BOARD OF ZONING APPEAL
FOR THE
CITY OF CAMBRIDGE

GENERAL HEARING
THURSDAY SEPTEMBER 8, 2022
6:00 p.m.
Remote Meeting
via
831 Massachusetts Avenue
Cambridge, Massachusetts 02139

Brendan Sullivan, Chair
Jim Monteverde, Vice Chair
Slater W. Anderson
Matina Williams
Jason Marshall

City Employees
Olivia Ratay, Zoning and Building Associate
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PROCEEDINGS

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(6:02 p.m.)

Sitting Members: Brendan Sullivan, Jim Monteverde, Slater W. Anderson, Matina Williams, and Jason Marshall

BRENDAN SULLIVAN: Welcome to the September 8, 2022, meeting of the Cambridge Board of Zoning Appeal. My name is Brendan Sullivan, and I am an acting Chair for tonight's meeting. I am the Chair for tonight's meeting.

This meeting is being held remotely, due to the statewide emergency orders limiting the size of public gatherings in response to COVID-19, and in accordance with Governor Charles D. Baker's Executive Order of March 12, 2020, temporarily amending certain requirements of the Open Meeting Law; as well as the City of Cambridge temporary emergency restrictions on public meetings, city events, and city permitted events, due to COVID-19, dated May 27, 2020.

This meeting is being video and audio recorded and is broadcast on cable television Channel 22 within Cambridge.

There will also be a transcript of the
proceedings.

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

Members of the public will be kept on mute until it is time for public comment. I will give instructions for public comment at that time, and you can also find instructions on the City's webpage for remote BZA meetings.

Generally, you will have up to three minutes to speak, but that might change based on the number of speakers, and at the Chair's discretion.

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

OLIVIA RATAY: Jim Monteverde?

JIM MONTEVERDE: Here, present.

OLIVIA RATAY: Jason Marshall?

JASON MARSHALL: Here.

OLIVIA RATAY: Matina Williams?

MATINA WILLIAMS: Present.

OLIVIA RATAY: Slater Anderson?

SLATER ANDERSON: Here.

OLIVIA RATAY: And Brendan Sullivan?
BRENDAN SULLIVAN: Present and audible.
(6:03 p.m.)

Sitting Members: Brendan Sullivan, Jim Monteverde, Slater W. Anderson, Matina Williams, and Jason Marshall

BRENDAN SULLIVAN: First case I'll call tonight is Case No. 178804 -- 201 Charles Start. Edrick?

EDRICK VANBEUZEKOM: Hi. My name is Edrick vanBeuzekom. I'm the architect for this project and my clients are Jeff Hodess and Michelle Goldman. They are also on the feed here.

BRENDAN SULLIVAN: Before you start, Edrick, I know that you were in discussions with an abutter. I believe that was the reason for the continuance --

EDRICK VANBEUZEKOM: Yes.

BRENDAN SULLIVAN: -- that we're assembling for tonight. A letter came in today from the abutter on the left side --

EDRICK VANBEUZEKOM: Mm-hm.

BRENDAN SULLIVAN: -- Charles T. Hinds, Senior. Are you aware of that letter?

EDRICK VANBEUZEKOM: I have not seen it, no.
And I don't think Jeff and Michelle have seen it either.

BRENDAN SULLIVAN: All right. The reason I bring this up is that there are two ways we can go. We can either continue -- it would be a case heard, at which point should it be continued, we would have to assemble the same five people.

EDRICK VANBEUZEKOM: Mm-hm.

BRENDAN SULLIVAN: Or, in light of this letter, if you wanted to have discussions with the abutter who is in opposition, then I would not get into the merits of the case, and then it could be possibly rescheduled at an earlier date.

Let me read part of the letter, just so that you can get a sense of it.

"Dear Chair Sullivan and members of the Board,

"I am writing as the personal representative of the estate of my father, Charles D. Baker's D. Hinds, Senior, and as a direct abutter for over 40 years.

"My father's estates includes 205, 205 1/2 Charles Street, which directly abuts 201 Charles Street. My brother, Thomas J. Hinds and I will inherit this property, once Probate closes sometimes this year. The building was
constructed by my great grandmother in 1897, and we intend to keep it as a rental property."

"My brother and I are in opposition to the addition on the left side of 201 Charles Street, whether a zoning variance or special permit is required or not. This proposed addition is an expansion of a previous addition by a former owner.

"We have no issues with the expansion towards Fifth Street. We oppose for the following reasons -- and it has to do with the bedroom windows and the soil stability.

"We like our neighbors and understand their need for additions, but do not want any addition to be made toward 205, 205.5 Charles Street. It can cause real financial hardship if construction went awry, and the bedroom window view can be impacted -- first and second-floor rents as they are sunny and have an easterly orientation.

"We ask the BZA not to grant any zoning relief at 201 Charles for projects with a left-side setback less than 10'6."

So I guess I would leave it up to you whether you want to proceed as is, as a case heard, or you may want to
continue this to have consultations with the Hindses.

EDRICK VANBEUZEKOM: I guess I would like to hear what Jeff and Michelle think. I know that they've had discussions with him, and he basically said he would oppose whatever we did.

I think that we've tried to modify plans based -- you know, from what was previously submitted in response to his concerns, and so, Jeff and Michelle, if you want to go ahead and -- you know, if we need to ask for a continuance, the issue is that we would have to have the same Board members present for a future hearing.

So that could just restrict what dates would be available for --

BRENDAN SULLIVAN: Yeah, let me ask Olivia. Olivia, if we were to continue this, what would be a date possible?

OLIVIA RATAY: October 27.

BRENDAN SULLIVAN: October?

OLIVIA RATAY: Twenty-seven.

BRENDAN SULLIVAN: October 27, if we continue this?

OLIVIA RATAY: Mm-hm.
BRENDAN SULLIVAN: And that's the first -- and if it was a case not heard, it could be heard sooner? No?

OLIVIA RATAY: No.

BRENDAN SULLIVAN: Because we are full for the next meeting in September?

OLIVIA RATAY: I mean -- yeah.

BRENDAN SULLIVAN: And we're --

OLIVIA RATAY: There's already four cases on the first meeting in October.

BRENDAN SULLIVAN: In October. All right. So October 1. So the first available would be October 27, and the question is whether or not the same members of the Board are available. If not, it's going to get kicked over then, possibly into November or so. So anyhow, your thoughts on going forward tonight or continuing?

EDRICK VANBEUZEKOM: Jeff and Michelle, do you want to weigh in?

JEFF HODESS: No, let's move forward and if we have to continue, we can always do that later.

EDRICK VANBEUZEKOM: Okay.

BRENDAN SULLIVAN: Okay.

JEFF HODESS: All right. Great discussion.
MICHELLE GOLDMAN: Thank you for giving us the opportunity.

EDRICK VANBEUZEKOM: Yeah.

BRENDAN SULLIVAN: Okay. You have the floor.

EDRICK VANBEUZEKOM: Okay. So Jeff and Michelle hired me a while back to help conceptualize and design an addition to their house in order to accommodate their family.

It's a pretty tiny house, and basically what they needed was an additional bathroom upstairs, and additional bedroom upstairs, and to basically try to get a little bit more living space down in the first floor, as it was really pretty cramped.

You can see if you just look at our first drawing C1.1, the site plan, that -- yeah. So on the left is the existing floor plan on the first floor, and on the right is the proposed. The -- basically, as you can see, there's a very small living space.

There's a bathroom that takes up -- if you can slide a little bit to the left?

There we go -- bathroom that takes up sort of the center of the house there. The dining space is pretty
tight. Small kitchen. There's a little bump out toward Fifth Street for an entrance and bulkhead there.

So basically, what we were looking into that -- you know, they discussed this with neighbors on both sides and others in the neighborhood -- and I believe we have some letters of support from other neighbors -- and we were trying to, if you look at the setback lines that we have drawn on the site plan, those are the dashed lines.

And I will point out that we have one error in that that I discussed with Ranjit today. On the left side, we called a 7.5' side yard setback 7'6", which is the minimum. I had based that on it being a non-conforming lot, but the width of the lot there is actually 50'. So we would need to use the formula H+L/5+2, because the house is under 35'.

So if I do the formula, the left-hand side setback actually comes to 7.9", which is 7'11". So it's close to what we're showing, but it's five inches more. So -- but anyways, we were trying to stay within that setback with a small addition. It's just bumping out three feet on that side of the rear portion of the house.

And maybe we can scroll to the next drawing.
That's the existing.

Let's go actually to A1.1, the next one. That one. Oops, sorry. Two down. One more. There we go. All right. So you can see on the left-hand side we've been basically got a 2'11" addition. On the right-hand side, we have a 2'3" addition for the back section of the existing house, which is a two-story existing structure.

And then on the rights of the house toward the -- more toward the front, we're bumping out an additional 9'3". That's in order to get the kitchen and entryway and seating space in the kitchen area.

And what we were trying to do with this as well was preserve the yard area that's on the corner of the lot. That area is actually -- I believe Jeff and Michelle share that somewhat with some of their neighbors, and it's sort of become a neighborhood gathering spot.

It's a play yard for children, and we were also trying to preserve the dimensions of it to meet the open space requirements that weren’t reducing the amount of usable open space that meets the 15-foot dimensional requirement.

And then if we can go two drawings down to the --
well, actually, go to the one just above that. That's the
existing second floor.

So here you see they had an existing master bath
up there, a master suite with the master bedroom being the
room in the back and then one child's bedroom at the top of
the stairs, which was awkward because you have to go through
the master bedroom to get to the bathroom. So we looked
into how do we get another bathroom up there and another
bedroom?

And go to the next page?

And here basically we moved the bathroom in and
reduced it a little bit, reduced the size of the bedrooms up
on the left front corner there a little bit. Added the
bathroom to the rear addition, which is 2'11" addition that
we're doing gives us enough space to create a 5 foot-wide
bathroom there.

And then the master bedroom gets a small addition
that includes -- well, which becomes bedroom 2, the bedroom
in the rear. So it gets a small addition up in the corner,
and another portion that is over the entrance -- covering
the entrance over the -- at the first floor. That's that
walk-in closet off of the new master bedroom.
So we -- we can scroll through the elevations real quickly just to give you an idea of the massing change. This is the existing house from the -- from Charles Street. The next one is the same view, showing the addition on the right-hand side. And I'm sorry, we didn't delineate the -- where the addition is. But the left-hand side basically is the same plane as in the original.

Next one is the -- this is the side that faces Fifth Street. So there's the little entry bump out that you see there, which we're removing and then doing an addition out this side.

So you can go to the next sheet. Here you can see where we've just taken the existing gable straight out to a two-story structure, and then there's a little one -story bump out in the -- for the master closet up on the second floor, which creates an overhang for the entrance at the back.

And then we can scroll to the next.

So that's the -- that's the house from the rear. The neighbor who's objecting would be on the right-hand side of this here.

And if we go to the next sheet? This is the
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1 proposal, where we're basically pumping it out just a tiny
2 bit to the right. The roofline stays the same, and then we
3 have the bump out going to the left.

4 So that's basically -- and then actually we can go
to the next drawing. This is the side that faces that
5 neighbor, which is currently blank walls like that, because
6 we're so close to the property line for the gabled portion.

7 And then the next view is basically the same view
8 with the addition coming forward a little bit. So it's --
9 again, it's just moving forward about three feet.

10 So if we can go back up to the floor plan, maybe
to the site plan actually? C1.1. Yeah. Thank you.

11 So the net change here, where you are bumping up
12 the -- it's a tiny lot, basically. So the lot area is 1,994
13 square feet. So it's under 2,000 square feet in the area
14 where the -- you know, minimum lot size requirement is 5,000
15 square feet.

16 We have a total of existing only 11,097 square
17 feet. With these expansions, we would end up at 1,642,
18 which is still a pretty modest single-family home size. And
19 the lot area -- I'm sorry, the gross floor area will
20 increase from current being 0.6 to 0.82, which is an
increase over the allowable 0.75. We feel that this is reasonable in scale with the rest of the neighborhood. It's still one of the smallest houses in the neighborhood, even with these additions.

We did do a series of shadow studies. We did them of the previous scheme that we had originally submitted before we requested a continuance, which showed a little bit of change in shadow on the neighbor who's objecting, and a little bit of change in shadow for the neighbor behind. They reviewed that.

The neighbors behind seem okay with the amount of change in shadow, and it's -- because of the orientation and the fact that the house is pushed up to the street, it really doesn't have a big impact on the shadows.

What we found when we pulled the addition in for this new scheme, the change in shadow is really quite minimal. It's basically when you look at the early morning, which is when you would have some shadow on the neighbor's house, it's -- it basically moves it up about six inches on the wall at 9:00 a.m. and drops down from there.

So I did -- we didn't have the updated shadow studies ready in time to submit last Friday, so I did send
those in to Maria today. I don't know if she had a chance to print those or include those in this presentation. But I could do a Screenshare to show them to you if you wanted, or we can just go into the discussion about this.

But basically, the bottom line is we're getting a lot more shadow from surrounding houses than we are creating on anybody else. And so that's basically the scheme. We're trying to -- you know, basically make it possible for Michelle and Jeff to stay here, raise their family here, continue to be part of the community.

And we feel this is a very modest addition, and an improvement to an old, existing house in the neighborhood that, you know, where this is really on the smaller scale of what's in the neighborhood.

I would like to let Jeff and Michelle speak now, just to say a few words about why they need the addition, and maybe fill you in a bit on their discussions with their neighbors?

BRENDAN SULLIVAN: You may be on mute.

MICHELLE GOLDMAN: There we go. Sorry.

BRENDAN SULLIVAN: There you go, yep.

MICHELLE GOLDMAN: So we're Jeff and Michelle.
Thank you for giving us the opportunity to present before you. Thank you for letting us postpone the first time around. Just to introduce ourselves a little bit, Jeff's a lifelong resident of Cambridge. He was born and raised here, and he's lived in this house since 2004.

At that time, he was a renter, and we joke sometimes that I was his third roommate in this house.

JEFF HODESS: Hopefully the permanent one.

MICHELLE GOLDMAN: I moved in in 2008, and eventually, when we were pregnant with our first child in 2013, we bought the house from the previous owner. Our boys -- we had a second child in 2018 and our boys are now 9 and 4, and they both go to school in Cambridge.

We love the neighborhood. We love the friends that we've made here and the relationships. So many of our neighbors have become more like family than friends. And as Edrick mentioned, our yard has sort of become a meeting place in the neighborhood, especially during COVID when the parks were shut down.

Pretty much every day, kids from the neighborhood were playing in our yard doing different kinds of activities, just sort of still being able to see each other
outside in a safe way. It was really -- we just consider ourselves so lucky to have that outside space during that time.

And so we -- when we were gearing up for this project, we really wanted to try to maintain that space as much as possible, not only for our own kids, but also for the friends in the neighborhood.

So I know Edrick talked about a little bit we really tried to balance making sure that our neighbors were okay with the project, and then also making it something that was sort of worth doing a major construction project and getting us enough space to be able to stay here long-term.

During COVID, our older son did all of his Zooms from the kitchen table, which is where we're doing it also. There's not a desk in their room; it's not big enough to put a desk with the bunk bed that's in there. They're five years apart, and sometimes they just need their own space, and we don't have that for them.

When I got COVID, I was locked in the master bedroom and Jeff had to sleep on the couch, because their room isn't big enough to have another bed in there. We just
want to be able to stay here, and not have a huge house but
just stay and have enough space to just to live sort of --
to live.

The neighbor on the Fifth Street side has been
very supportive of the project. We have a great
relationship with him. We get each other's packages when
we're aware you, look out for each other's houses.

They had a really big concern about making sure we
didn't block too much of their light because the windows on
that side of the house are the only windows they get sun
from. And we were really careful about making sure we
respected that for them.

And in the same respect, after we got the feedback
from the Hinds family, we scaled back the side of the
project that was on their side of the house. I think -- I
know it's not a lot of feet, but it feels like a lot of feet
to us because every inch sort of matters.

And we intentionally sort of put it -- scaled it
back enough so that it was what we thought at least that we
could do sort of by right and not -- and not -- and not
encroach too much.

I understand that there are renters there, and
it's -- we're trying to make everyone sort of copy, but we also want to try and make the project possible.

So I don't know, am I missing anything?

JEFF HODESS: No, I think that covers it. Thank you very much, everybody. We really appreciate your time.

BRENDAN SULLIVAN: Yeah. Okay. Erick, how much did you scale it back from the original proposal? Where the proposed office is?

EDRICK VANBEUZEKOM: Yeah. I think we pulled it back about three feet. And I don't remember what it was, but --

BRENDAN SULLIVAN: Okay. And the bulk of the addition, obviously, faces Fifth Street?

EDRICK VANBEUZEKOM: That's right, yeah.

BRENDAN SULLIVAN: Okay. All right. All right. Let me open it up to members of the Board. Jim, any questions at this point?

JIM MONTEVERDE: Yeah, just one. I'm trying to understand from your site plan --

EDRICK VANBEUZEKOM: Mm-hm.

JIM MONTEVERDE: -- which side is the neighbor who has an objection? Which side are they on?
EDRICK VANBEUZEKOM: They're on the left side.
JIM MONTEVERDE: Okay. And --
EDRICK VANBEUZEKOM: Where the stairs are.
JIM MONTEVERDE: Yep. So that's the blank wall that faces them?
EDRICK VANBEUZEKOM: Yep.
JIM MONTEVERDE: The further setback blank wall that now is -- no dimension beyond the 7'6" setback, that's -- you put an addition in there, right? It'll be a blank wall?
EDRICK VANBEUZEKOM: Yeah.
JIM MONTEVERDE: And it's what, 3'8" from that property line? Oh, no, that would be a different --
EDRICK VANBEUZEKOM: No, no. Yeah. No. It will be 7.5' from the property line. You know, and --
JIM MONTEVERDE: Oh, I'm sorry. I'm looking at --
EDRICK VANBEUZEKOM: Yeah.
JIM MONTEVERDE: -- I'm looking at a different drawing. This must be the original.
EDRICK VANBEUZEKOM: Oh, okay.
JIM MONTEVERDE: It has a 3'8" setback.
EDRICK VANBEUZEKOM: Oh, yeah, that would have
been the old one.

JIM MONTEVERDE: Sorry. Yep!
EDRICK VANBEUZEKOM: Yep.
EDRICK VANBEUZEKOM: Yeah. So --
BRENDAN SULLIVAN: Matina?
EDRICK VANBEUZEKOM: And we didn't put any windows on that side, because we didn't want to create any privacy issues for the neighbor --
JIM MONTEVERDE: Yep.
BRENDAN SULLIVAN: -- on that side.
JIM MONTEVERDE: Understood. Thank you.
EDRICK VANBEUZEKOM: Yep.
BRENDAN SULLIVAN: Matina, any questions at this point?
MATINA WILLIAMS: No, but could she scroll down to -- I think there was a photograph I wanted to see. Just to get an idea.
MICHELLE GOLDMAN: Okay. Well, okay, so that's the blank wall.
MATINA WILLIAMS: Okay.
JEFF HODESS: Yeah. Here you can see where it's close to the neighbor's side. So that's the building that you see that's missing a little bit of siding at the top there, where they were doing some repairs. That's the front portion of the house that's existing that's right up to the property line.

MATINA WILLIAMS: Right.

JEFF HODESS: The corner that you see in this view is the side where we want to just bump it out a tiny bit more in the foreground here.

BRENDAN SULLIVAN: You're basically going back to where the windows are with the addition, or --


BRENDAN SULLIVAN: Yeah.

EDRICK VANBEUZEKOM: Right to the edge of the windows.

BRENDAN SULLIVAN: Okay.

JEFF HODESS: Yeah. It's just three feet.

MATINA WILLIAMS: Mm-hm. Okay.

JEFF HODESS: So -- and when we did the shadow studies, it is -- I was sort of pleasantly surprised at how
It does change a little bit, but only coming out three feet because of the pitch of the roofs and the fact the house is relatively low, and that we have taller buildings across the street.

We end up with the shadows that you see in this view would be basically about six inches higher, or well, actually at the time of day that this one is, they would probably be about 12 inches higher. But, you know, it's not completely covering the windows that get light currently.

MICHELLE GOLDMAN: We did share the original shadow study from the original plans, the bigger extension, with the Hindses when we sat down with them a month and a half -- two months ago, whatever it was.

I don't think we've sent the updated ones with the last, but the impact on the original ones, as Edrick said, was not much to begin with.

JEFF HODESS: Mm-hm.

BRENDAN SULLIVAN: Anything else?

JEFF HODESS: I think there was an intermediate one that we did share with them --

MICHELLE GOLDMAN: Yep, that's right.
JEFF HODESS: And to where we had scaled it back a little bit, and then we went far after that.

BRENDAN SULLIVAN: Matina, anything else?

MATINA WILLIAMS: No. I'm all set. Thank you.

BRENDAN SULLIVAN: Okay. Slater, any questions?

SLATER ANDERSON: No questions at this time, thank you.

BRENDAN SULLIVAN: All right. Jason?

JASON MARSHALL: Thanks, Mr. Chair. I don't have any questions for the petitioners. Appreciate the presentation and it sounded like there was significant neighborhood outreach that preceded the hearing tonight.

I guess as we go to public comment, though, I know, Mr. Chair, you read a letter of opposition into the record. Whenever we get letters that are very close in time to the hearing, it can sometimes be challenging to review those ahead of time. They're not often added into the digital record.

So in just hearing the verbal description of the letter, it sounded like maybe the concern was construction related, but just want to make sure that I'm understanding that and to the extent we go to the public portion of the
hearing, and the Hinds family is on the phone, I'd appreciate understanding the concern a little better.

BRENDAN SULLIVAN: Yeah. I did a little bit of a brief analysis of it or reading of it. I will read the thing in entirety, because it's -- there's a little bit more in there. I just wanted to give sort of an overview of that. But anyhow --

JASON MARSHALL: Okay, thank you.

BRENDAN SULLIVAN: All right. And I have nothing further at this point. Let me open it to public comment. Any member of the public who wishes to speak should now click the button that says, "Participants," and then click the button that says, "Raise hand."

If you are calling in by phone, you can raise your hand by pressing *9 and unmute or mute by pressing *6, and you'll have up to three minutes in which to comment. There appears to be nobody calling in. We are in receipt of correspondence.

OLIVIA RATAY: Someone just raised their hand.

BRENDAN SULLIVAN: Huh?

OLIVIA RATAY: Someone just raised their hand.

BRENDAN SULLIVAN: Oh, somebody is calling in?
OLIVIA RATAY: Yeah. Caller ending in -8311?

HEATHER HOFFMAN: Hi. This is Heather Hoffman, 213 Hurley Street. And I have one question. So as I understand it, the calculations now show that the wall is not conforming?

EDRICK VANBEUZEKOM: That's correct. We're --

HEATHER HOFFMAN: On the --

EDRICK VANBEUZEKOM: We're five inches over the setback.

HEATHER HOFFMAN: Okay. Then is the application -- does that show that that is one of the variances that you're looking for? Because five inches is still five inches. And does that --

EDRICK VANBEUZEKOM: Yeah, there is not --

HEATHER HOFFMAN: -- any --

EDRICK VANBEUZEKOM: Yeah. I'll say in our application we did not point that out as in the modified application as being non-conforming, because we -- at the time I thought I was calculating correctly this went through review at the building permit, and I didn't get any feedback, so I assumed that I had figured it correctly.

And then today, or yesterday I called Ranjit just
because I just wanted to be sure about that and he said no, in fact I had to use the formula. So it was at that point we realized we're five inches over. We didn't want to -- well, it was too late to submit any changes at that point too.

And so, but we wanted to be up front about the fact that we had -- I wanted to be up front about the fact that I had miscalculated that, and that in fact it's 7'11" and now it's 7'6" is the property setback. And we are -- what we've drawn is five inches over that.

BRENDAN SULLIVAN: Which -- on the dimensional form --

HEATHER HOFFMAN: I don't --

BRENDAN SULLIVAN: Go ahead, Heather.

HEATHER HOFFMAN: -- I don't give anyone any issues over getting confused by those setbacks, because it is definitely brain-numbing.

But my question is just whether the application is sufficient to ask for the relief you're requesting? Because, you know, if anyone were intending to appeal a grant of a variance, you would want to make sure that you had all of that stuff lined up. So that's why I'm asking.
Thank you very much.

BRENDAN SULLIVAN: Great. Thank you, Heather.

All right. We are in receipt of --

OLIVIA RATAY: We have another one.

BRENDAN SULLIVAN: Okay.

OLIVIA RATAY: Charles Hinds?

CHARLES HINDS: Hi. My name is Charles Hinds. As you know, I'm the abutter directly on the left of the building. I mean, we had the same conversation with the previous owner in the 1970s, Carlos Delgado. And we opposed anything closer than 10'6", which is currently the distance between the lot line and the building.

And you see how close our building is to the lot line now. When you look out these windows, you know, it's kind of a boxed in -- it feels like a boxed area. But you -- there's a couple windows there, and you can still see -- you know, parts of Fifth Street from the second floor and the first floor.

And if you bring this out three inches in, I think it's going to feel more claustrophobic than it is now. I mean, the light and the airflow are things that I didn't really mention too much in the letter.
And the soil stability, there's some issues with the foundation on that side of the house. It has -- we had an engineering firm -- the name Muir Associates -- do a structural survey of the property.

In 2012, they said that the exterior foundation in the abutting wall, 201, had moved laterally and to keep an eye on it, repair any cracks and have the -- a measurement done periodically and make sure the wall isn't moving anymore.

One of the fears that we have -- get a backhoe in there and then you start digging the land out, and it's going to cause problems with the foundation, because as most East Cambridge foundations are -- in this part of East Cambridge they're on organic soil, which is -- can cause problems when we're digging.

We see there's a lot of problems with that in East Cambridge now. Even like the American Twine Building is having problems because of the recent construction. They're getting cracks all over the building.

So to me, in a nutshell, that's where we are. My brother and I are not comfortable with that wall coming any closer to our property. And we love our neighbors. I hate
to be the bad guy here, but we have to look after our property too.

Okay. That's all I have to say. Thank you.

BRENDAN SULLIVAN: Thank you. Okay. Let me -- we are in receipt of correspondence.

"Dear members of the BZA, we are writing to express our strong support of the proposed renovation and addition at 201 Charles Street. We believe the project will not only enhance the neighborhood, but also allow our neighbors to stay long-term and raise their family here in East Cambridge.

"These beliefs are informed by our 18 years as Charles Street residents and our decision to raise our children in Cambridge.

"The proposed changes to the current structure are a significant improvement, which fits in very well with the character of the neighborhood.

"Sincerely,

"Leah Gad (phonetic) and Gabriel Thornton, T-h-o-r-n-t-o-n."

We are in receipt of correspondence.

"I am writing on behalf of the application
submitted by Jeff Hodess and Michelle Goldman for variances to allow the construction of an addition at their home. I am the owner of 134 Spring Street.

"The design of Jeff and Michelle's proposed addition is very tasteful, respectful of the surrounding properties, and is well-accommodated by the size of their lot."

"I believe allowing a modest addition that permits a young family to remain in East Cambridge would be a sound decision and place for Jeff and Michelle's application."

"Sincerely,

"Andy Goloboy - G-o-l-o-b-o-y."

We are in receipt of correspondence.

"Writing to express support for the proposed addition at 201 Charles. The renovation and addition has been discussed with our neighbors, Jeff and Michelle, for several years as we've watched our mutual families grow and our spaces constrained.

"We ask you to support this effort by the family to make new space for their family to grow. We are available for any other information."

"Robert Bench, B-e-n-c-h and Dr. Kara Keating"
Brendan Sullivan: And that is the sum and substance. And then we also have the letter from Mr. Hinds, who just basically elaborated on his correspondence in opposition to the addition. So I will close the public comment part, send it back to Edrick.

Any further comments, before we take it to the Board?

Edrick VanBeuzekom: I'm trying to get a feeling. I guess I would first like to address the question that Heather raised. I don't know whether that is a problem, and if it is then perhaps, we should continue the case and correct the dimensional form.

If it's not a problem, I don't have a feel -- I'd like to get some sense from the Board members of what -- you know, concerns that they have at this point.

Brendan Sullivan: Yeah, can we pull up the -- ask Olivia to pull up the dimensional form?

Olivia Ratay: Mm-hm.

Brendan Sullivan: What number actually are we -- is in question?

Edrick VanBeuzekom: So we're talking about the
left side setback where, you know, there's basically a --
it's right on the property line. 0.1 is the existing condition.

BRENDAN SULLIVAN: Right.

EDRICK VANBEUZEKOM: But it's the rear portion of the house that we were saying we would need the 7'6" requirement when in fact we're going to be slightly over that.

So we're increasing a non-conformity there, I suppose but, you know, it's well short of where the existing non-conformity is. So it's already a non-conforming side.

I -- you know, the only thing that should have been different in the tables instead of saying 7'6" it should have said 7'11".

BRENDAN SULLIVAN: On the Ordinance requirement?

EDRICK VANBEUZEKOM: Right. Yeah.

BRENDAN SULLIVAN: Okay. It doesn't change your proposal, it only changes what the requirement of the Ordinance is?

EDRICK VANBEUZEKOM: Right.

BRENDAN SULLIVAN: Okay.

SLATER ANDERSON: Well, Brendan, I would -- Slater
here -- I would observe that also on Plan C1.1, it's shown as a 7.5 ft setback that -- you know, that isn't an accurate representation either. So that would be -- it's the form and the plan.

BRENDAN SULLIVAN: Sorry, which one was that again? I'm sorry. Which form? Which --

SLATER ANDERSON: C1.1.

EDRICK VANBEUZEKOM: Yeah. On our site plan, what you see on the screen right now is that's where we label it 7.5', 7'6", because that's what was taken as the minimum required for a non-conforming lot.

But again, that length of the lot is actually -- it's an odd condition, because it's a corner lot. That's why I was misinterpreting it that way. You know, it's very narrow in the other direction, but, you know, I understand the reasoning here too. So.

BRENDAN SULLIVAN: Okay. Well, let me ask members of the Board. What is your sense about if this is fatal to going forward, or -- and that the record be corrected, would you be changing the form and then coming back, or shall we proceed and vote on the merits of what is before us?

JASON MARSHALL: Mr. Chair, just on that point, I
don't know that I'm persuaded that it's a procedural defect. I think to your point, there's not -- you're not seeking approval for a variance, we're talking about the identification in the form of the existing requirement that's different. So I don't know that it would require new notice to go out just because of that. That's an honest answer.

I don't know, but I do think Ms. Hoffman makes another good point, which is to the extent there is an appeal here -- and this is for the petitioners to consider -- it probably does open up an additional avenue for -- as a basis of appeal.

So that's a little bit of a practical consideration, I think, for the petitioners to think through as to whether to go through tonight, or whether the continuance and amend the form. And that's separate from deciding on the substantive merits. But it is a consideration I think that's worth thinking through.

BRENDAN SULLIVAN: Yeah, I guess my sense is if there was a dimensional change in their application from what they were asking for, from the existing to the proposed, if that number -- the proposed -- changed because
of a calculation, I would hesitate then on that.

But the Ordinance requirement, changing that number whether it be -- you know, is it the Board really looking at that five inches as being -- you know, fatal, that -- okay, you're supposed to have 7'11", and yet you're only -- you know, coming in about 7'5"?

And does that change your opinion on the proposal if that 5" and what the Ordinance requires is a bigger deal? Then yes, I think that it would behoove the petitioner to change the documents to reflect what the Ordinance requirements ask for, requires -- and then come back so that it's basically a clean application, or cleaner.

But I'm not -- it doesn't necessarily affect my view of what the proposal is, knowing that the requirement -- that the Ordinance requires five inches more. That would be my thing.

But anyhow, Jim, what is your thought?

JIM MONTEVERDE: I would agree. I don't -- I'm comfortable going ahead. It's really for the owners whether they feel there's a potential to have it appealed, and then have to go through all this again.

I wonder, Mr. Chair, if we could read into the
record that, you know, the proponent has advised that that
dimension is indicated incorrectly. They've indicated what
the correct dimension is, and that -- you know, therefore
they're asking relief for that particular side yard setback,
just to make it clear in the record that we know it, we're
aware of it and are -- you know, whether we take exception
to it or approve it, it's a matter of public record.

Otherwise, I think it's up to the owners to decide
if they want to continue just to have their -- all their
ducks in a row if there's a challenge.

BRENDAN SULLIVAN: Yeah, I think -- and again, if
we were to say grant, and then this was brought up after the
fact -- close facto --

JIM MONTEVERDE: Mm-hm.

BRENDAN SULLIVAN: -- I think that's a problem.

JIM MONTEVERDE: Yep.

BRENDAN SULLIVAN: But I think that we are aware
of it, as you said, Jim, and that whether or not that
influences our approval or disapproval is up to the
individual members of the Board. But at least it's now out
there, and we are aware of it. And whether or not it's
fatal going forward is something else.
Matina, do you have any thoughts on whether it
should be changed or whether you're comfortable in ruling on
the -- on what we've just discussed, basically, that -- does
that change your view, I guess?

MATINA WILLIAMS: Not really. No. I -- I mean,
it's up to the homeowners if they want, you know, it's
whether or not they want to come back if it's challenged or
not.

BRENDAN SULLIVAN: All right. Okay. Slater,
again, if you could --

SLATER ANDERSON: Yeah.

BRENDAN SULLIVAN: -- give me your thoughts on it?

SLATER ANDERSON: Yeah. My two cents listening to
this and looking at this, I mean, it appears to me the way
it was advertised and on - I’m reading the announcement form
from the City, I wouldn't say that the way it was presented
to the public, the notice was presented, wouldn't have
changed at all.

So I don't feel like it was -- the notice wasn't
faulty, people would have tuned in, they would have heard
the explanation that something was -- you know, shown in
error at the outset and we've discussed it thoroughly here.
So I don't feel like it's fatal and the public's been deceived in any sort of way at this stage. So I'm fine with it.

BRENDAN SULLIVAN: Thank you. Okay, and Jason, your thought on it again?

JASON MARSHALL: Yeah, I don't have anything really more to add than what I said. I would take a vote on this tonight.

BRENDAN SULLIVAN: Okay. Fine. Again, going back to Edrick, Jeffrey, and Michelle, do you want to proceed to a vote, or do you want to halt, change the paperwork, bring that up to --

EDRICK VANBEUZEKOM: Yeah. I think we probably should just play it safe and correct the paperwork --

BRENDAN SULLIVAN: Okay.

EDRICK VANBEUZEKOM: -- and continue the case. You know, I feel we've tried to do what we can here, but I don't -- you know, I understand how this could be an issue if there was an appeal lodged. So don't really want to take that chance. So.

BRENDAN SULLIVAN: All right.

EDRICK VAN BEUZEKOM: Okay.
BRENDAN SULLIVAN: All right. So on the request to continue, let me make a motion, then, to continue this matter to October 27?

OLIVIA RATAY: Yeah.

BRENDAN SULLIVAN: October 27, 2022, at 6:00 p.m. on the condition that the petitioner change the posting sign to reflect the new date, October 27, time of 6:00 p.m. That any new submittals be in the file by 5:00 p.m. on the Monday prior to October 27, and I guess we have a waiver already from the previous request for a continuance.

EDRICK VANBEUZEKOM: Yeah.

BRENDAN SULLIVAN: So I think we may be okay with the conditions. And I would encourage maybe some further discussions with Mr. Hinds.

EDRICK VANBEUZEKOM: Well, we'll share the latest shadow studies.

BRENDAN SULLIVAN: Yeah. And then also you can get a copy of this letter to go over this stuff.

EDRICK VANBEUZEKOM: Yeah, great.

BRENDAN SULLIVAN: Okay. On the motion, then, to continue this matter until October 27, Jim Monteverde?
JIM MONTEVERDE: In favor.

BRENDAN SULLIVAN: Matina?

MATINA WILLIAMS: In favor.

BRENDAN SULLIVAN: Slater?

SLATER ANDERSON: In favor.

BRENDAN SULLIVAN: And Jason Marshall?

JASON MARSHALL: In favor.

BRENDAN SULLIVAN: And Brendan Sullivan in favor.

[All vote YES]

BRENDAN SULLIVAN: Five affirmative votes, this matter is continued until October 27, 2022 at 7:00 p.m.

Okay, see you then.

MICHELLE GOLDMAN: Thank you.

JEFF HODESS: All right. Thank you very much.

EDRICK VANBEUZEKOM: Thank you for your time, Board.
(6:49 p.m.)

Sitting Members: Brendan Sullivan, Jim Monteverde, Slater W. Anderson, Matina Williams, and Jason Marshall

BRENDAN SULLIVAN: Okay. Let us go to our regular Agenda. The Board will hear Case No. 184987 -- 700-704 Huron Avenue.

RICARDO SOUSA: Good evening, Mr. Chairman, and members of the Board. Ricardo Sousa from Prince Lobel Tye here on behalf of the petitioner, T-Mobile.

BRENDAN SULLIVAN: Yep.

RICARDO SOUSA: Very good, Mr. Chairman. This is an application for a special permit for a modification to our existing wireless antenna installation located at this building.

T-Mobile has been operating there for a number of years, and we are in the process of upgrading our wireless antenna installations here in the city in order to offer the latest technology -- 5G technology -- for our customers.

And in the process of doing so, we are asking for special permit for a modification to not increase the number
of antennas in any way.

The number of antennas, the number of remote radio heads will stay the same, however, the enclosures that essentially hide the antennas and the remote radio heads on the façade of the building will need to get slightly larger, because the antennas themselves are larger.

And so, we respectfully request a special permit to permit that expansion.

BRENDAN SULLIVAN: Okay. Jim Monteverde, any questions?

JIM MONTEVERDE: No, thank you.

BRENDAN SULLIVAN: Matina Williams, any questions?

MATINA WILLIAMS: No questions.

BRENDAN SULLIVAN: Slater Anderson?

SLATER ANDERSON: No questions.

BRENDAN SULLIVAN: And Jason Marshall?

JASON MARSHALL: No questions, thank you.

BRENDAN SULLIVAN: And -- Brendan Sullivan -- I have no questions. Let me open it to public comment. Any members of the public who wish to speak should now click the button that says, "Participants," and then click the button that says, "Raise hand."
If you are calling in by phone, you can raise your hand by pressing *9 and unmute or mute by pressing *6, and you'll have up to three minutes in which to speak.

BRENDAN SULLIVAN: There appears to be nobody calling in. So I will close public comment. Also, I did reach out to the Planning Board, to see if they have anything they wish to opine on the telecoms, which they usually do, and they declined to submit any correspondence.

Shall I make a motion, then, to grant Board members?

JIM MONTEVERDE: Yep.

JASON MARSHALL: Ready for a motion.

JIM MONTEVERDE: Ready.

BRENDAN SULLIVAN: Olivia, do you have the --

MATINA WILLIAMS: Ready for a motion.

BRENDAN SULLIVAN: -- telecom, the printout?

Granting a special permit for the wireless communication facility, pursuant to Section No. 4.32.g of the Ordinance, the applicant proposed use for a wireless communication facility is permitted by special permit.

The Board shall consider the scope or limitation imposed by any license secured from any state or federal
agency having jurisdiction over such matters, and by your submittal in the record, it appears that you have no limitations imposed, and are approved for this facility.

The Board shall consider the extent to which the physical impact of the various elements of the proposed facility is minimized through the use of existing mechanical elements on the building and background through the use and materials that in texture and color blend with the materials to which the facilities are attached. Other effective means to reduce the visual impact and facility of the site, as per your application.

It appears that you have been sensitive to and that the application and the -- appears to be an installation.

Where it is proposed to erect a facility in any residential zoning district, the extent to which there was a demonstrable public need for this facility at the proposed location, the existence of alternative, functionally suitable sites in nonresidential locations, the character of the prevailing uses in the area, and the prevalence of all the existing mechanical systems and equipment carried on or above the roof of nearby structures.
The Board shall grant the special permit to erect such a facility in a residential zoning district only upon a finding that nonresidential uses predominate in the vicinity of the proposed facility's location, and that the telecommunication facility is not inconsistent with the character that does not prevail in the surrounding neighborhood.

This Board has granted previous applications, special permits, to modify existing telecommunication facilities on this building; has found that nonresidential uses do predominate in the vicinity.

There is a large recreation area across the street -- golf course -- and a cemetery, which whether you -- it's residential or not. But anyhow, it is -- the Board has found in the past that nonresidential uses do predominate in the area close to this locus.

The Board finds that the applicant must comply with the criteria set forth in Section 10.43.

I make a motion, then, to grant the special permit. It appears that the requirements of the Ordinance can be met.

Traffic generated, or patterns of access or egress
would not cause congestion, hazard, or substantial change in the established neighborhood character.

The Board finds that continued operation of or development of adjacent uses, as permitted in the Zoning Ordinance, would not be adversely affected by the nature of the proposed use. In fact, it would be actually enhanced by the modification of the existing facility and that would be a benefit to the citizens of the city for an improved wireless communication.

There would not be any nuisance or hazard created to the detriment of the health, safety and/or welfare of the occupants of the proposed use, or to the citizens of the city.

The proposed facility will comply with all federal, state, and local safety requirements, including the standards established by the FCC, Federal Aviation Administration, and the American Standards Institute and the Massachusetts Department of Public Health.

And the proposed installation will not impair the integrity of the district or adjoining district, or otherwise derogate from the intent and purpose of the Ordinance. It is well established that the existence of a
telecommunication facilitates at the locus over the years has not impaired the integrity of the district, and in fact has been a benefit, as it has enhanced improved telecommunication facilities.

In furtherance -- just bear with me for a minute -- should have this at the forefront here.

The Board finds that in as much as the health effects of the transmission of electromagnetic energy waves is a matter of ongoing societal concern and scientific study, the special permit is also subject to the following conditions:

a) That the petitioner shall file with the Inspectional Services Department each report it files with the federal authorities regarding electromagnetic energy waves emissions emitting from all of the petitioner's equipment on the site.

Each such report shall be filed with the Inspectional Services Department no later than 10 business days after the report has been filed with the federal authorities.

Failure to timely file any such report with Inspectional Services shall ipso facto terminate the special
permit granted tonight.

b) That in the event that at any time federal authorities notify the petitioner that its equipment on the site, including but not limited to the special permit granted tonight, fails to comply with the requirements of law or governmental regulations -- whether with regard to the emissions of electromagnetic energy waves or otherwise -- the petitioner, within 10 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 will ipso facto terminate if any of the petitioner's federal licenses are suspended, revoked, or terminated.

c) That to the extent a 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 containing such application discloses in reasonable detail that the application has been filed because of a termination of a special permit, pursuant to paragraph 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.

d) That within 10 business days after receipt of a building permit for 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 of the 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 will comply with all federal safety rules and will be situated and maintained in location with appropriate barricades and other protections, such that individuals, including nearby residents and occupants of nearby structures, will be sufficiently protected from excessive radiofrequency radiation under federal law.

On the motion to grant the special permit as per the application, the photo simulations submitted, Jim Monteverde?
JIM MONTEVERDE: In favor.

BRENDAN SULLIVAN: Matina Williams?

MATINA WILLIAMS: In favor.

BRENDAN SULLIVAN: Jason Marshall?

JASON MARSHALL: In favor.

BRENDAN SULLIVAN: Slater Anderson?

SLATER ANDERSON: In favor.

BRENDAN SULLIVAN: And Brendan Sullivan yes.

[All vote YES]

BRENDAN SULLIVAN: Five affirmative votes, the special permit is granted.

RICARDO SOUSA: Thank you, members of the Board.
(7:01 p.m.)

Sitting Members: Brendan Sullivan, Jim Monteverde, Slater W. Anderson, Matina Williams, and Jason Marshall

BRENDAN SULLIVAN: The Board will now hear Case No. 185102 -- 2500 Massachusetts Avenue.

RICARDO SOUSA: Good evening, Mr. Chairman and members of the Board. For the record, Ricardo Sousa for Prince Lobel Tye here on behalf of the petitioner, T-Mobile.

And this is a similar application in the sense that it's another upgrade of an existing wireless antenna installation located in the city of Cambridge, where we are upgrading the installation to accommodate new technology and new equipment for 5G wireless service.

In this case, we are proposing to add three additional antennas, together with three additional remote radio heads on the rooftop of this building.

The antennas themselves will be like kind to the antennas that are there now. There are essentially six antennas already there, two per sector. So the result will be three per sector after this upgrade.
And we respect that this building is actually not located in a residential district. It's actually in a Business A-2 Zone. And we respectfully request a special permit to allow for this modification to this existing wireless antenna installation.

BRENDAN SULLIVAN: Thank you. Any questions, Jim Monteverde?

JIM MONTEVERDE: No questions, thank you.

BRENDAN SULLIVAN: Matina Williams?

MATINA WILLIAMS: No questions.

BRENDAN SULLIVAN: Slater Anderson?

SLATER ANDERSON: No questions.

BRENDAN SULLIVAN: Jason Marshall?

JASON MARSHALL: No questions.

BRENDAN SULLIVAN: And Brendan Sullivan, I have no questions either. I'll open it to public comment. Any members of the public who wish to speak should now click the button that says, "Participants," and then click the button that says, "Raise hand."

If you are calling in by phone, you can raise your hand by pressing *9 and unmute or mute by pressing *6, and you'll have up to three minutes to comment.
OLIVIA RATAY: No.

BRENDAN SULLIVAN: There appears to be nobody calling in. I will close the public comment part. We are -- no correspondence submitted to the Board. Again, I will reiterate that the Planning Board has been contacted, asked if they wish to opine on the proposal, and they have declined to give any opinion and leave it up to the Board.

Ready for a motion, Board?

JIM MONTEVERDE: Yes, sir.

BRENDAN SULLIVAN: Let me make a motion, then, to grant a special permit to the -- as per the application at 2500 Massachusetts Avenue to modify the existing wireless communication facility as per the application, on the condition that the work comply with the location, the scope and also the photo simulations.

The Board in granting the special permit pursuant to Section No. 4.32G -- Use of the wireless communication facility -- the Board shall consider the scope, or the limitations imposed by any license secured from any state or federal agency having jurisdiction over such matters.

The Board through the application is appraised
that there is no restrictions, limitations imposed upon the
carrier at this particular location.

The Board shall also consider the extent to which
the visual impact of the various elements of the proposed
facility is minimized through the use of existing mechanical
elements on the building's roof or other features of the
building as support and background through the use in
materials that in texture and color blend with the materials
to which the facility are attached, or other effective means
to reduce the visual impact of the facility, as per the
photo simulations, and also the application.

It appears that the petitioner has gone through
good means to make the application and the improvement as
stealth as possible, and it appears to comply with that
requirement.

This is a Business A-2 Zone, so that the
Residential Zoning District requirement in our finding is
not applicable to this. The applicant is to comply with the
Special Permit Criteria in 10.43.

Let me make a motion, then, to state that the
application and the petition does comply with Section 10.43
of the Ordinance. The requirements of the ordinance can be
met.

Traffic generated or patterns of access or egress would not cause congestion, hazard, or substantial change in the established neighborhood character.

The Board notes the existence of existing telecommunication facilities on the structure, and there has not been any substantial change at all to the neighborhood character.

The Board finds that continued operation of or development of adjacent uses, as permitted in the Zoning Ordinance, would not be adversely affected by the installation of additional and upgraded telecommunication equipment; in fact, it would be enhanced by an up-to-date facility.

The Board finds that there would not be any nuisance or hazard created to the detriment of the health, safety, and/or welfare of the occupants of the proposed use, or to the citizens of the City.

The Board finds in fact that it would be -- the improved telecommunication facilities would be a benefit to the citizens of the City, visitors, and also to First Responders. And so, such requirement is met.
The Board finds that the proposed installation would not impair the integrity of the district or adjoining district, or otherwise derogate from the intent and purpose of the Ordinance to allow a carrier to improve and upgrade the telecommunication equipment.

In furtherance, the Board states that in as much as the health effects of the transmission of the electromagnetic energy waves is a matter of ongoing societal concern and scientific study, the special permit is also subject to the following conditions:

a) That the petitioner shall file with the Inspectional Services Department each report it files with the federal authorities regarding electromagnetic energy waves emissions emanating from all of the petitioner's equipment on the site.

   Each such report shall be filed with the Inspectional Services Department no later than 10 business days after the report has been filed with the federal authorities.

   Failure to timely file any such report with the Inspectional Services Department shall ipso facto terminate the special permit granted tonight.
b) That in the event that at any time federal authorities notify the petitioner that its equipment on the site, including but not limited to the special permit granted tonight, fails to comply with the requirements of law or governmental regulations -- whether with regard to the emissions of electromagnetic energy waves or otherwise -- the petitioner, within 10 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 shall ipso facto terminate if any of the petitioner's federal licenses are suspended, revoked, or terminated.

c) That to the extent a special permit has terminated, pursuant to the foregoing paragraph a) and b), the petitioner may apply to this Board for a new special permit, provided that the public notice containing such application discloses in reasonable detail that the application has been filed because of a termination of the special permit, pursuant to paragraph 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.

d) That within 10 business days after receipt of a special permit for 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 of the geographical area that includes Cambridge stating that:

   a) he or she has such responsibility, and

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

The Board in furtherance, a condition that the work proceed in accordance with the plans submitted by the petitioner: 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 which have been initialed by the Chair.

That the petitioner at all times maintain the proposed work, so that its physical appearance and visual impact remain consistent with the photo simulations previously referred to.

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

That the petitioner continue to comply with the conditions imposed by the Board with respect to previous special permits granted to the petitioner, with regard to the site in question.

On the motion to grant the special permit, Jim Monteverde?

JIM MONTEVERDE: In favor.

BRENDAN SULLIVAN: Matina Williams?

MATINA WILLIAMS: In favor.

BRENDAN SULLIVAN: Slater Anderson?
SLATER ANDERSON: In favor.

BRENDAN SULLIVAN: Jason Marshall?

JASON MARSHALL: In favor.

BRENDAN SULLIVAN: Brendan Sullivan in favor.

[All vote YES]

BRENDAN SULLIVAN: The special permit is granted.

RICARDO SOUSA: Okay.

BRENDAN SULLIVAN: Thank you, Ricardo.

RICARDO SOUSA: Thank you, Mr. Chairman. Thank you, members of the Board.

BRENDAN SULLIVAN: Yep.

RICARDO SOUSA: Have a good evening. Bye.
* * * * *

(7:12 p.m.)

Sitting Members: Brendan Sullivan, Jim Monteverde, Slater W. Anderson, Matina Williams, and Jason Marshall

BRENDAN SULLIVAN: The Board will hear Case No. 184415 -- 284-288 Norfolk Street. Ellen?

MICHAEL FENTON: Good evening, Mr. Chair and members of the Board. My name is Attorney Michael Fenton. I'm a Partner at Shatz, Schwartz and Fentin. I have an office at 1441 Main Street in Springfield. Ready to begin on behalf of the petitioner when you would like us to proceed.

BRENDAN SULLIVAN: Okay.

MICHAEL FENTON: Thank you very much. We're here on behalf of Cellco Partnership doing business as Verizon Wireless. The site in question is a brick residential structure located at 284-288 Norfolk Street. Our existing carrier is on the roof.

We are joined here -- they're not panelists currently for the presentation, but if there's questions from the Board, we have in attendance Rebecca Rafferty,
who's our Site Acquisition Specialist responsible for leasing; Oscar Suarez, with Dewberry Group, who's our Resident Engineer; and also Jason Flanagan, our Radiofrequency Engineer in case there's any question related to RF.

This site was last permitted by Verizon Wireless in 2017. It's a rooftop installation which currently deploys antennas that Verizon is proposing to replace six of, as well as eight remote radio heads.

There are two existing faux chimneys on the rooftop, which will be removed and replaced with the same size antenna equipment and full chimney placements. Our chimneys in this rooftop complement the surrounding mobile carrier uses and are in fact smaller than the surrounding faux chimneys by competitive carriers.

This application was submitted on or about July 11, and it is submitted without any substantial change to the installation as previously permitted, and is a submission being made consistent with Section 6409 of the Federal Middle Class Tax Relief Act and the provisions commonly referred to as the Spectrum Act.

BRENDAN SULLIVAN: Okay. Any questions by members
of the Board? Jim Monteverde?

JIM MONTEVERDE: No questions, thank you.

BRENDAN SULLIVAN: Matina Williams, any questions?

MATINA WILLIAMS: No questions.

BRENDAN SULLIVAN: Slater Anderson?

SLATER ANDERSON: No questions.

BRENDAN SULLIVAN: And Jason Marshall?

JASON MARSHALL: No questions, Mr. Chair.

BRENDAN SULLIVAN: And I have no questions either.

Let me open it to public comment. Any member of the public who wishes to speak should now click the button that says, "Participants," and then click the button that says, "Raise hand."

If you are calling in by phone, you can raise your hand by pressing *9 and unmute or mute by pressing *6, and you'll have up to three minutes in which to comment.

BRENDAN SULLIVAN: Nobody calling in. We will close the public comment portion. Again, I will reiterate that the Board has reached out to the Planning Board to comment on the telecommunication cases tonight, and they have declined to do so and have left it up to the Board.

Are we ready for a motion?
JIM MONTEVERDE: Ready.

BRENDAN SULLIVAN: The Board has reviewed all of these in depth. In order to grant a special permit, the Board shall consider the scope or limitations imposed by any license secured from any state or federal agency having jurisdiction over such matters.

As per the application, it appears that the applicant does not have any limitations imposed regarding the license and/or the ability to maintain and operate a telecommunication facility at this location.

The Board shall consider the extent to which the visual impact of the various elements of the proposed facility is minimized through the use of existing mechanical elements on the building's roof or other features of the building support and background through the use of materials that in texture and color blend with the materials to which the facilities are attached, or other effective means to reduce the visual impact of the facility on the site.

In going along with the photo simulations, it appears that the petitioner has addressed that issue, and has been sensitive to it, and that the visual impact is minimal at all.
That -- what's on here? I think we're in Business -- we're in a Residence C-1 Zone -- where it's proposed to erect such a facility in any residential zoning district, the extent to which there was a demonstrated public need for the facility at the proposed location, the existing of alternative, functionally suitable sites in nonresidential locations, the character of the prevailing uses in the area, and the prevalence of other existing mechanical systems and equipment carried on or above the roof of nearby structures.

The Board of Zoning Appeals shall grant the special permit to erect such a facility in a residential zoning district only upon a finding that the nonresidential uses predominate in the vicinity of the proposed facility location, and that the telecommunication facility is not inconsistent with the character that does prevail in the surrounding neighborhood.

The Board has -- this Board and previous Boards have found that it does comply with those requirements, and that nonresidential uses do predominate in the area. And as such, the Board can grant the special permit in this particular residential zone.

The Board finds that we must find in the
affirmative the criteria in Section 10.43 of the Ordinance in order to grant the special permit. We make a motion, then, that we grant the special permit. It appears that the requirements of the Ordinance can be met.

Traffic generated, or patterns of access or egress would not cause congestion, hazard, or substantial change in the established neighborhood character.

The Board finds that the existing telecommunication facilities have existed for a long time, and that the neighborhood character has not been adversely affected.

Continued operation of or development of adjacent uses, as permitted in the Zoning Ordinance, would not be adversely affected by the nature of the proposed use. And matter of fact, it would be enhanced, and it would be of benefit to the citizens and the businesses adjoining this piece property with enhanced and up to date telecommunication equipment.

There would not be any nuisance or hazard created to the detriment of the health, safety, and/or welfare of the occupants of the proposed use, or to the citizens of the City.
The operation of the proposed telecommunication facility will not adversely impact the health, safety, or welfare of the residents of the city of Cambridge. The proposed use will benefit the city and promote the safety and welfare of its residents and businesses by providing reliable, state of the art digital wireless voice and data services.

The proposed facility will comply with all federal, state, and local safety requirements, including the standards established by the FCC, Federal Aviation Administration, and the American Standards Institute and the Massachusetts Department of Public Health.

The Board finds that the proposed installation would not impair the integrity of the district or adjoining district, or otherwise derogate from the intent and purpose of the ordinance to allow telecommunication facilities to be upgraded to the extent where it benefits the general public.

The Chair further moves that based upon the information presented to the Board that we grant the requested relief and special permit as described in the petitioner's submitted materials, and the evidence before the Board on the following conditions:
That the work proceed in accordance with the plans submitted by the petitioner, as initialed by the Chair.

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 which have been initialed by the Chair.

That the petitioner at all times maintain the proposed work, so that its physical appearance and visual impact remain consistent with the photo simulations previously referred to.

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

That the petitioner continue to comply with the conditions imposed by the Board with respect to previous special permits granted to the petitioner, with regard to the site in question.

That in as much as the health effects of the transmission of electromagnetic energy waves is a matter of
ongoing societal concern and scientific study, the special permit is also subject to the following conditions:

a) That the petitioner shall file with the Inspectional Services Department each report it files with the federal authorities regarding electromagnetic energy waves emissions emitting from all of the petitioner's equipment on the site.

Each such report shall be filed with the Inspectional Services Department no later than 10 business days after the report has been filed with the federal authorities.

Failure to timely file any such report with Inspectional Services shall ipso facto terminate the special permit granted tonight.

b) That in the event that at any time the federal authorities notify the petitioner that its equipment on the site, including but not limited to the special permit granted tonight, fails to comply with the regulations of law or governmental regulations -- whether with regard to the emissions of electromagnetic energy waves or otherwise -- the petitioner, within 10 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 shall ipso facto terminate if any of the petitioner's federal licenses are suspended, revoked, or terminated.

c) That to the extent a 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 containing 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.

d) That within 10 business days after receipt of a building permit for 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 of the 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 will comply with all federal safety rules and will be situated and maintained in locations with appropriate barricades and other protections, such that individuals, including nearby residents and occupants of nearby structures, will be sufficiently protected from excessive radiofrequency radiation under federal law.

On the motion, then, to grant the special permit, Jim Monteverde?

JIM MONTEVERDE: In favor.

BRENDAN SULLIVAN: Matina Williams?

MATINA WILLIAMS: In favor.

BRENDAN SULLIVAN: Slater Anderson?

SLATER ANDERSON: In favor.

BRENDAN SULLIVAN: Jason Marshall?

JASON MARSHALL: In favor.

BRENDAN SULLIVAN: And Brendan Sullivan yes.

[All vote YES]

BRENDAN SULLIVAN: Five affirmative votes; the
special permit as per the application is granted.

    MICHAEL FENTON: Thank you very much. Have a good night.

    BRENDAN SULLIVAN: Goodnight.
(7:26 p.m.)

Sitting Members: Brendan Sullivan, Jim Monteverde, Slater W. Anderson, Matina Williams, and Jason Marshall

BRENDAN SULLIVAN: The Board will now hear Case No. 182524 -- 13 Yerxa Road. Dena? Yep, you're up.

DENA STEARNS: Hello. My name is Dena Stearns. I'm the owner at 13 Yerxa Road, and we are seeking a special permit to add three windows to the rear elevations of our house in the kitchen on the first floor.

Currently there's one window, and just looking to get a little more light in there. And I'm of the understanding that we need a special permit because our -- the back wall of our house is within 25 feet of the lot line.

BRENDAN SULLIVAN: Yes.

DENA STEARNS: I have some existing conditions -- images, as well as elevation drawings of the proposed windows, if you would like to see those?

BRENDAN SULLIVAN: Okay. Let me open it up to members of the Board. Jim Monteverde, any questions?
Jim?  Jim Monteverde?  Jason Marshall, any questions?

JASON MARSHALL:  I have no questions at this time, Mr. Chair.

SLATER ANDERSON:  No questions at this time.

Thank you.

BRENDAN SULLIVAN:  Okay.  Matina?

MATINA WILLIAMS:  No questions at this time.

BRENDAN SULLIVAN:  And Jim Monteverde?

JIM MONTEVERDE:  No questions.

BRENDAN SULLIVAN:  And I have no questions either.

I'll open it to public comment.  Any member of the public who wishes to speak should now click the button that says, "Participants," and then click the button that says, "Raise hand."

If you are calling in by phone, you can raise your hand by pressing *9 and unmute or mute by pressing *6, and you'll have up to three minutes to comment.

There appears to be nobody calling in.  We are in receipt of communication in support.

"Members of the Board of Zoning Appeal, we are neighbors of Dena Stearns and Daniel Kibler-Stearns of 13
Yerxa Road. We understand that they are renovating and updating their home. We have reviewed the design plans for the proposed new rear kitchen window and fully support them."

From Roberto Iturralde -- I-t-u-r-r-a-l-d-e and Aislyn -- A-i-s-l-y-n Cangialose -- C-a-n-g-i-a-l-o-s-e, Cangialose. Also correspondence from #3 Yerxa Road Unit 1. They have reviewed the plans and they are also in favor.

There's a letter from Carole Lee, 15-16 Yerxa Road. They have -- she's seen the plans, and the addition -- plans to -- for the addition of more kitchen windows. And they have her wholehearted support.

And that is the sum and substance of the correspondence. I'll close public comment. Any questions? I'm sorry, there's also one from George Perkins and Polly Carpenter at 11 Yerxa Road, who are also in support.

Okay, I'll close the public comment part. Anything else to add? No?

DENA STEARNS: Not from me.

BRENDAN SULLIVAN: Okay. I'll discuss amongst -- are there any new violations at all? Asking for a special permit, the section sited as 8.22.2.c, I'm just wondering if
I do not apply here?

DENA STEARNS: What is the -- I'm not sure which --

BRENDAN SULLIVAN: Well, there's a new section --

DENA STEARNS: Oh.

BRENDAN SULLIVAN: -- under the Special Permit Criteria.

DENA STEARNS: Okay.

BRENDAN SULLIVAN: If any member of the Board wants to chime in on this, whether or not we're setting the correct section?

JIM MONTEVERDE: Mr. Chair, is there an existing non-conformity that's being enlarged here?

BRENDAN SULLIVAN: It's just windows.

JIM MONTEVERDE: Oh, windows.

BRENDAN SULLIVAN: So can we pull up the dimensional form? There's no addition?

DENA STEARNS: No.

BRENDAN SULLIVAN: There's just basically taking -- if you can pull up the -- actually, Olivia, can you pull up a plan showing the back of the house there with the one window, and then what they're proposing is a bank of
windows?

So that's what's proposed?

DENA STEARNS: Yep.

BRENDAN SULLIVAN: As opposed to a single window that doesn't do very much. 8.22.2.c basically says, “In residential districts,” which this is --

DENA STEARNS: Mm-hm.

BRENDAN SULLIVAN: -- “the Board of Zoning Appeal may grant a special permit for the alteration or enlargement of a non-conforming structure,” so this would be an alteration but not the alteration of a non-conforming use.

Provided that we are not in further violation of the dimensional requirements or their off-street parking and provided such non-conforming structure will not be increased in area or volume by more than 25 percent.

This is a single-family home?

DENA STEARNS: Yeah.

BRENDAN SULLIVAN: Yeah. So the way -- my reading is that, I mean, we could either grant it under the same which appears that it complies, or d).

And Jason, what are your thoughts on it?

JASON MARSHALL: I guess I'm not seeing how this
is increasing an existing dimensional non-conformity to fall under d). So I probably see it under c) but I'm open to hearing other thoughts about that.

BRENDAN SULLIVAN: Yeah. I mean, I think either one gets you there, I think. So maybe unless the members of the Board have another opinion, I think that we could probably -- the application is for 8.22.2.c and we could probably -- let me make the motion, then, to grant that.

DENA STEARNS: Okay.

BRENDAN SULLIVAN: So let me make a motion, then, to grant the special permit, seeking relief under 8.22.2.c the Board finds that in a residential district, the Board may grant a special permit for the alteration or enlargement of a non-conforming structure -- which this is -- not otherwise permitted in Section 8.22.1, but not the alteration or enlargement of a non-conforming use.

Provided any enlargement or alteration of such non-conforming structure is not further in violation of the dimensional requirement of Article 5 or the off-street parking and loading requirements in Article 6.

And provided such non-conforming structure will not be increased in area or volume by more than 25 percent,
which this does not. So -- and we have to go to the Special Permit Criteria in 10.43.

In furtherance to granting the special permit, it appears that the requirements of the Ordinance can be met. It appears that traffic generated or patterns of access or egress would not cause congestion, hazard, or substantial change in the established neighborhood character.

The Board finds that continued operation of or development of adjacent uses, as permitted in the Zoning Ordinance, would not be adversely affected by the nature of the proposed use.

There would not be any nuisance or hazard created to the detriment of the health, safety, and/or welfare of the occupants of the proposed use, or to the citizens of the City. In fact, it would be greatly enhanced by greater air and light coming into the structure, and there would be -- it would be a benefit to the occupants of the structure.

The proposed use would not impair the integrity of the district or adjoining district, or otherwise derogate from the intent and purpose of the ordinance, which allows homeowners a fair and reasonable use of the property, and to
upgrade it such as the proposal that is before us, which is quite de minimis and a benefit to the occupants of the structure.

In furtherance to granting of the special permit, the Board moves that the work be in accordance with the application, supporting statements, dimensional form and the plan of the new windows assigned and initialed by the Chair.

On the motion, then, to grant the special permit, Jim Monteverde?

JIM MONTEVERDE: In favor.

BRENDAN SULLIVAN: Jason Marshall?

JASON MARSHALL: In favor.

BRENDAN SULLIVAN: Matina Williams?

MATINA WILLIAMS: In favor.

BRENDAN SULLIVAN: Slater Anderson?

SLATER ANDERSON: In favor.

BRENDAN SULLIVAN: And Brendan Sullivan yes.

[All vote YES].

BRENDAN SULLIVAN: Five affirmative votes, the special permit as per the application is granted.

DENA STEARNS: Thank you very much. I appreciate it.
Sitting Members: Brendan Sullivan, Jim Monteverde, Slater W. Anderson, Matina Williams, and Jason Marshall

BRENDAN SULLIVAN: The Board will hear Case No. 180699 -- 307 Allston Street. Okay.

LOUIS MANFRENDE: Hello, this is Louis Manfredi with Joanne Carroll. We're the applicants here. Were you waiting for us to speak up?

BRENDAN SULLIVAN: Yes, yep.

LOUIS MANFREDI: Okay. We'd -- Richard Brown is our architect on this project, and I believe is attending. And perhaps he could speak for us?

BRENDAN SULLIVAN: Yes, absolutely.

RICHARD BROWN: Hi, good evening. My name is Richard Brown, Richard Brown Architects -- 50 Hillcrest Avenue, Lexington, Massachusetts. This is in reference to 307 Allston Street in Cambridge, Massachusetts.

I'm on the property owned by Joanne Carroll of the Joanne Carroll Declaration of Trust, and Louis Manfredi. Currently, this is a two-family house on a very small lot in
Cambridgeport, near the intersection of Pleasant Street and Allston Street. It is non-conforming in numerous ways in terms of lot area, lot area per dwelling unit, FAR setbacks, frontage, and even open space. The owners currently live on the second and third floor and rent out the first floor.

There are bedrooms and study on the third floor, and their bathroom is on the second floor, which causes a degree of inconvenience, which we hope to solve.

Currently, there is one window in the bedroom and the study on the north and south side elevations, and this provides very little cross-ventilation, especially once an air conditioning unit is installed.

On the second floor, there is an enclosed porch, which is in need of significant repair. It is also fairly minimal in size, and we would eventually like to close enlarging, widening up just by 16 inches.

On the first floor, there is a side porch, which is sort of second means of egress for the first floor, and we would like to propose to widen that eventually and to make that a little deeper.

So we're requesting a special permit for four items: Firstly, there is the renovation of the third floor
to add two dormers to the east and the west side. These
dormers would increase the space on the third floor for the
occupants, give them more room, give them more light, and
especially give them more cross-ventilation.

Also a new bath and washer/dryer would be added, and closet space on the third floor. And solar panels would be added to the roof, and a chimney would be removed, because they're changing the heat pumps -- the heating system to a heat pump system.

Secondly, we would like to change a window in the third floor on the north side from a single window to a triple window, because that is within the setbacks, so we would require a special permit.

On the second floor, we would like to rebuild and slightly extend by 16 inches the enclosed porch, which just sort of is held up by sort of two posts, as you can see on the left side of the image that you're looking at now. That would make that room a great deal more habitable, and it needs to be rebuilt anyway, because it is significantly decaying around the windows and rods and things.

So that would be the third item.

The fourth item would be to enlarge the first-
floor side porch by several inches and make it deeper. This would just allow some seating area for the tenants on the first floor.

In terms of the special permit, there would be no change in the occupancy -- parking, traffic, or noise. The dormer addition would be in character with the rest of the neighborhood in terms of architecture. It would provide -- it would give very little shadow to the neighbor, and the neighbor is totally in support of that.

And I believe there is a letter from a number of the neighbors supporting this proposal.

Are there any questions?

BRENDAN SULLIVAN: No. If I could have Olivia pull up Sheet 9, which is the dormer on the west elevation? And so, that dormer is -- complies 15 feet in from our guidelines. Sheet A-11, that dormer is 13'10". Again, that appears that it complies with the Dormer Guidelines. All right. Let me open it up to Jim Monteverde, any questions at this time?

JIM MONTEVERDE: No questions, thank you.

BRENDAN SULLIVAN: Matina Williams?

MATINA WILLIAMS: No questions.
BRENDAN SULLIVAN: Slater Anderson:

SLATER ANDERSON: No questions.

BRENDAN SULLIVAN: And Jason Marshall?

JASON MARSHALL: No questions.

BRENDAN SULLIVAN: And Brendan Sullivan, I have no further comments. Let me open it to public comment. Any members of the public who wish to speak should now click the button that says, "Participants," and then click the button that says, "Raise hand."

If you are calling in by phone, you can raise your hand by pressing *9 and unmute or mute by pressing *6, and you will have up to three minutes in which to comment.

[Pause]

There appears to be nobody calling in. We are in receipt of correspondence in the form of a signup petition:

"We, the undersigned neighbors of Joanne Carroll and Louis Manfredi, have reviewed the plans for the proposed modification to their property at 307-309 Allston Street, and support their application for special permit.

"The proposed changes will greatly improve their property without having negative impact on other properties in the neighborhood."
And it is signed by nine -- eight people: 306 Allston Street, 126 Pleasant, 126 Pleasant, 309 Allston, 309 Allston, 304 Allston, 309 Allston and 297 Allston in support. And that is the sum and substance of any correspondence.

I will close the public comment part. Anything else to add to your presentation?

RICHARD BROWN: I don't believe so. I think, unless there are additional questions?

BRENDAN SULLIVAN: Yeah. No, I think we may be okay, Richard. All right. Let me up to the Board. Shall anybody have any further questions or comments, or are we ready for a motion?

JIM MONTEVERDE: Ready.

BRENDAN SULLIVAN: Let me make a motion, then, to grant the special permit as per the application, dimensional form, supporting statements and initialed by the Chair to enlarge the first-floor right side entry deck, to widen the second-floor enclosed porch, to add two dormers, and to change a single window on the north side of the third floor to a triple window, seeking relief under 5.31, 8.22d and the criteria for a special permit.
Under 8.22.d, in all districts, the Board of Zoning Appeal may grant a special permit for the alteration or enlargement of a preexisting dimensionally non-conforming, detached single-family dwelling or a two-family dwelling not otherwise permitted in Section 8.22.1 above, but not the alteration or enlargement of a preexisting, non-conforming use.

Provided that there is no change in use, and that any enlargement or alteration of such preexisting, non-conforming detached single-family dwelling or two-family dwelling may only increase a preexisting dimensional non-conformity but does not create a new dimensional non-conformity.

In order to grant the special permit, the Board of Zoning Appeal is required to find -- and does find -- that the alteration or enlargement shall not be substantially more detrimental than the existing non-conforming structure to the neighborhood, and that the alteration or enlargement satisfies the criteria in 10.43 after a special permit, with the following findings:

It appears that the requirements of the Ordinance can be met.
That traffic generated or patterns of access or egress would not cause congestion, hazard, or substantial change in the established neighborhood character.

The Board finds that continued operation of or development of adjacent uses, as permitted in the Zoning Ordinance, would not be adversely affected by the nature of the proposed use.

That the Board references letters of support and the language in that support to support that finding.

Continued operation and development of adjacent uses would not be adversely affected. There would not be any nuisance or hazard created to the detriment of the health, safety, and/or welfare of the occupants of the proposed use -- in fact, it would be greatly enhanced to the benefit of any occupant.

The proposed use would not impair the integrity of the district or adjoining district, or otherwise derogate from the intent and purpose of the ordinance to allow for modifications to an existing, non-conforming structure.

The Board finds that the requested relief would not be more detrimental than the existing building, and that the Board finds that the work would allow the residents to
be able to stay and enjoy the upgrading of their property.

On the motion, then, to grant the special permit, Jim Monteverde?

JIM MONTEVERDE: Sorry. Didn't realize I was on mute. I vote in favor.

BRENDAN SULLIVAN: Okay. Matina Williams?

MATINA WILLIAMS: In favor.

BRENDAN SULLIVAN: Slater Anderson?

SLATER ANDERSON: In favor.

BRENDAN SULLIVAN: Jason Marshall?

JASON MARSHALL: In favor.

BRENDAN SULLIVAN: Brendan Sullivan yes.

[All vote YES]

BRENDAN SULLIVAN: Five affirmative votes; the special permit as per the application is granted.

RICHARD BROWN: Thank you very much, Mr. Chairman and Board.

BRENDAN SULLIVAN: Yep.

LOUIS MANFREDI: We'd like to thank the Board also for your time and attention to this matter.

BRENDAN SULLIVAN: No, I was -- thank you.
(7:50 p.m.)

Sitting Members: Brendan Sullivan, Jim Monteverde, Slater W. Anderson, Matina Williams, and Jason Marshall

BRENDAN SULLIVAN: The Board will hear Case No. 184396 -- 23 Reed Street.

TAGORE HERNANDEZ: Greetings. My name is Tagore Hernandez from Group Design Build, 30 Quincy Street, Somerville, Massachusetts, 02143. I represent Keith Glover for Mouthpiece LLC at 23 Reed Street. Can everybody hear me?

BRENDAN SULLIVAN: Yes.

COLLECTIVE: Yep.

TAGORE HERNANDEZ: Thanks for hearing our case this evening. We have an existing non-conforming single-family. What we are requesting relief for is a series of five windows and one skylight on the north elevation. The north is complying with the standard 7.5' setback. It's roughly, you know, 3.4 feet from the property line.

We've removed a couple of units -- or excuse me, glazing units, and are requesting relief to add and to
relocate a number of windows in order to improve visibility
to the kitchen, add some lighting into a future bathroom at
the top of the staircase.

We presented the drawings to the abutters at 20 --
excuse me, I believe it’s 25-27 Reed Street, and they are in
support of the project with the two caveats that we frost
two units in order to obfuscate the view in their units.
They were happy about the removal of one unit that was
facing their bathroom, but otherwise we have support from
the immediate abutter on the north elevation.

BRENDAN SULLIVAN: Is that change reflected in the
drawings?

TAGORE HERNANDEZ: Yes, sir. A.200.

BRENDAN SULLIVAN: A.201?

TAGORE HERNANDEZ: No, sir. A.200, where I have
it highlighted in red.

BRENDAN SULLIVAN: Okay.

TAGORE HERNANDEZ: This is what I'm -- this is
what we're asking for.

BRENDAN SULLIVAN: Okay. All right.

TAGORE HERNANDEZ: And D.200 shows the existing
conditions in red. Yes, correct.
BRENDAN SULLIVAN: Okay. Okay. Any questions by members of the Board? Jim Monteverde?

JIM MONTEVERDE: No questions, thank you.

BRENDAN SULLIVAN: Slater Anderson?

SLATER ANDERSON: No questions.

BRENDAN SULLIVAN: Matina Williams?

MATINA WILLIAMS: No questions.

BRENDAN SULLIVAN: Jason Marshall?

JASON MARSHALL: No questions at this time.

BRENDAN SULLIVAN: And I have no further questions. Let me open it to public comment. Any members of the public who wish to speak should now click the button that says, "Participants," and then click the button that says, "Raise hand."

If you're calling in by phone, you can raise your hand by pressing *9 and unmute or mute by pressing *6, and you will have up to three minutes to comment.

[Pause]

It appears that nobody is calling in. And could you pull up the dimensional form, Olivia? So it appears that there is no further violations.

TAGORE HERNANDEZ: That is correct.
BRENDAN SULLIVAN: Okay. So basically, you're just rearranging the deck chairs somewhat on the windows?

TAGORE HERNANDEZ: Correct.

BRENDAN SULLIVAN: Okay.

JIM MONTEVERDE: Well, I think that's the only thing you need relief for, isn't that correct?

TAGORE HERNANDEZ: That's correct.

JIM MONTEVERDE: That's not your only part of work? You've got a bunch --

TAGORE HERNANDEZ: Yeah.

JIM MONTEVERDE: -- of other stuff going on?

TAGORE HERNANDEZ: Correct. We're actually reducing -- yeah, in fact, our FAR is actually coming down just a hair.

BRENDAN SULLIVAN: Yeah. Actually, it's a fairly decent plan. Okay. Are we ready for a motion, then, Board?

JIM MONTEVERDE: Yes.

BRENDAN SULLIVAN: Let me make a motion, then, to grant the relief requested. The special permit as per the application, dimensional form and the drawings initialed by the Chair.
The Board under 8.22.d -- the Board may grant a special permit for the alteration or enlargement of a preexisting dimensionally non-conforming, detached single-family dwelling or two-family dwelling not otherwise permitted in Section 8.22.1, but not the alteration or enlargement of a preexisting, non-conforming use.

Provided that there is no change in use, and that any enlargement or alteration of such preexisting, non-conforming detached single-family dwelling or two-family dwelling may only increase a preexisting dimensional non-conformity but does not create a new dimensional non-conformity.

In order to grant the special permit, the Board of Zoning Appeal is required to find that the alteration or enlargement shall not be substantially more detrimental -- and does make such finding -- than the existing non-conforming structure to the neighborhood, and that the alteration or enlargement satisfies the criteria in Section 10.43.

Under 10.43, the Board may grant a special permit, where it appears that the requirements of the ordinance can be met.
That traffic generated or patterns of access or egress would not cause congestion, hazard, or substantial change in the established neighborhood character.

The Board finds that continued operation of or development of adjacent uses, as permitted in the Zoning Ordinance, would not be adversely affected by the nature of the proposed use.

There would not be any nuisance or hazard created to the detriment of the health, safety and/or welfare of the occupant of the proposed use, in fact the Board finds that it would be greatly enhanced. Anybody who occupies the structure -- and would not impact any citizens of the City.

And the Board finds that the proposed use would not impair the integrity of the district or adjoining district, or otherwise derogate from the intent and purpose of this ordinance to allow homeowners to modify, improve, update their structure. This adds much needed light fenestration coming into the structure.

The Board also notes the willingness of the petitioner to modify the original plan to accommodate the request of abutters to lessen the impact on adjoining properties.
On the motion, then, to grant the special permit as per the application, Jim Monteverde?

JIM MONTEVERDE: In favor.

BRENDAN SULLIVAN: Matina Williams?

MATINA WILLIAMS: In favor.

BRENDAN SULLIVAN: Slater Anderson?

SLATER ANDERSON: In favor.

BRENDAN SULLIVAN: Jason Marshall?

JASON MARSHALL: In favor.

BRENDAN SULLIVAN: And Brendan Sullivan in favor.

[All vote YES]

BRENDAN SULLIVAN: Five affirmative votes, the special permit is granted.

TAGORE HERNANDEZ: Thank you. Good evening.

BRENDAN SULLIVAN: Thank you for your presentation.

MATINA WILLIAMS: Chair, can we have five?

BRENDAN SULLIVAN: Yes, absolutely.
(8:09 p.m.)

Sitting Members: Brendan Sullivan, Jim Monteverde, Slater W. Anderson, Matina Williams, and Jason Marshall

BRENDAN SULLIVAN: I'm going to call Case No. 185241 -- 6 Hawthorne Park, Unit #2.

REBECCA O'HARA: Yes, hi.

BRENDAN SULLIVAN: Hi.

REBECCA O'HARA: Rebecca O'Hara.

BRENDAN SULLIVAN: Yep.

REBECCA O'HARA: So if you'll allow me, my name is Rebecca O'Hara, as I said. I'm the owner of 6 Hawthorne Park, which is the upper condo of a two-family house.

I actually came before you just before the pandemic in December 2019 with a very similar petition, but the pandemic restrictions both on construction and our lives and everything have prevented us from beginning construction within the allotted time frame of the granted zoning relief.

So I'm coming before you today because my husband and I are now ready to proceed with our project, which has changed only slightly in configuration from our previous
plans. In short, we're seeking to utilize the currently unfinished attic space as living space, and to do so adding dormers.

We are looking to update some interior rooms and including -- reworking our rear porch to match the dimensions of the porch below and add an exterior stair in the side yard that will service our second means of egress, allowing us to utilize the floor space that is currently our second means of egress and interior staircase.

Let's see, oh, and part of the reason for the alteration into the rear porch is that our condo documentation states that the downstairs neighbors have the use of the outside space at the ground level, so this would be our sole outdoor space.

And we are also changing -- doing some alterations to windows that are within the setback, but not -- we're otherwise not violating the setbacks in any additional ways.

I should note that our home is non-conforming, as it was built for current zoning requirements, as it sits on a much smaller lot. So the existing FAR and setbacks -- side and front setbacks -- are non-conforming.

Lastly, I would just like to mention that I
communicated with all of my abutting neighbors both a few years ago and recently, and almost all the other homes around in the abutting properties have dormers already and I've received no opposition, just positive comments, and support.

In particular, my downstairs neighbors -- a wonderful couple -- they are supportive; have continued to be supportive this entire time, and I have submitted a few letters of support showing this.

BRENDAN SULLIVAN: All right. Thank you. Olivia, can I ask you to pull up Sheet A1.0?

The Dormer Guidelines call for no more than 15 feet of dormer on any one side, and those are nine and seven sixteen.

And I guess I can see the one on the stairway at 7', because I think you're pretty well constrained by the stairs and the other one at 9 feet. I'm just wondering if it could be pulled back a foot or it appears that maybe that space is kind of tight?

REBECCA O'HARA: Yes. The space -- and I'm sorry, Olivia, I think there's a drawing to the bottom right corner of the page that shows the dimensions? Yes, there.
BRENDAN SULLIVAN: Yeah.

REBECCA O'HARA: So the -- in order to be able to accommodate the amount of, you know, both plumbing pieces as well as to work around an existing pipe chaise, we have -- or we are requesting 9'.

We have tried to fit it into an 8' dimension and found that we would have to make significant alterations to the interior plans. This is also very similar, if slightly adjusted, from our previous plans that were approved, so we just didn't adjust the dimensions beyond that.

BRENDAN SULLIVAN: Okay. And then the third dormer is at 12', which is on the other side of the building?

REBECCA O'HARA: That was our other sort of reasoning. I realize that 15' per side is the Dormer Guidelines. We were hoping for a little additional relief to accommodate the bathroom and stick to 12' on the other side.

BRENDAN SULLIVAN: Okay. All right. Let me send it over to the Board. Jim Monteverde, any questions at this time?

JIM MONTEVERDE: No questions, thank you.
BRENDAN SULLIVAN: Matina Williams, any comments, questions?

MATINA WILLIAMS: None at this time.

BRENDAN SULLIVAN: Okay, Slater Anderson?

SLATER ANDERSON: No questions.

JASON MARSHALL: And Jason?

JASON MARSHALL: Thank you, Mr. Chair. No questions.

BRENDAN SULLIVAN: I have nothing further. Let me open it to public comment. Any member of the public who wishes to comment should now click the button that says, "Participants," and then click the button that says, "Raise hand."

If you are calling in by phone, you can raise your hand by pressing *9 and unmute or mute by pressing *6, and you'll have up to three minutes in which to comment.

[Pause]

It appears that nobody is calling in. The Board is in receipt of correspondence from Crista Martin and Lora DeSalvo, 8 Hawthorne Park.

"This letter comes in support of the application by Rebecca and John O'Hara for the construction permit on
their property at 6 Hawthorne Park in Cambridge. We are the first-floor residents of the building shared with the O'Haras.

"While we recognize that any construction comes with challenges, Rebecca and John have prepared thoughtfully for the impact this work will have on our building and our neighborhood. They originally planned to do this work roughly two years ago but were delayed by COVID and its subsequent impact.

"We are in support of their speedy approval to allow them to complete long-desired renovations."

There is also correspondence:

"We, Alison Nash and Shawn Reeves, are an abutter to 6 Hawthorne Park, to the east. We own and reside at 220-222 Lexington Avenue. We find acceptable the modest exterior additions shown in planning documents October 5 of 2019, being from our visual perspective dormers and the enclosed porch."

And that is the sum and substance of any communication. I will close the public comment part of the hearing. Anything else to add, Rebecca, before we take it to the Board?
REBECCA O'HARA: I believe there was one additional letter from another neighbor, but they also are in support. Submitted it earlier today, so it may not have made it.

BRENDAN SULLIVAN: Oh, it may not have -- may not have been downloaded. So we'll accept that --

REBECCA O'HARA: Absolutely.

BRENDAN SULLIVAN: -- presentation. All right.

Let me take it to the Board. Jim, what are your thoughts?

JIM MONTEVERDE: I'm ready for a vote, if you'd like.

BRENDAN SULLIVAN: Okay. Anybody -- any comments, questions at this time? Should we take it to a vote? Okay.

JIM MONTEVERDE: Ready. Let me make a motion, then, to grant the special permit to add dormers to the existing two-family, as per the application, dimensional forms, supporting statements and the drawings initialed by the Chair, seeking relief under Section 5.31, the Table of Dimensional Requirements and 8.22.d, alteration to a pre-existing, non-conforming structure.

In all districts, the Board is empowered to grant a special permit for the alteration or enlargement of a pre-
existing dimensionally non-conforming, detached single-
family dwelling or two-family dwelling not otherwise
permitted in 8.22.1, but not the alteration or enlargement
of a preexisting, non-conforming use.

Provided that there is no change in use, and that
any enlargement or alteration of such pre-existing, non-
conforming detached single-family dwelling or two-family
dwelling may increase a pre-existing dimensional non-
conformity but does not create a new dimensional non-
conformity.

In order to grant the special permit, the Board of
Zoning Appeal is required to find -- and does find -- that
the alteration or enlargement shall not be substantially
more detrimental than the existing non-conforming structure
to the neighborhood, and that the alteration or enlargement
satisfies the criteria of 10.43.

Under 10.43, the Board will make a finding to
grant the special permit when it appears that the
requirements of the Ordinance can be met.

That traffic generated or patterns of access or
egress would not cause congestion, hazard, or substantial
change in the established neighborhood character.
The Board finds that continued operation of or development of adjacent uses, as permitted in the Zoning Ordinance, would not be adversely affected by the nature of the proposed use, and the Board incorporates by reference letters from abutters, especially the homeowners on the first floor of the structure.

There would not be any nuisance or hazard created to the detriment of the health, safety, and/or welfare of the occupants of the proposed use -- in fact the proposed work would enhance the livability and the welfare of any occupant of the second floor of the structure.

And that the proposed use would not impair the integrity of the district or adjoining district, or otherwise derogate from the intent and purpose of the ordinance to allow homeowners to improve, update, even means of extending the existing structure, bring it up to contemporary standards.

On the motion, then, to grant the special permit as per the application, supporting statements and the drawings, Jim Monteverde?

JIM MONTEVERDE: In favor.

BRENDAN SULLIVAN: Matina Williams?
MATINA WILLIAMS: In favor.

BRENDAN SULLIVAN: Slater Anderson?

SLATER ANDERSON: In favor.

BRENDAN SULLIVAN: Jason Marshall?

JASON MARSHALL: In favor.

BRENDAN SULLIVAN: Also in favor.

[All vote YES]

BRENDAN SULLIVAN: Five affirmative votes: The special permit, as per the application, is granted. Good luck with it.

REBECCA O'HARA: Thank you very much.
(8:15 p.m.)

Sitting Members: Brendan Sullivan, Jim Monteverde, Slater W. Anderson, Matina Williams, and Jason Marshall

BRENDAN SULLIVAN: The Board will hear Case No. 186746 -- 134 Reed Street.

CHRISTOPHER CHAN: Hello, Chairman and Board members. My name is Christopher Chan of Chan Mock Architects, 165 Cambridge Street here in Cambridge, Massachusetts.

I'm representing Jeff Myers and Manikka Bowman who own a very small house on a corner lot at 134 Reed Street. They have a growing family with two young daughters. I would like to try to figure out a way to get a third bedroom on the second floor.

So we're asking for relief today to increase the second floor by about 111 square feet. It's originally actually under 500, so we want to go just above 600 on the second floor by adding some space over an addition on the first floor and over the entry.

So we're asking for relief from that as well as we
have some -- since we are in a corner lot very tight setbacks. We have a couple of windows on one side in the rear that also require relief from the setback.

I'm happy to kind of go through this with you; it's a fairly straightforward project. They also have discussed it with their neighbors. There should be at least one letter for sure in the -- that made it to the Board at the meeting itself.

I would want to -- the rear dormer is, does not request relief. This is only a two-story house. The second floor actually has a knee wall of about five feet. So it's already included in FAR, the existing volume. And to get the third bedroom on the second floor, we have to kind of shoehorn two bedrooms in of a 16' -- 16' let's say 20' wide footprint.

So we actually did raise the dormer on the back side to give more room, 9' or 10' wide bedroom that had full head height, and also allowed for them to see a window that they could kind of look out of straight away without having to look down.

So that's kind of the sum of it. I'm certainly be happy to answer any questions, and I have Jeff and Manikka
here, if you'd like. They may want to say something, but please go ahead and let me know your thoughts.

BRENDAN SULLIVAN: Yep. Jeff, you wanted to say something, or?

JEFF MYERS: Sure. Thank you. Can you hear me okay?

BRENDAN SULLIVAN: Yes.

JEFF MYERS: All right. Thank you for hearing us tonight. I'm Jeff Myers, and this is my wife, Manikka Bowman. We've been in the house since about 2014, but we've been in the neighborhood since 2006, 2007, and we love the North Cambridge neighborhood.

And the goal of this project is to allow some modest improvements that will add some size, as Chris just described, and allow us to stay in the house in Cambridge with our newly expanded family.

And also, to take care of some other things that happened to the house that's more than 150 years old as far as modernization and cleaning up some other things. Thank you very much.

BRENDAN SULLIVAN: Okay. Thank you. If we could just pull up Sheet Z1.5?
So Chris, what you're saying is that on the west elevation, which is the back of the house, that is allowed by right?

CHRISTOPHER CHAN: Exactly, because it's only on the second floor and --

JEFF MYERS: Floor.

CHRISTOPHER CHAN: And there is no increase in FAR by doing it. The FAR is already -- the knee wall is already five feet.

BRENDAN SULLIVAN: Yeah.

CHRISTOPHER CHAN: So that area is all counted, so.

BRENDAN SULLIVAN: Okay.

CHRISTOPHER CHAN: You know, normally -- you know, we wouldn't make it as long or right to the edge of the existing exterior wall, but as I mentioned, we're trying to put a bedroom in there that's half of the width of that. So opening up the height of that really does help that room quite a bit. It's only about 9' x 11', that bedroom. So it --

BRENDAN SULLIVAN: Okay.

CHRISTOPHER CHAN: -- gets one window that you can
actually kind of look straight out at and not have to kind
of look down on.

          BRENDAN SULLIVAN: Yeah, okay. Any questions by
members of the Board? Jim Monteverde?

          JIM MONTEVERDE: No questions, thank you.

          BRENDAN SULLIVAN: Matina?

          MATINA WILLIAMS: No questions.

          BRENDAN SULLIVAN: Slater Anderson?

          SLATER ANDERSON: No questions.

          BRENDAN SULLIVAN: And Jason?

          JASON MARSHALL: No questions. It was a helpful
presentation. Thank you.

          BRENDAN SULLIVAN: And I have no further comments.
Let me open it to public comment. Any member of the public
who wishes to speak should now click the button that says,
"Participants," and then click the button that says, "Raise
hand."

If you're calling in by phone, you can raise your
hand by pressing *9 and unmute or mute by pressing *6, and
you will have up to three minutes in which to comment.

          OLIVIA RATAY: Matthew Aronson?

          MATTHEW ARONSON: Hi. Good evening. Just wanted
to voice our support. We live at 122 Reed Street. We're right around the corner.

Love the family, they're wonderful. Really excited for them to be able to expand their house and stay in this neighborhood for the long term, which is really the goal for I think many of us on the street is that we build relationships, and we have folks who are able to stay in Cambridge as we raise our families. They get to know each other.

We think the plans that they had shared with us are great-looking, as well as they are modest; that they fit really well within our neighborhood, and we're really excited for them. So both Aaron and I and my wife and Riley, our daughter, hope that you will approve the special permit. Thank you.

BRENDAN SULLIVAN: Thank you for calling in.

OLIVIA RATAY: Laura Frei?

LAURA FREI: Yes, thank you so much for listening to me. I just wanted to speak tonight in favor of Nikka and Jeff. We are their neighbor next door. And we are in favor of this build for their family. They're wonderful neighbors, and we very much support this project and hope
you will all approve it tonight. Thank you.

BRENDAN SULLIVAN: That's the end of the people calling in. We are in receipt of a number of letters.

"I am Martin McCall. I own and live at 120 Reed Street. I support Manikka and Jeff's project for their house."

There is also support from Farah Stockman, 123 Montgomery; Julia Randall at 125 Montgomery; Laura and Walter. Laura has spoken.

There is support from Benjamin Helfat, H-e-l-f-a-t, lives at 123 Reed Street commenting, "They are great neighbors, would love them to stay in the neighborhood in a home with their family." Support from Shimon and Nicole Rura -- R-u-r-a, stating that, "You are a key part of the neighborhood key part of the neighborhood's social fabric."

And also support from 134 Reed Street, 134 Reed Street -- well, quite a lot of support from the neighborhood. 65 Harvey Street, 128 Reed Street, and 66 Harvey Street. So sum and substance of the correspondence.

Anything else, Chris, to add?

CHRISTOPHER CHAN: No, it's very modest, and I think will help them stay in the house. So we're happy if
you give it a positive vote.

BRENDAN SULLIVAN: Yeah. I guess my own feeling on it is that it's a nice treatment for a house. Adds significantly I think to the streetscape, and more importantly the enjoyment of the structure. So with that, ready for a motion, Board?

JIM MONTEVERDE: Ready, ready.

BRENDAN SULLIVAN: They are seeking relief under 5.31, the Table of Dimensional Requirements and also 8.22.2.d; and 10.40, which is the special permit. Let me make a motion, then, to grant the relief requested as per the application, supporting statements, dimensional form, and the drawings initialed by the Chair.

The Board finds that it is empowered to grant the special permit to detached single or two-family structure. The Board may grant a special permit for the alteration or enlargement of as preexisting, dimensionally non-conforming detached single-family or two-family dwelling not otherwise permitted in 8.22.1, but not the alteration or enlargement of a preexisting, non-conforming use, provided that there is no change in use, and that any enlargement or alteration of such preexisting, non-conforming detached single-family
dwellings or two-family dwelling may only increase a
preexisting dimensional non-conformity, but does not create
a new dimensional non-conformity.

In order to grant the special permit, the Board of
Zoning Appeal is required to find that the alteration or
enlargement -- and does find it not be substantially more
detrimental than the existing non-conforming structure to
the neighborhood.

The Board also incorporates by reference the
letters of support from a great many of the abutters in the
neighborhood -- abutters and other citizens of the
neighborhood -- and that the alteration or enlargement
satisfies the criteria in 10.43.

Under 10.43, the Board can grant a special permit
where it appears that the requirements of the Ordinance can
be met.

Traffic generated or patterns of access or egress
would not cause congestion, hazard, or substantial change in
the established neighborhood character.

The Board finds that continued operation of or
development of adjacent uses, as permitted in the Zoning
Ordinance, would not be adversely affected by the nature of
the proposed use.

That there would not be any nuisance or hazard created to the detriment of the health, safety, and/or welfare of the occupants of the proposed use -- in fact it would be greatly enhanced and a benefit to anyone who lives in the structure.

And that the proposed use will not impair the integrity of the district or adjoining district, or otherwise derogate from the intent and purpose of the ordinance to allow homeowners fair and reasonable use, and the ability to upgrade to improve, and to expand where necessary in order to be able to improve the livability of the house, and also to allow people to stay in their home and add greatly to the fabric and contribute to the City, as evidenced by the letters of support for the homeowners and also for this project.

And that also to allow homeowners to upgrade their property. On the motion, then, to grant the special permit as per the application, Jim Monteverde?

JIM MONTEVERDE: In favor.

BRENDAN SULLIVAN: Matina Williams?

MATINA WILLIAMS: In favor?
BRENDAN SULLIVAN:  Slater Anderson?

SLATER ANDERSON:  In favor.

BRENDAN SULLIVAN:  Jason Marshall?

JASON MARSHALL:  In favor.

BRENDAN SULLIVAN:  And Brendan Sullivan yes.

[All vote YES]

BRENDAN SULLIVAN:  Five affirmative votes; your special permit is granted.  Good luck.

CHRISTOPHER CHAN:  Thank you very much, Board.  We appreciate your time and effort.

BRENDAN SULLIVAN:  Yep, goodnight.

MANIKKA BOWMAN:  Mr. Chairman?

BRENDAN SULLIVAN:  Yes.

MANIKKA BOWMAN:  Hi.  If you don't mind, I just want to thank and acknowledge our neighbors who really showed up for us.  And it's the reason why we want to stay in North Cambridge.  It's a really special place, and we're just grateful for the community that we have here, so thank -- I want to thank them for showing up and being present with us this evening.

And thank you to the Board and thank you to our architect.
BRENDAN SULLIVAN: Well, it should make you feel good that you're an asset to the neighborhood, and your neighbors have recognized that. And they're a good judge of correct. So congratulations and good luck with the project.

CHRISTOPHER CHAN: Goodnight, everybody.

BRENDAN SULLIVAN: Goodnight. And that concludes September 8.

JIM MONTEVERDE: All right. 8:30, good job!

JASON MARSHALL: Good job, Mr. Chair. Goodnight, everybody.

BRENDAN SULLIVAN: Nobody had much to say tonight, other than me and I almost lost my breath a couple times. But anyhow, thank you for the support, everybody.

JIM MONTEVERDE: All right, thanks. Goodnight.

COLLECTIVE: Goodnight.

CHRISTOPHER CHAN: Goodnight, Mr. Chairman.

BRENDAN SULLIVAN: See you next time.

JASON MARSHALL: It was a special permit night, Brendan. I don't think I've ever seen one with that many special permits. I tried my best.

BRENDAN SULLIVAN: They come in bunches, make it easier.
[08:30 p.m. End of Proceedings]
CERTIFICATE

Commonwealth of Massachusetts

Middlesex, ss.

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

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

In witness whereof, I have hereunto set my hand this _______ day of _________, 2022.

__________________________
Notary Public

My commission expires:

July 28, 2028
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