

BOARD OF ZONING APPEAL
FOR THE
CITY OF CAMBRIDGE

GENERAL HEARING

THURSDAY, JUNE 22, 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

Andrea A. Hickey, Member

Patrick Tedesco, Member

Douglas Myers, Associate Member

Jim Monteverde, Associate Member

Sean O'Grady, Zoning Specialist

Sisia Daglian, Assistant Commissioner

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PROCEEDINGS

(7:05 p.m.)

(Sitting Members: Constantine Alexander, Brendan Sullivan, Janet Green, Andrea A. Hickey, Patrick Tedesco, Douglas Myers, Jim Monteverde.)

CONSTANTINE ALEXANDER: The Chair will call this meeting of the Zoning Board of Appeals to order. And as is our custom, we start with continued cases. These are cases that started at an earlier date, and for one reason or another we did not reach a decision and decided to continue the case. That being said, and before I get to the continued cases, I'd like to read a statement:

After notifying the Chair, any person may make a video or audio recording of our open sessions 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 inform those of you who are in the audience that a recording is being made. Our stenographer makes a recording to assist her doing the transcript at the end of the meeting. And most likely there's a citizen of the Cambridge who almost always comes and records the meeting. He's not here yet, but I suspect at some point he'll show up and I'll announce that he's recording as well. Just be aware that this meeting is being recorded.

(7:05 p.m.)

(Sitting Members Case BZA-012995-2017: Constantine Alexander, Brendan Sullivan, Janet Green, Patrick Tedesco.)

CONSTANTINE ALEXANDER: Okay, I'm going to call case No. 012995, 4 Gracewood Park.

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

ATTORNEY SURINDER AHLUWALIA: Surinder Ahluwalia.

Address, too?

CONSTANTINE ALEXANDER: Just the city.

THE STENOGRAPHER: You need to spell that for me, too, please.

ATTORNEY SURINDER AHLUWALIA: Last name A-H-L-U-W-A-L-I-A. First name S-U-R-I-N-D-E-R. And Quincy, Mass.

PATRICIA SEITZ: Patricia Seitz, I'm the architect. S-E-I-T-Z and I live in Arlington.

SAROJ JOSHI: J-O-S-H-I S-A-R-O-J. Cambridge, Mass.

CONSTANTINE ALEXANDER: Before we start, I want to make what I think are two important procedural announcements.

The first is the fact that as you will see, there are only four members of the Board sitting here.

JANET GREEN: There are five right now, but you don't count.

PATRICK TEDESCO: I don't count?

CONSTANTINE ALEXANDER: You don't count.

PATRICK TEDESCO: No, I count.

JANET GREEN: Who counts? You count, I count.

CONSTANTINE ALEXANDER: Wait a minute. I count, Brendan counts. George is not here. Janet and Patrick.

ANDREA HICKEY: Oh, I thought I didn't count. All right.

CONSTANTINE ALEXANDER: Only for this hearing.

Now, the reason I mention that is that as a matter of law under our Ordinance and under the state law, to get affirmative action, to get approval from our Board, you need four votes. We have a Board regularly sits five. One of the five members who would have to sit tonight is in the hospital. So we only have four. So the choice is yours. We can proceed, but if you run the risk that if you don't get a unanimous vote of the four of us, you'll be turned down.

Or, you can continue the case to another date and when we will have the fifth person. Statistically your odds are better in doing that and most people do continue the case. But the decision is yours. I know you were on the phone with Maria Pacheco. I was in the office, and you said you wanted to go forward. That's your call. But understand what the consequences are if you decide to go forward.

ATTORNEY SURINDER AHLUWALIA: Could we have an option of continuing if the Board indicates they're inclined to (inaudible)?

CONSTANTINE ALEXANDER: No, we're not -- if we're going to start, we're going to finish. You decide at the outset if you want to wait to make sure we have five, wait. If you don't, then you take -- you pay your money and take your chances as they say.

PATRICIA SEITZ: So the risk is delayed by two years if they don't --

CONSTANTINE ALEXANDER: Presumably we can hear the

case the next time around I think. George, our fifth board member, should be out of the hospital by then.

PATRICIA SEITZ: I think that was in July. I think that's when I'm away.

SEAN O'GRADY: July 13th is the next hearing.

PATRICIA SEITZ: Yeah, I won't be back in time for the 13th.

PATRICK TEDESCO: And I'm not here on July 13th, so you would be in the same boat, too.

PATRICIA SEITZ: And you're out, too.

PATRICK TEDESCO: Unfortunately, I'm out on the 13th.

PATRICIA SEITZ: Well, I'm also -- I'm out of the country, yeah.

CONSTANTINE ALEXANDER: Out the country, out of Cambridge, same difference.

PATRICIA SEITZ: Right, doesn't matter.

JANET GREEN: But it's a long project anyway, and

you have a long time to live with the decision. So a week or a month is less -- it seems upsetting now, but it might be worth considering that time as opposed to --

CONSTANTINE ALEXANDER: As I said, most people do continue because statistically you're better off.

PATRICK TEDESCO: And, Gus, just to clarify, it doesn't prevent you from proceeding with the work. It just prevents you from proceeding with the work that's affected by the Variance.

SAROJ JOSHI: Special Permit.

PATRICIA SEITZ: Can I ask you a different question?

CONSTANTINE ALEXANDER: Sure.

PATRICIA SEITZ: Which is since there are -- if there are both Special Permits and Variances, does that mean you can't vote -- could you vote on them separate?

CONSTANTINE ALEXANDER: No, it's one vote.

PATRICIA SEITZ: It's one vote for everything?

CONSTANTINE ALEXANDER: Well, it's two votes, but it's the same number of vote. You need four for each.

PATRICIA SEITZ: Right, right.

CONSTANTINE ALEXANDER: So it doesn't make a difference.

PATRICIA SEITZ: Yeah.

CONSTANTINE ALEXANDER: So, if you want to take sometime to step out and talk about it, it's up to you.

SAROJ JOSHI: No, I want to go ahead.

PATRICIA SEITZ: There's certainly risk.

CONSTANTINE ALEXANDER: It's your call. Okay. You want to proceed?

PATRICIA SEITZ: It's -- as the architect, I'm just letting them know there's risk.

CONSTANTINE ALEXANDER: Okay. As I said --

PATRICIA SEITZ: It's not my call. I think they have to make the decision.

BRENDAN SULLIVAN: Again, as the Chairman suggests, why don't you go into the other room and talk about it and come back. This is an extremely important decision you're going to make.

CONSTANTINE ALEXANDER: Before you leave, just to hear the other -- sorry, the other procedural announcement that really applies to your neighbors more than you, but you should be aware of it as well. We are in receipt of a Memorandum of Understanding that you signed with, it looks like five neighbors, setting all sorts of restrictions or rules as to how the construction would proceed should we grant the relief. That Memorandum of Understanding says: That the neighbors agree to the relief you're seeking so long as this agreement is incorporated into our decision.

SAROJ JOSHI: Right.

CONSTANTINE ALEXANDER: We don't do that. This is presumably a contract. I'm not going to pass as to whether it is, it looks like it is. We don't, this Board or

Inspectional Services Department, doesn't get into mediating, resolving conflicts under a contract.

SAROJ JOSHI: Right.

CONSTANTINE ALEXANDER: So this presumably is still enforceable, but it won't be enforceable by this Board or Mr. O'Grady or the Inspectional Services. And I think that's more important to the neighbors than it is to you, but I want it on the record so that they know.

With that, just so that you know that. Now, if you want to step out and talk about the whether you want to go forward tonight with four or five, it's up to you.

PATRICIA SEITZ: Okay, thank you.

(Case BZA-012995-2017 Recessed.)

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(7:10 p.m.)

(Sitting Members Case BZA-013282-2017: Constantine Alexander, Brendan Sullivan, Janet Green, Andrea A. Hickey, Patrick Tedesco.)

CONSTANTINE ALEXANDER: Okay, the Chair will call case No. 013282, 132-134 Banks Street.

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

DERICK SNARE: First of all, thank you for letting us re-address the supporting statements. Derick Snare, I'm the architect, 158 Central Street, Somerville. Formerly Antrum Street, Cambridge. And this is the owner.

HONTBO JAING: Hontbo Jaing. First name, H-O-N-T-B-O. Last name, J-A-I-N-G.

Thank you.

CONSTANTINE ALEXANDER: Okay, you're seeking a Variance and a Special Permit?

DERICK SNARE: Yes.

CONSTANTINE ALEXANDER: Talk to us about it.

CAROL O'HARE: Can you use the mic?

DERICK SNARE: Okay.

CONSTANTINE ALEXANDER: You have to push the switch and turn it on.

BRENDAN SULLIVAN: Push the switch and it has to be -- it should be on. The green light should be on. It's on.

JANET GREEN: An inch or two --

DERICK SNARE: Hello.

CONSTANTINE ALEXANDER: Yeah.

JANET GREEN: But it's got to be that close.

ANDREA HICKEY: Stay close to it.

DERICK SNARE: All right, well, I did the condo docs for this building, and then when the new owner approached me for doing some renovations, my first thought was well, there's not a lot to do. But subsequently realized that actually there's some substantial improvements

that we can make, you know, for the owner, and actually for the neighborhood. Starting with the neighborhood, exterior of the house, if you've been there, you may have noted that there's damaged soffits here and also in the back. We've got squirrels in the attic. There are a number of shutters in disrepair. Some miscellaneous trim that's in disrepair. Blocked windows on both sides. This half is our half. And we're going to replace the shutters. We're gonna fix the soffits. We're gonna replace damaged trim. And actually at the sort of basement level we're gonna put a new window where this blocked window is. We're going to -- the window next to it is actually a different size, we're going to make them both the same size. There's another window right around the corner. We're also going to make a real window. So those are all beneficial to the appearance of the building and the neighborhood.

As for the owner, I know that you're not really interested in the interiors, but I'll just basically point

out that we're -- you know, they're small rooms. It's a small house to begin with. So on the first floor we're going to open up, open it up into one large room. And the real advantage of this unit is that it has a nice little yard in the back. So by replacing existing door and window with a sizable slider, we get sort of one room with a view which will be nice.

CONSTANTINE ALEXANDER: What's behind -- in the back -- what is your backyard look out to?

DERICK SNARE: There's another yard beyond the fence.

CONSTANTINE ALEXANDER: And that single-family home?

DERICK SNARE: Single-family -- well, actually, I don't, I don't know. Hold on. It's -- so there is ours. It's -- I don't know -- I think that might be more than a single-family. Oh, actually it's this one, sorry.

CONSTANTINE ALEXANDER: It's a residence?

DERICK SNARE: It's a residence. It's -- hold on.
I know I have a picture.

It's this house here which looks large enough that it might be more than a single-family. But anyway, they have a nice yard with some birch trees and it's advantageous. It's a nice view.

CONSTANTINE ALEXANDER: Okay.

DERICK SNARE: So then on the second floor, back to the plan, again, two small rooms. There's an existing sort of little study. So it was pretty clear that with the bedrooms there we needed to make that a bathroom. So we're losing room in effect, but it wasn't gonna be a bedroom, it's not big enough, but it's just right for a bathroom, and -- but it's critical space. So when I looked into the attic, there's -- given the 12/12 pitch, there's a like a ten feet, six from the floor to the bottom of the nailer. That's nice. It only gives us -- when you look at it in section...in section it only gives us about seven feet wide

of seven-foot headroom. But if we could add dormers, it would become a, you know, a super -- it would just be an additional room which would be so meaningful to, you know, to this small unit. So that's hence the proposed dormer on the back.

CONSTANTINE ALEXANDER: Am I correct your proposed dormer complies with our dormer guidelines or not?

DERICK SNARE: Well, here's the question. So on the front, yes, it's a gable dormer. It's only seven feet, six wide.

CONSTANTINE ALEXANDER: Right.

DERICK SNARE: The whole building, the two units together are -- the ridge line is 42 feet. Our proposed -- so when you force -- if you consider the whole roof, then, yes. But if you consider half of it, since she owns half, then we're a little over because we're asking for 15-foot shed dormer on the back.

Now the shed dormer on the back is, is not visible

to public view. That is the view. Here's actually part of that yard we were talking about. So here's her unit there. So it's, it's obscured by landscaping, and you don't see it from the public view. On the front obviously our gable would be visible. And this is what it would look like. So there's the front.

CONSTANTINE ALEXANDER: Right.

DERICK SNARE: The gable. And then shed on the back.

And the reason for that size of dormer on the back is...hold on. Here. So this is the attic space. Again, the bedroom up there, so -- and I'll explain why we have a spiral stair. But that makes it a little challenge to go down to the bathroom. So, again, we'd like to add a small bathroom and there's a sort of small living space. But that's why we came up with a 15-foot dormer.

CONSTANTINE ALEXANDER: Okay.

BRENDAN SULLIVAN: So on the front you're only

going to see one dormer?

CONSTANTINE ALEXANDER: Yeah.

DERICK SNARE: Yes.

BRENDAN SULLIVAN: So it's kind of out of balance obviously.

DERICK SNARE: That's a question. It's not historical.

JANET GREEN: Can you hold the microphone up?

DERICK SNARE: I'm sorry.

It's not an historical building. It's -- I in fact think that it's somewhat ennobling of the facade. If you'll bear with me just one minute, this sort of -- this question of sort of symmetry versus asymmetry, and I wouldn't want to hold up somebody who wants to do good things for her house because the other side isn't.

BRENDAN SULLIVAN: Will the house have a unified look in the front other than that one dormer?

DERICK SNARE: Other than the gable? Yes.

BRENDAN SULLIVAN: In other words, color -- we're not going to see a stripe down the middle --

DERICK SNARE: No.

BRENDAN SULLIVAN: Black on one side or white in the other?

DERICK SNARE: No.

She would be happy to take off the aluminum siding, and I'm sure everybody would be happy with that, but then it would be very out of balance.

BRENDAN SULLIVAN: Okay.

DERICK SNARE: Can I just read something to you? One minute. It's symmetry and asymmetry and aesthetics and the arts.

JANET GREEN: Microphone.

DERICK SNARE: I remember taking aptitude test as a kid and part of it was a drawing and there was a mantle, and you were asked to, you know, place the candlesticks. And I think I put them either side. And I learned later

that actually they said it would be better if you put two on one side. To that effect, this is from a University of College London. (Reading) Symmetry and beauty are often claimed to be linked particularly by mathematics -- mathematicians and scientists. However, philosophers and art historians seem to generally agree that although symmetry is indeed attractive, there is also a somewhat sterile rigidity about it which can make it less attractive than the more dynamic, less predictable beauty associated with asymmetry. Although a little asymmetry can be beautiful -- a little symmetry, sorry -- asymmetry can be beautiful and excess merely results in chaos. As Adorno suggested, asymmetry probably results most effectively in beauty when the underlying symmetry upon which it is built is still apparent. Which would actually be just what we're doing because it's going to be basically symmetrical except for that gable.

BRENDAN SULLIVAN: That just shows somebody who's

making an excuse.

ANDREA HICKEY: Can I ask you -- I'm sorry. Can you tell me whether the other unit owner has been on board with your proposal? Because I think it's important for us to know that.

DERICK SNARE: Well, yes. Although, there was no firewall in the basement or in the -- and the attic is actually open. Totally open over both units. We did get his support, and he's going to pitch in on the basement firewall, but not on the attic. Now, there is no question we want to put in a firewall for safety purposes and privacy purposes.

ANDREA HICKEY: Right. I'd like to direct my question maybe a little more focussed matter to the dormer.

DERICK SNARE: He is -- he is --

HONTBO JAING: Right, maybe I can chime in a little bit.

JANET GREEN: Can you hand her the microphone?

HONTBO JAING: Actually we together reviewed condo documents before the closing, and asked him, you know I really like the history of the building. I want to revive it. You know, I want to grow my family, my little kids, so I may do some renovations. So, and so -- and after the closing -- and so basically we together asked well, what kind of condo, because that is really newly created condo. And after when Derick sort of presented sort of whole drafting, we sit down together. So I went through like all the things this is what we want to do, do you have any opinions before we even start? So he didn't. He was very supportive, you know, putting up the firewall and the attic and about everything else. So he was saying, you know, you know, I'm not objecting to anything, but we need to go through sort of eventually to sort of the condo procedure. So I take this no objection as for that moment as a no objection. And I know like even with what we go with the city guidelines, probably we have to discuss what eventually

the symmetry, asymmetry, but there's no secret. So he knows exactly what we are trying to do and we're very transparent from the very beginning of our plan.

ANDREA HICKEY: So you've reviewed these plans with the neighbor?

HONTBO JAING: Yeah.

ANDREA HICKEY: And the dormer specifically?

HONTBO JAING: Yeah, we sit down all together floor by floor. And he was saying wow, it's massive. And I said that's why I want to buy and I want to make this house beauty -- beautiful and, you know, give it a new life.

ANDREA HICKEY: Okay, thank you very much.

DERICK SNARE: One other thing I should note.

CONSTANTINE ALEXANDER: Wait a minute. You didn't get a letter, though, from the neighbor, did you? We have nothing in our files from the neighbor?

HONTBO JAING: Sorry.

DERICK SNARE: No, we didn't get a letter. I mean

he was, we thought he might be here.

CONSTANTINE ALEXANDER: Okay.

DERICK SNARE: But to that point, you'll see on the second floor existing that there's a room in the front center that belongs to the other unit which is why as you saw on my photograph that our unit, the building jogs over. Because this is all his. We approached him about purchasing half of that room, because it would have facilitated getting our staircase up to the attic. I worked out -- by moving a door to one of the bedrooms, the two bedrooms upstairs, I worked out a way to get a stair where we just got, you know, the head clearance we needed. But the existing stairs don't meet code and so I couldn't -- and I couldn't make them any wider. I asked Michael Grover to come over and look at it with me, and he said you might -- you could probably could get approval if you went, got a letter from the Building Commissioner, but that was going to be a time factor. He said why don't you just look at --see if you can get a

spiral stair in. So it looks like we can get just a spiral stair in. And there's some disadvantages to spiral stair in terms of some noise and convenience. But actually, her daughter is 15-years-old, she loves the idea.

HONTBO JAING: Can I just one more thing, because I discussed -- so he saw all the plans. I said, you know, to him, why don't we do all this together to make, you know, the attic is all usable and liveable for both of us. And he, and actually he was saying, no, I don't have any plan to give up the attic for the next 15 years. So end up being, okay, I said if you don't go want to go, I put up firewall, I probably have to pay for the whole thing because he doesn't want to do anything. But even though we think it's a little bit unfair, I still decided that's probably good for the house. So I'm gonna pay the whole cost for putting up the firewall for the attic. But he was just so adamant saying I'm developing my house, I have no interest of doing anything about this house in the next 15 years. So I said

by now, you know, I don't know. But so that is basically response from him saying, you know, do what you want but I'm not part of it.

DERICK SNARE: And so it's our understanding that he's developing something in Salem and he's just stretched out. He doesn't want to do this.

PATRICK TEDESCO: But he lives in the unit?

DERICK SNARE: No, he lives -- no, he rents it out.

PATRICK TEDESCO: I see.

Can I see the elevation on the street side for a moment, please? The proposed elevation with the dormers.

Okay, so I mean, I agree with the statement about asymmetry as an architect. I think it's a long facade, and breaking up the roof is not necessarily a bad thing.

There's also something called local symmetry, right? Which is what makes me feel comfortable with this, because this dormer is symmetrical on the windows below. So there's a

logic to where it's placed. It could also be placed between the two windows. It could also be a form of focal symmetry. So when you look at this unit, there's a rationale for where the dormer is even though it's not replicated on the other side of the unit.

I agree with Brendan, you see these all the time, there's a line down the middle and painted one color on one side and another color on the other, and that's where it looks, you know, sort of not uniform.

BRENDAN SULLIVAN: Well, you know, I don't know, if it's a real condo, then there is obviously common areas which have to be maintained in a unified fashion I would think. If we're two separate owners, that would be have to be a subdivision which it is not. So then one owner can do one thing and then another owner can do another thing. So it's not subdivided. It is a condo; is that correct?

DERICK SNARE: Correct.

BRENDAN SULLIVAN: It is a condo. Okay. The

condo documents then address the outside common areas and how they're to be maintained and how they look, the aesthetics of those.

DERICK SNARE: Yes.

PATRICK TEDESCO: And presuming the condo documents permit this kind of intervention?

DERICK SNARE: They do. It's going to be subject to his approval. So they will have to sit down together and she will need a, you know, a supporting statement from him. He'll have to sign off on that.

CONSTANTINE ALEXANDER: It would have been better, frankly, if you come in before us tonight with a supporting statement from the condo --

DERICK SNARE: We talked --

CONSTANTINE ALEXANDER: In other words, you could be wasting our time. Because if this person proves not to be cooperative, that's assume we approve in the first place, you're doing this rather backwards. You should be -- when

you have a condo, you come before us and one of the essential documents is to tell us yes, the condo association approves the relief we're seeking and we don't have to worry about that.

DERICK SNARE: So instead we're saying he doesn't disapprove, it's just we're going to need in writing what's approved tonight and that's why we sort of thought we'd find out what we can do and then go to him.

CONSTANTINE ALEXANDER: But what's going to be approved tonight, if it's going to be approved, are the plans you've given us. I mean, possibly we'll modify them, but typically we don't. So, you know, I don't know what you're waiting for. It would have been better to get something from the condo owner.

DERICK SNARE: Obviously we couldn't get his -- since it wouldn't have been strictly a --

CAROL O'HARE: Could you use the mic, please?

HONTBO JAING: Oh, right, right.

DERICK SNARE: It wouldn't have been strictly readily approved for him to sign off on. We decided we'd do the meeting here and then they will deal with their condo docs.

CONSTANTINE ALEXANDER: If we approve tonight, we approve subject to you doing the plans you've given us. And they're not -- it's not going to be whatever plan we approve and then can you go ahead and modify it.

DERICK SNARE: We wouldn't modify it, no.

CONSTANTINE ALEXANDER: The plans you've given to us tonight you could have given to the other condo owner and said could you please see the condo association signs off on these plans.

HONTBO JAING: I guess we have a certain level of confidence even -- because we've been keeping this very transparent to him from six months ago. So he knows exactly what our plan is. And if he has opinion, he would have voiced it out all the way. We invited him to join us, and

he's like, no, I'm not interested. So I think it's a procedural -- I totally agree with you. This will be the final sort of understanding. But we do have certain strong level of confidence for him --

CONSTANTINE ALEXANDER: I'm sure you do. I mean our level of confidence may not be --

HONTBO JAING: Yeah, of course.

CONSTANTINE ALEXANDER: Why? Because we don't know the individual.

HONTBO JAING: Exactly. So I, you know, we two had very good relationship from the very beginning because we two work on this. And he knows how much I love this building. Even though it's small, I want to revive it rather than buy another bigger building for my two children. So I told him, you know, I want to keep the basement, stones visible so I can educate my kids how old houses like in Cambridge. So he knows how much I really want to make this house work rather than trying to damage anything. And

actually, he's quite, he's quite pleased, you know, saying because he doesn't want to invest any penny literally. And if I do stay in this house, hopefully, you know, helps the value of the property overall.

So, yeah, he's in the game. I mean, it's totally transparent. This is whole intention.

CONSTANTINE ALEXANDER: I hope you're right.

DERICK SNARE: Our sense is that he finds this inspiring and hopes that they -- whoever is the next owner next-door --

CONSTANTINE ALEXANDER: I don't want to belabor the point. I think I've made the point.

DERICK SNARE: I understand.

CONSTANTINE ALEXANDER: We come with -- we get -- do our homework, get your ducks in order, bring the case to us, and we'll say yes or no or maybe. What you're doing is bringing part of the case before us and we're all taking on faith that we're not wasting our time tonight

because he's going to turn it down afterwards or want modifications, in which case you're going to have to come back here and have another hearing. It's just like your initial application where you didn't complete it. You've got to go about this in --

DERICK SNARE: I am -- believe me, I don't want to waste anybody's time.

CONSTANTINE ALEXANDER: Anyway, maybe I'm wasting people's time so I'm going to stop.

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?

(No Response.)

CONSTANTINE ALEXANDER: Apparently not. And there is nothing in our files.

All right, this is your amended supporting statement. I wanted to make sure that no letters came in at the last minute. No. So I'll close public testimony.

Discussion? Ready for a vote?

ANDREA HICKEY: I had another question.

CONSTANTINE ALEXANDER: Go ahead.

ANDREA HICKEY: I'm sorry, this isn't working.

Relative to the roof, do the condo docs sort of say that your client controls half or is the roof common area completely? I think this is an important question when you bring up the dormer guidelines and how you might not fit into them if only half the roof was under your client's control.

DERICK SNARE: So she's asking if the condo docs say that the whole roof is sort of --

ANDREA HICKEY: Common.

DERICK SNARE: -- common. Or it's actually sort of subdivided.

HONTBO JAING: Well, there's specific laws addressing saying that each owner has --

JANET GREEN: Closer to the mouth.

HONTBO JAING: Yeah. -- owner has exclusive rights to work on his own exclusive space, including attic. It doesn't specifically --

ANDREA HICKEY: I'm talking about the exterior roof, because --

HONTBO JAING: There's no I mean specific things, top of the roof versus -- like you have your own exclusive right to develop your own space in terms of attic.

ANDREA HICKEY: Right, I understand that.

HONTBO JAING: Yeah.

ANDREA HICKEY: But to the roof, if you don't know, that's a perfectly fine answer, but as to the roof, you don't know whether it's common or whether sort of maintenance in control is divided between the unit owners? And if you don't know, that's fine.

HONTBO JAING: I couldn't, because we two developed the condo docs together. I couldn't remember clearly.

ANDREA HICKEY: Okay. You understand why I asked the question?

CONSTANTINE ALEXANDER: Yeah.

PATRICK TEDESCO: Except I think I know what you're saying, the dormer guidelines don't address ownership or condo demarcations. They address building --

CONSTANTINE ALEXANDER: Appearances.

ANDREA HICKEY: Correct. I think we frankly need to look at it, the building as a whole, and whether the dormer complies with the roof line as a whole. And you've represented that if we look at the whole roof, that it does comply?

DERICK SNARE: Uh-huh.

ANDREA HICKEY: Thank you.

CONSTANTINE ALEXANDER: Any other questions?

ANDREA HICKEY: No.

CONSTANTINE ALEXANDER: Ready for a vote? I guess we are.

Before I make the motion, because we've had a lot of confusion on this case already. If we approve, we approve it subject to compliance with the plans that you've submitted. Are these your final plans? Because if you modify them -- assume we approve --

DERICK SNARE: Those are the final plans.

CONSTANTINE ALEXANDER: Okay. You have to come back before us. Although we love you, we don't want to see you again.

DERICK SNARE: Understood.

CONSTANTINE ALEXANDER: Okay, the Chair moves that this Board make the following findings with regard to the Variance being sought. Actually, there's going to be two votes, right? Because you have a Special Permit as well. So we have to take two votes. The Special Permit relates to

the door, replacing the existing door and window with a slider as you pointed out to us.

Okay, with regard to the Variance, the Chair moves that we make the following findings:

That a literal enforcement of the provisions of the Ordinance would involve a substantial hardship to the petitioner. Such hardship being is that this is a somewhat -- for Cambridge anyway, somewhat undersized structure in terms of living space and that there's a need for additional living space on the upper level. And this would apply not only to you but to any subsequent owner of the property.

Excuse me, I'm just going to stop for a second. We should point out, and I want to make sure that the Board knows, is that their FAR -- the reason that they're here mainly is because of FAR. And right now --

DERICK SNARE: We're adding 78 square feet gross.

CONSTANTINE ALEXANDER: Yeah. Right now you're at

1.19 in a district that is not supposed to be more than 0.75. And if we grant you relief, you're going to 1.28. So you're going to be roughly 50 percent should we grant you relief over the permitted, the required FAR. So that's a substantial relief that you're seeking. I want to make sure the board members are aware of that.

Going back to the motion. I talked about the substantial hardship.

That the hardship is owing to basically the nature of the structure, it is a non-conforming structure. So that any modification to grant additional living space or otherwise, requires a zoning relief.

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

So on the basis of these findings, the Chair moves that we grant the Variance requested on the condition that the work proceed in accordance with three pages of plans

which have been -- I thought they were initialled by the Chair. Yeah, they're initialled by the Chair. Prepared by -- I'm looking for your signoff. I don't see it.

DERICK SNARE: It's underneath you on the bottom under the address. Snare and Snare.

CONSTANTINE ALEXANDER: All right. I've initialled them. Three pages of plans, each of which has been initialled by the Chair.

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

(Show of hands.)

CONSTANTINE ALEXANDER: Five in favor. The Variance has been granted.

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

CONSTANTINE ALEXANDER: Now turning to the Special Permit with regard to the slider. A different set of findings we have to make.

The Chair moves that we make the following

findings with regard to the Special Permit you're 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 the work you wish to do regarding the slider 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 the slider as you're proposing.

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, that's you, 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.

In general basically the relief being sought is modest. It has no objections from the neighbor most affected by it.

It is not apparent from the public street, it's in the backyard.

So, on the basis of these findings, the Chair moves that we grant the Special Permit, again, subject to the plans, three pages of plans I referred to with regard to the Variance vote.

All those in favor please say "Aye."

(Aye.)

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

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

* * * * *

(7:40 p.m.)

(Sitting Members Case BZA-012995-2017: Constantine Alexander, Brendan Sullivan, Janet Green, Patrick Tedesco.)

CONSTANTINE ALEXANDER: The Chair will now call the recessed case that was started earlier, Gracewood Park. If you don't mind coming up to the front and tell us what you want to do.

SAROJ JOSHI: I think we continue.

CONSTANTINE ALEXANDER: You want to continue?

SAROJ JOSHI: (Nodding head.)

CONSTANTINE ALEXANDER: Okay. It's got to be a date that the four of us here can make and hopefully George

who is in the hospital can make.

What's the next date that we could do it? We can't do the --

SEAN O'GRADY: Okay, we can't do the 13th.

CONSTANTINE ALEXANDER: Right.

SEAN O'GRADY: July 27th you couldn't do?

SAROJ JOSHI: Why don't you mark us down for July and I'll make sure I get off --

CONSTANTINE ALEXANDER: We don't want to continue it again unless something really comes up. But you should be sure you can make the 27th as far as you can tell today.

SAROJ JOSHI: And the next one is August 10th?

SEAN O'GRADY: Yeah, yes, after -- yes, August 10th is the next one after.

PATRICIA SEITZ: They both work for me.

SAROJ JOSHI: August 10th.

CONSTANTINE ALEXANDER: August 10th work for our group?

JANET GREEN: Okay.

PATRICK TEDESCO: Looks like it.

JANET GREEN: I can make it.

CONSTANTINE ALEXANDER: Patrick, okay?

PATRICK TEDESCO: Yeah.

CONSTANTINE ALEXANDER: Okay, the Chair moves that we continue this case again as a case heard until seven p.m. on August 10th subject to the following conditions:

One, that the petitioner signs a waiver of time for decision. And you've already done that in connection with the first continuance. So we don't have to do that again.

Second, that the posting sign that's up there for tonight, be modified or maybe get a new one, and be maintained for the 14 days for the August 10th date just as you've been doing so far.

And lastly, to the extent that you want to modify the plans that are already in our files or your dimensional

form, they have to be -- and those modifications if there are any, have to be in our files no later than five p.m. on the Monday before August 10th. The purpose of that is to allow us and citizens of the city, maybe your neighbors, to come down to the office and check them out in advance of the hearing.

All those in favor of the continuance say "Aye."

(Aye.)

CONSTANTINE ALEXANDER: Case continued.

(Alexander, Sullivan, Green, Tedesco.)

ATTORNEY SURINDER AHLUWALIA: Before we leave I just wanted to put something on record. Doctor Joshi's mother is here in support of this petition.

CONSTANTINE ALEXANDER: That's okay. You can report that to us on August 10th.

ATTORNEY SURINDER AHLUWALIA: But the reason I'm bringing it, she may not be able to come on August 10th.

CONSTANTINE ALEXANDER: Well, you can report on

August 10th that mother supports it but is not able to make it tonight.

ATTORNEY SURINDER AHLUWALIA: Okay.

CONSTANTINE ALEXANDER: Thank you.

* * * * *

(7:45 p.m.)

(Sitting Members Case BZA-013311-2017: Brendan Sullivan, Janet Green, Andrea A. Hickey, Douglas Myers, Jim Monteverde.)

BRENDAN SULLIVAN: The Board will hear case No. 013311, 79 JFK Street.

If you could introduce yourselves and spell your

name for the record.

MARK VERKENNIS: My name is Mark Verkennis. I'm with the Harvard planning office and spelling of my last name is V-E-R-K-E-N-N-I-S.

ANDREW BARRESI: My name is Andrew Barresi with Roll Barresi and Associates. My last name is spelled B-A-R-R-E-S-I.

MARK VERKENNIS: We also have two other members of our team this evening. Arthi Kasett who is the facilities manager at Harvard Kennedy school, and Tony Casto who is the project manager for the construction project that this is related to.

BRENDAN SULLIVAN: Okay.

MARK VERKENNIS: All right. So if you have been in the vicinity of JFK Street and Eliot Street, you probably know that the expansion of the Kennedy School project has been ongoing for a couple of years and it's nearing completion now. And obviously we need to start to address

some of the finishing touches, if you will, and that is signage is one of them. A couple of things related to the signage is important to understand is we're not just adding new buildings to the campus, we're also sort of reorganizing it by creating some new pedestrian access points and circulation through the campus. And that in part is also one of the things that this signage program hopes to address.

So the reason we're here tonight is we need a Variance. One of the oddities of the Zoning Ordinance is when all of these buildings are finished, when this project is finished, they're all going to be interconnected above grade. And they will then constitute, for zoning purposes at least, a single building. And we're in a residential zone, the R3 Zone, which limits signage to two signs per building in 30 square feet. So obviously it's a multibuilding campus. It has many access points and frontages that's not going to be sufficient to meet our

needs.

So a little -- a literal enforcement of that provision of the Zoning Ordinance would mean what I said, we would be limited to basically two signs and 30 square feet. And I would leave it to the Kennedy School to figure out how to apportion that. But that does have hardship in locations for the university. For example, it would definitely impede our just directional wayfinding; there's multiple buildings, multiple entrances, multiple access points to the campus. So you could envision just, you know, for the sake of argument, deliveries not being made because people can't find the appropriate entrance to the campus or the building on the campus. And more importantly, you know, emergency services. I mean, we do need to have adequate identification for all the components of the Harvard Kennedy School campus.

And thirdly, there's also an issue with just general campus wayfinding. The Harvard Kennedy School

attracts a lot of visitors through its programs that go on throughout the year. And this current project that we're completing is actually allowing people to pass through the campus, which was never really the case before. So there's an important wayfinding component for the general public who, you know, may just be strolling through Harvard Square and see that as a shortcut to the river from the center of Harvard Square.

A little bit about the hardship and how it's related to the Kennedy School. If you know about the development history, it's actually been now four decades in the making. It started back in 1978 I believe with the Littauer Center construction. This was not planned as a total entity that it is today, so each piece was built separately. So obviously signage at that time was viewed from one building and not necessarily related to the next addition or subsequent additions, and certainly not to ever envisioning that the entire campus was going to be

interconnected. So, you know, the campus has -- occupies an entire city block. We have about 1200 square feet of street frontage or frontage on other types of public ways. There's multiple access points on the campus. There's multiple building addresses within the campus. There's multiple entrances to the multiple buildings. So as you might imagine wayfinding, I don't think this is an overstatement, wayfinding on the campus and within the campus is generally quite difficult. So one of the things that this signage program hopes to do is clarify that and really not only identify the new components to the campus, but also make wayfinding for the campus as a whole much, much easier and much more understandable for the general public.

As I said, I think because of the changes in the campus, I think the wayfinding aid such as the maps that are being proposed here is particularly important because you are going to have new access points to the campus and new circulation routes through the campus. One of the, you

know, the points we're trying to make is there are new gateways to the Harvard Kennedy School campus. Where in the past it may not have been apparent that that was really a public entrance to the campus or one that you would necessarily want to enter into. So we're really trying to embrace that sort of connectedness to Harvard Square. And one aspect of that is providing signage that, you know, provides some indication that this is a, you know, a campus that is accessible to the public.

I guess, you know, the final thing is, you know, we do need greater flexibility in the zoning to be able to address the needs of a multibuilding, multi-multi-building, multiuse campus. So I think that the Variances sought tonight are pretty consistent with what we've done on other campuses at Harvard. Most recently I think Harvard Divinity School had a comprehensive signage program. I know Radcliffe has gone through this exercise. Also, I do have to say that anyone who's visited the Harvard campus probably

recognizes that wayfinding is not necessarily our campus's strong suit. There's a real dearth of maps and signage on the campus for casual visitors and students and faculty, staff as well. And I think this, you know, projects like this we're trying to address those wayfinding issues.

So with that, I think I'd like to turn it over to Andrew who can kind of just walk you through the signage that's being proposed.

We'll start with this. I will point out on the map where Andrew is discussing.

ANDREW BARRESI: Whenever I look at a board upside down, I always get disoriented.

ANDREA HICKEY: You can take the mic out if that helps you.

MARK VERKENNIS: I can hold the sign.

ANDREW BARRESI: Can everyone see that? Okay.

As was stated, there are multiple points of entry now into the campus, all right? And I think one important

difference between what the Kennedy School is doing now versus what they have done, is to open the campus to the public and welcome visitors in. So one important component of the project are gateway elements.

At the Eliot Street Gateway, at Taubman, and at what we're calling the West Pavilion Gateway here. Okay? As well as at the existing Littauer entrance.

So the first element at each one of these points of entry is a gateway, which is in the form of a wall-like element. Okay? And we actually started here, which is a, a wall that runs along the stair leading up to the west pavilion.

MARK VERKENNIS: Right here.

ANDREW BARRESI: So right there. So that's a brick wall --

MARK VERKENNIS: It's like a green wall from the building.

ANDREW BARRESI: Right. It runs along the ramp.

And we are setting into it a limestone plaque that would be -- that would have hand carved lettering that would have a slight tint to it so it's a little more legible.

So very understated. Very integrated. And very consistent with other types of signage elements you might see at the various Harvard campuses. Okay? And that vocabulary we would like to be consistent as much as possible at each one of those gateway entrances.

So at the Eliot gate we have a curved wall element that's set into the landscaping there. Okay? It looks very much like this. An element just like this only straight.

Taubman here.

And then making use of an existing wall but extending it up somewhat because there's new greenery here that's being installed, is a brick wall with the same type of limestone plaque set into it. So what we're trying to do is create a very consistent element at each one of these points of entry to the campus, and hopefully providing a

greater sense of welcome than what the Kennedy School has done traditionally in the past. And, again, all is integrated as possible.

The second element is what we're calling a campus map display. We've done these before on the Kennedy School, but they were low and sort of inclined table-like maps. I don't know if you've seen them or not, but they haven't been very successful. Folks just seem to miss them in the landscape. And they're also not very functional in terms of being able to provide other information such as when forum events are going on, things like that. So to solve the issue of folks not being able to find these things, we have an upright structure, it's double sided, one side would be a map that has a You Are Here arrow on it that shows you not just the campus, but ancillary buildings, such as 124 Mount Auburn Street, as well as orientation to the heart of Harvard Square in general. So it isn't just specific to the Kennedy School.

And on the other side there is another display case that can house a poster or event schedules and that sort of thing, which we understand has been something that's been really lacking for this school for sometime now.

As was said, there's a lot of outside visitors who are coming here for forum events and other events like that. So the ability to have information on that was very important.

One of these maps is located again at each one of these points of entry. So irregardless of where you're entering, you're able to orient yourself. And very importantly, on that map is going to be a graphic of the campus that has colored coding by building which is gonna be duplicated on the interior signage as well. So we're really trying to create this connectivity between once you enter, you know you're at the Kennedy School, you know where you are in relation to everything else, and if you're looking for a specific building, you can orient to that. And once

you're inside, we don't abandon you, we're helping you, guide you through this complex.

And then finally the third element is the identification of these new buildings. Okay?

And what we've done there is to --

JIM MONTEVERDE: Excuse me, I just can't read the dimensions.

ANDREA HICKEY: Right, on the campus map. Can you read the height and width for us?

MARK VERKENNIS: Sure. So the total height, including the frame around it, is six feet, nine inches.

JIM MONTEVERDE: And the width?

MARK VERKENNIS: And the width is -- what is that? Two feet, six, yeah.

ANDREW BARRESI: Two feet, six. Six foot, nine inches by two feet, six.

We had them larger actually, but through the development and the design, we scaled it down. And this is

very consistent in terms of scale with elements like this that you'll see elsewhere in Harvard, at Radcliffe. Also we developed maps like this in scale at Tufts Health Sciences Campus downtown. I don't know if you've seen those. So it's a consistent size with the scale of the streetscape.

And also we really want to have a map that's of a good size, that it's legible, and you can gain as much information from it as possible.

It's charcoal, the structure is like a charcoal grey, so it recedes into the landscape, and what is going to read is the map itself.

MARK VERKENNIS: Can you talk briefly about the --

ANDREW BARRESI: On doors we'll have vinyl lettering that identifies the Kennedy School. In addition where we have glass transoms, we'll have vinyl lettering that identifies the building by a single name.

The names aren't this long.

MARK VERKENNIS: These are sort of placeholders.

ANDREW BARRESI: They're placeholder names. And so what's proposed here?

This is the West Pavilion Gateway --

MARK VERKENNIS: Yeah.

ANDREW BARRESI: And this is what you'll see as you pass under --

MARK VERKENNIS: And that's in this location.

ANDREW BARRESI: Right. And it's grey letters on grey metal.

MARK VERKENNIS: Yes.

ANDREW BARRESI: So it's -- it's like a tone on tone. It's pretty subtle.

MARK VERKENNIS: I think the -- one of the plans shows what that looks like.

ANDREW BARRESI: And it's really -- it's just a very forming element certainly to recognize the names of folks that these buildings are named after. But it is also helpful in terms of orientation. So you can confirm that

when you're looking at the map here, in fact, that is, you know, the Belfer building and the Wexler building or the Rubenstein building. So that, it's helpful from that regard. But it isn't a big sign panel that's screaming at you. It's pretty size --

MARK VERKENNIS: And the letters are what, seven -

ANDREW BARRESI: Seven and three-eighths inches tall I believe.

MARK VERKENNIS: It's very discrete.

BRENDAN SULLIVAN: All right, so on this graphic here where it says: Single line building name --

ANDREW BARRESI: Yeah.

BRENDAN SULLIVAN: -- the building hasn't been named yet?

MARK VERKENNIS: Correct. That is correct.

BRENDAN SULLIVAN: Okay.

MARK VERKENNIS: That's why there's -- that generic.

ANDREW BARRESI: The names have not been determined yet. That's going to be finalized. So what you're seeing on these diagrams is placeholders.

BRENDAN SULLIVAN: Okay.

MARK VERKENNIS: And then I think that's -- yeah.

ANDREW BARRESI: There's a couple of detail elements that are different at specific locations. At Taubman Plaza there is a --

MARK VERKENNIS: That's this area in the corner.

ANDREW BARRESI: -- there is a gift to create that plaza. So it's being named after that individual, which will be integrated with the wall. So rather than create another freestanding sign within that landscape, we're trying to integrate it within a wall that will be there. And that's what you can see in this, this elevation here. There will also be a stainless steel plaque that goes into a little bit more about the donor. That will be applied to an existing surface on the building.

MARK VERKENNIS: Right.

ANDREW BARRESI: One of these layouts here will be applied to the building. It's stainless steel on brick.

MARK VERKENNIS: Yeah.

ANDREW BARRESI: Yep. Stainless steel on brick. And again, I think it's fairly subtle and small scale.

And then finally we are replacing several of the -- there were several banners on light poles within courtyard previously. We've brought the number down to three and we're creating a single banner element rather than the pairing of banners on either side of the pole to sort of cascade along that central path there. So right there. So we brought the number down and aligned it with the central path. So it is actually kind of a bit of a directional to -- it has a sort of directionality to it as well.

JANET GREEN: It doesn't have an actual direction?

ANDREW BARRESI: No, it does not.

MARK VERKENNIS: It does not.

ANDREW BARRESI: It would probably be more event related.

ANDREA HICKEY: And could you point where the banners are now? I see where they're proposed.

ANDREW BARRESI: We don't have any existing plan of the courtyard I believe.

MARK VERKENNIS: I have, I might actually have the original site plan. I think it might show -- if you can find it.

ANDREA HICKEY: That's fine. If you don't know.

MARK VERKENNIS: There's more of them now and they're not probably in any nice linear --

ANDREW BARRESI: Previously.

MARK VERKENNIS: Previously, yes.

ANDREW BARRESI: That's the last of the drawings.

BRENDAN SULLIVAN: Anything else?

MARK VERKENNIS: No, that's it.

BRENDAN SULLIVAN: I've been wrestling with this

for the last two weeks. The good thing about having all this stuff on-line is that you can download it. I sat up in bed many nights with this. And there's a lot there. And to me at times it was hard to see the forest for all of the trees. And I guess I came away with, okay, yes, we do need wayfinding. And that's always helpful. Helpful for a variety of people. I always key in on sort of first responders, emergency people, and obviously delivery people to get them in and out of a congested area as quickly as possible, and the general public.

But then I sort of kept going back through it and looking so on and so forth, and I guess I came away, my lasting impression is there's an awful lot here. And I'm just wondering if it's not too much. But, again, you know, you know your house and you know what you need and so on and so forth. So that's why I will keep an open mind on that.

There's correspondence from Community Development. Have you seen that?

MARK VERKENNIS: Yes, we have. We received that at three this afternoon.

BRENDAN SULLIVAN: Okay, so that sort of hangs up there, too, and somewhat reinforces my --

MARK VERKENNIS: We are prepared to discuss that.

BRENDAN SULLIVAN: -- my feeling on that.

Okay, well we'll plow through it all.

Anybody have any questions? Doug.

DOUGLAS MYERS: Basic factorial question. You seem to be aware of the communication from Community Development. Have you had a chance to look at the public comment?

MARK VERKENNIS: Yes, we did. We did, yes, we saw that as well from -- yes, I believe there's one letter submitted.

DOUGLAS MYERS: Could you pass the letter from Community Development? It must have come in after I looked at the file.

MARK VERKENNIS: Yeah. I think it was probably delivered to you late this afternoon if I'm not mistaken. If you don't have a copy, I do.

DOUGLAS MYERS: That's fine.

Thank you.

ANDREA HICKEY: Could I see your copy just for a minute?

JIM MONTEVERDE: Brendan, can I ask one other question?

The pilon signs that you --

BRENDAN SULLIVAN: Jim, do you want to pull that mic towards you if you will?

JIM MONTEVERDE: Yeah.

The taller signs that you mentioned that are out on the sidewalk; the six-foot tall, two-and-a-half-foot wide, just refresh my memory, that contains a map?

ANDREW BARRESI: Yes.

JIM MONTEVERDE: And it has posting for events,

right?

ANDREW BARRESI: Yes.

JIM MONTEVERDE: Right?

And there are three of those and there are three names that are in stone around the buildings, correct?

ANDREW BARRESI: Yes.

JIM MONTEVERDE: And they're roughly at the same spot, are they?

ANDREW BARRESI: They are, but they're separated by some distance at each of those --

JIM MONTEVERDE: So I guess maybe the question I'm asking is there a way in terms to simplify it? Again, there seems to be a lot of pieces. Is there a way that that pilon or one of those signs could do one of the above? Whether it's the pilon sign could actually contain the name for that particular building so that the name for that building didn't need to be on it or in the cast stone? That one signage element could kind of address it all in those three

locations?

MARK VERKENNIS: Okay, so I think that is -- we might as well try to address that question. I mean, I would -- first of all, in the renderings it may be a little difficult to appreciate the spatial distance because you are in sometimes seeing them in a perspective use. So I have highlighted the signage at the locations in red so you can just kind of get a sense of their spatial orientation.

Where's the one for Taubman?

ANDREW BARRESI: That's the one for Taubman.

MARK VERKENNIS: Oh, I'm sorry. Yeah, we actually have a rendering of Taubman. The one there. Yeah, that one which shows them.

It's hard when seeing, you know, just the plan out of context. I think that's why we wanted to provide those in response to the Community Development Department staff's comments. I mean, I guess the one concern that I would have, and I don't want to speak for Harvard Kennedy School,

but each of those signs serves a different purpose.

One is, and I think it's something that the Planning Board really stressed when we went through the review of the project as a whole, is you've now created these new gateways and key access points to the campus. They should be marked in some way. I mean some of the suggestions that were floated were a digital sign underneath the gateway building. That didn't really resonate I think with Harvard. So those, you know, low knee wall signs are, you know, very much in keeping with the character, but also announce that this is the Kennedy School. This is a discrete component of Harvard University.

The other signs I think, you know, Andrew addressed this in terms of the building, I think having a building addition that doesn't have a sign on it is odd and probably very confusing to people because you do typically look on a building to see if it is signed, if I'm heading in the right direction.

And then the third component of the signs is the map kiosk, which I think is very important to wayfinding, because it is a very complex campus. When you approach that, I mean I will speak for myself, I've gotten lost many times in the labyrinth of buildings that comprise the Kennedy School. And just knowing, I think, having that color coding, if you will, to understand what the discrete components of the campus are, is very important. I mean although they were all interconnected, there was no real thought when these additions were built in terms of their totality and how the circulation worked between those buildings. So I think that's, I think that's one of the drivers for wanting to have the maps there. And then, again, also just the public component. You do now have a new major access point to the campus. You could enter the campus that way before, it didn't go anywhere, and it was not particularly inviting, but now there is a means to go through the campus. So I think, you know, that would be my

take on, you know, the rationale for why there are three components at each of these major gateway access points.

DOUGLAS MYERS: Again, just a basic question: Do you have similar schematics now holding up the West Pavilion entrance? Do you similar schematics for the other three entrances?

MARK VERKENNIS: There's one there. And let me see if we do have it.

ANDREW BARRESI: It's right here. It's in the form of a rendering.

MARK VERKENNIS: Oh, it's in the form of -- we do have some in rendered form.

ANDREW BARRESI: You have Littauer.

MARK VERKENNIS: That's along -- excuse me, that's along JFK Street in front of the Littauer building, which is one of the -- we call it the Littauer Gateway.

DOUGLAS MYERS: I don't have the other two in front of me. The Eliot and the Littauer I guess.

ANDREW BARRESI: Eliot is right there.

DOUGLAS MYERS: Okay, I see.

ANDREW BARRESI: I'm sorry, that drawing right there.

DOUGLAS MYERS: Okay.

ANDREW BARRESI: I think -- I'd just like to make a couple of points in terms of why can't we, you know, combine these things into a single or two elements. I think, you know, in terms of, you know, best practices in terms of developing signage, you know, we really like to use the best -- the right tool for the right job. And oftentimes when you get these sort of multipurpose tools, they do it all but they don't do each of those things very well. You know. And so with these three sort of distinct elements each trying to -- having its own sort of function, the identification of the building, the entrance to a gateway, and an orientation map, we find it's most successful when each of those is designed for its specific

purpose. So that, that's kind of how we approach it.

JANET GREEN: I have a comment more than a question, and that is I live close to the Harvard campus. I think it's hard to be not sometimes it feels like. But I walk through parts of the Harvard campus everyday. And to me these signs fell into two sections:

One is the identification signs, and the other are the banner signs. I didn't find the identification signs at all excessive. They -- people ask me all the time where buildings are. How do you get to them? How do you walk through the campus? And it's really quite a different experience to come in in these different doors at the Kennedy School and know where you are. I found myself wandering often. And I would -- so I would say that I think of this in two different ways. One is how people get around. I appreciate that it's more open to the public now. That actually people are going to be encouraged to come there. And I think part of encouraging them to come there

is to let them know where they're going once they get there.

But I also think, I have a different feeling about the banners.

BRENDAN SULLIVAN: Anything?

ANDREA HICKEY: No, I'm fine for the moment.

Thank you.

BRENDAN SULLIVAN: Okay.

MARK VERKENNIS: Just, you know, I have to be honest about the banners. There was a question as to whether or not we even include these in the application, because they are interior to the campus and they probably have minimal, if any, real visibility from outside the campus. I would put them more in a category akin to the banners that you see in Harvard Yard than I would in something that is providing identification intended to be seen from a public way. So I just, I just want to acknowledge that. Because the only, the only way you can see these are -- is probably from Eliot Street and you have

to probably be looking for them given the curvature of that. I think the banners are there. I do think they are identification. They are identification for the school. I think that is a strong element of the school's identity, whether it be an event or it be a motto or it be a logo for Harvard. So I don't, I mean I would disagree and say that I would say that those fall into the category of identification. They're not meant to be necessarily just decorative. I mean they would change over time. For example, if there was a major international symposium there, I could totally envision those, you know, announcing that event or major event at the Kennedy Forum. I mean that would be, that's typically how Harvard utilizes banner signs on its campus.

JANET GREEN: So you think of these as kind of like the signs that are there, I think going across the Anderson Bridge that change with events that are happening? So that's how you're envisioning it?

MARK VERKENNIS: I mean, I don't want to speak for the Kennedy School. But Arthi if you want to chime in here, by all means.

ARTHI KASETT: Exactly what Mark said, you know, we use those banners, especially when we have special events, but also those banners are used to portray our mission statement. And those banners have been there before in the courtyard. Actually we have three currently that is going to be part of this new podium.

JANET GREEN: Can't quite hear you. You need to put it right to your mouth.

ARTHI KASETT: Okay. We previously had six to seven of them in the courtyard. That's actually we reduced it down to three.

MARK VERKENNIS: And just one more, and not to, you know, drive this into the ground, but I think banners do serve as a form of sort of cohesive identity and I do think that one of the, you know, one of the main goals of this

project was to try to bring all those disparate components of the Kennedy School together around a central courtyard. I mean certainly it finally achieved the long-term vision for their campus. And I think, you know, in some ways this is a way of celebrating it. But as Arthi said, it really is, you know, I can envision that being a strong part of the school's identity.

BRENDAN SULLIVAN: Okay. I'm going to open it up to public comment. Let me start public comment, though, with the correspondence from the Community Development Department. I don't know if the general public is aware of this one.

The Planning Board did not review this application during the regular scheduled meeting. The Community Development staff did review the application and materials and has the following comment regarding this Variance request:

The staff suggests that the number of signs, three

at each school entrance, is too much and the designers could reduce the number to two signs and still provide adequate direction and information. The design review staff also suggests that the freestanding signs of the type 100 are too tall and too large in these locations and contain too much bulk. The school name could be a standalone piece of carved limestone.

There is other correspondence which I may read. So let me open that up to public comment. Ms. O'Hare.

CAROL O'HARE: Satisfactory summer to you all. It is the day after the first day of summer.

JANET GREEN: Carol, you know how to -- put it up.

CAROL O'HARE: Thank you.

Well, if I had known that these signs were not visible from the public way, the three banner signs, I might not have commented. But if they are visible from the public way, which they apparently are, because you said they were.

MARK VERKENNIS: No, I said I wanted -- well....

BRENDAN SULLIVAN: You can respond later.

MARK VERKENNIS: Yeah, that's fine.

CAROL O'HARE: I'm going to comment about the three banner signs. This is 21 signs on top of 29 existing signs. The 18 are consistent with the application that was filed, which is that Harvard Kennedy School seeks variances for the number, height, area, and locations of new identification and directional signage on its campus. Banners that announce events are not identification and directional signage. So having acknowledged that these are signs that are subject to the Zoning Ordinance, the application does not apply for these three banners as I understand them, and I actually assumed that they were going to have the tag line "Ask what you can do" which is also not a directional or identification sign. So 29 existing signs plus 18 more, that's a lot of signs to get around -- to help getting around the Kennedy School. And I don't think that the Variance standards of substantial hardship, soil

conditions, shape, or topography of the land or substantial derogation from the intent or purposes of the Zoning Ordinance are -- any of those standards are satisfied when considering the three banner signs.

BRENDAN SULLIVAN: Thank you.

CAROL O'HARE: Thank you.

BRENDAN SULLIVAN: Ms. Hoffman.

HEATHER HOFFMAN: Hi, Heather Hoffman, 213 Hurley.

First of all, since I have gone to events at the Kennedy School, I will acknowledge that it is really hard to find your way around, and I would be tremendously grateful for the minimum number of signs on the buildings. It will make it so I can tell what building I'm going into. I am a map person and I like maps. This -- and so You Are Here and things like that as a concept I think is great. I've suggested that for developments in my neighborhood of multiple buildings because the -- and the owner of the entire complex was uninterested in making it easy for people

to figure out what's where. So I commend you on this.

But I would tend to agree with what CDD staff said. There are probably more than you need, and there are -- some of them are probably bigger than you need. One place that I can suggest that does a pretty darn good job of telling you how to get around both inside and out with a mighty confusing campus is MIT. They actually have maps in places, and once you get into a building, and luckily, you get into a corridor, you just got to get in one and you can practically get everywhere else. In fact, they have excellent signage inside directing you into various places. So I think that this is probably more than you need, but I will thank you very much for making it easier for people like me to find where I'm trying to get to before the talk is over.

Thank you.

BRENDAN SULLIVAN: Thank you.

Is there anybody else who would like to comment?

(No Response.)

BRENDAN SULLIVAN: I see nobody else. There is that one correspondence from Community Development. There is correspondence from Mrs. O'Hare. And that is the sum substance of the correspondence.

So I will close public comment and ask you to have any other --

MARK VERKENNIS: Sure. One thing I want to point out about Community Development's comment about the freestanding signs in terms of the height, they are less than four feet, which is the Zoning requirement. So at three feet nine inches, that meets the zoning. So I honestly don't see a need to reduce the height of the signs.

Maybe, Andrew, you can speak more to the vocabulary of the signs and why you went in that direction and not as CDD staff suggests, a monolithic granite or limestone block or blocks.

ANDREW BARRESI: Within the campus architecture

for the Kennedy School it's really a -- the material is really about brick. And limestone on that campus is really used more as an ornamental element and in fenestration rather than as a material unto itself in the form of a structure or a plinth or something like that. So we really see materially anyway for these gateways, they really showed a brick with a sign -- limestone sign element set into it rather than a monolithic piece of limestone that would act as the sign itself. I think that would look out of place, frankly, in the context of the campus architecture. So, so that was the choice of materials.

I think the scale wise and height of these signs, we've tried to keep them I think as low as possible and still functional. I think any lower and they're really going to just, you really get into the law of diminishing returns. Snow, I'm sure the campus is going to be well kept and free of snow, but there will be periods of snow.

Also if you know anything about Eliot Street and

the line of cars that line up there at the light, we'd like to get them higher frankly for that purpose. But we understand the restrictions and tried to keep the signage as low as possible. And I think they're gonna be successful, but I think it's really at a bare minimum right now in terms of their height.

MARK VERKENNIS: Right.

BRENDAN SULLIVAN: You know the given the indication, Harvard Kennedy School and then the John F. Kennedy School of Government, it's almost like a, you know, repeating ourselves here. On the doors, each one of the doors has Harvard Kennedy School, John F. Kennedy School of Government. I mean I think if you get to the doors, you know where you are. You know, it's almost like to me, and I guess maybe, maybe that's just to me just an awful lot of shouting at you. You know? And, again, who am I to all of a sudden, you know, decide what, what is redundant, what is not necessary? You know, again, it's your house and you

know how you have to operate. All I can do is wait for two years from now when it's all said and done, stand back and say Oh, my God, why did I ever approve that? Because it is, it's just.

MARK VERKENNIS: I mean I would --

BRENDAN SULLIVAN: -- I can't see the forest through all these trees.

MARK VERKENNIS: You're seeing them not in the context of scale. I would argue that those signs on the doors are not going to be visible until you are probably at the door. And I think that's actually existing condition.

BRENDAN SULLIVAN: And maybe it's because, you know, after they clean them with the Windex and the crows won't fly into them so you need something on there. You know, but --

ANDREW BARRESI: I think, you know --

BRENDAN SULLIVAN: I guess what it did to me is it just added an awful lot everywhere. And that's the

impression I came away with. Is that it's just redundancy. It's just shouting at me, you know, that, you know -- but anyhow. So maybe we've gone from one extreme of not having sufficient. Obviously the campus has expanded, but now to me it's an overdo, but that's just the impression I came away with.

ANDREW BARRESI: And, yeah, you know, as a designer, we're really trying to address the communications needs of the institution and that has really changed. They've gone from an institution that is very insular and sort of turns its back to the street, and they're really trying to be more of an open and outwardly expressive institution and I think commensurate with the presence it has in our political and culture as well. I mean, I hear the Kennedy School experts on the radio, on TV, and I think they're trying to, you know, the campus wants to reflect that esteem. And part of it is a little logo on the door, you know? And then I would agree with Mark. I think -- in

our line of work, the first mistake I made as a young designer was to bring a full-size print of a map kiosk into our conference room to show the clients. Because they, you know, they were just like oh, my God, it's just enormous, you know? And it's totally understandable. It's all about context. The moment you bring that print outside into the environment, it's not big enough.

So I think renderings are great when we do all we can to try to illustrate exactly what these things are going to look like in the streetscape. It's impossible. And I think that looking at elevations and on planned drawings and on renderings, it is difficult to get a sense of the impact that these things have in terms of their size and their quantity. At the Eliot Street Gateway, you're gonna see the sign, it's down low, it's in relation to the landscaping. Honestly if you see the letters on the building, that would be great, but I got -- I have no illusions that the lettering up there on the building is going to be as

functional as we'd like it to be. But it's recognizing a very significant individual has made this project possible and that's important, too.

And then the map. In my experience the way that it's been designed in terms of the charcoal coloring and the dark colored map, the granite base that ties into the granite in the ground plain, it's all very well integrated and low key. It's not a giant pylon that brightly colored that really is going to exert itself in the landscape. So as a designer and someone whose office is right in Harvard Square and is gonna live with these elements everyday, I'm very comfortable about what we're proposing. And again I'm very cognizant of what's appropriate and what's not appropriate. That's, that's something that I think is very important to me personally as a designer doing this work.

DOUGLAS MYERS: Are you able to give us right now a -- again, a schematic or a picture of the entrance to Littauer proposed? The one that Brendan was just talking

about from JFK Street to show us the building signs, the signs on the doors that he was talking about? If you could show us that, pick it out from your documents, that would be helpful to me.

ANDREW BARRESI: This is a photograph, it may not have everything that you're looking for in a rendering, but this is an existing building that isn't being altered. So we're working with photography to develop this design. What we've done here is to take an existing wall and extend it upwards so that we can then place the plaque. If you recall, there used to be a brick wall right here that was perpendicular. And on one side it had a slate plaque that said "John F. Kennedy School of Government" in carved letters in slate with gold leaf. Okay? Beautiful sign carved by John Benson. Totally ineffectual in terms of being able to identify the school. It needs to be parallel to the street, set back, and it needs to be slightly elevated so that you can see it above the line of the cars.

Okay?

DOUGLAS MYERS: But here you're not making any changes to the doorway itself, additional decals?

ANDREW BARRESI: No, no. There's already decals on those doors. The decals you see in these drawings are there right now. So if you don't currently have a sense of these things littering the streetscape, it's because they're on doors set back. And you really only gonna see them when you approach the door.

And then what you're not seeing in this is the map kiosk which will be in the plaza area along the sidewalk so that you can see it as you walk by.

JANET GREEN: I'd like to also say that when I was thinking about this, it may seem quite simple, but I realize that I was never going to be looking at all of these signs at once.

MARK VERKENNIS: Right.

ANDREW BARRESI: Exactly. Exactly.

JANET GREEN: I was going to be going into one door and seeing the signage on that door. So that we shouldn't think about as if we were going to see a collage of all these signs --

ANDREW BARRESI: Precisely.

JANET GREEN: -- facing us all the time.

DOUGLAS MYERS: If I may say one more thing about the signage you just showed us. To explain the partial duplication of names, Harvard has somewhat backed itself into this situation. It's kind of a given of this situation that Harvard has made a consistent effort, as I understand it over the last 10 or 15 years, that the John F. Kennedy School no longer be referred to publicly by its faculty, if possible by students even, as such, but we referred to in the primary instance as the Harvard Kennedy School. And then for the reasons not only of prestige but of practicality, public knowledge and awareness. And then subsequently and additionally be referred to as the John F.

Kennedy at that point only after obeisance has been given to Harvard University in the form of the name of Harvard Kennedy School. I guess it's a branding.

MARK VERKENNIS: I think you hit the nail on the head.

DOUGLAS MYERS: So in a way as designers properly trying to ID these buildings, you're kind of backed into this situation where it is the Harvard Kennedy School but you certainly want to refer to for ID purposes, the John F. Kennedy School of Government.

ANDREW BARRESI: And to that point we went through several iterations. Some were with it and some were without it. And, you know, and having the full name and association with that was very important to the institution and continues to be, but you're absolutely right.

BRENDAN SULLIVAN: Jim?

JIM MONTEVERDE: And I appreciate all the discussion. I still come back to where I was before, which

was, and I think I'm kind of in agreement with the Planning Board discussion, the staff members, that it just -- at every entry seems that there's, just a redundancy that could be reduced. I think to make it stronger, make it simpler, basically reduce the request you need to make for a Variance and just simplify the matter. Unfortunately I'm there.

MARK VERKENNIS: And we talked about that after receiving the comments this afternoon. I'm hard pressed to decide what sign to remove. Do we not want to acknowledge that this is a major gateway to the institution?

Do we not want to provide wayfinding for the public or for users of the campus?

Or do we not want to acknowledge the name of a building?

I don't feel that three signs at an entrance, given the spacing that you see there, is excessive. Because, again, I think Janet's comments was a good one, you don't see that in totality. I really don't think you would

see it -- that one rendering you can see there, I don't see the issue with the three signs. And I would also say the type of signage being proposed is very consistent with what, with what this Board has approved on other Harvard campuses, including Harvard Kennedy -- I mean, excuse me, the Harvard Divinity School and also Radcliffe. So I'm at a bit of a loss as to the staff's comments. The Planning Board has not commented on this. I want to make that clear. This was one staff person. One staff person. I'm just gonna make that clear.

BRENDAN SULLIVAN: Not to be crude but this is the mother of all sign applications. This is enormous, you know?

MARK VERKENNIS: Well, I would argue -- no, I would argue we've had as many, if not more, with the Radcliffe application. I'm sure the number of signage there was more.

BRENDAN SULLIVAN: Your thoughts?

ANDREA HICKEY: Well, I live in this neighborhood and the building, the old signage confounded me. I go to the gym and I could look out the window onto the school and could never really figure out what happens where in there with all those smart people. And I don't think the signs are excessive, but I don't like the banner signs. I view those as advertising, not as directional. I take the comments of the public very seriously in that regard. And advertising is not to get people where they need to go. It's to sort of promote a program or something, and the banner signs are where I struggle. The directional signs, I think they're nicely done and I think they're sorely needed. So that's where I am at the moment.

ANDREW BARRESI: I appreciate, I appreciate your viewpoint. Specific to the banners, I think their visibility from the street is highly questionable. I don't think we can sit here today and definitively say you will see those from Eliot Street or from the path at Charles

Hotel. I think that's an important point to make. I can't personally say you will see those banners. I do see them as entirely equivalent to the banners in Harvard Yard. That's, that's how I've always thought of them. You know, just about every single project, as signage designers, we're asked to do these banners on light poles. If there's a project I would not have to do them, man, I would be all over it. But I think the fact that they're eternal to that courtyard and are really speaking to the courtyard and not outwardly, then that's the only point I would like to make.

ANDREA HICKEY: Thank you.

ANDREW BARRESI: Sure.

BRENDAN SULLIVAN: Sean, can those banners be considered special use signs or not?

SEAN O'GRADY: Well, I would wonder if they're not exempt.

MARK VERKENNIS: And that -- we wrestled with that question. I mean, honestly I wish I would have --

CAROL O'HARE: I can't hear you.

MARK VERKENNIS: Honestly, you know, in hindsight we would have asked the Community Development staff to exempt them, because I believe they are not even visible from the public way, given the line of sight beneath the gateway building.

DOUGLAS MYERS: Can you show us one or two representations of the view in from the Eliot Street?

MARK VERKENNIS: Yeah. Yes, we do have that. Somebody must have that one.

This is a gateway sign. I mean, I think we actually have another one that you can at least see from a pedestrian perspective on, I think it's across the street from Eliot Street of what that view would be.

SEAN O'GRADY: Brendan, I'm sorry, you asked me a question and I answered something differently.

BRENDAN SULLIVAN: No. Can the banner signs be considered special use signs?

SEAN O'GRADY: Are you looking in the Ordinance?

Is that a term of art or --

BRENDAN SULLIVAN: Yeah, 7.16.22d, special use signs. And wall or freestanding signs. I'm thinking banners that are used for theatres, cinemas.

ANDREA HICKEY: Well, they're on a pole, so does that sort of specifically meet the definition of what you're reading?

SEAN O'GRADY: They have to be accessory for theatres or cinemas.

MARK VERKENNIS: Or other -- I think it includes public education or lecturers. I mean we certainly have done that before on our campus.

DOUGLAS MYERS: Thank you.

ANDREW BARRESI: Sure.

BRENDAN SULLIVAN: Well, special sign provision for non-profit theatres, other performance spaces; museums, galleries, libraries, cinemas. Performance space: Museums,

library, art galleries. Owned by a non-profit organization.

I don't know, you know, it's really probably not the question we're going to be able to -- but it's not on the public way. And usually we're asked to --

SEAN O'GRADY: Well, the first -- they have a section on exempt signs. The first exempt sign is -- I just had it.

ANDREA HICKEY: Is it visible from a public way?

SEAN O'GRADY: Signs not visible from a public way are exempt.

BRENDAN SULLIVAN: So all right, as you casually walk down the sidewalk, you probably wouldn't see it. Now if you sort of walked around the corner or something like that of a building, you could probably see it obviously.

MARK VERKENNIS: Yeah.

BRENDAN SULLIVAN: If you were kind of walking into the courtyard obviously.

ANDREW BARRESI: Exactly.

MARK VERKENNIS: And I think Andrew's point was also that, you know, these are sort of forward inward looking. These are definitely oriented for the courtyard and the occupants of the Kennedy school, and not intended to, you know, advertise or attract to someone passing on the street. I mean that's typically how we use banners on the campus.

DOUGLAS MYERS: On the other hand, the view in at the Eliot gate, Eliot Street entrance is fairly broad, fairly expansive, and I would say that before you are entitled to the benefit of the exemption there should be representation that the banners as constructed will not be visible in reasonable public view through the Eliot Street entrance. If they are, then the exemption shouldn't apply. Wouldn't you agree?

MARK VERKENNIS: I won't argue with that and that is the reason why we included them in the application.

BRENDAN SULLIVAN: Okay.

Jim, going back to you again, you have some reservations or ready for a vote?

JIM MONTEVERDE: I have reservations but I'm ready for a vote.

BRENDAN SULLIVAN: Okay.

Doug, anything else?

DOUGLAS MYERS: Yeah, just a few things. Just to lay my cards on the table in fairness to the applicants and the public. I myself I have no problem with the number of signs. I think the number of signs are appropriate, especially the what you've called the West Pavilion, Eliot Street, these are open gates. I think the effect of multiplicity of signs will be diluted in that space. Similarly Taubman is going to have a plaza. I think that will dilute it. And as far as the entrance from the JFK Street into Littauer, if there's any clustered effect there I'll accept your judgment on that and it's fine.

The banners I'm still, I'm dubious about it and

not prepared to vote for. Because you asked about, you know, if they exist in other places. And my initial candid response to you is we weren't asked to approve those other places, but we are being asked to approve this place. So we have to accept the responsibility for applying the Ordinance to this application. You know I just think they're high. I think they're not directional. They're not building ID. They're going to be elevated 14 feet above the ground. They actually, to my -- unless I'm mistaken, over 50 percent of the total sign area requested is going to be found in those three banners. That's, that to me --

MARK VERKENNIS: That's a large banner.

DOUGLAS MYERS: I understand. And I have to say that influences my thinking about their untoward effect given that they are basically promotional in their nature rather than directional or identification. So that's my opinion.

BRENDAN SULLIVAN: So, if I make a motion to

approve their application, the banners are included or not included?

DOUGLAS MYERS: I would, I would be very agreeable to however you phrase the motion.

BRENDAN SULLIVAN: Well, I'm going -- if I make a motion in the positive to accept their application.

DOUGLAS MYERS: I would vote against it.

BRENDAN SULLIVAN: Okay.

DOUGLAS MYERS: Unless the banners are accepted out.

BRENDAN SULLIVAN: Unless --

MARK VERKENNIS: Unless the banners were exempted out.

DOUGLAS MYERS: Accepted out.

MARK VERKENNIS: Accepted out. Assuming that we could come back at a later date and demonstrate that those banners are not visible from a public way. They would be taken out of this Variance application, but if we were able

to adequately demonstrate that they're not visible and they are exempt, that option would remain. Is that, is that a correct --

BRENDAN SULLIVAN: I would entertain that. I would entertain that.

DOUGLAS MYERS: Yeah, I think that, you know, you're entitled to --

ANDREW BARRESI: And that could be easily demonstrated.

DOUGLAS MYERS: I think you're entitled to the benefit of the exemption if you qualify for it.

ANDREW BARRESI: Then that could be easily demonstrated. A mockup could be made and placed in the environment and we can explore alternate alignments or what have you so that they in fact are not --

ANDREA HICKEY: I come out exactly where Doug comes out, and if we could take the banners off the table, I could support the balance of the request.

BRENDAN SULLIVAN: All right. I'll make a motion
then -- your --

JANET GREEN: I'm good.

MARK VERKENNIS: Could I -- I really need to check
with the client here to --

BRENDAN SULLIVAN: Sure.

DOUGLAS MYERS: Before you give too much away.

MARK VERKENNIS: -- before I give too much away.

ANDREA HICKEY: Excuse me for one second.

SEAN O'GRADY: Brendan, how are you planning to
proceed?

BRENDAN SULLIVAN: I'm going to make a motion in
the positive to approve the application with the exception
of removing the three banners that are part of the
application.

SEAN O'GRADY: Okay.

ANDREA HICKEY: But we wouldn't be denying the
banners. They've requested that they be allowed to come

back perhaps without prejudice. Don't let me sort of --

SEAN O'GRADY: Then they would need a continuance.

ANDREA HICKEY: I think procedurally we have an issue.

SEAN O'GRADY: I see where you're going.

JANET GREEN: For the whole thing you mean?

ANDREA HICKEY: Yeah.

ANDREW BARRESI: Can we, if they're removed, can the client come back and ask for them?

SEAN O'GRADY: You have a repetitive petition problem at that point. It precludes you for coming back for two years.

I mean one thing I would say is -- one thing is that. This is more informational.

BRENDAN SULLIVAN: Keep going.

DOUGLAS MYERS: You said it was more informational.

SEAN O'GRADY: Yeah, you could --

DOUGLAS MYERS: Repetitive petition.

SEAN O'GRADY: To the extent that you have a right to those signs, as long as the Board doesn't condition you not exercising that right, then that right would still be there for you. So, you could -- it seems to me that you could either take a vote tonight without the banners and then try to prove to Community Development that the banners are exempt and should be allowed.

BRENDAN SULLIVAN: Correct, yeah.

SEAN O'GRADY: Or you could take a continuance and try to resolve everything for a vote next time.

ANDREA HICKEY: But if they're not exempt, you couldn't come back on that narrow issue?

MARK VERKENNIS: Correct. I understand.

ANDREA HICKEY: So I think it hinges on your confidence that --

MARK VERKENNIS: They're not.

ANDREA HICKEY: -- they are exempt.

BRENDAN SULLIVAN: Sean, point of information. If a petitioner had an application before us and were to pull an aspect of that, which is what's happening here, a certain aspect of that and we would approve their project signs without that aspect, and then they decide they want to come back and apply for that aspect? That's what I'm trying to say, we really didn't -- it's one thing if we said, no roof deck, okay? As opposed to the petitioner at the table saying remove the roof deck from the application and then a year from now come back and apply for that roof deck.

SEAN O'GRADY: I'm not sure that gets you out of the repetitive petition.

BRENDAN SULLIVAN: Really? It was part of the --

SEAN O'GRADY: Only because it was asked for and not granted then....

BRENDAN SULLIVAN: So that then --

SEAN O'GRADY: I think that may be enough to create the problem. I mean, my inclination at that point

would be, you have to run through the Ordinance; come see the Community Development Department, come see the Board and vote it. I'm not sure that you're wrong or I'm right.

BRENDAN SULLIVAN: Yeah.

MARK VERKENNIS: I mean in discussing -- the Kennedy School apparently is comfortable removing those from the application, withdrawing those from the application.

BRENDAN SULLIVAN: Okay.

MARK VERKENNIS: And we will let the chips fall where they may in terms of whether it's visible or not, understanding that we may preclude getting those approved.

BRENDAN SULLIVAN: Let me make a motion, then, to grant the relief requested.

The Board finds that a literal enforcement of the provisions of the Ordinance would involve a substantial hardship to the petitioner.

The Board finds that the Harvard Kennedy School is completing a development project that will add three

additional buildings to its campus and create new and improved pedestrian access points to its facilities.

The proposed signage program seeks to appropriately identify new additions to the campus, clarify wayfinding for students, faculty, staff, and visitors to the Harvard Kennedy School, and establish a consistent design aesthetic for a variety of signage types.

The Board also finds that the campus is located in a Residence C3 Zoning District. Upon completion of the development of the campus, the interconnected complex of buildings will be treated as a single building and as such severely limits the size and amount of signage. The documentation provided, testimony presented by the petitioner's representatives, and the worksheet by Community Development is incorporated by reference to this fact.

The Board finds that this severe limitation would prevent Harvard Kennedy School from adequately identifying all key entrances to the campuses and providing clear

directional information to key campus buildings that are frequented by visitors.

The Board finds that literal enforcement of the Ordinance would also create a significant hardship by impacting campus operations. For example, receipt of mail, delivery of goods and services, and especially emergency response personnel and to persons attending the many public events hosted by the Harvard Kennedy School.

The Board finds that the Harvard Kennedy School campus has developed over several decades into its present form, and as such an interconnected multibuilding educational complex surrounding an open central courtyard. The campus has over 1200 feet --

That's not square feet, but feet.

MARK VERKENNIS: Feet, correct.

BRENDAN SULLIVAN: -- of street frontage and public ways and five key entry points to the campus. The physical nature and use characteristics of this

multibuilding educational campus requires sufficient signage to adequately identify key campus access points and to guide visitors to pertinent destinations. The needs of greater flexibility and the signage permitted for nonresidential uses in the Residence C3 Zoning District is unique to the function of the multibuilding educational campus and is not typical of the other uses and Residence C3 District.

The Board finds that desirable relief may be granted without substantial detriment to the public good.

The proposed signage program will significantly improve wayfinding for the campus's multiple uses which includes large numbers of the public who attend the campus on a regular basis for multiple lectures, presentations, discussions, and special events throughout the campus, many of which are open to the general public.

Relief may be granted without nullifying or derogating from the intent and purpose of the Ordinance.

The granting of the requested Variance will allow

the placement of adequate signage to better identify campus entrances and to guide visitors to specific buildings and facilities which is consistent with Article 7.11-1g, assertion that the public interest is served by use of signs by businesses and services to identify their premises or product or services.

Granting this relief from the Ordinance is consistent with prior relief granted by this Board to the Radcliffe Institute of Advanced Study, the Harvard Divinity School, Lesley University Episcopal Theological Campus.

This relief is granted based on the acceptance of the proposal with the deletion of the banner signs which are identified as three in number.

MARK VERKENNIS: Three, correct.

BRENDAN SULLIVAN: Three in number. Identified by circle 8 at the courtyard. No particular -- well, that should identify the three in the courtyard.

Is there anything else to add?

And plans and submissions initialled by the Chair.

Anything else to add?

JIM MONTEVERDE: No.

BRENDAN SULLIVAN: All those in favor of granting the relief requested?

(Show of hands.)

MARK VERKENNIS: Thank you very much. We appreciate your due deliberation on this. Thank you.

(Sullivan, Green, Hickey, Myers, Monteverde.)

* * * * *

(9:00 p.m.)

(Sitting Members Case BZA-013243-2017: Constantine Alexander, Brendan Sullivan, Janet Green, Andrea A. Hickey, Patrick Tedesco.)

CONSTANTINE ALEXANDER: We'll continue our hearing. As I mentioned at the outset of the hearing for those of you who were here at that time, another citizen of city is recording this meeting in addition to the

stenographer. That's his tape recorder right there. Just so you're aware of that.

With that, the Chair will call case No. 013243, 36 Mount Vernon Street.

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

ATTORNEY SHIPPEN PAGE: Good evening, Mr. Chairman. I'm Shippen Page. I'm representing Sula Fiszman and Jack Bergman who are applying for a Variance for their condominium at 36 Mount Vernon Street in the Porter Square area of Cambridge. The Bergman-Fiszmans bought this property in 2016 from the developers of the condominium, Chris Noble and his wife Christine Farrow Noble. And the Nobles will testify later on in this proceeding about a critical oversight in how they developed this condominium which was a serious problem for my client as predecessor and interest. What they want to do quite simply is to enclose the existing front porch and make it a mudroom. And with

that enclosure and the accompanying stairs, it will decrease the front yard setback to about 4.5 feet. This clearly is not in compliance with the dimensional requirements.

They have gone to their neighbors. They have consulted with their neighbors to the extent that the neighbors were available to consult with them, and we have signatures from some of the neighbors, one of the immediate abutters. And they've also passed muster with the -- gotten the approval with the Avon Hill Conservation District. So that they feel that this improvement, if you go into their condominium now, which I did when I visited, you can only get into the door single file. There's no place to put boots, there's no place to put coats. It's unheated. And you walk up this entryway and all the cold air goes right up the stairs into their second and third floor unit. And so what they're trying to do is create a weather barrier, if you will, between the access and the door to their unit. And that's really what we're about. And I'd be happy to answer

questions. But what we're stating is that this is consistent with the character of the neighborhood. It is because of the nature of where the house is located on the property they can't change it. The house was put there way before the Zoning Code was enacted. It's a 10,000 square foot lot where almost all of the abutting lots are -- surrounding lots are 5,000 square feet. And they really want to have a living unit which is consistent with modern amenities. They want nothing special, but they've come in from Concord. They tell me they're delighted to be living in Cambridge, but they'd like to be able to take off their coats and put their boots on the floor when they come in.

If I may, I'd like to ask the Nobles to come speak to this issue of when they developed the condominium in 2007 if that's all right.

CONSTANTINE ALEXANDER: I'm not sure it's necessary, but I have no objection. If they've taken the

time to come down --

ATTORNEY SHIPPEN PAGE: They've taken the time,
Mr. Chairman. Thank you so much.

CHRIS NOBLE: Thank you. My name is Chris Noble.
It's N-O-B-L-E. My wife Chris Farrow Noble and I live at 34
Mount Vernon Street which is in the same building as 36
Mount Vernon Street. And we do support the application.
And Chris can speak for herself on that. We are the owners
jointly of the other unit in the building.

In clarification of Mr. Page's statement, the
applicants did not buy the unit directly from us. They are
the third owners of the unit that we developed by a gut
renovation of two not very attractive apartment units that
were on the second and third floor of that. We had full
Variances at the time of the for different aspects of it.
But there was one feature that existed at the time that did
not change and should have. The building was -- I think we
would will agree ruined in the 1960s, as many buildings on

that street were, when it was converted as a grand single-family second empire building, the servants' quarters on the third floor, into three apartments. And at that time it was turned around so that the front door of the building went directly up the stairs and leaving the parlor, which would have been a grand entrance for our unit on the first floor where there's a bathroom and a bedroom and we're very happy about that. But back in the 1960s when it was done, and it was done purely for rental purposes, not for the development of the second floor unit of this type on the second floor. It was done just for the purpose of getting it done so they could get it rented. And we didn't catch that when we had -- when we did an architect -- fully architect designed gut renovation. We were informed of that when our first buyers told us that they loved the unit but, you know, it was a cheesy way to get into it and it was a really a problem for them. They sold it to second owners who told us the same thing. And so we can assure you that

having done this ourselves and also having been through this staircase and up to the second floor many times, that it's no way to enter a building on Mount Vernon Street which is now no longer rooming houses as it was during the time of rent control, but is street with substantial and redeveloped units, none of which on the building, none of which have the kind of entrance that Sula and Jack are burdened with. So the hardship for them is real and for the reasons that I told you, the hardship is also unique and not shared by the other buildings on the block. And we do as the neighbors and co-condominium owners in that building fully support their application.

CONSTANTINE ALEXANDER: Thank you.

CHRISTINE FARROW NOBLE: I just want to voice my support in favor of this addition in front of the house. I think it would aesthetically be a much more attractive, welcoming entrance. And I think that the functional part of it will be without question, it will be much lighter, it

will bring in more of nature, and I think it will be just more welcoming to the whole house.

CONSTANTINE ALEXANDER: Thank you.

Any questions or comments from members of the Board?

(No Response.)

CONSTANTINE ALEXANDER: Apparently not.

Do you have anything before I open the matter up to public testimony?

ATTORNEY SHIPPEN PAGE: Yeah, I just wanted to introduce into evidence the letters of support from abutters. And I assume, Mr. Chairman, you have the approval of the Avon Hill Neighborhood Conservation District.

CONSTANTINE ALEXANDER: Yes, we do. Should be in the file.

ATTORNEY SHIPPEN PAGE: Okay.

CONSTANTINE ALEXANDER: I'll take your representation -- yes, we do.

ATTORNEY SHIPPEN PAGE: Good. I think that
is -- I think that's it.

Thank you very much.

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 a petition submitted to us by the petitioner
which states: We are neighbors of Sula Fiszman and Jack
Bergman who live at 36 Mount Vernon Street. They seek a
Variance to enclose their existing front porch into a
mudroom and to extend the steps further into the front yard
setback. They have shown us their plans and discussed the
project with us. We fully support this project and believe
it would improve the character of the neighborhood. And the
petition has been signed by residents at 42 Mount Vernon
Street, 40 Mount Vernon Street, 34 Mount Vernon Street.

There's one, two, three -- seven signatories in all. And that's all the public commentary we have.

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

ANDREA HICKEY: Ready.

JANET GREEN: Ready.

CONSTANTINE ALEXANDER: I would agree.

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 current front entry area for this old, older structure is inadequate for the current occupants of the structure and in need of modification.

That the hardship is owing to the fact that this is an older building, it's non-conforming, and therefore any relief, particularly in the front yard -- any modification 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.

The Chair would note that this project has no neighborhood opposition.

That the work to be done is modest in nature, and that it will improve the quality of the housing stock, certainly at this address.

So on the basis of these findings, the Chair moves that we grant the Variance requested on the condition that the work proceed in accordance with the plans that were submitted, each page of which has been initialled by the Chair.

All those in favor please say "Aye."

(Aye.)

CONSTANTINE ALEXANDER: Five in favor. Good luck.

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

* * * * *

(9:10 p.m.)

(Sitting Members Case BZA-013323-2017: Constantine

Alexander, Brendan Sullivan, Janet Green, Andrea A. Hickey,

Patrick Tedesco.)

CONSTANTINE ALEXANDER: The Chair will call case
No. 013323, 141 Portland Street.

Is there anyone here wishing to be heard on this matter? While you're setting up, a preliminary matter. We received, and I take it you received as well yesterday, comments from the Planning Board.

ATTORNEY DANIEL GLISSMAN: Correct.

CONSTANTINE ALEXANDER: They made a number of suggested changes. Speaking only for myself, they are changes that seem very meritorious but would require new photo simulations and the like. Are you prepared to -- what are you prepared to do? I mean, one thing you can do, as you did in the past, we can continue this case as a case not heard, and you can give us new -- you can respond to the -- make changes if you wish in response to the Planning Board's comments and come back with new photo simulations. Or if you want to come by tonight and argue against the Planning Board's suggestions see if we would accept that, that's your call.

ATTORNEY DANIEL GLISSMAN: I think, I think it's

important, too, that we have a dialogue as to what the Board's suggestions are. We feel that the -- we can --

CONSTANTINE ALEXANDER: That would make it a case heard, though.

ATTORNEY DANIEL GLISSMAN: Correct.

CONSTANTINE ALEXANDER: If you do that, then I don't know when we'll hear the case again. I mean you have to get the five of us together in the summertime. That's the only reason why I mentioned it now. I didn't want to get into a case heard and have a problem. We'll do what you want to do.

ATTORNEY DANIEL GLISSMAN: Yeah, I think that's the direction we'd like take clearly because --

CONSTANTINE ALEXANDER: What direction?

ATTORNEY DANIEL GLISSMAN: To hear the case this evening.

CONSTANTINE ALEXANDER: Okay. That will make it a case heard and we don't like the -- we want changes.

ATTORNEY DANIEL GLISSMAN: Correct.

CONSTANTINE ALEXANDER: It's your call.

BRENDAN SULLIVAN: It may push it out into August.

CONSTANTINE ALEXANDER: Yeah, or maybe into
September.

ATTORNEY DANIEL GLISSMAN: We understand. And that may work to our benefit anyway. In working this landlord and coming up with a particular design has been particularly difficult. So the design that we presented this evening to the Board is what we've been permitted to do by the landlord with respect to our space on the rooftop and the existing antennas. So if this design isn't amenable to the Board, then it may take a little bit of time to get back with the landlord and find something that we can work with. And I also think getting some direction from you guys is a critical component to this.

CONSTANTINE ALEXANDER: Okay. I'm a little puzzled, but that's all right, not the first time.

I interrupted you. I don't think you identified yourself for the record.

ATTORNEY DANIEL GLISSMAN: Good evening. Dan Glissman, attorney with Prince, Lobel, Tye here on behalf of T-Mobile Northeast. We're here before the Board for a proposed upgrade to T-Mobile's existing site at 141 Portland Street. We're seeking relief under Section 6409 of The Middle Class Tax Relief Act. We submit this installation does not substantially increase this existing site. And just to briefly walk through as it appears the Board's pretty familiar with this site, T-Mobile currently operates eight antennas, all of which are facade mounted. And this is a unique site in the sense that because of the location and the size of the building, it has four sectors, typically you only see three. So this is a particularly important site for T-Mobile in terms of getting robust coverage and the like.

So T-Mobile is proposing to add one antenna per

sector for a total of four additional antennas, making the total installation 12 antennas.

CONSTANTINE ALEXANDER: T-Mobile is not the only person that has antennas on that roof?

ATTORNEY DANIEL GLISSMAN: Correct. There's a number of other installations on that roof. There's a lot of equipment up on that rooftop. And particularly with respect to the Planning Board's comments, the existing installation by Verizon on the rooftop with their 12, I believe 12 ballast-mounted antennas.

So we feel that our design is a responsible design and it's in keeping with all of the guidance that we've gotten from this Board in the past in the sense that we are stealthing our antennas in the faux flue pipes, the three that we are mounting to the roof. The one facade-mounted antenna is at the rear of the building. It's difficult to see from most vantage points. And it will be painted to match and we'll be updating all of the existing equipment,

painting to match, ensuring that they are below the cornice line, and that all the cabling is as tight as possible. We'll be improving the installations with low profile mounts. The typical upgrade for T-Mobile.

But to address the Planning Board's comments, they suggested combining or trying some way to screen all of the --

CONSTANTINE ALEXANDER: That was the first of their comments.

ATTORNEY DANIEL GLISSMAN: That was the first of their comments. And the only one that is difficult for us to comply with in the sense that we only have contractual rights to a portion of rooftop and we can't be screening Verizon's antennas without their say so. So that --

JANET GREEN: As much as you would like to.

ATTORNEY DANIEL GLISSMAN: As much as we would like to is right.

In fact, we might even prefer to be in front of

them or, you know, in certain areas. So I would be happy to answer any questions.

CONSTANTINE ALEXANDER: Well, let me just -- let's go through the other comments just very briefly from the Planning Board, all right, which I think you suggested your amenable to making the changes assuming you get back to your landlord and get things straightened away. Did I hear you right?

ATTORNEY DANIEL GLISSMAN: The remaining changes I believe are amenable as it stands.

CONSTANTINE ALEXANDER: Okay. Assuming they are amenable, you'll have to come back with new photo simulations reflecting the changes. You have to modify your plans. And I want to see photo simulations which reflect these comments, the changes made in response to these comments as opposed to the current photo simulations. Okay?

ATTORNEY DANIEL GLISSMAN: Sure, absolutely.

CONSTANTINE ALEXANDER: I don't know if you want

me to -- people want me to read them into the record. There are several other comments. Any comments are sort of consistent with comments that we've made before to petitioners like yourself. I for one would like to see new plans that reflect the Planning Board's comments or the staff of the Planning Board and bring them back to -- we'll continue the case to another hearing. That would apply even to the one about the grouping, the first comment which you said would be very difficult to comply with. Come back with everything and you can tell us why you can't do that one and we'll make our decision based on that.

I would suggest to the Board that we continue this case, it's going to be a case heard, to a date that works for all of us. And we get new plans, I think that will be more appropriate to what the City could get.

So, how much -- let's start with you, when would you like to hear the case, the case heard?

ATTORNEY DANIEL GLISSMAN: If possible, I think we

could make the second date in July.

CONSTANTINE ALEXANDER: You can get -- talk to the landlord, get new photo simulations and plans into our files by the usual Monday before? You can do it?

ATTORNEY DANIEL GLISSMAN: Yes. But I think, it's important that at least we get some guidance from the Board if we -- the installation that we're proposing with the two flue mounts which hold three of the proposed antennas, the design is, as far as on the rooftop, is what we are able to do on that particular rooftop. So if there's some suggestions by the Board that they would maybe rather see. The Planning Board comments are difficult in the sense that they just suggest to group all the antennas and screen them.

CONSTANTINE ALEXANDER: That's just one. That's just one comment. They have a number of other comments. I like to see photo simulations that reflect -- and new plans, that reflect changes that match the Planning Board's comments. That's what I would like. I'm only speaking for

myself. That's what I would like to see. If you can't meet the first Planning Board comment, make no change and come back, and in the context of the new plans explain to us maybe in more detail why you can't. That's how I would look at it.

The other things that the Planning Board has suggested is that the parapet mounted antennas should be located several inches down the facade so they don't break the cornice line.

Position and space the antennas to align with some of the vertical lines on the existing facade to create a more balanced and symmetrical layout.

The mounting brackets and exposed cables add visual clutter and shadow lines.

Consider reducing the width of the brackets so that they do not exceed the width of the antennas.

All cables should be concealed.

All antennas across each facade should be the same

length, including existing antennas.

All painted materials including cabling should have a consistent matte finish. You mentioned that.

Those are the comments that I would like to see you react to or your client react to. And to the extent that you would make the changes, hopefully you would make many if not all of these changes, reflect them in the new photo simulations. And when we meet again we can take action. Okay? I mean, am I clear or not?

ATTORNEY DANIEL GLISSMAN: Absolutely. I mean, I do think that we have in fact met with the existing plans, the majority of these --

CONSTANTINE ALEXANDER: I don't deny it but you haven't met them all. So let's meet them all or tell us good reasons why you can't meet them all and we'll make our decision on that basis.

ANDREA HICKEY: Or if it's your position that you can't make them all and you're prepared to tell us why,

we're here to listen.

CONSTANTINE ALEXANDER: Yeah. In fairness to you, you've got these comments as we did very late in the game. So it's unfortunate. It would be nice if you had these a week or so ago, you could have reacted to them but you can't. And so I think it's time to continue the case.

ATTORNEY DANIEL GLISSMAN: Well, if I may, these comments are fairly typical of the Planning Board's commentary.

CONSTANTINE ALEXANDER: Yeah.

ATTORNEY DANIEL GLISSMAN: And so I believe in preparing this initial installation, we did in fact anticipate these types of commentary. And so, if I, I could just walk through them.

None of the antennas will be located above the cornice line.

CONSTANTINE ALEXANDER: Does your photo simulations, do they reflect that?

ATTORNEY DANIEL GLISSMAN: They do.

CONSTANTINE ALEXANDER: So you're saying the Planning Board misread the photo simulations? They may have. But I'm just asking. Did they misread them?

ATTORNEY DANIEL GLISSMAN: Well, I think there's a lot of equipment up there and it may be difficult to discern between the antennas, but I do believe that our proposed photo simulations, and I have copies here and I can walk the Board through. So it quickly, just flipping to the first page 3, this would be the first photo view. The two antennas that are currently owned by T-Mobile and operated by T-Mobile are facade-mounted on page 3 and you can see that neither of them break the cornice line. They're both painted to match the existing facade of the brick.

There is the one antenna you could -- if the Board would like it painted darker, that would be the antenna closer to the outside. It may have faded over the years. If the Board would like it painted darker, we would be

amenable to that. But otherwise neither of them break the cornice line. In fact, they're below even the concrete portion of the cornice, so not to be opposite.

And if you flip to page 4, you'll see that the only new additional element here is the flue which is -- this is a 30-inch in circumference flue. It will house two antennas. And so the other two red arrows that are kind of lowered down, those are remote radio. They're pointing to new remote radio heads which are not visible.

If you keep flipping, on page 5 we have no facade-mounted antennas that are not in compliance with the existing conditions. All of the facade-mounted antennas that are T-Mobile's which would be the two on the left most facade and the two in the right-hand corner right here, which are difficult to see, and they're both set below the cornice line. But the big view from here is going to be the two new flues that we're proposing. So, again, we have this in the center of the roof, which is actually centered just

in between all of the existing Verizon mounts. And then the new, another new flue which is just to the left of the existing Verizon mounts.

So, again, in compliance with all of the Planning Board commentary with respect to cabling and painting to match and keeping the antennas below the cornice line.

And finally -- well, you'll see that the next two angles are again primarily focussed on the two new flues. But the final view would be the rear of the building, and T-Mobile operates two of the what looks like six antennas that are currently there, and they're proposing to refinish and add one antenna adjacent to the existing antennas. They would all be the same size in length and none of them break the cornice line and they are all -- it's our opinion that they all do meet the Planning Board comments. Apart from the request that all antennas on the rooftop be screened.

BRENDAN SULLIVAN: Dan, the faux flues if you will, the two of them there, what color are they going to be

painted? It shows light right now.

ATTORNEY DANIEL GLISSMAN: Yeah, we've chosen a grey. I also have black photo sims, I think it does stand out a little bit more. I'm happy to show the Board if they're interested.

BRENDAN SULLIVAN: And I suppose your comment about, you know, you wanted to paint the antenna darker, I mean I would opt for the darker I guess even though it does maybe go up above the coping. Is that right, Patrick, you think?

PATRICK TEDESCO: Are you talking about this painting?

BRENDAN SULLIVAN: Well, page 3 of 10.

CONSTANTINE ALEXANDER: I would think painting them darker would make them stand out more.

ANDREA HICKEY: That's what I think.

BRENDAN SULLIVAN: Yeah, but I mean the ones right here. Not the -- sorry, not the chimneys and not the flues.

PATRICK TEDESCO: But the antennas?

BRENDAN SULLIVAN: The antennas against the building.

PATRICK TEDESCO: Well, those are -- I didn't bring my glasses tonight, so it's hard to read. Those are painted brick colored, right? The fence against --

BRENDAN SULLIVAN: Is that right, Dan, they're brick color?

ATTORNEY DANIEL GLISSMAN: That's the intent, yes.

BRENDAN SULLIVAN: 3 of 10?

ATTORNEY DANIEL GLISSMAN: Yeah, page 3 of 10 and 4 of 10, correct. So that would be --

BRENDAN SULLIVAN: So that's the background brick color.

ATTORNEY DANIEL GLISSMAN: Yeah exactly. So you're looking at --

BRENDAN SULLIVAN: And so the flue you're saying should be --

PATRICK TEDESCO: My sense is that the flues should be more neutral or lighter.

BRENDAN SULLIVAN: As a building element.

JANET GREEN: They're against the sky.

PATRICK TEDESCO: I want to clarify something. I should know the answer to this. When the Planning Board talks about not breaking the cornice, they're talking about not having them mounted to the facade but behind the cornice on the roof, right? These are above the cornice.

ATTORNEY DANIEL GLISSMAN: Below the cornice.

CONSTANTINE ALEXANDER: Yeah, below, below.

JANET GREEN: The mounting.

ATTORNEY DANIEL GLISSMAN: So the actual antenna itself should not appear to break the cornice line. So what they don't want is that the building roof line to have the antenna mounted above it.

CONSTANTINE ALEXANDER: Yes. They're trying to minimize the impact on the roof line. To go above it.

ATTORNEY DANIEL GLISSMAN: Yes, correct.

PATRICK TEDESCO: Can you show me an elevation?

Because I mean these to me look like they penetrate the cornice line.

BRENDAN SULLIVAN: That may be another carrier.

PATRICK TEDESCO: I see, but your flues penetrate the cornice line, otherwise you wouldn't see them from the street.

ANDREA HICKEY: But they're not mounted facade.

ATTORNEY DANIEL GLISSMAN: Correct. The flues are roof mounted.

PATRICK TEDESCO: So -- okay, so the Planning Board comments are basically related to the facade mounted ones?

ANDREA HICKEY: Yeah.

ATTORNEY DANIEL GLISSMAN: Correct.

PATRICK TEDESCO: Okay, understood. My bad. I should know that.

ATTORNEY DANIEL GLISSMAN: And if you'd like to look at the plans, I have a copy.

CONSTANTINE ALEXANDER: We have a copy in the file, too.

PATRICK TEDESCO: I mean we raised the issues with these flues on the Mount Auburn Hospital a few weeks ago, and they seem -- maybe they were bigger, but they were more prominent. They were closer to the front facade. You could argue that the flues make these things look more prominent. They look more like chimneys. I'm less concerned about it in this particular application, but I do think a greyer color would be preferable if possible or a lighter color. I wouldn't --

BRENDAN SULLIVAN: Which would be more typical of an exhaust flue.

PATRICK TEDESCO: Yeah.

BRENDAN SULLIVAN: Stainless or something.

PATRICK TEDESCO: Yeah, and a little more

invisible against it.

CONSTANTINE ALEXANDER: Are you talking about the colors of the flue is?

PATRICK TEDESCO: The flue, yeah.

CONSTANTINE ALEXANDER: Just the flue. I can certainly make that as part of the motion. And I take it you said there would be no problem if the flues be lighter in color?

ATTORNEY DANIEL GLISSMAN: Yes, no problem. I mean, we've -- the proposal was grey. We can just make sure it's a lighter grey.

PATRICK TEDESCO: Or if it's lighter than it appears in this photograph, that's fine. I would not -- like the color of this laptop or the color of this table, right? Something just a medium grey as opposed to --

ATTORNEY DANIEL GLISSMAN: Absolutely.

JANET GREEN: It more blends in with the sky, that sort of --

CONSTANTINE ALEXANDER: This is a really problematical structure in terms of telecommunication equipment. There's just so much up there and it's such a mess. But it is what it is. And you can't control the competitors as you pointed out.

Any other 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: Apparently no one wishes to be heard.

As I have mentioned, we do have a memo from the staff of the Planning Board and we've discussed it and the content of it already so it's part of the public record. I will close public testimony.

So it's your view that you -- the plans that you've given us and the photo simulations address all of the comments of the Planning Board except for the first one, which is try to rearrange all of the antennas on the roof to a more orderly fashion which you can't do because you don't control all the antennas, that's correct?

ATTORNEY DANIEL GLISSMAN: Correct.

CONSTANTINE ALEXANDER: Ready for a vote?

JANET GREEN: What are we voting on?

CONSTANTINE ALEXANDER: We're going to vote on what they submitted with the exception of -- with the exception that the flue, the color of the flue will be lighter than what is shown on the photo simulations.

ANDREA HICKEY: Yes.

CONSTANTINE ALEXANDER: Okay.

ANDREA HICKEY: Ready.

CONSTANTINE ALEXANDER: Okay, let me make some initials first.

Okay, we're talking about a Special Permit. So the Chair moves that we make the following findings with regard to the Special Permit being sought:

First of all -- well, findings. Let me get them out.

That the requirements of the Ordinance cannot be met without the granting of the Special Permit that you're requesting tonight.

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 or development of adjacent uses as permitted in the 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 use or the citizens of the City.

And that what is being proposed will not impair the integrity of the district or adjoining district or otherwise derogate from the intent and purpose of the Ordinance.

In addition, the Board finds that the modification of its existing telecommunication facility at the site proposed by the petitioner does not substantially change the physical dimensions of the existing wireless tower or base station at such facility within the meaning of Section 6409(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 a Special Permit it is seeking subject to the following conditions:

One, that the work proceed in accordance with the plans submitted by the petitioner and initialled by the Chair.

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 paint color for the flue will be lighter than is shown on the photo simulations.

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 with the exception again of the color, the paint color of the flue.

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 imposed by this Board with respect to previous Special Permits granted to the petitioner with regard to the site in question.

Continuing, inasmuch as the health effects of the transmission of electromagnetic energy waves as a matter of ongoing societal concern and scientific study, the Special Permit is also subject to these following conditions:

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

authorities notify the petitioner that the 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 is or are suspended, revoked, or terminated.

C, that to the extent that the Special Permit has terminated pursuant to the foregoing paragraphs A and B, the 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 a 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 D, that within ten business days within 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 requested tonight will comply will 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.

All those in favor of granting the Special Permit subject to these conditions say "Aye."

(Aye.)

CONSTANTINE ALEXANDER: Five in favor, Special Permit granted.

ATTORNEY DANIEL GLISSMAN: Thank you very much.

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

* * * * *

(9:45 p.m.)

(Sitting Members Case BZA-013342-2017: Constantine

Alexander, Brendan Sullivan, Janet Green, Andrea A. Hickey, Patrick Tedesco.)

CONSTANTINE ALEXANDER: The Chair will call case No. 013342, 60 Hamilton Street.

Is there anyone here wishing to be heard on this matter? Good evening. As you must know by now, give your name and address to the stenographer, please.

WILLIAM HAMMER: Bill Hammer, HKT Architects, 35 Medford Street.

JANET GREEN: You want to stay close to the microphone because you have a lot of people listening.

WILLIAM HAMMER: Shall I let them introduce themselves.

CONSTANTINE ALEXANDER: Can you do it?

WILLIAM HAMMER: With me is Len Singer the owner of the building representing Sidney Street Enterprises and Brendan Schwartz who the tenant.

CONSTANTINE ALEXANDER: Okay.

WILLIAM HAMMER: So --

CONSTANTINE ALEXANDER: The floor is yours.

WILLIAM HAMMER: We're here requesting a Variance.

The tenant is based on the second floor, and the only windows and the only outdoor space -- well, they don't really have any outdoor space now, but where the windows are and the light comes into the space is facing this one lower roof, and they have asked to be able to put a rooftop deck so they can get out there and take a break in the nice weather.

It's basically, it's a hardship in one sense from a working point of view and their environment, and that's all I can really say for it. But I think that we had promised to go through the process and see if there was reconsideration and here we are.

CONSTANTINE ALEXANDER: Are you aware of the substantial neighborhood opposition in terms of written letters we've gotten from neighbors?

WILLIAM HAMMER: I am not aware of it but I guess I'm not surprised either.

CONSTANTINE ALEXANDER: Okay.

Let me just preface -- initial comment. We don't look -- generally this Board does not look in favor of roof decks. We generally get roof deck cases for residential structures and there are two reasons. One -- and the obvious reason it seems to me, noise. People on roof decks have noise that affect their neighbors and --

PATRICK TEDESCO: Privacy.

CONSTANTINE ALEXANDER: -- privacy. And that's the issue you have with these roof decks. Now we have granted roof decks in the past. I don't want to say that we automatically turn them down.

WILLIAM HAMMER: Sure.

CONSTANTINE ALEXANDER: But we start with what I would say a jaundiced view about them and need compelling evidence to justify the granting of a roof deck.

WILLIAM HAMMER: I understand.

CONSTANTINE ALEXANDER: And the only thing you argue for, I'm reading right from the application, is that a literal enforcement -- that the premises often house high tech employees working on computers typically with the lights low and blinds covering their windows. For the added health of the employees, it will be helpful to have access to fresh air and full sunlight which the deck would provide. I have to say give me a break. I mean, what this is all about is increasing the rental value of this property. By adding additional space, you can offer tenants to go up to the roof when you feel like and get the sunlight. It's -- let me just read it. We have a lot of letters. One letter, and they all say the same thing. One letter I think captures this very, very well and I want to read it in its entirety into the record.

The letter is from Vivek V-I-V-E-K and maybe she's here tonight.

VIVEK SIKRI: He.

CONSTANTINE ALEXANDER: I apologize. Sikri,
S-I-K-R-I.

(Reading) I own an abutting property at 59 Alston Street and was notified by mail that this Variance was being requested. I believe that the petitioner is required to contact abutters to inform them of a request for a Variance. Further, I walk passed Hamilton and Sidney Street frontage of this property several times a week and have not seen any of the standard notice of public hearing signs. To the best of my knowledge, the petitioner is required to post these in a publicly visible area. I do not believe they have fulfilled this requirement. As such, I request the meeting be postponed so that my neighbors and I are allowed adequate time to review the supporting materials and provide our feedback as the law requires.

Let me stop right there. I have inspected the property, I do for all of the cases, to see if the signs

have been posted properly and to get a sense of what the property's all about. I did see the signs. I don't know why, sir, you didn't see them. I did see them. They were properly posted the day I went by at least. I think Mr. O'Grady separately went by. He saw the sign properly posted as well.

VIVEK SIKRI: On Sidney there is absolutely nothing. That's the biggest --

CONSTANTINE ALEXANDER: Right in front of Hamilton Street, right in that the entrance -- I think the entrance to the premises, there was a sign. It was there. And that's all they had to do was that one sign.

VIVEK SIKRI: Okay.

CONSTANTINE ALEXANDER: I would respectfully say that we're going to hear the case tonight. I don't think your point is well taken on this.

VIVEK SIKRI: Thank you.

CONSTANTINE ALEXANDER: Going on to the merits.

That being said, after a cursory review of the proposal, I would like to enter the following comments for your reconsideration:

One, the petitioner claims to seek this Variance due to hardship as they (sic) employees of their tenants have no outdoor space to get fresh air and enjoy the sunlight. They claim that this is because they work on computers and must keep the lights low and the blinds drawn.

I beg to differ with this reasoning:

A, closing the blinds of your own office to exclude sunlight does not constitute a hardship. Rather it is a situation that is self-created and should not be grounds for granting a Variance.

B, there is plenty of outdoor space within a five-minute walk of 60 Hamilton Street. If the petitioner so desires, I'd be happy to walk with them to Fulmore Park, 60 seconds away; the lovely plaza and outdoor seating at the new Flour 60 seconds away; and Old Morse Park which is a

whopping 120 seconds from the property in question.

C, if the desire of the petitioner is really to ease the hardship of the tenants, then they should first consider turning their asphalt parking lot into a garden for their tenants to enjoy rather than seeking a Variance for a roof deck.

D, there are things called glare screens that the tenants could apply to their monitors which would allow them to leave their blinds open. This would ease any need for a Variance if the true reason is that the computer work must be done in the dark and so the employees need out door space to get sunlight.

E, I humbly submit that the real reason for the request is to increase the desirability and, therefore, rent of the petitioner's property on the rental market by increasing the square footage and providing outdoor space. There is no actual hardship as there is plenty of outdoor space within a few minutes as listed above.

No. 2, to the best of my knowledge, several of my neighbors have had Variances requesting roof decks denied. And that is true. That ought to be enough precedent to deny this one especially since the only reason for the request is the flimsy hardship argument. If this request is approved, then that terms that precedent on its head and the new precedent is that roof decks will be allowed. Is this the case? If so, I will be lining up several BZA hearings of my own as I have the hardship of the second floor apartment in a triple decker that doesn't get as much sun as I desire.

Three, the roof deck should be required to meet existing setback rules rather than be built all the way to the property line. Building an elevated structure all the way to the property line overlooking a private and secluded garden at 61 Allston and private decks at 57-59 Allston seems like a very intrusive change to the petitioning property. At the very least if granted at all, the ZBA should require that the setback is met and a further virtual

barrier is placed on the roof deck's south side so as not to allow an unimpeded view into neighboring properties.

Four, I am concerned with noise from employee after hour parties on the roof deck. On many occasions when a walk down Sidney Street, I've seen employees having their after work get togethers in the outdoor parking lots of their companies, especially at the recently vacated property of 166 Sidney Street. Being a tech worker myself, I can tell you that this sort of event is common, even weekly, and encouraged by company management as a team building activity. While I think it is critical for companies to engage in such activities, I am very concerned that it would create noise in an otherwise quiet neighborhood and would carry directly to the neighboring porches, apartments, and backyards since the noise source would be elevated rather than at ground level.

Five, the even numbered side of Sidney Street is heavily residential up to Hamilton Street. The odd numbered

side is more commercial. As such, the resident concerns on the odd number side should outweigh commercial petitioner's desires rather than the other way around. The even side is a special district whereas the -- and it cites the district name. Whereas the odd size is a residential district.

There is less leeway for residences on a residential district especially when it is bordering a special district as the BZA must take care not to overly blur that difference in zoning. Good fences make good neighbors as the Robert Frost poem goes. It is clear from the lack of direct communication with a surrounding community that the petitioner doesn't intend to be a good neighbor, and as such, that makes the good fence all that much more important. Please deny the petition so as not to set up a situation which is likely to create a nuisance for other long-term owner/residents of the subject property.

And as I said there are a number of other letters which all make the same point to my mind, not as well as

this gentleman did. Yes.

LEN SINGER: Give us one second.

So I think we're going to agree with that letter.

CONSTANTINE ALEXANDER: Okay.

LEN SINGER: It was more persuasive than our
Variance and we'll work within the confines of that.

CONSTANTINE ALEXANDER: You're going to withdraw
your application?

LEN SINGER: Yes.

CONSTANTINE ALEXANDER: Just so you understand --

LEN SINGER: No, no, we --

CONSTANTINE ALEXANDER: If you withdraw your
application, it's treated as the same as if we denied it.

LEN SINGER: Yes.

CONSTANTINE ALEXANDER: And that means you can't
come back before this Board for two years --

LEN SINGER: Yes.

CONSTANTINE ALEXANDER: -- unless you have a

substantially different proposal than you have right now.

JANET GREEN: And if you thought that you were going to be able to change the design and work with the neighbors and come up with something that was okay, then you would ask for a continuance instead of withdrawing the case.

LEN SINGER: Oh, is that what the case -- is that right? Well, let me ask the neighbors.

JANET GREEN: Those are things that you could do.

LEN SINGER: Okay. Let me just ask the neighbors, because my other thought was that, you know, the roof deck is eyesore, right? And although that's not the reason for the Variance. The reason for the Variance is, you know, hardship. The question is could we work with you on a design and turn it more into a garden that may be in fact acceptable to you? If you don't want to do that, that's fine. And I see the answer no.

UNIDENTIFIED MEMBER FROM THE AUDIENCE: To my mind, that's a residential street --

LEN SINGER: Okay.

UNIDENTIFIED MEMBER FROM THE AUDIENCE: -- with many young families and children and it's an invasion of privacy of those children who use that space.

LEN SINGER: All right.

ANDREA HICKEY: Could you give your name for the record?

CONSTANTINE ALEXANDER: Yes, please. And thank you.

UNIDENTIFIED MEMBER FROM THE AUDIENCE: Yes.

UNIDENTIFIED MEMBER FROM THE AUDIENCE: As the mother of that child, I will. Do you want to? I mean you're the grandmother so....

ANDREA HICKEY: We just want to get your name.

EMILY HOFFMAN: I'm happy to. Do you want me on the microphone?

ANDREA HICKEY: Just give your name.

EMILY HOFFMAN: My name's Emily Hoffman. I'm at

61 Allston Street.

CONSTANTINE ALEXANDER: Thank you.

LEN SINGER: So that's fine. You know, just so you understand. We understand that we're in a what I would call a mixed use area, and we understand you prefer to have it residential. And you prefer that we didn't have a commercial building there, and we understand that.

UNIDENTIFIED MEMBER FROM THE AUDIENCE: That's another point. You have existing space there where you could create an outdoor space for your employees. Half of your parking lot is a dumpster.

LEN SINGER: Right.

UNIDENTIFIED MEMBER FROM THE AUDIENCE: You could create a lovely benches, lunch area, green area.

VIVEK SIKRI: We would support that.

CONSTANTINE ALEXANDER: Can I suggest that you continue this conversation -- this is a good conversation.

EMILY HOFFMAN: We would not approve the roof

deck. We would support a green area.

CONSTANTINE ALEXANDER: There are people who would like to get home.

ANDREA HICKEY: For the record, are we clear that you're withdrawing your application?

LEN SINGER: Yeah, we'll withdraw.

CONSTANTINE ALEXANDER: You're withdrawing the application?

LEN SINGER: Yes.

CONSTANTINE ALEXANDER: The Chair moves that we accept the request to withdraw the application.

All those in favor say "Aye."

(Aye.)

CONSTANTINE ALEXANDER: Five in favor.

Application withdrawn.

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

* * * * *

(9:55 p.m.)

(Sitting Members Case BZA-013345-2017: Constantine Alexander, Brendan Sullivan, Janet Green, Andrea A. Hickey, Patrick Tedesco.)

CONSTANTINE ALEXANDER: The Chair will call case No. 013345, 230 Lakeview Avenue.

Is there anyone here wishing to be heard on this matter? We have a roof over a deck, before we had a roof

deck case.

GRACE MACLELLAN: The deck is there.

ANDREA HICKEY: You're lucky.

CONSTANTINE ALEXANDER: Anyway, give your name and address.

GRACE MACLELLAN: Grace Maclellan

M-A-C-L-E-L-L-A-N representing -- the designer for Joe and Genevieve Coyle who are at 230 Lakeview Avenue. And Joe and Genevieve have --

JOSEPH COYLE: We're seeking a Variance to put a roof.

CONSTANTINE ALEXANDER: A roof over a deck.

JOSEPH COYLE: A roof over a deck. Several reasons:

One is in the spring and in the fall, periodically we get rain and we have some deck chairs and stuff out there and we'd like to get them protected.

Second is from sort of late July through October

the sun really beats down and it faces west.

Third is we're getting a little older and prefer not to have to carry in all the stuff in November and through the snow. And we discussed it with all of our abutting neighbors, and I think we have letters from the main one is where we get close to -- because next-door is a condo that was moved there in the late 1880s, it used to be a convent. It used to be a hotel on the lake, on the reservoir. And so we would be within that space, but our house was built in 1928 and theirs was put there over a hundred years ago, and so that's why we need a Variance I think. Grace could --

CONSTANTINE ALEXANDER: Make sure we get the facts clear.

JOSEPH COYLE: Yeah.

CONSTANTINE ALEXANDER: You have a deck right now that intrudes into the setback. And that's why. And then you want to put a roof that's not going to -- it's going to

cover that deck. It's not going to extend further into the setback.

GRACE MACLELLAN: No.

JOSEPH COYLE: No.

CONSTANTINE ALEXANDER: It's going to be the same as the deck.

JOSEPH COYLE: Over the deck.

GRACE MACLELLAN: Yes.

CONSTANTINE ALEXANDER: Because it's that roof will intrude into the setback as your deck does, that's why you're here tonight.

GRACE MACLELLAN: Yes, and the house is -- aligned with the house as you can see from the plans.

CONSTANTINE ALEXANDER: Aligned with the house.

And you have a letter from the -- we have a letter from the trustees known as 234 Lakeview --

GRACE MACLELLAN: Yes, right next-door.

CONSTANTINE ALEXANDER: -- who are in support.

There are many letters in support as a matter of fact. I don't propose to read them into the file. But I can summarize -- I will say who wrote them just as we have it as a matter of public record. They're all to the same effect.

We have a letter from Paul Demasonese (phonetic) and Jay Redman who reside at -- they say they're close neighbors, 225 Lakeview Avenue.

We have letters from Diane and Edward Goodwin who reside at 222 and 224 Lakeview Avenue.

We have letters from Elizabeth Anderson and Michael Zibello, Z-I-B-E-L-L-O who reside at 233 Lakeview Avenue.

We have a letter from the persons who reside at 229 Lakeview Avenue. I'm not going to try to -- I'm going to spell the last name of the first person Maria Balinska B-A-L-I-N-S-K-A-S-Z-C-Z-E-R-B-A. And I'm going to -- and the first name of the second person is W-O-J-C-I-E-C-H and the same last name that begins S-Z.

We have a letter from the residents at 242 Lakeview Avenue, Gautam, G-A-U-T-A-M Khanna, K-H-A-N-N-A and Victoria Khanna.

And a letter from Jonathan Boyle, B-O-Y-L-E who resides at 243 Lexington Avenue.

JOSEPH COYLE: Right behind us.

CONSTANTINE ALEXANDER: Okay, and one last one I guess. Yes, from Cynthia M. Purvis. P-U-R-V-I-S who reside at 229 Lexington Avenue.

As I said, the letters are all different but they're all to the same effect but they're in support of what you're seeking.

Is there anyone here wishing to be heard on this matter besides the letters we have?

(No Response.)

CONSTANTINE ALEXANDER: Apparently not.

Discussion from members of the Board? Ready for a vote.

ANDREA HICKEY: Ready.

JANET GREEN: I'm ready.

CONSTANTINE ALEXANDER: 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 there was a deck that's a part of the structure that intrudes into the setback. It's non-conforming. And that this deck to be enjoyed needs a roof or some sort of covering over the top of it, but not extending the deck or the intrusion into the next lot any further than the deck does now.

That the hardship is owing to the fact that this is a non-conforming structure, and any relief requires -- any modification of the sort that you're suggesting requires zoning relief.

And that relief may be granted without substantial

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

In this regard the Chair would note that the relief being sought is modest in nature. It has unanimous neighborhood support, and what it does is increases the liveability of the structure in question.

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 the plans, it's one page that I've initialled.

If you modify it, I trust you won't, but if you modify it, you have to come back before us. You understand that.

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

(Show of hands.)

CONSTANTINE ALEXANDER: Variance granted. Sorry you had to wait all this time.

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

* * * * *

(10:05 p.m.)

(Sitting Members Case BZA-013369-2017: Constantine
Alexander, Brendan Sullivan, Janet Green, Andrea A. Hickey,
Patrick Tedesco.)

CONSTANTINE ALEXANDER: The Chair will call case
No. 013369, Five Fayerweather Street.

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

MARK BOYES-WATSON: I'm Mark Boyes-Watson from

Boyes-Watson Architects 15 Bows Street in Somerville.

MUIREANN GLENMULLEN: Muireann Glenmullen for the Sirculous family at 5 Fayerweather Street.

CONSTANTINE ALEXANDER: You know the drill, you've been here before.

MARK BOYES-WATSON: Yes, at 5 Fayerweather, the proposal is to make a less than a ten percent extension to the building.

CONSTANTINE ALEXANDER: It's a non-conforming building?

MARK BOYES-WATSON: It's a non-conforming building. Actually, this would be a useful illustration. It sits -- it's actually non-conforming right-hand side and non-conforming left-hand side. It conforms to the rear and front yard, so it's the two side yards that are non-conforming. And the -- so the -- actually, I think that the -- in the right-hand side, which in the right-hand side is where we are making alterations to the fenestration that

then require relief Special Permit. We actually triggered in addition to that, not the -- beyond the ten percent extension that's allowed as of right in terms of additions, but actually when you add up all the volumes up, you just trigger the ever so slightly over the required volume mainly because it's a single-story addition, and when you put the basement under the existing, you tend to trigger. So the relief is just those two things, and I will quickly show where they occur.

So this is No. 5.

CONSTANTINE ALEXANDER: Excuse me, Mark, just for the benefit of the board members. The way or Ordinance -- maybe some board members, Ordinance works is that you have a non-conforming structure, you can increase it up to by ten percent as a matter of right. If it's more than ten percent, but less than 25 percent, it's a Special Permit. And then if it's more than 25 percent, you need a Variance. And you're in the Special Permit slot.

MARK BOYES-WATSON: For the volume because it does area or volume is the way that it's written in the code. So, so if either of those trigger.

So I'll go quickly -- I'll show you where the volumes occur just so that you can see that and I'll also quickly show where the -- where we're making those changes to the fenestration on the right-hand side.

So -- and just to -- so we have a neighbor to the right and left. This one is a Brattle Street address. This is 5 Fayerweather. This is 11 Fayerweather.

So -- and just on here, we actually have, mainly it's a small extension that allows a family room and kitchen at the back of the plan, and I'll show you how that works.

So, in plan here you see the, you see we have a basement, first floor, and then there's a very small dormer addition which mentioned in the application, but it actually doesn't require any relief -- that thing at the top of the plan. It's not new floor area because it's cut back into

the roof and it's not above the height or anything like that. So we're actually taking off a pair of dormers up there as well, and it's sort of invisible from the street, so it's a modest thing. It let you out at a little walkout deck at the back of the plan. But those are all elements that add up to the volume.

The, this board is the relief of further fenestration. So in general we are not changing the house very much except at the back. But here you're seeing the right-hand side setback. The existing condition is here. The proposed condition is here. So you are seeing this little bit here is the extension. This is already in place behind it actually, in plan. So just in terms of the relief requested for the changes in that non-conforming facade, we're adding a window here that helps light the basement and a way down into the basement and this door. And actually because it sits in the -- just inside the side yard, the skylight also requests relief. So it's those three

elements. The other ones are just changes in the fenestration but don't require relief because they're either closing a window or already there.

The -- this is the rear elevation, and while we're here, I'll just illustrate. So there's that extension on the single floor. We're actually putting a small roof on an existing part of the building here that actually counts as volume, and there's that little dormer that I referred to.

CONSTANTINE ALEXANDER: The purpose of that roof?

MARK BOYES-WATSON: It's just to make the roof a little nicer and to balance the plan. Right now it's a flat roof and we think it would be nicer. It's just aesthetic both inside and outside.

There you can see a pair of dormers that is replaced by that single dormer.

CONSTANTINE ALEXANDER: Okay.

MARK BOYES-WATSON: That's pretty much it.

CONSTANTINE ALEXANDER: That's it. 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?

(No Response.)

CONSTANTINE ALEXANDER: Apparently not. We are in receipt of one letter from David and Mariana, M-A-R-I-A-N-A Eagan who reside at 17 Lakeview Avenue. (Reading) We are writing to lend our support for the application for a Special Permit of Five Fayerweather. We are a director abutter at 17 Lakeview Avenue and have lived in the neighborhood for four years. We have spoken with Muireann Glenmullen and have reviewed the site plans. We believe the proposed plans will enhance the attractiveness of the property for the neighborhood. And that's it.

Close public testimony.

Discussion or ready for a vote?

JANET GREEN: I'm ready.

ANDREA HICKEY: I'm ready.

CONSTANTINE ALEXANDER: 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 without relief you cannot comply with our Ordinance. That's how the Ordinance works.

That traffic generated or patterns of access or egress will not cause -- the proposed 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.

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

In this regard the relief being sought is modest, but because this is a non-conforming structure, zoning relief in the form of a Special Permit is necessary. But the modifications have little impact on the neighborhood and have at least the support of one neighbor and certainly no opposition.

So on the basis of these findings the Chair moves that we grant the Special Permit requested on the condition that the work proceed in accordance with the plans prepared by Boyes-Watson architects dated 5/10/2017. The first page of which has been initialed by the Chair.

All those in favor say "Aye."

(Aye.)

CONSTANTINE ALEXANDER: Five in favor.

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

* * * * *

(10:15 p.m.)

(Sitting Members Case BZA-013391-2017: Constantine

Alexander, Brendan Sullivan, Janet Green, Andrea A. Hickey,

Patrick Tedesco.)

CONSTANTINE ALEXANDER: The Chair will call case No. 013391, 13 Hilliard Street.

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

SEAN O'GRADY: Let me ask a question: Are those duplicate plans or different?

MARK BOYES-WATSON: They're different.

SEAN O'GRADY: They are different?

MARK BOYES-WATSON: I think Jesse updated the plans on Monday.

CONSTANTINE ALEXANDER: Yeah, I saw that.

MARK BOYES-WATSON: Yes. And they were just -- I think we just moved some of the windows around on the left-hand side.

SEAN O'GRADY: There's no need for that anymore?

MARK BOYES-WATSON: No, that one is out.

CONSTANTINE ALEXANDER: Okay. For the record.

MARK BOYES-WATSON: I'm Mark Boyes-Watson from

Boyes-Watson Architects, 30 Bows Street, Somerville.

DANIEL ADELSON: Hi, good evening. Daniel Adelson, ADCO Realty out of Needham.

MICHAEL KELLY: Michael Kelly. Also ADCO ADCO Realty, Needham.

MARK BOYES-WATSON: So the proposal here actually includes no additions at all, but because of the non-conforming left-side setback, the alteration to the windows and the addition of a door on the left-hand side requires a Special Permit. The -- so as I said, the envelope of the house has been completely respected. The house is being internally reconfigured, and one of the reasons that there's a door is that it needs a door. It's gonna be two townhouse-style units. But in that -- other respects it maintains the outside of the house, and we did in fact go and get a Certificate of Appropriateness from the Marsh Half Crown District -- neighborhood district commission, who reviewed the plans. So they've seen the

overall configuration. So I thought I would just -- I'm going to show you the site plan and then -- so here's the site. And there's actually a driveway that goes down this side and a house in the back that has an easement over there. But actually, we're not changing any of those basic criteria in this. But as you can see in this, the house actually sits quite close to -- actually this is Pebble Gifford's house on the side. So, so and that creates the need for relief. And so Dan, I'll let him speak to it, he's been talking to Pebble to make sure she's okay with the changes and I'll quickly review those.

CONSTANTINE ALEXANDER: I'm sorry, you said you have reviewed with Pebble?

MARK BOYES-WATSON: Dan has been -- and I think you should have a letter in your file from her.

CONSTANTINE ALEXANDER: Not from her.

MARK BOYES-WATSON: Yeah.

CONSTANTINE ALEXANDER: Oh, I'm sorry.

MARK BOYES-WATSON: I think it was a late arriving letter. We don't have a copy so you're --

CONSTANTINE ALEXANDER: I'll read it into the record.

MARK BOYES-WATSON: You're the one.

But I did want to -- I could do it both -- I'm going to do it in elevation, it's much easier to see. So let me just find the drawings.

So, this is formatted so that the existing is down below, the proposed is up above. So you can see that actually the bits that you can see from the street -- the street is over to your right, keeping that fenestration the same. But then you can see that there's modification of the way that this window system works. This was much older in the 50s and 60s and then it hasn't really been changed since. So we --

CONSTANTINE ALEXANDER: And you're limiting a door on their side? On that side, on the west?

MARK BOYES-WATSON: On this side, these are actually windows.

CONSTANTINE ALEXANDER: No, no. I see a door on top.

MARK BOYES-WATSON: That's the new one.

CONSTANTINE ALEXANDER: Oh, that's the new one?

MARK BOYES-WATSON: Yes, right.

CONSTANTINE ALEXANDER: I've got it backwards, I'm sorry.

MARK BOYES-WATSON: Existing. Proposed.

CONSTANTINE ALEXANDER: Got it.

MARK BOYES-WATSON: Right.

So these three windows get consolidated to here. The door gets added. It actually provides a second means of egress from the front house.

These are pretty much the same. This stays the same. This is eliminated. There is a little walk-out deck right now. We're maintaining the deck but adding another

window.

And then these sort of aluminum sliders that are down below here, get replaced with a pair of windows. So they replace these. And a pair of windows replaces these. So actually there's probably overall not an increase in the amount of fenestration on this side, and I think that as I said, Dan has worked with Pebble to make sure that she finds it acceptable. But that's the relief required on the side.

And then I can go on with other things that we showed the Half Crown if you like or leave it at the relief.

CONSTANTINE ALEXANDER: You don't need any other relief?

MARK BOYES-WATSON: We don't need any other relief.

CONSTANTINE ALEXANDER: Unless other members of the Board wanted to see it.

ANDREA HICKEY: No.

CONSTANTINE ALEXANDER: That's it?

MARK BOYES-WATSON: That's it.

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

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

(No Response.)

CONSTANTINE ALEXANDER: Apparently not. And we are in receipt of one letter from Pebble Gifford who resides at 15 Hilliard Street. (Reading) My name is Pebble Gifford. I'm a direct abutter to 13 Hilliard Street. I have met Dan Adelson, the owner of ADCO Realty, and I have reviewed the proposed plans for 13 Hilliard Street. I support the changes they're proposing to make including the west elevation which faces directly on to my home. Mr. Adelson has been most cooperative in this matter.

That's substantial praise coming from Pebble Gifford.

MARK BOYES-WATSON: I know. That's well earned.

CONSTANTINE ALEXANDER: I'm going to close public testimony.

Ready for a vote or you want to discuss?

(No Response.)

CONSTANTINE ALEXANDER: Ready for a vote.

JANET GREEN: We're good.

CONSTANTINE ALEXANDER: This is another Special Permit case. The Chair moves that we make the following findings with regard to the Special Permit being requested:

That the requirements of the Ordinance cannot be met without a Special Permit you're seeking.

That traffic generated or patterns of access or egress will not, as a result from the work being proposed, 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 Zoning Ordinance will not be adversely affected by what is proposed.

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 or purpose of the Ordinance.

In general, the relief being sought is rather modest in nature.

The person, maybe the only person affected by it, of what is being proposed, is in support of the relief being sought.

So on the basis of these findings, the Chair moves that we grant the Special Permit requested on the condition that the work proceed in accordance with the plans prepared by Boyes-Watson Architects, the first page of which has been initialled by the Chair.

Make sure we have the right date.

MARK BOYES-WATSON: Yeah, 6/19.

CONSTANTINE ALEXANDER: 6/19/2017.

MARK BOYES-WATSON: Perfect.

CONSTANTINE ALEXANDER: All those in favor say

"Aye."

(Aye.)

CONSTANTINE ALEXANDER: Five in favor.

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

* * * * *

(10:20 p.m.)

(Sitting Members Case BZA-013410-2017: Constantine Alexander, Brendan Sullivan, Janet Green, Andrea A. Hickey, Patrick Tedesco.)

CONSTANTINE ALEXANDER: The Chair will call, last but not least, case No. 013410, 3 Soden Place. Please come forward. It's too late, I can't get it right.

Is there anyone wishing to be heard in this matter? That's what I say.

COURTNEY HITE: Thank you very much for hearing us tonight. My name is --

CONSTANTINE ALEXANDER: We have no choice. You file a petition, we have to hear the case.

COURTNEY HITE: My name is Courtney Hite. I'm co-owner of 3 Soden Place along with my husband Marc Lauchner. We also have Chris Vance.

CONSTANTINE ALEXANDER: Are the architect, sir?

CHRISTOPHER VANCE: Yeah, from Vance William Architects.

COURTNEY HITE: So I just want to quickly walk you through what we're doing and why we're doing it. And if you want to look at the actual plans at all then Chris can --

CONSTANTINE ALEXANDER: We always look at the actual plans.

COURTNEY HITE: I know.

CONSTANTINE ALEXANDER: Go ahead.

COURTNEY HITE: So I mean we've lived in our house for over ten years now. Our family has grown to include two young children. Our daughter just wrapped up her first year at the Baldwin School. Our son will be starting Special Start there next year. So we're very invested in the area.

We absolutely love the neighborhood that we're in. And we want to take the house that we have and make it a little bit more comfortable for our family. So in doing the proposed renovations, we have kind of two goals here. The first one is to make some updates that really kind of, some of them really need to be made. Others are more comfort level updates to the house so that our family can be comfortable there. And then the other thing is to resolve some longstanding issues that we've had with the house. So the reason for the Variance is that we want to increase the pitch of our roof, and that goes along with resolving some longstanding problems that we've had. So we currently have a very low pitch roof. The primary problem with having the low pitch roof is that we get a lot of ice buildup on that roof right now over the winter months. And any days when like the sun starts to shine right on the roof, we get sheets of ice that will come crashing off of the roof rather unexpectedly. We've done some kind of hodge-podge things

throughout the years to try to help with that situation, and at best we're still left with giant chunks of ice falling off of the roof. Now particularly having young children that want to go outside and play in our very small yard, you'll see that they're always kind of under that direct line of fire with this ice, so we -- to this point we've obviously not let them be able to play in our yard during the winter. So that's really the biggest issue that we have with the roof.

In addition to the ice, we get snow buildup on it. Mark is often up there over the winter shovelling off the roof. Some winters it's a couple of times that he's up there. Given that there is a little bit of a pitch to the roof, it's not, you know, not a very fun roof for him to be up on.

MARC LAUCHNER: Climbing a ladder in the winter is not fun.

COURTNEY HITE: And just being in this house long

term we want to resolve that issue we've also had.

CONSTANTINE ALEXANDER: But you're going to accomplish something more than just changing the pitch of the roof, you're getting additional attic space.

COURTNEY HITE: We will be adding some attic space.

CONSTANTINE ALEXANDER: Talk to us about what you're going to do with that attic space and why.

COURTNEY HITE: Right. So we will be finishing our basement that we have right now. We'll be fixing the foundation that currently exists there, and finishing off that space to give our family more space for living in. And in doing so we lose our current storage. So we will be using the space that will be created as attic space to be able to use it for storage.

CONSTANTINE ALEXANDER: It's not going to be for habitation purposes?

COURTNEY HITE: It will not be.

CONSTANTINE ALEXANDER: You're just moving -- rearranging the --

COURTNEY HITE: Exactly, yes. So we'll have like drop down stairs in our hallway to get up to the attic space up there.

CONSTANTINE ALEXANDER: Okay.

COURTNEY HITE: And so, I mean Chris has come up with some good plans I think in terms of making everything that works well for us.

We've also spoken to all of our immediate abutters. They've all been incredibly supportive. We have amazing neighbors, one of the big reasons why we want to stay where we are. Everyone's been really awesome about it, and we're --

CONSTANTINE ALEXANDER: We have a number, and you're correct -- we have a number of letters of support in our files which I'll identify them. I'm not sure I'm going to read them verbatim but I will identify them.

COURTNEY HITE: Great, thank you.

CHRISTOPHER VANCE: And we're also seeking a Special Permit because of the nonconformity. We're adding two windows in the kitchen. So one on the rear yard and one on the side yard.

CONSTANTINE ALEXANDER: Your neighbors most affected by those new windows, they're among your supporters?

COURTNEY HITE: They are, yes.

CONSTANTINE ALEXANDER: This is very -- I've been there as part of my duties and it's a very, very tight neighborhood.

COURTNEY HITE: It is. We're really crammed in there.

CONSTANTINE ALEXANDER: Literally you can put your hand out of the window and go in the window of your neighbor. Which leads me to a question for my own edification, and it's not technically a zoning questions,

how are you going to manage the construction process?

COURTNEY HITE: So we do have a parking space available to us at the front of the property. So we can use that for, you know, if we need a dumpster for, you know, different deliveries, that sort of thing. And, you know, we do have like some different options we can explore in terms of our neighbors having some --

CONSTANTINE ALEXANDER: Have you talked to your neighbors about this? About -- or have they talked to you about?

MARC LAUCHNER: Yeah, Susan is one of our neighbors --

COURTNEY HITE: One of our neighbors, Susan.

MARC LAUCHNER: -- that owns the property in front of us that you have to go through her yard to get to our yard.

CONSTANTINE ALEXANDER: We had a case probably before you came, much earlier in a very tight neighborhood

where this was a big issue with the neighbors. It wasn't a very pleasant discussion they had about it. So in your case, you've been proactive. You've dealt with the neighbors. And everybody seems to be copacetic as to what you want to do.

UNIDENTIFIED MEMBER FROM THE AUDIENCE: We're a direct abutter. You can put their stuff in our garage, you know, to lock it up at night.

CONSTANTINE ALEXANDER: You have a very nice neighborhood.

MARC LAUCHNER: We're like the people that like shovel everyone out in the snow, so, you know.

CONSTANTINE ALEXANDER: Okay.

CHRISTOPHER VANCE: Do you need us to walk through the plans or elevations?

CONSTANTINE ALEXANDER: Yeah, why don't you just briefly walk through the plans.

CHRISTOPHER VANCE: So on the left here is the

proposed and on the right's the existing with the demolition. So currently the basement's wide open. So we're looking to partition that off and create a bathroom, a playroom/additional guest room. And we're adding, there will be egress, emergency egress here.

And then on the first floor we're essentially opening up some of the walls, reconfiguring the kitchen to give them more open flow between the dining and the kitchen. And that's where we have two additional windows that we're adding, because currently right now it's dark. The sink's kind of jammed in the corner, so we're kind of opening that up and get more sight lines.

And then up on the second floor, the only thing we're doing here is creating this little office nook so taking up some of the closet space, because currently Marc works from home and his desk and everything is jammed here in the corner of the bedroom. So we're trying to create a nice, organized space for him so that he can close the doors

when he's not working. That's taking up some of the closet space.

And as Courtney mentioned, there will be a pull down ladder here that accesses the attic space which will be 248 usable space.

CONSTANTINE ALEXANDER: What you've shown is the same as these plans that are in our files, right?

CHRISTOPHER VANCE: Yes.

CONSTANTINE ALEXANDER: I'm not sure you've been before us before. When we grant relief, assuming we are going to grant relief, we condition it upon you proceeding in accordance with the plans.

CHRISTOPHER VANCE: Yeah.

CONSTANTINE ALEXANDER: So if you have a chance to change the plans, you're going to have to come back before us.

CHRISTOPHER VANCE: Right.

CONSTANTINE ALEXANDER: So I just want to be sure

you're comfortable these are your final plans?

CHRISTOPHER VANCE: Yeah.

CONSTANTINE ALEXANDER: You are?

COURTNEY HITE: Yes.

CONSTANTINE ALEXANDER: Okay.

I'll open the matter up to public testimony. Is there anyone wishing to be heard on this matter?

ROBERT FREED: Yeah, I'm a --

CONSTANTINE ALEXANDER: Your name?

ROBERT FREED: Robert Freed. My wife Gwen and I live next-door. We're direct abutters. We share our yards. Other than Susan and Frederick who are the original workers' cottage of which Marc and Courtney are the carriage house in the back. And you've been there, it's very out of the way. Hardly noticeable. But the neighborhood is -- didn't have any kids in it and now there's kids in the neighborhood which is great.

CONSTANTINE ALEXANDER: That's good or bad.

ROBERT FREED: Everybody watches out for each other. The alternative for these two, is now that they have two kids, it's either they move to somewhere bigger and/or do something to make it a little, the place they live in more liveable for them. And it's -- the change is quite innocuous and we're very much excited and in favor of it.

CONSTANTINE ALEXANDER: Thank you, thank you for taking the time to stay here at this late hour to speak in favor.

SUSAN BUETI HILL: My name is Susan Bueti Hill and my husband Frederick Hill and I have had One Soden Place and 14 Soden Street which is a two-family house for two years now. And Marc and Courtney have been very forthcoming in sharing and communicating their plans with us. We're aware that the pitch of the roof is a safety issue, and we want to support them especially with their small children in the house to be as safe as possible. Whatever is going to do that, we support it completely and we're not landscaping

until it's finished. So you have our letter.

CONSTANTINE ALEXANDER: Is it a new letter?

SUSAN BUETI HILL: No, you have this.

CONSTANTINE ALEXANDER: Okay.

Anyone else wishing to be heard?

(No Response.)

CONSTANTINE ALEXANDER: I guess not. The Chair would report that we are in -- I don't propose to read the letters verbatim, but we are in receipt of letters of support from Doctor Lewis A. Ferraro who resides I guess at 10 Soden Street.

COURTNEY HITE: He's the owner of the large apartment building at 10 Soden Street.

CONSTANTINE ALEXANDER: Oh, okay. That's right because his address is -- well Ferraro Realty Management, Inc.

COURTNEY HITE: Yes.

CONSTANTINE ALEXANDER: It would suggest that.

You're right.

We have a letter from Ray and Roberta Pina,
P-I-N-A who reside at 13 Soden Street.

Letters from Frederick Hill and Susan Bueti Hill,
B-U-E-T-I Hill who reside at 14 Soden Street.

A letter from Mr. Freed.

And an e-mail from, it looks like Rajeed Aaron
Mangiani, M-A-N-G-I-A-N-I and they said they're in support.

And that's all she wrote. I'm going to close
public testimony.

Any discussion or ready for a vote?

JANET GREEN: Ready.

CONSTANTINE ALEXANDER: Ready for a vote. The
Chair moves that -- we have two votes to take actually; one
is a Variance and one is a Special Permit.

Starting with the Variance. The Chair moves that
we make the following findings with the Variance being
requested:

That a literal enforcement of the provisions of the Ordinance would involve a substantial hardship. Such hardship being that -- and this hardship would extend to whoever owns the structure. That it is an older structure with a roof pitch that creates safety problems in terms of ice that forms on the roof and then slides down and could be a danger to people around the structure.

That the hardship is owing to the structure itself with its construction and the typical -- with the kind of pitch that it now has.

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 for safety for people who occupy this structure or around the structure resulting from improving the pitch of the roof is a substantial benefit to the community.

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 the plans prepared by Vance Williams Architects. They're dated 5/9/2017, each page of which has been initialled by the Chair.

All those in favor please say "Aye."

(Aye.)

CONSTANTINE ALEXANDER: Five in favor. Variance granted.

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

CONSTANTINE ALEXANDER: Turning to the Special Permit, the Chair moves that -- and this is in regard to the window? Yeah, windows.

That we make the following findings: That the requirements of the Ordinance are such that you cannot proceed with your window modifications without a Special Permit.

That traffic generated or patterns of access or egress resulting from the windows will not cause congestion,

hazard, or substantial change in established neighborhood character.

That the continued operation or development of adjacent uses will not be adversely affected by what is being proposed. And in this regard new windows sometimes do cause privacy issues, but apparently those persons who will be affected by the windows are in support of the project so that speaks well for what you want 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 neighbors or the citizens of the City.

And generally what is being proposed will not impair the integrity of the district or adjoining districts or otherwise derogate from the intent and purpose of this Ordinance.

So on the basis of these findings the Chair moves we grant the Special Permit you're requesting again on the

condition that the work proceed in accordance with the plans referred to with regard to the Variance.

All those in favor please say "Aye."

(Aye.)

CONSTANTINE ALEXANDER: Special Permit granted.

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

(Whereupon, at 10:40 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 13th day of July, 2017.

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

My Commission Expires:
April 29, 2022

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