot chocolate, we have it in different flavors, which is very unique, too.

CONSTANTINE ALEXANDER: Are there any other operations in Harvard Square that sell gelato?

LEA SASPORTES: Not on the square.

JACK MORIARTY: Not that I'm aware of.

LEA SASPORTES: I mean, the other one is --

CONSTANTINE ALEXANDER: There is a need certainly
for gelato as well as ice cream and --

JACK MORIARTY: There's Ben and Jerry's and --

LEA SASPORTES: Ben and Jerry's and J.P. Licks.

JACK MORIARTY: -- and J.P. Licks.

CONSTANTINE ALEXANDER: Oh, yeah, but that's ice
cream.

LEA SASPORTES: That's ice cream.

JAMES WILLIAMSON: Sometimes they have an
offering.

CONSTANTINE ALEXANDER: I'm sorry?

JAMES WILLIAMSON: Sometimes they have a gelato
offering I think.

JACK MORIARTY: Yeah, they might.

CONSTANTINE ALEXANDER: But it's not
pure --

LEA SASPORTES: Yes.

CONSTANTINE ALEXANDER: -- pure Italian gelato?

It's American kind of stuff.

ATTORNEY DENNIS QUILTY: That's the concept here is that this is truly Italian, you know, with their style.

CONSTANTINE ALEXANDER: Okay.

The establishment will attract patrons primarily from walk-in trade as opposed to drive-in or automobile-related trade. And you've already addressed that. It's your experience that people walk by and stop by for gelato.

LEA SASPORTES: Yes.

CONSTANTINE ALEXANDER: The establishment shall provide convenient, suitable, and well-marked waste receptacles to encourage patrons to properly dispose of all packaging materials, utensils, and other items provided with the sale of food.

What's your plans with regard to receptacles?

JACK MORIARTY: Trash pick up will be off the side

street through the back.

CONSTANTINE ALEXANDER: What about in terms of --

JACK MORIARTY: Receptacles will be in the facility it testify. They will be emptied, you know, as needed and they do a great job actually. On Newbury Street they've been complimented about the way they pick up around if anybody drops anything it's not even the store's trash. So I think they, you know, they want to keep the curb appeal. So if somebody else's material they're gonna clean it up as well.

CONSTANTINE ALEXANDER: Okay.

JACK MORIARTY: And at the end of the night I think you have a policy to police the whole area.

CONSTANTINE ALEXANDER: What are going to be your hours of operation?

LEA SASPORTES: So we're going to open at nine in the morning and we're going to close at midnight.

CONSTANTINE ALEXANDER: Until midnight?

LEA SASPORTES: Midnight. And one a.m. on Thursday, Friday, and Saturday.

ATTORNEY DENNIS QUILTY: We actually had a lengthy discussion with the advisory committee on this topic, and they were very interested in staying open later to give more vibrancy to the square.

CONSTANTINE ALEXANDER: Well, there's a lot of emphasis on that in terms of increasing activity in the square in the evening rather than everybody shuttering up at seven o'clock at night. So that's good.

And that the establishment complies with all state and local requirements applicable to ingress, egress, and use of all facilities on the premises for handicapped and disabled persons.

JACK MORIARTY: Yes, we've met with the city gone through that. We've also got the required variances from the MAAB for the space, because the space is a little bit unique because of the elevation to the street and the

historic significance of the building and to maintain that, so we have the appropriate variances.

CONSTANTINE ALEXANDER: Just out of curiosity, if I'm a disabled person and have trouble walking, how will I get into the store? And maybe you got the Variance, but how does a potential patron get into the store? Got to get up the stairs or whatever, the stoop in one fashion or another?

LEA SASPORTES: We've got a doorbell at the entrance with a lighted menu, and we're going to train our staff to like serve people.

ATTORNEY DENNIS QUILTY: They will go out and serve somebody --

CONSTANTINE ALEXANDER: Got it.

ATTORNEY DENNIS QUILTY: -- if it's required. But literally the historic elements on the facade of the building with the grade change made it very, very -- impossible to comply.

CONSTANTINE ALEXANDER: Yeah, okay.

And those are the requirements. Let me see -- and then there are more general requirements for a Special Permit which are general in nature. I don't think we need to -- well, I'll deal with them in the motion but we don't need to go through them right this second.

Any questions from members of the Board?

(No Response.)

CONSTANTINE ALEXANDER: Apparently not. I'll open the matter up to public testimony.

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

DENISE JILLSON: Thank you. Denies Jillson, the executive director of the Harvard Square Business Association. And obviously we're delighted. We think it's really charming. It's been, you know, this property has been shuttered in that corner for almost two years now, and it's really sweet what they're doing and they'll be right there by Pinocchio's and they're open late and across from

Winthrop Park. So we're very enthusiastic. They've already joined the association. And Lea has been to board meetings and beginning to meet people in the square and some of the leadership with various businesses. So I think they're going to be terrific partners and we're looking forward to working them.

Thank you.

CONSTANTINE ALEXANDER: Good. Thank you for coming down.

Anyone else wishes to be -- Mr. Williamson.

JAMES WILLIAMSON: Yeah, thanks. I guess first the question, am I correct in remembering that this is -- like, there are -- if there's a franchise side to the business, to the company, and then there's the corporate side and you're on the -- this is going to be part of the corporate side or is this on the franchise side?

LEA SASPORTES: I'm a franchisee.

JAMES WILLIAMSON: Thank you.

The other thing is that corner is -- it's a small, as you know, narrow sidewalk. It's a congested corner, people coming out of Winthrop trying to, you know, people use it as a shortcut. Lyft and Uber parking every which way around there is my observation. I'm there in that area often. The biggest concern that I have -- one of the big concerns I have about Harvard Square these days is in fact deliveries to places like CVS with the use of 18 wheelers, so -- and then the blocking of the sidewalk with all the delivery stuff. What kind of vehicle are you planning to use to make your deliveries?

LEA SASPORTES: So, it's a 20, 20-foot truck.

JACK MORIARTY: Straight truck.

LEA SASPORTES: Yeah, and we have a truck space just across the street like by Staples. So we not going to be parked on the street. And usually they stay like 30 minutes. They have lift gates, they unload, they bring the gelato in the store and we take it from there.

CONSTANTINE ALEXANDER: What time are the deliveries generally made?

LEA SASPORTES: Nine in the morning.

CONSTANTINE ALEXANDER: What time?

LEA SASPORTES: Between nine and ten in the morning.

JAMES WILLIAMSON: That's one I was going to ask.

So I was in New York City some months ago and had something to eat and then asked where can I get some gelato? And somebody said, well, there's this place Amorino. And I ran and ran and ran and actually was kind of happy that I got there in time, it was just before midnight, and was able to, you know -- so I visited one of the establishments in New York and glad that the hours were what they were in that particular instance. I will say with all due respect, my preference, having enjoyed a family-owned gelato famous gelateria in New Orleans called Angelo Brocato. My preference would be for more of a family feel. But having

been to the one in New York and, you know, it does have a strong, strongly kind of corporate feel to it, but -- but we can't have everything. So, thank you.

CONSTANTINE ALEXANDER: Thank you, James.

Anyone else wishes to be heard?

(No Response.)

CONSTANTINE ALEXANDER: Apparently not.

We are in receipt of some written communications which I will read into the record. We have a memo from the Harvard Square Advisory Committee which you referred to. And I will read -- a lot of it is just summarizing the facts that you've told us. (Reading) A motion was made and seconded to support the application for the fast order food establishment. That the proposal meets the guidelines of the Harvard Square Overlay district. There is a need for fun food options as well as late night access to desserts and coffee in Harvard Square. The signage has been reviewed and approved. All members in attendance at this meeting

were considered supported the fast order food Special Permit and find it in conformance with the Harvard Square Overlay district guidelines.

We also have a letter from, I'll just read -- (reading) My name is Panjn, P-A-N-J-N Lymswan, L-Y-M-S-W-A-N. I am the owner of Nine Tastes Thai Restaurant located at 50 JFK Street, Cambridge, Massachusetts, 02138. I am writing to express my full support to the application, your application, for a fast order food use Special Permit. I believe Amorino will greatly benefit the Harvard Square neighborhood. Amorino will offer a high-quality dessert option that is currently missing in our area. The Amorino team has provided us with a plan for deliveries and trash disposal which is compatible with our activity. In addition, we are pleased to see that their shop will be open late at night.

And we have a letter Ralph Zavarelli, Z-A-V-A-R-E-L-L-I. (Reading) My name is Ralph Zavarelli and

I am the owner of the Pinocchio's Pizza and subs place located at 74 Winthrop Street. Pinocchio's has been in business and feeding Harvard and the surrounding area since 1966. I am writing this letter to support the application of Amorino Gelato, etcetera, etcetera, etcetera. Since the beginning of January 2017, we have been very pleased with the collaboration with the Amorino team and are currently discussing option to join our effort to offer a global menu to takeaway that would including pizza and gelato. Seems to be the trend now. We're going to have not just pizza places, but pizza plus dessert. But that's another sore spot. As we are not serving dessert, it would be a huge addition for us to have Amorino opening in our building. Amorino is a high quality low impact gelato shop which serves coffee, pastries, and fine Italian gelato. But complementary between our two shops would be amazing for our customers especially since Amorino will be open late at night as we are. In addition, we'll be sharing our dumpster

that is located at the rear of the building to accommodate their trash disposal. We also are very pleased by all of the work that will be done with the building facade. The Amorino team has demonstrated to be very careful about keeping the historical architecture while refreshing the building. Accordingly I would like to be recorded in support of Amorino Gelato JFK, LLC's application.

And that's it. Nice letters.

I'm going to close testimony. Anything else you want to add at this point?

ATTORNEY DENNIS QUILTY: Thank you.

CONSTANTINE ALEXANDER: Discussion or a vote? I'm ready for a vote.

The Chair moves that we make the following findings with regard to the Special Permit that's being sought:

First, that we find that the requirements of Section 11.31 which -- regarding fast order food

establishments. These are the ones I've covered in my item by item -- in our discussion. Find that they satisfy the condition requirements of 11.31.

In addition, we have to make further general findings. And the first is that the requirements of the Ordinance cannot be met without the Special Permit that you're seeking.

That traffic generated or patterns of access or egress resulting from your activities will not cause congestion, hazard, or substantial change in established neighborhood character.

You'll be again offering food items in an area that has need for this kind of food that you're going to be offering, your gelato in particular.

That the continued operation or development of adjacent uses will not be adversely affected by what is proposed. And we have two letters from other commercial activities in the general area and they are in support. So

obviously they don't believe you'll adversely affect their operations.

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

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

All those in favor please say "Aye."

(Show of hands.)

CONSTANTINE ALEXANDER: Five in favor. Good luck.

(Alexander, Sullivan, Hickey, Tedesco, Anderson.)

* * * * *

(8:35 p.m.)

(Sitting Members Case BZA-014740-2017: Constantine

Alexander, Brendan Sullivan, Andrea A. Hickey, Patrick

Tedesco, Slater W. Anderson.)

CONSTANTINE ALEXANDER: The Chair will call case

No. 014740, 186 Harvey Street.

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

Go ahead.

KELLY SPEAKMAN: I brought some small sets and some extra copies if anyone is interested in some more manageable to handle.

CONSTANTINE ALEXANDER: I'm all set.

KELLY SPEAKMAN: My name is Kelly Speakman, 30 Bow Street in Somerville.

CAROLYN RUSS: Carolyn Russ, 186 Harvey Street.

TED MCKIE: And Ted McKie, 186 Harvey Street.

CAROLYN RUSS: And we're owners.

KELLY SPEAKMAN: So we're here before the Board today to ask permission to install a residential elevator at the home of Carolyn and Ted. They're long-time North Cambridge residents and they love their home, but it's a three-story house. And while they are active and able, they're looking to make provisions to age in place. The

relief today is for 30 square feet on three floors of living area as well as side yard setback relief.

CONSTANTINE ALEXANDER: And a little FAR relief to?

KELLY SPEAKMAN: Yeah, 30 square feet per --

CONSTANTINE ALEXANDER: Okay, okay.

KELLY SPEAKMAN: Yep. Almost 100 square feet total FAR. And to set five feet closer into the setback.

CONSTANTINE ALEXANDER: Just to put it in context and for the record, the FAR right now is 0.52. You would go to 0.53 if we grant you the relief you're seeking.

KELLY SPEAKMAN: Yes.

CONSTANTINE ALEXANDER: And the district requires 0.42.

KELLY SPEAKMAN: Yes, it's an over --

CONSTANTINE ALEXANDER: So you're not that far over even now, and you would be not that much farther over if we grant you relief. Okay.

KELLY SPEAKMAN: Right.

So --

CONSTANTINE ALEXANDER: I have a basic question.

KELLY SPEAKMAN: Sure.

CONSTANTINE ALEXANDER: And then Patrick or someone else can answer. I mean, obviously you don't need any zoning relief if you do the elevator within the structure?

KELLY SPEAKMAN: You could do the elevator within the structure, but it would be very invasive to the house which they still live in now to cut a big six-foot hole in the middle. And it would also require a lot of reconfiguration of the interior space.

CONSTANTINE ALEXANDER: Some major reconstruction?

CAROLYN RUSS: We would have to tear out all the stairways to do that. It would be -- whereas, if you can put the elevator shaft on the outside, it meets each stairwell where it comes.

CONSTANTINE ALEXANDER: Right.

KELLY SPEAKMAN: And they can pretty much do all of the construction without perforating the envelope and put the doors in at the end so they can work in winter. It's sort of a much lighter touch on your lives as you live through construction which is always fun. And so we're proposing to do it in the easiest most cost-effective place which is not the best for zoning but maybe the best for living in the house and going forward.

CONSTANTINE ALEXANDER: Okay.

BRENDAN SULLIVAN: Do you have access to the elevator from the outside?

CAROLYN RUSS: No.

TED MCKIE: No. Just from the inside.

BRENDAN SULLIVAN: So all interior. Once you're in the unit, you can go up and down?

CAROLYN RUSS: Right.

TED MCKIE: That's right.

BRENDAN SULLIVAN: Okay, but not from the outside?

CAROLYN RUSS: No.

BRENDAN SULLIVAN: So it's basically just a shaft on the outside of the building?

KELLY SPEAKMAN: Yeah. It's got no windows, no doors on the outside. If at some point there's a full wheelchair necessity, which there isn't currently, they could ramp up outside without any required relief to the front door. The first floor is only 24 inches off of the ground, which isn't -- and it's about 40 feet away from the street. So there's plenty of room to put a ramp in.

BRENDAN SULLIVAN: Okay.

KELLY SPEAKMAN: A landscaping ramp as a future phase two when that becomes required later on.

CONSTANTINE ALEXANDER: Other questions from members of the Board?

PATRICK TEDESCO: Just the abutters on that side of the house, have they --

CONSTANTINE ALEXANDER: There's a letter actually.

KELLY SPEAKMAN: Yeah, they have a letter in the file.

CAROLYN RUSS: No, he's fine. And....

CONSTANTINE ALEXANDER: And 184. What about the other side?

CAROLYN RUSS: 190.

KELLY SPEAKMAN: There's a letter of support from --

CONSTANTINE ALEXANDER: 190?

KELLY SPEAKMAN: -- both neighbors. The attached and the --

CONSTANTINE ALEXANDER: Okay.

CAROLYN RUSS: The houses are like this with sort of bare non-windowed walls mainly and fence in between anyway. It's....

ANDREA HICKEY: Are they organized as condos or just separate sort of --

CAROLYN RUSS: 184 and 186 is a condo association.
190 is just our next-door neighbor.

KELLY SPEAKMAN: It's a duplex on a single lot.

CAROLYN RUSS: Yeah.

So the one affected, the abutter affected as far as who is next to it is 190, which is a two-story house on a separate lot.

KELLY SPEAKMAN: Right.

CONSTANTINE ALEXANDER: Okay.

Any other questions from members of the Board at this point?

(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: Apparently not.

We are in receipt of some letters which I'll read into the record.

We have a letter from Susannah Schell, S-C-H-E-L-L, 195 Harvey Street, unit No. 7. (Reading) I am writing in support the application of my neighbors Ted McKie and Carolyn Russ for a Variance to build an elevator addition on the back of their home, not really the back, at blank, blank, blank Harvey Street. This modification will enable Mr. McKie and Ms. Russ to age in place in their home by making their three-level townhouse accessible if one of them becomes mobility impaired. We need to support the efforts of residents to remain in their home, to age in place. Many older residents wish to stay in their own homes as they age but most of our housing stock does not incorporate even modest universal design principles. The addition of an elevator on the rear of this home will enable these long-term residents to stay in their home as active members of the North Cambridge neighborhood. I hope the

Zoning Board of Appeals will grant this Variance.

And then we have a letter from the residents at 184 Harvey Street. (Reading) We live at -- it's from Lisa Walker and Josh Walker. We live at 184 Harvey Street in the townhouse connected to Carolyn Russ -- and support for the addition of an elevator to Ted and Carolyn's 186 Harvey Street -- the letter got cut off in the photocopying. Anyway, the letter is in support.

And a letter from George Robinson at 190 Harvey Street. (Reading) As the abutting neighbor of 186 Harvey Street, I have no objection to the elevator addition proposed by Ted McKie and Carolyn Russ. And I can't read his handwriting but it's signed. And that's it. They're all letters of support.

Any final comments you have?

KELLY SPEAKMAN: No.

CONSTANTINE ALEXANDER: Any discussion or ready for a vote?

ANDREA HICKEY: Ready.

CONSTANTINE ALEXANDER: 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 the of the Ordinance would involve a substantial hardship. Hardship being is that this is a three-story vertical structure and that for anyone who lives in the structure, particularly someone who is aging in place. There is a need for better mobility between the floors.

That the hardship is owing to the shape of the structure as I've identified. It is steep in terms of the staircases required inside the structure to go from floors one, two to three.

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 we would note that the project

proposal seems to be unanimous neighborhood support. That it does fulfill a vital social function by allowing aging citizens to remain in place in their structure.

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 plans prepared by Boyes-Watson Architects dated 9/19/2017. They are three pages, each page has been initialled by Chair.

All those in favor please say "Aye."

(Show of hands.)

CONSTANTINE ALEXANDER: Five in favor. Good luck.

(Alexander, Sullivan, Hickey, Tedesco, Anderson.)

* * * * *

(8:45 p.m.)

(Sitting Members Case BZA-014778-2017: Constantine

Alexander, Brendan Sullivan, Andrea A. Hickey, Patrick Tedesco, Slater W. Anderson.)

CONSTANTINE ALEXANDER: The Chair will call case No. 014778, 115 Hampshire Street.

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

ATTORNEY MICHELLE BARATTA: Good evening my name is Michelle Baratta, B-A-R-A-T-T-A and I represent the petitioner, 115 Hampshire Street, LLC. And my address is 138 Harvard Avenue, Allston, Massachusetts. We are here today for a Variance. There was actually a previously issued Variance on the same matter back in 1998. It was apparently a ten year Variance and it was for the operation of a convenience store, a laundromat, a cafe, and bank services. It's an ATM inside the convenience store, as well as parking relief. The current owners took possession seven years ago. The buildings were still operating and they were just not aware that there was a Variance. Which not -- they

should have been aware, but they were not aware. They have been made aware recently because the owner of the -- or the tenant for the cafe has requested permits for renovations inside and was denied because there's no -- because the Variance has expired.

CONSTANTINE ALEXANDER: Just for the clarity.

This is a residentially-zoned district.

ATTORNEY MICHELLE BARATTA: Correct.

CONSTANTINE ALEXANDER: We're talking about commercial uses which is you need a Use Variance which is why you're here.

ATTORNEY MICHELLE BARATTA: Correct, yeah.

CONSTANTINE ALEXANDER: Okay.

ATTORNEY MICHELLE BARATTA: Yeah, so essentially we are looking to get the same Variance that had been previously issued back in 1998 for -- under 4.34.E which is for the ATM, for 4.35.A.1 for the convenience store, and 4.35.C for the laundromat, and for 4.35.0 for the cafe, plus

the parking relief as well.

CONSTANTINE ALEXANDER: Ten years or so ago when the Use Variance was sought, apparently there was a -- from the files that I've seen, neighborhood opposition I think because of parking. And I think that's -- my guess is that's why they put a ten year period on the Variance to let see how things worked out.

ATTORNEY MICHELLE BARATTA: Right.

CONSTANTINE ALEXANDER: At this time around are you aware of any neighborhood opposition?

ATTORNEY MICHELLE BARATTA: I am not aware of it, no.

CONSTANTINE ALEXANDER: We've got no communications. We'll see if there's anyone in the audience that wants to speak it of. As far as you know or your client knows --

ATTORNEY MICHELLE BARATTA: Right.

CONSTANTINE ALEXANDER: -- there's no neighborhood

opposition to this.

ATTORNEY MICHELLE BARATTA: Correct. And as far as we know, I mean, these are now businesses that are well established in the neighborhood and that, you know, the neighbors have come to rely on especially the convenience store or laundromat, those are services that people expect to still be there and would probably be pretty upset if they disappeared on them.

CONSTANTINE ALEXANDER: Okay.

Any questions from members of the Board?

PATRICK TEDESCO: I just have more of a process question. If this were a Special Permit, it would only -- it follows the owner. So if an owner of the establishment changes --

CONSTANTINE ALEXANDER: Yes.

PATRICK TEDESCO: But in this case it was zoning relief. So the fact that some of these establishments might have different owners is irrelevant.

CONSTANTINE ALEXANDER: Yeah.

PATRICK TEDESCO: Ten years was a condition of the Board, that the Board --

CONSTANTINE ALEXANDER: Yes.

PATRICK TEDESCO: -- put in place at the time.

CONSTANTINE ALEXANDER: Yes.

PATRICK TEDESCO: Okay.

CONSTANTINE ALEXANDER: From a zoning point of view, you can -- Special Permit's run as you say with the owner. Variances cannot be to a specific person.

PATRICK TEDESCO: It runs with the property.

CONSTANTINE ALEXANDER: It runs with the property. You can put a time limit as the Board did ten years ago, or more than ten years ago, but that's how it works from a legal point of view.

PATRICK TEDESCO: So are we being asked to put another time limited on this one?

CONSTANTINE ALEXANDER: I would make a motion

there be no time limit. I think, this is a trap.

PATRICK TEDESCO: Yes.

CONSTANTINE ALEXANDER: Ten years from now
somebody's going to forget or whatever period we put on it.

ANDREA HICKEY: Unless there's any opposition.

CONSTANTINE ALEXANDER: Unless there's opposition.
As I said, we only have a few people here, we'll find out in
a second. But there's nothing in the file that indicates
any opposition.

So with that, is there anyone wishing to be heard
on this matter?

(No Response.)

CONSTANTINE ALEXANDER: No. So I guess there is
no opposition. Thank you.

Discussion or ready for a vote?

BRENDAN SULLIVAN: Yeah.

CONSTANTINE ALEXANDER: I think you're 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 this space is only, that's in question, on the first floor, are only suitable really for commercial uses and have existed for a good long time. And not amenable to residential use which is this district is zoned for, that the circumstances are relating to the nature of the structure.

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

What is being done here is to continue longstanding commercial uses, which judging from the lack of opposition this time around seems to be at least have implicit neighborhood support which I think the neighborhood might be adversely affected if these services, particularly

the laundromat and the convenience store were to be, were to disappear.

So on the basis of all of these findings, the Chair moves that we grant the Variance requested.

All those in favor please say "Aye."

(Show of hands.)

CONSTANTINE ALEXANDER: Five in favor. Relief granted.

(Alexander, Sullivan, Hickey, Tedesco, Anderson.)

(9:00 p.m.)

(Sitting Members Case BZA-014784-2017: Constantine Alexander, Brendan Sullivan, Andrea A. Hickey, Patrick Tedesco, Slater W. Anderson.)

CONSTANTINE ALEXANDER: The Chair will call case No. 014784, 409 Norfolk Street.

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

DAVID SISSON: Yes. I'm David Sisson. I'm the

architect at 238 Fifth Street in Providence, Rhode Island. And I'm here representing Hudson and Lisa Santana. And I'm joined by Lisa Santana who is a homeowner at 409 Norfolk in Cambridge. And we did come before you guys in April for a Variance on honestly pretty much the same project. I'm going to quickly review the difference between that project and this one and then we'll explain what we're looking for.

The previous project we put an addition on the back of the house and we put a little addition off the back of that, and that little addition was the entry to the basement apartment. And the intention of that little addition was to have a covered entry to the basement apartment. And it was sort of a snarkle off the back of the house to let the tenant in that basement apartment.

Subsequently we've changed the plan a little bit. The addition, main addition house is the same, but we've removed that enclosed entry to the basement. We made it an open outdoor stair down to the basement apartment. We've

moved it from the backyard kind of around to the side, and it's just open with a concrete stair and a handrail.

LISA SANTANA: And we just changed it because we were looking, and we were like this is going to take up our whole yard. And it's nice with three kids to have some yard space in Cambridge. So we were like why don't we just kind of turn it --

CONSTANTINE ALEXANDER: And in fact the addition is the play space for your three children?

LISA SANTANA: Yeah. Yeah. Making room.

CONSTANTINE ALEXANDER: When the weather's bad, they're inside --

LISA SANTANA: Yeah, exactly.

CONSTANTINE ALEXANDER: -- and when the weather is good, they're outside.

DAVID SISSON: Correct.

And the addition that we're seeking is a -- going over the top of the existing portion of the house. That

portion of the house is a little concrete block portion with a pitched shed roof. I hate to call it a single-story portion of the house. It's really about a half story because most of it was in the ground, and its only function was a boiler room for the entire house and also an entry to this basement apartment. And it had this -- and it was sort of mostly in the ground and so kind of a half story with a roof above the ground. Not very attractive to be honest with you.

This new addition we were going to take off a couple of courses of block on one side, add a few others on the other side, put a floor that aligns with the existing house, walls and a roof, all matching the existing house and style, some windows. And it's right, you know, matching the existing setbacks on the side, the rear, and the other side. We're not touching any of those setbacks.

We have existing non-conforming setbacks on three sides of the house, front, rear, and one side. And on the

other side we do have a conforming setback.

CONSTANTINE ALEXANDER: But you are conforming of FAR which is good.

DAVID SISSON: Correct. We are conforming on FAR. We sneak in on that. And there's a couple of other non-conformities, but I don't think they're an issue. The lot's a little bit narrow for the zone, but I don't think you guys are worried about that. And I don't think I have anything else to say on the matter.

CONSTANTINE ALEXANDER: Just out of curiosity, what happened between April and now to cause to you change the plans?

DAVID SISSON: Well, what she said --

LISA SANTANA: We were sitting in the backyard and we were, like, what we're doing is going to take up our whole backyard.

CONSTANTINE ALEXANDER: Right.

LISA SANTANA: When we don't need to. We can just

kind of swing it to the side, take up space that's not going to be in the backyard. It's not just going to be covered which is fine. Anyway, it's easier to get strollers in and out of the basement anyway.

DAVID SISSON: And you guys did approve the previous Variance we requested. Change from that one to this one we actually are -- and that one we asked for a Variance on the already non-conforming rear yard setback. We're no longer asking for that relief. So this is I think a bit of an improvement over the former Variance that you've already granted.

CONSTANTINE ALEXANDER: I think you're right.

PATRICK TEDESCO: I just have a question.

DAVID SISSON: Yeah.

PATRICK TEDESCO: If I understand this correctly, the proposed location of the stair down to the basement, it looks like it's very close to the perpendicular stair that goes up to the first floor.

DAVID SISSON: I believe there's enough room to get from one to the other. They --

PATRICK TEDESCO: It's not a zoning issue. I just....

DAVID SISSON: Yeah. No, there's from the deck to the downstairs -- they actually do -- they work there. But you're right. You know, I think the way I showed it in plan is a little different than the way it is in the field. I guess, what you're asking -- flip it around.

Lisa, he's just concerned when we put in this stair --

LISA SANTANA: Yeah.

DAVID SISSON: -- that you can't get in --

LISA SANTANA: It's going to be narrow there?

DAVID SISSON: It's going to be narrow, but I think we have enough space to do that. I think it's a bit better than what we're showing.

LISA SANTANA: Yeah.

CONSTANTINE ALEXANDER: Any comments or questions?

Slater, you have anything?

SLATER ANDERSON: No.

PATRICK TEDESCO: Just something to be mindful of.

DAVID SISSON: I think we have to have three feet
minimum?

PATRICK TEDESCO: Three feet would be I think a
minimum.

DAVID SISSON: Yeah.

LISA SANTANA: Yeah, we measured it so it's not
too tight. I mean, it's not like ideal, but it's doable.

BRENDAN SULLIVAN: I think the code is going to
say that the landing spot has to be about three feet anyhow
from it to an obstruction.

LISA SANTANA: I feel like we have three or four
feet there, yeah.

DAVID SISSON: Okay.

CONSTANTINE ALEXANDER: Well, I would ask for any public comments but there's nobody in the audience so we know the answer to that. And there are no letters in our files. So I think we're all set.

I will make a motion unless people have questions.

ANDREA HICKEY: No.

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

And I think what we need to do is incorporate the findings that we made the last time since the zoning issues have not changed. So whatever we did in April, those findings are incorporated into the decision tonight.

So on the basis of these findings, the Chair moves that we grant the relief requested on the condition that the work proceed in accordance with the plans submitted by the petitioner. I think there are five pages, plans, and site plan. The five pages all of which have been initialled by

the Chair.

All those in favor please say "Aye."

(Show of hands.)

CONSTANTINE ALEXANDER: Five in favor. Relief granted.

(Alexander, Sullivan, Hickey, Tedesco, Anderson.)

CONSTANTINE ALEXANDER: You're all set.

DAVID SISSON: Thank you so much.

CONSTANTINE ALEXANDER: Hopefully we're not going to see you a third time.

LISA SANTANA: Yeah. Do we want to ask them quick about the --

DAVID SISSON: I do want to ask a quick question regarding parking requirements in the zone. Can they do tandem parking in the zone or does that have to be side-by-side for a multi-family?

CONSTANTINE ALEXANDER: I don't think tandem is permitted.

ANDREA HICKEY: It's not permitted not to my knowledge at all.

CONSTANTINE ALEXANDER: No, it's got to be side-by-side.

DAVID SISSON: So that gives us a place to start on that question. Thank you so much.

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

Zoning Board of 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.

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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.

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 11th day of December, 2017.

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

My Commission Expires:
April 29, 2022

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