

BOARD OF ZONING APPEAL
FOR THE
CITY OF CAMBRIDGE

GENERAL HEARING

THURSDAY, APRIL 12, 2018
7:00 p.m.

in

Senior Center
806 Massachusetts Avenue
First Floor
Cambridge, Massachusetts 02139

Constantine Alexander, Chair
Brendan Sullivan, Vice Chair
Patrick Tedesco, Member
Slater W. Anderson, Associate Member
Jim Monteverde, Associate Member
Alison Hammer, Associate Member

Maria Pacheco, Zoning Secretary

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PROCEEDINGS

(7:00 p.m.)

(Sitting Members: Constantine Alexander, Brendan Sullivan, Patrick Tedesco, Slater W. Anderson, Jim Monteverde.)

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

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

And I wish to advise all of you in the audience that not one but two recordings are being made. A citizen of the city has left a tape recorder here and he's recording in absentia. And our stenographer makes a tape recording to

assist her when she prepares the transcript of the meeting.

So be advised.

With that, I'm going to call the first case.

* * * * *

(7:00 p.m.)

(Sitting Members BZA-6986: Constantine Alexander, Brendan Sullivan, Patrick Tedesco, Slater W. Anderson, Jim Monteverde.)

CONSTANTINE ALEXANDER: Case No. 6986, 96A and 98 Hampshire Street.

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

ATTORNEY ARTHUR KREIGER: Yes.

CONSTANTINE ALEXANDER: You know, the name and address, the usual drill.

ATTORNEY ARTHUR KREIGER: Thank you, Mr. Chairman and Members of the Board, Art Kreiger from Anderson and Kreiger representing Just-A-Start. With me this evening are from left to right, Craig Nicholson, senior project manager; Laura Martin, project manager; and our associate Christy Zaleski.

CONSTANTINE ALEXANDER: All this for reduction of three parking spaces?

ATTORNEY ARTHUR KREIGER: Yes. Maybe overkill, but here we are.

Just-A-Start, you know, is a non-profit community development corporation that develops affordable housing, and they were here before you in February. You granted them a Comprehensive Permit for 23 new units at Squirrelwood, the Squirrel Brand building and Linwood Court.

CONSTANTINE ALEXANDER: Parking spaces.

ATTORNEY ARTHUR KREIGER: What's that?

CONSTANTINE ALEXANDER: Parking spaces. You said units. Parking spaces.

ATTORNEY ARTHUR KREIGER: No, no, then it was for 23 units of affordable housing.

CONSTANTINE ALEXANDER: Oh, okay.

ATTORNEY ARTHUR KREIGER: Yeah, by way of the last time we were here. Today we're asking for a determination of insubstantial change to a different Comprehensive Permit, 96A Hampshire Street. That Comprehensive Permit bears the case number that you recited, 6986. And the purpose is to facilitate the preservation of 61 units of affordable housing at the Close building at 231 Broadway.

This request will not result in any changes on the ground. It will conform to the parking requirements for the Close building in its permits to the conditions that have existed at the site for at least 17 years. You have

received the application letter with supporting photos dated March 23rd. You should each have that. We have copies if anybody doesn't.

And the procedure that we're requesting tonight was suggested to us, it was recommended by the Building Commissioner because it wasn't obvious how to address the parking in one -- at one site with the Comprehensive Permit for a different site. But this is, this is the simplest way to do it.

The Close building is a 61-unit, 100 percent affordable housing development made up of mostly one-bedroom and studio apartments. The affordable housing covenant on that building has expired. So over the next couple of years if Just-A-Start wanted, it could start to bring those up to market rent. That's not what it wants to do. It wants to preserve the affordable covenants or renew them. Just-A-Start is renovating and refinancing that project to ensure that the units remain affordable for current and

future tenants. In performing due diligence for that project Just-A-Start discovered the building actually has fewer parking spaces than the permit required because of the permit history that I'll describe to you in a moment.

The Anderson and Kreiger has been requested to give a zoning opinion which is required by the federal funding partners of Just-A-Start for that project, and at the moment we can't give a clean zoning opinion. We could give one that was only qualified saying it's not a big deal, there's no enforcement on the horizon, but that's not a clean enough zoning opinion for the federal funders. So to -- we're asking for this relief tonight so that we can give that clean opinion, that it complies with zoning and then they can preserve those affordable units.

The permit requires 25 spaces for residents at two off-site lots; Windsor and Broadway. Those lots today have only 22 spaces, that's the three spaces we need to reconcile. We don't know exactly when the lots were

re-stripped for 22 spaces, but the current conditions, 22 spaces, have existed at those two lots for at least 17 years. We know that from aerial photographs. We believe the lots were re-stripped to satisfy modern dimensional requirements for parking spaces and to provide handicap accessible spaces or a space at the Windsor lot. We think that accounts for the diminution to 22 spaces years ago.

The permit history is as follows:

In 1975 the chocolate factory was converted into the Close building, and that was not a Comprehensive Permit, that was a Variance from this Board. The Variance required a total of 25 spaces at Broadway and Windsor, plus 15 more at 96A Hampshire. 96A Hampshire is the site of the Comprehensive Permit that we're seeking to modify. In 1994, 20 years later, this the Board granted a Comprehensive Permit to convert that parking lot, in 96A Hampshire, into a five-unit affordable housing development and discontinue that lot as providing satellite parking for the Close

building. So at that point the total requirement for the Close building went from 40 to 25.

The Comprehensive Permit didn't specify the number of spaces that were still required for the Close building because that wasn't the site at issue. So the 25 spaces were still the requirement for the total of those two lots.

Now the Just-A-Start has discovered that those two satellite parking lots that remain, Windsor and Broadway, have 22. We're requesting to modify the Comprehensive Permit for 96A Hampshire to reduce the parking requirement for the Close building to 22 spaces. And, again, it was easier to do it that way, simpler and more straightforward, than to try to get some zoning relief for the Close building because we weren't doing anything on that lot.

As I said, this procedure was recommended by the Building Commissioner.

Just-A-Start had a civil engineer analyze whether it could add spaces by re-striping, whether it could get

three more spaces in those lots, and the answer is no while still providing the handicap space and the minimum width requirement. The Close building itself can't have three parking spaces on it. The building covers pretty much the entire site. So this is, this is the feasible way to do it.

But in any event, the Close building residents don't need more parking spaces. They're not missing those extra three spaces in terms of utilization. It gets back to the configuration that I mentioned, that it's mostly studios and one bedrooms. It's not larger units.

They have low rates of parking utilization, which is in line to Just-A-Start's experience based on demographic characteristics of its affordable housing developments. And you heard more about this when we were doing Squirrelwood. In fact, there was a parking study that was submitted then that -- and this is close enough to that that it -- the parking study actually encompassed this area. So there's plenty of parking. It's not like there's been any unmet

demand for those extra three spaces at these two lots.

Residents have access to multiple public transportation options and many amenities within walking distance as you're familiar with.

Conforming the parking requirements to the actual conditions by reducing the requirement from 25 to 22 will have no impact on the neighborhood because as I said, those conditions have existed for 17 years and there's no change being proposed on the ground.

The reduction in parking doesn't meet any of the criteria for a substantial change under DHCD's regulations; namely, 760 CMR 56.07.

And modifying the Comprehensive Permit is necessary to enable Just-A-Start to renovate and refinance the Close building as I mentioned. Denying the relief, in effect telling them they have to find three more spaces somewhere, would be both infeasible and it would actually undermine the goal of the Zoning Ordinance to encourage

public transportation, bicycle usage, and walking. And it would be pointless to require three more spaces where there's been no demand for them.

For these reasons Just-A-Start requested the termination of insubstantial change to a Comprehensive Permit for 96A Hampshire Street to reduce the number of required parking spaces for the Close building from 25 to 22.

And that's what we're requesting. I'm happy to answer questions.

CONSTANTINE ALEXANDER: Questions from members of the Board?

(No Response.)

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

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

(No Response.)

CONSTANTINE ALEXANDER: Apparently not. We are in receipt of one letter from City Councillor Timothy J. Toomey, Jr. (Reading) I am writing in favor of Just-A-Start's BZA case for 96A and 98 Hampshire Street at the Close House. I believe that the parking reduction they're asking from 25 to 22 is reasonable, and I have not heard any opposition from the neighborhoods. The reduction request reflects the long existing parking conditions on the site, and I do not believe it will affect traffic conditions and/or availability of parking. For those reasons I support Just-A-Start's request for a determination of insubstantial change to reduce the required number of parking spaces.

And that's it. I'm going to close public testimony.

Any final comments you have? It's up to you.

ATTORNEY ARTHUR KREIGER: No.

CONSTANTINE ALEXANDER: Okay, ready for a vote or do people want to discuss this?

JIM MONTEVERDE: I'm good.

CONSTANTINE ALEXANDER: Okay.

The Chair moves that the petitioner's proposal to request a reduction in change of parking spaces from 25 to 22 is an insubstantial changes to the Comprehensive Permit that was originally issued, and one that seems desirable and therefore I move that we approve the requested change.

All those in favor please say "Aye."

(Aye.)

CONSTANTINE ALEXANDER: Five in favor.

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

ATTORNEY ARTHUR KREIGER: Thank you very much.

* * * * *

(7:15 p.m.)

(Sitting Members Case No. BZA-015685-2018: Brendan Sullivan, Slater W. Anderson, Jim Monteverde, Alison Hammer.)

BRENDAN SULLIVAN: Introduce yourself for the record.

MARK VERKENNIS: Sure. My name is Mark Verkennis with the Harvard Planning Office and I'm here tonight with my two colleagues.

KATE LOOSIAN: I'm Kate Loosian. I work for Radcliffe Institute for advanced study at Harvard.

SHAWNA MEYER: I'm Shawna Meyer. I'm an architect with Kennedy Violich Architects.

BRENDAN SULLIVAN: For the record, you have the right to be heard by a five-member board, and with that you only need to receive four of the five votes. You have the option to be heard by four members. You would need a unanimous vote. Or we can continue this matter. So your choice --

MARK VERKENNIS: We have chosen to proceed.

BRENDAN SULLIVAN: Proceed. Okay. So okay, proceed.

MARK VERKENNIS: So we're gonna start off tonight I think telling you a little bit about the larger project that the Radcliffe Institute is undertaking, and then Shawna will walk through the specifics of the Variance request in terms of the physical changes that are being made that

necessitate a Variance. And then I will speak a little bit about the specifics of the request itself.

So, Kate, would you like to --

KATE LOOSIAN: I'll be glad to start.

BRENDAN SULLIVAN: You may want to just push that and talk into that.

KATE LOOSIAN: Here we go. I am -- I will start by actually introducing you to the Schlesinger Library and the history of women in America. This is one of Radcliffe Institute's gems. It's a collection of papers and diaries and journals and any manner of ephemera that document all aspects of the history of women in this country from daily life through pursuit of suffrage and everything between and beyond.

There are two existing archival vaults at the Schlesinger but the collection is voluminous, and actually more than 50 percent of their collection is stored at the Harvard depository try in Southboro, Massachusetts.

Collections are recalled from the depository only as needed for usage by Harvard affiliates, but also researchers and writers and interested parties outside the university.

Currently our collection delivery is done by Harvard University mail services and it happens twice daily at a loading zone and using an existing side entrance. But that path of travel bifurcates an existing gallery and public lobby on the first floor of the building. And then the deliveries take a while because they're distributed to two separate locations in the building as well. It's time intensive and disruptive. We're investing in an upcoming capital project that creates a welcoming entry experience and improves public access to our collections. The planned renovation will double the size of the gallery, and with improved technology and lighting and presentation case work will give visitors a really revitalized opportunity to connect with our materials.

So in parallel, we're really working to reconsider

and consolidate this disruptive and time intensive collections delivery.

And I'll let Shawna speak a little bit more about the detail of how we hope to do that with your assistance.

SHAWNA MEYER: Right. I'll hold up some drawings and maybe I'll just stand, it's a little easier.

As Kate said, you know, the Schlesinger Library is an archival library where at the third and fourth floors the staff is actually creating the archive's cataloging, and their material goes back and forth to Harvard depository try as well as the public that comes in and researches and uses those, and the first floor that we're expanding that public present, making it accessible. So we're focusing on the future of the library and really trying to create a back of house that allows those library functions to grow, expand, and serve future needs as well as the public presence. This is just a simple -- the site plan, this is the Schlesinger Library that north is up, in case anybody's wondering, and

this is the Radcliffe Yard. So the main entrance is there.

This is James Street and Brattle Street.

This diagram you see that the main entry is here, and what Kate was talking about is deliveries come through here which disrupt a public space. So what we're doing is really creating a back of house entry with this exterior material lift. What you're seeing here is an existing areaway that already exists within the building -- or within the building, and the lift will be placed inside of that. So we're just modifying a lift. I have a detail of that, but I'll point to this. This is just for your reference, this red line is the ten-foot minimum setback that, that is the setback that we're encroaching on. However, the 30-foot -- 39-foot measured setback from the center of the street we're not encroaching on as Brattle and James sort of flair out as they meet there.

And the building right now as it exists, you know, exists within that ten-foot setback.

So here is just a little bit larger plan, and you can see it's an existing areaway. The east elevation is -- or, sorry, that's the west elevation is brick. The areaway goes below and creates an entrance to the lower level, and this exterior material lift will allow the flow of that materials to be come in and stored in that, in the depository at the lower level.

And then the other two things -- so we're proposing raising that existing wall of brick and enclosing the other one. So this is just a rendered elevation of that existing elevation on the street, and you can see that this brick wall that is the west face of that areaway comes up about 30 inches and has a granite capping. And what we're proposing with the insertion of that material lift is just raising that brick up, matching the brick from the building, and new materials would go in there.

Last slide image. These are just some images of the existing building there. This is the areaway that we're

talking about. So we will be working within that zone plugging that exterior lift into that zone.

MARK VERKENNIS: I was just going to ask what are the dimensions of the lift itself? I mean in terms of the area that it -- is it like four and a half by --

SHAWNA MEYER: It's like five and a half feet. It's -- the dimensions of the lift are based -- we've been working pretty specifically with that existing opening of the areaway and then the cart that they actually deliver the cartons -- sorry, I almost dropped it. That they have like a dolly that they deliver the cartons for the books on, so it's minimized to just allow that.

BRENDAN SULLIVAN: Explain the current modus operandi on the side. What will be the new way of getting to the lift?

SHAWNA MEYER: The -- use the sidewalk here.

BRENDAN SULLIVAN: So it will be -- they'll park on James Street?

KATE LOOSIAN: Yep.

SHAWNA MEYER: Park on James Street just as they do. And they will walk down the sidewalk to put the materials in this lift right here, and it's a material lift, so that then it's enclosed. The cart will go down with the material on it. There are existing stairs in this areaway and they will then -- the materials will lowered and go from the areaway -- this is a first floor plan, so sorry, I'm not showing the lower level plan, the basement. The materials will go through the basement then, and the archive vaults in a Harvard depository which is a special type of vault are located off that basement door.

KATE LOOSIAN: So it takes that delivery out of the floor and directly into surface space and frankly collections-friendly space at the lowest level of the building.

MARK VERKENNIS: Kate, can you speak a little bit about where the current access

point --

KATE LOOSIAN: Sure.

MARK VERKENNIS: -- what that new programming is there?

KATE LOOSIAN: So this is the first floor, and currently the collections come in a ramp and through the side door. They cut through a smaller version of this gallery. We currently have a pretty small gallery and in our public way, and use this elevator to go up to upper floors and down to the basement. We are expanding the gallery to be nearly twice the size of the current gallery with significant supports base. And this door is becoming an egress only door so as to not have people working their way backwards through an exhibit. It's not intended to be in any form or another an entrance to the building. So it's taking the collections out of that first floor path of travel and out of the public entrance experience. The lobby and the gallery is really an important part of this --

BRENDAN SULLIVAN: It interrupts the decorum if you will.

KATE LOOSIAN: Interrupts decorum. Interrupts even some of the sort of safety and security of, you know, of the case work with collections placed in it. They're wheeled in large carts of bins through. So it's disruptive and it's in some cases --

MARK VERKENNIS: And are you still doing the video, is that a screening area?

KATE LOOSIAN: Yeah, there's a small screening area.

SHAWNA MEYER: It's a projection area. And the way the library functions right now, it doesn't have a back of house. I mean every library functions with a back of house service, you get deliveries. And this is really the best of the first step in allowing them to create that flow.

BRENDAN SULLIVAN: Okay.

SLATER ANDERSON: So this lift just goes down a

level? It doesn't go up?

SHAWNA MEYER: It does not go up. It just serves from ground level down to the basement level.

SLATER ANDERSON: So is it open or is it enclosed?

SHAWNA MEYER: It will be enclosed.

SLATER ANDERSON: It will be enclosed.

SHAWNA MEYER: And it will be lower than -- so a person cannot get in it. It's not an accessible lift. It is just a material lift.

SLATER ANDERSON: Yeah.

SHAWNA MEYER: I believe it's about five feet tall. Sorry, I don't have the dimensions on this elevation here. Right here. So it will be enclosed. There will be a roof on that and then the sides of it will be brick.

MARK VERKENNIS: I should note that it's probably in your packets, but it was reviewed by the Cambridge Historical Commission I think in February and was approved then.

BRENDAN SULLIVAN: Okay.

ALISON HAMMER: Can I see the photos of the existing areaway again?

SHAWNA MEYER: Yes.

Right, so this is in the areaway looking down there so we're basically will in-fill that south block of six feet. And then there will be a door that accesses right into the door at the basement, and then this is just an image of that, that end.

ALISON HAMMER: Do you guys consider a ramp instead of the lift? It seems like a lower tech approach.

KATE LOOSIAN: We did. The length, the amount of vertical drop and the length of that ramp took us well out and beyond the limits of our areaway unfortunately. That was my first choice.

SHAWNA MEYER: Right.

JIM MONTEVERDE: Can you show me that on the drawing? I don't follow that. So do you know what your

dimensional --

SHAWNA MEYER: Where would the ramp go?

JIM MONTEVERDE: Yeah, your dimensional drop is?
How far you have to go.

SHAWNA MEYER: Sure, sure. And again this is a first floor level and not a basement level, but the ramp, I don't know exactly, but it went -- to go straight down seven feet which is the change here, it went well past into like this end. And in the basement we have archival vaults right there. So we couldn't punch through -- like the existing doors in the basement are in the center, and even if we were going to put a new door in, it couldn't be at the archive vault.

JIM MONTEVERDE: And it wouldn't need to be handicap accessible ramp, correct?

SHAWNA MEYER: No, but they're pushing like hundreds of pounds of books on carts. So we --

JIM MONTEVERDE: Okay.

SHAWNA MEYER: We did study that but we felt we couldn't go one 1 to 12. We were maximizing 1 to 20, because we didn't think it was fair to --

JIM MONTEVERDE: So it's an 80-foot some-odd long --

SHAWNA MEYER: Right, and it came out actually encroached, like, we actually started well, what if we, you know.

KATE LOOSIAN: Doubled back.

SHAWNA MEYER: -- the areaway was wide enough for it, but we would need to come out here and turn and just pushing with the cart, it really, I guess we felt like even that option would be, would not be allowed by Historic if we had to engage that much of the facade.

JIM MONTEVERDE: Yep.

MARK VERKENNIS: It raises a whole host of other issues.

BRENDAN SULLIVAN: Any other questions?

SLATER ANDERSON: No.

ALISON HAMMER: No.

JIM MONTEVERDE: Can I ask one other question?

BRENDAN SULLIVAN: Yes.

JIM MONTEVERDE: So it's the brick pillbox that I find most troublesome and you're trapped because you have no back door.

MARK VERKENNIS: That's part of it.

JIM MONTEVERDE: Your front face everywhere?

MARK VERKENNIS: Exactly.

JIM MONTEVERDE: That's not a reason to do something that's not front face like. How could you do that pillbox -- is there a way to do that -- I'm sure you considered a thousand options, so it's less obvious. Less, less out of tune with the entire building.

SHAWNA MEYER: This?

JIM MONTEVERDE: Yeah.

SHAWNA MEYER: Well, I mean, it is brick

because --

JIM MONTEVERDE: No, no, I get it.

MARK VERKENNIS: Yeah, we came up with the solution in consultation with the Historic Commission, Charlie Sullivan.

KATE LOOSIAN: Yeah, Charlie he gave us input.

MARK VERKENNIS: You know, like some of this was based on the CHC's input. They recognized, made the same comments that you did. This building doesn't have a backside unfortunately.

JIM MONTEVERDE: Right.

MARK VERKENNIS: But, you know, in order to screen that, it seemed most appropriate to try to do something that tied it at least materially into the existing building.

KATE LOOSIAN: It also I think what Charlie mentioned it sort of ties -- there is -- we have walls around parts of Radcliffe Yard. And in fact there's one that is here and another that starts here. So we're sort

of, if we're going to pop up, we're going to pop up like a wall. That was his thinking at least.

BRENDAN SULLIVAN: I thought, I thought how would we do it differently? And yet I'm thinking once you start down a road of trying to, then you become a -- to me, it becomes maybe more obvious or it becomes more out of tune. I mean, it's a difficult spot. I think you've explained why it has to be in that spot. Well, and I peeked over there and saw all the stuff on that wall. It's a busy wall all along there. And yet you're right, as far as the, somewhat the continuation of the wall, the brick wall, it's a challenge to --

JIM MONTEVERDE: I agree.

BRENDAN SULLIVAN: -- to make it stealth and operational.

KATE LOOSIAN: Right.

BRENDAN SULLIVAN: Anyhow.

MARK VERKENNIS: I was going to speak to just some

of the specifics of the zoning requests if I may.

BRENDAN SULLIVAN: Sure, absolutely.

MARK VERKENNIS: So I mean we've already sort of hit upon them, the main issue here that's driving our Zoning Variance request. If you're familiar with Radcliffe Yard, all of the buildings are sort of built on the periphery, and they were all -- certainly the historic core was all built prior to the adoption of zoning setback requirements. So when that did happen, most of these buildings became non-conforming for that setback along James Street and along --

KATE LOOSIAN: Mason.

MARK VERKENNIS: -- Mason. Thank you.

So, you know, as Shawna described, we -- although we are outside the required setback as measured to the center line of the adjacent streets, we are definitely, you know, encroaching upon that minimum ten-foot setback to the street line. So, you know, our argument is that if you were

to literally enforce this, you know, as Kate described, you would be creating hardship for Harvard in that we wouldn't want to be able to improve the existing operations of the facility in terms of accommodating its deliveries without disruption to its users. But also in terms of the impact it would have on the institute's vision of what it would like the library to be in terms of having much, much greater public access and people being able to interact in a much more experiential way with the collection. So I think obviously, you know, maintaining the existing status quo would definitely impinge upon that vision. So, you know, in relationship to the hardship, it really is due to the configuration of the campus buildings and the relationship to the lot and the adjoining streets.

As I said, they're all developed down the periphery. There are minimal setbacks to the adjacent streets. It became non-conforming after the adoption of the setback requirements for front yard. So that severely

limits -- I think one of you said that, that really kind of severely limits what you can do on that, what is now or what is essentially the back side of the buildings, but they're really not because they're facing the street. So, you know, I think we've tried to site the lift as sensitively as possible by placing it within an areaway, trying to minimize impacts -- both visual impacts to the building, impacts to the adjacent sidewalk by keeping it in that existing areaway. If, you know, if Radcliffe is able to do this, I think it will significantly improve both its existing day-to-day library operations, but also I think the experience of visitors and researchers, people who use the facility, will not have that potential for conflicts with, you know, the day-to-day book deliveries that do occur. And I would also add that, you know, this is an example, it's a small project in terms of the lift, but it is consistent with the city's growth policies which, you know, want to see institutions try to make changes which allows them to use

their facilities in the increasing -- in increased ways, increased utilization of existing facilities. And I think this is a good example of a small change that will allow us to do that.

BRENDAN SULLIVAN: Okay. Good.

MARK VERKENNIS: Thank you.

BRENDAN SULLIVAN: Let me open it to public comment.

Is there anybody here who would like to speak on the proposal at 3 James Street?

(No Response.)

BRENDAN SULLIVAN: I see nobody here. There is correspondence in the file from the Cambridge Historical regarding 3 James, the Schlesinger Library.

The Historical Society has a Certificate of Appropriateness. Comprehensive exterior renovation of the Schlesinger Library on Radcliffe Yard. Work includes repairs to the building envelope, window restoration, and

replacement where necessary.

Installation of materials lift.

New elevator overrun and new glazed front doors.

And work is to be carried out as per the architectural drawings.

Approval was granted on the condition that construction details and material samples be reviewed and approved by staff. Case No. 3871.

That is the only correspondence in the file.

Anything else to add --

MARK VERKENNIS: No.

BRENDAN SULLIVAN: -- delete, change?

MARK VERKENNIS: No.

BRENDAN SULLIVAN: Okay. Let me close public comment and the presentation.

And any questions? Yes.

JIM MONTEVERDE: Can I ask one final question?

The head house, would the lift function without the head

house?

SHAWNA MEYER: It has to be enclosed. The way the lift is -- it's anchored to the side.

JIM MONTEVERDE: Right.

SHAWNA MEYER: And that's what raises it. So the head house is minimized as short as it can be with the travel distance that the lift has to run. So that the --

JIM MONTEVERDE: So it's really to enclose the equipment, the rails that the lift rides on?

SHAWNA MEYER: Right.

KATE LOOSIAN: Correct.

SHAWNA MEYER: Exactly, the carriage if you will.

JIM MONTEVERDE: Right? The container that's holding your material is actually, I'm assuming weather resistant, comes off a truck, goes on to a platform, and comes down and goes out into the areaway again to get inside the building?

SHAWNA MEYER: Right.

JIM MONTEVERDE: So it's not the materials itself.
It's really just protecting the lift, the rails on the lift?

SHAWNA MEYER: Right, and the height of the lift,
right.

JIM MONTEVERDE: Okay, thanks.

BRENDAN SULLIVAN: Anything else?

SLATER ANDERSON: So the library itself and these
gallery's space that you have, this is something that's
available to the public?

KATE LOOSIAN: It is.

SLATER ANDERSON: So the enhancement of that,
there's a benefit to --

KATE LOOSIAN: To all.

SLATER ANDERSON: -- to all for this?

MARK VERKENNIS: And I think one of the objectives
of this project is to present the library as a resource to
the public. Because I think, Kate, you've commented that
right now Schlesinger Library, I don't -- I mean, I work at

Harvard and I may not --

KATE LOOSIAN: Not many people know about it.

MARK VERKENNIS: You know about it, but you don't -- well, I'm not a researcher.

KATE LOOSIAN: Yes.

MARK VERKENNIS: I don't know if I should go in there.

KATE LOOSIAN: Right, you don't realize you can go in there and see it. And in fact, right now in our very meeker gallery we have a wonderful exhibit of 75 years of Schlesinger Library collections. It's our 75th anniversary, and you really can see the breadth of it. But it's so -- it's so meeker and so criss-cross by our service access now that we're really excited to take that to the next step and bring that information publicly available to all.

SLATER ANDERSON: Thank you.

ALISON HAMMER: I have one more question, too.

Can you at least I guess verbally describe or if you have images what the other sides of the lift look like?

MARK VERKENNIS: Yeah, they should be in your packets, right?

SHAWNA MEYER: Yeah, I didn't bring --

MARK VERKENNIS: I do have lift details here if we want to....

SHAWNA MEYER: Maybe I can describe -- so the -- so one side is against the -- is going to be against the earth. It will abut up against the existing areaway so you won't see it. Only above ground and you load the materials in. If I can point to a plan.

MARK VERKENNIS: Right. I don't know if it shows the elevation though.

SHAWNA MEYER: Right, it doesn't necessarily though because basically this elevation which is the south elevation, only exists from grade about five feet tall and that's primarily a gate that will open and close to put the

lift in. The edges of the brick wall will flank the sides of that gate.

And then this elevation that we were discussing, the west will be brick and then the elevation where it turns and goes down we're suggesting brick as well. So we're not introducing other materials there.

The roof is -- we're proposing similar material as the copper, like the overruns on the, on the roof of the elevator.

BRENDAN SULLIVAN: Okay? Should I make a motion?

I'll make a motion, then, to grant the relief requested for the construction of the lift.

The Board finds that a literal enforcement of the provisions of the Ordinance would be a substantial hardship to the petitioner because it would preclude the petitioner from installing the proposed four-foot-five by five-foot-five exterior material lift which is designed to occupy a space within an existing areaway.

The proposed lift is a small part of a comprehensive restoration of the Schlesinger Library exterior and interior renovations which will reimagine the existing library space to foster interactive access to library collections.

The proposal, which is the subject of this Variance, will greatly facilitate better internal circulation allowing separation of routine deliveries of books and collections and spaces for the library staff, visitors, and researchers as the Radcliffe Institute for Advanced Study adjusts to contemporary needs for its material collections and is accessed by the public to its archives.

The Board finds that the hardship is owing to the fact that the building was constructed in 1908 well before the implementation of zoning -- the Zoning Enabling Act and the restrictions and the constrictions that the Ordinance imposes on such property.

Further, the building which is an institutional use is located in a Residential C-2 zone, which makes this building and its siting on the lot even more severely limited in its ability to make even minor additions such as the proposed addition of the lift, which is approximately 25 square feet in a 188,000 square foot building. And it will improve the functionality. It will -- the addition of this lift will improve the functionality substantially better of the library.

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

The proposed material lift has been sited unobtrusively within an existing areaway on the James Street side of the building. The new enclosed lift has been designed in a manner that is sensitive to the existing historical building and the adjacent streetscape, and this exterior change was recently approved by the Cambridge

Historical Commission.

The proposed material lift will result in a significant improvement in the library's operation, permitting more efficient delivery of research material directly into the library's collection management area.

The new lift will also benefit the public by eliminating circulation conflicts within the facility -- within the facility's users and visitors' area, an important consideration as the library seeks to increase public access to its collections and exhibits.

The Board finds that relief may be granted without nullifying or substantially derogating from the intent and purpose of the Ordinance.

The Board finds that the Cambridge Zoning Ordinance allows non-conforming buildings to remain in place and to be altered and expanded.

The proposed addition can be readily accommodated on this site in a manner that respects the Historical

character of the building, does not impact the adjacent property or the surrounding neighborhood.

The addition of the material lift will not intensify the existing institutional use and will allow Radcliffe to make more effective use of the existing facility.

The Board finds that granting the requested Variance is consistent with the intent and purpose of the Ordinance and will further the preservation of a non-conforming historical structure while significantly improving its efficiency and functionality.

Is there anything else that should be added?

(No Response.)

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

(Show of hands.)

BRENDAN SULLIVAN: Four in favor.

(Sullivan, Anderson, Monteverde, Hammer.)

* * * * *

(7:45 p.m.)

(Sitting Members Case No. BZA-015594-2018: Constantine Alexander, Brendan Sullivan, Patrick Tedesco, Slater W. Anderson, Jim Monteverde.)

CONSTANTINE ALEXANDER: The Chair will call case No. 015594, 114 Inman Street.

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

(No Response.)

CONSTANTINE ALEXANDER: No one has appeared, but we are in -- we have a letter, Maria?

MARIA PACHECO: Yes.

CONSTANTINE ALEXANDER: Here it is. We are in receipt of a letter from James J. Rafferty, Esquire, who is counsel for the petitioner in this matter. (Reading) Please accept this correspondence as a request to continue the above-captioned case currently scheduled for Thursday, April 12th to Thursday April 26th. I am not able to be in Cambridge on April 12th due to circumstances beyond my

control. My client has been patient with the challenges associated with my schedule during the past month, as this represents the second time I have needed to request a continuance in this case. However, if the case is not heard at the April 26th hearing, my client is at risk of not being able to close on this property. I would be extremely grateful if the Board were able to continue this matter to its April 26th agenda. A letter has been mailed to abutters that received notice of the meeting informing them of this request.

We have room on the agenda for April 26th? This is a case not heard, so I see no reason not to accommodate Mr. Rafferty's request. So I'm going to make a motion.

The Chair moves that this case be continued as a case not heard until seven p.m. on April 26th, subject to the following conditions:

That the petitioner sign a waiver of time for decision.

Maria, have we done that?

MARIA PACHECO: There is a waiver, yes.

CONSTANTINE ALEXANDER: Is it already? Okay, good. That's been satisfied.

Second, that the posting sign be modified to reflect the new date April 26th, and the new time, seven p.m. And that the site be maintained for the 14 days required by our Ordinance.

And lastly to the extent that the petitioner proposes to modify the plans that are already in our files or the dimensional form, that these modification must be in our files no later than five p.m. on the Monday before April 26th.

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

(Aye.)

CONSTANTINE ALEXANDER: Five in favor. Case continued.

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

* * * * *

(7:45 p.m.)

(Sitting Members Case No. BZA-015619-2018: Constantine
Alexander, Brendan Sullivan, Patrick Tedesco, Slater W.
Anderson, Jim Monteverde.)

CONSTANTINE ALEXANDER: The Chair will call case
No. 015594 -- I'm sorry, I read the wrong number. 015619,
14 Hubbard Avenue.

Is there anyone here wishing to be heard on this

matter?

(No Response.)

CONSTANTINE ALEXANDER: No one's here. We are in receipt of a letter from Maggie Booz who is the architect for the project and for the owners of the project, the petitioners themselves. Well, they're not listed in the notice, but they are -- I can't read her handwriting but it looks like Melody and Joseph Komyerov, K-O-M-Y-E-R-O-V. Anyway, the letter says: I respectfully request that the BZA please grant us a continuance of a hearing for this project to the next possible available hearing date due to adjustments we need to make in our proposed requested relief. Thank you for your consideration.

I would just inform those members of the Board who are not aware of why the request for the continuance. It appears that the case needs to be re-advertised. That the relief -- they need different relief than what has been advertised for this hearing tonight. Specifically they need

a Variance and not the Special Permit that they're seeking.

When's the next available date, Maria?

MARIA PACHECO: May 31st.

CONSTANTINE ALEXANDER: May 31st. Well, that's not going to make them happy but that's life.

The Chair moves that we continue this case as a case not heard until seven p.m. on May 31st subject to the following conditions:

First, that the petitioner sign a waiver of time for a decision. Which they have not done but will do.

Secondly, that the posting sign that's now on the property, be modified to reflect the new date, May 31st, and the new time, seven p.m. And that the sign be maintained for the 14 days required by our Ordinance.

And that lastly, that to the extent that the petitioner proposes to modify the plans for the dimensional forms that are in our files now, that these changes must be in our files no later than five p.m. on the Monday before

the May 31st hearing.

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

(Aye.)

CONSTANTINE ALEXANDER: Five in favor. Case continued.

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

* * * * *

(8:00 p.m.)

(Sitting Members Case No. BZA-015698-2018: Constantine Alexander, Brendan Sullivan, Patrick Tedesco, Slater W. Anderson, Jim Monteverde.)

CONSTANTINE ALEXANDER: The Chair will now call case No. 015698, 200 Technology Square.

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

CHARLEY SCHALLIOL: Good evening, Mr. Chairman, Members of the Board. My name is Charley Schalliol from Site Enhancement Services. Thank you for allowing us to become before you this evening. I'm here tonight representing Fidelity Investments. We're looking to occupy -- we're looking to occupy the existing Webster Bank. We're here tonight respectfully requesting approval for two variations, one would be --

CONSTANTINE ALEXANDER: Variances.

CHARLEY SCHALLIOL: Variances, sorry.

For signage over the height of 20 feet. We're asking for the facade signage to be placed at 21 feet 4 inches. The reason for the request is there's an architectural embellishment on this building that's just above the window line of the -- on the first floor that disallows the signage to be placed any lower, and functional signage placed below would be covering windows which is obviously not ideal for direct access to sunlight into the building itself. So we're asking for the additional one foot four inches.

And then we're also asking for additional square footage for the facade signs in total of nine-point --

CONSTANTINE ALEXANDER: 35 I think.

CHARLEY SCHALLIOL: -- 35 square feet.

The additional square footage would be for the overall facade signage we're asking for two signs facing Main Street. It's an extremely long tenant frontage of 96

feet, four inches. One sign would be, excuse me, placed at the far left, one would be placed at the far right. And then we have a facade sign at the far corner that faces east towards the traffic travelling west and the pedestrian traffic travelling west on Main Street. It's a unique building in the fact that it actually has three visible exposed facades; one facing east, one facing south, which Main Street, and then facing to the west along Technology. As you're aware the vast majority of the parking for this facility is going to be in the parking garages behind. So we've got pedestrians also coming south on Technology towards the property. So the signage that we're asking for has been carefully thought out and that's why we're requesting what we are today.

There is one additional item that we are -- that we've considered as there's vegetation along the Main Street frontage. That's why we've asked for the signage separation on Main Street.

CONSTANTINE ALEXANDER: Why do you need signage separation on Main Street?

CHARLEY SCHALLIOL: There is vegetation along the -- and unfortunately --

CONSTANTINE ALEXANDER: There's not vegetation that goes up to where the signs are.

CHARLEY SCHALLIOL: Oh, absolutely. And unfortunately -- it's this is done during the winter. And I have one of these. I'm sorry, I apologize. I should have handed those out.

CONSTANTINE ALEXANDER: Webster Bank has been in that building I don't know how many years. It's had one sign. I understand the reason -- speaking for myself. I understand the reason why you need relief for the height.

CHARLEY SCHALLIOL: Yes, sir.

CONSTANTINE ALEXANDER: Because of the architecture of the building it seems quite clear. But why do you need two -- I'm excluding the one on the side there

that faces toward --

CHARLEY SCHALLIOL: The west? Or east, east, I'm sorry.

CONSTANTINE ALEXANDER: Why do you need two signs?

CHARLEY SCHALLIOL: Because the existing Webster Bank sign is directly behind the vegetation -- behind the tree.

CONSTANTINE ALEXANDER: So move it down a little bit to the left or to the right.

CHARLEY SCHALLIOL: Then it's going to be off center, and architecturally it doesn't balance.

CONSTANTINE ALEXANDER: Yeah, but I can understand architecturally. But you've got to deal with the Zoning Variance.

CHARLEY SCHALLIOL: I completely understand. In the nine square feet --

CONSTANTINE ALEXANDER: And if you put only one size, an astute citizen of the city has pointed out, if you

just did one sign at the same size of the Webster sign in area, you wouldn't need the other Variance.

CHARLEY SCHALLIOL: Completely understood. And to your point, the most important Variance that I'm sitting before you tonight is the 21 feet, 4 inches.

CONSTANTINE ALEXANDER: Okay.

CHARLEY SCHALLIOL: If we didn't get the 9.35, it's not going to kill the site obviously.

CONSTANTINE ALEXANDER: What puzzles me, too, is the fact that the bank, Webster Bank operated there for a long time. They have a lot of pedestrian traffic. If signage is important, it's important to that -- would have been more important to them. You're an investment business. You're going to have -- people who are going to use that site are mostly employees. You're going to have occasional customers coming in. They're not going to have any problems finding you if you only have one sign on Main Street, one facing Main Street.

CHARLEY SCHALLIOL: I understand your point. The difference between Fidelity Investments and Webster Bank is Webster Bank retailed, but this is an investors center where people do come in quite frequently to do transactions --

CONSTANTINE ALEXANDER: Come on. That's not as --

CHARLEY SCHALLIOL: I've been working with Fidelity Investments for 12 years.

CONSTANTINE ALEXANDER: Not as frequently as bank customers.

CHARLEY SCHALLIOL: And you're right. Bank customers become accustomed to the location that they go to. It's a neighborhood bank. They go into the same bank every time. Fidelity Investments, they have different retail investor centers throughout the Boston, Massachusetts, area. They don't go nearly as much, so signage would arguably be more important to get people to their destination.

CONSTANTINE ALEXANDER: Okay. You're not convincing me, but I'll drop it at that. I don't see any

basis for granting you height relief for other than the two signs that are there now. The one that faces up the street toward -- I'm drawing a blank on the square. I guess Kendall Square. And then the other one that faces directly on Main Street. Understood. Sign the same size as Webster bank has. You want to have the same location, which seems to me makes the best sense because it's centered on the facade. But that's up to you. But I cannot see two signs. You're just, it's just overkill. It's just not necessary to identify where you are to people who may want to visit your bank or your investment company. And that's my view.

BRENDAN SULLIVAN: Webster is going away?

CHARLEY SCHALLIOL: Webster is moving to a new location.

BRENDAN SULLIVAN: Okay. Are you -- is Fidelity going to maintain the other investor center?

CHARLEY SCHALLIOL: As part of the modifications to that corridor, Fidelity is moving from that location to

this location.

BRENDAN SULLIVAN: Okay.

SLATER ANDERSON: Gus. So you're opposed to these two?

CONSTANTINE ALEXANDER: Yeah.

SLATER ANDERSON: Just one of them --

CONSTANTINE ALEXANDER: I don't know if you have the picture --

SLATER ANDERSON: I don't have the Webster --

CONSTANTINE ALEXANDER: It's right in the middle.

CHARLEY SCHALLIOL: Webster's smack behind that tree in the middle.

CONSTANTINE ALEXANDER: It's centered basically.

SLATER ANDERSON: You can put one in behind this tree.

CHARLEY SCHALLIOL: When you're travelling down Main Street from west to east, the sign, that corner of the building is completely visible. Same thing with the other.

So that that tree doesn't really play that big of an impact. Unfortunately when you put the sign directly in the middle, the trees -- all the trees work against you if that makes.

SLATER ANDERSON: Yeah, I get it.

CHARLEY SCHALLIOL: Yeah.

SLATER ANDERSON: Yeah, two signs seems overkill to me on that facade. I mean, you got one over the door, too.

CONSTANTINE ALEXANDER: On that facade, right. Okay on that facade.

SLATER ANDERSON: Yeah, on this facade.

CHARLEY SCHALLIOL: And, again, the 21 feet, 4 inches there's not a whole lot we can do about that. So if the Board would like to see us drop down to code compliant square footage wise and go with one -- and not have the second sign on the Main Street, we accept that.

CONSTANTINE ALEXANDER: That would be my view certainly.

JIM MONTEVERDE: Yeah. Can I assume that as part of the tenant fit up from other Fidelity branches I've seen in town in Boston --

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

JIM MONTEVERDE: Sorry. From other Fidelity fit up, tenant fit ups that I've seen, the interior renovation, where it's facing the storefront, there's usually graphics. There's lots of commercial material mounted behind the glass lit so that it's, you know, in essence of 12-foot tall sign. I'm assuming you'll have something like that as part of the fit up?

CHARLEY SCHALLIOL: So this, there's been a very recent change. I want to say that there's probably been four sites. There's a fifth one going on right now, and this will be number six or seven that's going through a newer renovation.

JIM MONTEVERDE: Yeah.

CHARLEY SCHALLIOL: It's called NGIC, it's called

the Next Generation Investor Center, where they don't have that commercial messaging. It's very subdued. Actually, I think in the interior of the property it says Fidelity one time in letters about that big --

JIM MONTEVERDE: Yeah.

CHARLEY SCHALLIOL: -- that are bronze letter. I think the nearest one here is Hingham, Mass. But -- so, no, it's not gonna have posters in the window. It's not gonna have neon signs. It's not gonna have any of that previous look.

JIM MONTEVERDE: Something else that announces itself.

CHARLEY SCHALLIOL: No, it's really subtle and really sleek. So it really just comes down to the exterior facades.

BRENDAN SULLIVAN: Who else is in the building?

CHARLEY SCHALLIOL: Well, this building's kind of unique because we stick out in front of it. Other tenants

within the building, I know that the real estate company that we are working with I want to say Alexandria is in one of the buildings here. But other retail tenants, I'm not sure if there are any. And I apologize, I'm not familiar, but this whole little section juts out from the vast majority of the office building. It's odd.

CONSTANTINE ALEXANDER: Yeah.

BRENDAN SULLIVAN: The thing that -- I mean, the thought I have is that when we're asked to grant relief, variances for signs, it's within opening up a door for a proliferation of signs. And even though we consider each case on its own merits, then it puts you in a little bit of a spot where somebody else comes down and says, well, you know, you granted that guy and what about us and so on and so forth. And the next block up on the corner of Portland and Main has a proliferation of the signs hanging over which I think is a little tacky myself, but obviously I get --

PATRICK TEDESCO: You mean the 7-Eleven?

BRENDAN SULLIVAN: Yeah, the 7-Eleven and all the ways down there. The four, I guess, I don't if it's called Area 4.

CONSTANTINE ALEXANDER: Area 4.

BRENDAN SULLIVAN: Area 4.

The coffee shop is just very simple, you know. But anyhow. Well, the two signs is a non-starter, anyhow, but I guess the thought occurred to me is why we even granting any Variance at all? And why it doesn't -- it doesn't have to go up there, and why can't it go in this band underneath it very simply? Now you can say there's an existing sign up there now. But the sign that's up there now is not a legal placement either. It was granted a license or a permit by the Community Development, but I think in what shows in the record is that it was granted for a 20-foot height. When the installer came out to install it, he installed it at 21.6. Hence, so that's sort of saying oh, we're just taking down Webster and we're putting

up Fidelity. But the existing sign that's there is not legally placed. Anyhow, but that's another issue. But -- and I don't know why it has to go up where it's shown.

Now, your opening statement about that it's going to take sunlight and so on and so forth, there's that band there that's blacked out anyhow. I don't know if it's a ceiling that forms a coffer or not.

CHARLEY SCHALLIOL: It does. That space is open all the way to the window area.

BRENDAN SULLIVAN: And not really blocking all that much.

CHARLEY SCHALLIOL: Well, and the ceiling heights will be modified as part of the restoration -- or the renovation to the branch as well.

BRENDAN SULLIVAN: So it's whether the sign changes the ceiling height or the ceiling height changes the sign location. I don't know which is going to wag the dog

here. But I mean I'm very reluctant to grant --

CONSTANTINE ALEXANDER: I know where you're going.

BRENDAN SULLIVAN: Yeah.

CONSTANTINE ALEXANDER: I'm in a little different place. But okay.

PATRICK TEDESCO: Could I -- I'm sorry. I would say that there is minor, but there's an architectural logic to where the sign is proposed and that it runs from --

CAROL O'HARE: Could you speak up if you're not going to use the mic.

PATRICK TEDESCO: Yes.

There's a logic architecturally to where the sign is being proposed which is that it goes from one stone joint to the other, which is nice and clean and it makes it look like the building was designed to have a sign band. And if you place it where you're proposing next to the window, next to the entrance, excuse me, that lower band of stone becomes glass. Right? So you, you have a nice condition there

where there's a relationship between the sign and the existing architecture. It's a minor detail. And I don't know if dropping it down to the bottom would relieve you of any need for a Variance if that's one foot, four.

CHARLEY SCHALLIOL: To the bottom of the?

PATRICK TEDESCO: To the bottom of the stone.

CHARLEY SCHALLIOL: And if you look on page -- oh, come on, where are you? On page 5, you can actually see the architectural and the bump out that really works against that type of application.

PATRICK TEDESCO: Yeah, it's actually metal panel, right?

CHARLEY SCHALLIOL: Right. Metal panelling, yes, sir.

SLATER ANDERSON: And the lower signs, those are all conforming? So the blade and the one over the door is fine.

CHARLEY SCHALLIOL: Everything else is complying.

SLATER ANDERSON: So we're dealing with those three?

CHARLEY SCHALLIOL: Right. It really comes down to the square footage and sign height. Actually when we were working through this property, there was a lot of discussion on how the signs were there currently. So the history is definitely appreciated. The one thing in regards to the comment about sign proliferation and other tenants in the building asking for something like this, this building's unique in the fact that we are -- that this tenant space is seriously the only jut out on this entire building. It's the only tenant space that has an exterior -- direct exterior entrance into a facility. So this is, this is the only opportunity that a building on this property would have. There's -- it wouldn't turn into the 7-Eleven corner per se.

BRENDAN SULLIVAN: Which I could flip around and say which increases your visibility because you do jet out,

you know, because right next to you -- if we face here, to the right of you is a courtyard. So there's nothing between you and all the way down Main Street.

CHARLEY SCHALLIOL: And that's why that sign on the east elevation is so very important.

BRENDAN SULLIVAN: Right, right. But anyhow. I don't know, I'm having a problem just why any relief --

SLATER ANDERSON: I sort of concur with Patrick on the, you know, given the architecture of this element of the building, you know, the slightly higher, you know, within the architecture of the building; it's not bigger, it's not standing out, it's not sitting on the roof. I'm okay with it, but not three, you know.

CONSTANTINE ALEXANDER: That's where I'm at, too.

SLATER ANDERSON: And I get, you know, two because you want, you know, one on the east side and coming down and, you know, you're just going to have to make due with the one.

CONSTANTINE ALEXANDER: And, again, the two signs, if we go to two signs, counting the one on the east side, we moot the need for other zoning relief.

CHARLEY SCHALLIOL: I'll remove that one from the application as we sit here. So that's not even a part of it.

CONSTANTINE ALEXANDER: Well, I guess the question -- let me open it up to public testimony first.

CHARLEY SCHALLIOL: Absolutely.

CONSTANTINE ALEXANDER: Unless people have other comments before?

JIM MONTEVERDE: That's good.

CONSTANTINE ALEXANDER: The floor is yours, Miss Carol.

CHARLEY SCHALLIOL: Should I move?

JIM MONTEVERDE: You're okay.

CAROL O'HARE: Well, I think I can be brief.

CONSTANTINE ALEXANDER: Good.

CAROL O'HARE: Which my letter was for once.

Yeah, I agree with what all of you have said basically. I don't see any need for -- and besides, we all have these, right? So nobody's gonna have any trouble finding Fidelity with three signs on the building; one facing east, one facing north -- is it, no, south.

CHARLEY SCHALLIOL: South.

CAROL O'HARE: One facing west. That's -- and there's no substantial hardship. None. Zero.

CONSTANTINE ALEXANDER: Thank you. You want to speak?

HEATHER HOFFMAN: I agree.

CONSTANTINE ALEXANDER: For the record, Heather Hoffman agrees.

HEATHER HOFFMAN: Heather Hoffman, 231 Hurley Street. I agree.

CAROL O'HARE: Do you want my address?

CONSTANTINE ALEXANDER: No.

Anyone else wishes to be heard?

(No Response.)

CONSTANTINE ALEXANDER: No one does. I'll close public testimony.

I don't think we have anything in our files beyond what you've presented. No letter -- Miss O'Hare sent a letter in which she's covered in her comments.

I got a little bit of a procedural conundrum here. You've applied for three signs, and also relief for area because of the three signs. We'd have to vote yes or no on those three signs.

CHARLEY SCHALLIOL: Okay.

CONSTANTINE ALEXANDER: That's your call as to what relief you want. I think you've got the sentiment you're not going to get a vote for three signs.

CHARLEY SCHALLIOL: I got that feeling, yeah.

CONSTANTINE ALEXANDER: Are you willing to modify -- well, we've got to reframe which -- the relief you

want to seek and then we'll decide. I think, and I don't want to put words in your mouth or -- is what you're hearing from the Board or at least a majority of the Board members, two signs, the one on the east side and one of the same dimension, no greater dimension in terms of then the Webster sign, because if you do that, then you don't need relief for the area. Am I right?

CHARLEY SCHALLIOL: Can we just say to not go over the square footage allowed for the property?

CONSTANTINE ALEXANDER: That's fine. Yeah, okay.

CHARLEY SCHALLIOL: Because I'm not sure of the dimensions.

CONSTANTINE ALEXANDER: That's fair enough. That's fair enough. But, okay, but then I think again where we're going to end up, we're going to deny relief, I think, relief for the too much square footage, which will mean that you'll have to make the sign that we are going to allow or signs, are you're going to have to make of a size that

doesn't require area relief.

CHARLEY SCHALLIOL: Absolutely.

CAROL O'HARE: Excuse me, may I make a point on that?

CONSTANTINE ALEXANDER: Yes.

CAROL O'HARE: He could accomplish the square footage solution by removing the projecting sign and then leave the other three signs, even if he --

CHARLEY SCHALLIOL: She's 100 percent right. And trust me I've got all the scenarios in my head. But moving forward just because -- I mean, Fidelity Investments, it's a quality Boston business. We're not going to do something --

CONSTANTINE ALEXANDER: Right.

CHARLEY SCHALLIOL: So if you want to make it a condition where -- I thought this might happen. Where there's a modified artwork. This shows the one sign on the building.

CONSTANTINE ALEXANDER: Well, isn't that exactly

where the Webster sign?

CHARLEY SCHALLIOL: That's exactly what we're talking about.

CONSTANTINE ALEXANDER: This has not been in our files before, and I don't think -- if it's only going to be one sign --

CHARLEY SCHALLIOL: One sign along Main Street, one sign --

CONSTANTINE ALEXANDER: You pick where you want it. I think we're going to -- the motion I'm going to make is that only be -- you're going to say one sign.

CHARLEY SCHALLIOL: One sign, right.

CONSTANTINE ALEXANDER: We'll vote on that. And then we'll vote on the area. And I think the vote, I would propose, I think I'm going to take, is to deny you relief for the area, increased. Therefore, forcing you to create signage on the front, not such that with all the other signage you'll be within the requirements of our Ordinance.

CHARLEY SCHALLIOL: Absolutely.

CONSTANTINE ALEXANDER: Got it? I don't know if I
got it.

Anybody have any thoughts on that or comments?

JIM MONTEVERDE: And you have to agree with
height, right?

CONSTANTINE ALEXANDER: We have to give the relief
for the height, but that's only for one sign. Oh, no, two
signs.

CHARLEY SCHALLIOL: Two signs.

SLATER ANDERSON: South and east.

JIM MONTEVERDE: Yeah.

CONSTANTINE ALEXANDER: South and east, right.

CHARLEY SCHALLIOL: Yeah.

CONSTANTINE ALEXANDER: Ready for a vote?

JIM MONTEVERDE: Yes. If you can say it, we can
vote for it.

CONSTANTINE ALEXANDER: That's a big burden.

JIM MONTEVERDE: I know.

CONSTANTINE ALEXANDER: Okay, I'm going to start with the request for a Variance as to height.

The Chair moves that -- and with regard to -- I got to get this right.

The Chair moves that we make the following findings with regard to the height of now only two signs on this building, one facing east and one facing south.

That there would be a substantial hardship to the -- a literal enforcement of the provisions of our Ordinance would involve a substantial hardship. Such hardship being that giving the nature of the architecture of the building, mostly a glass facade, that requiring the petitioner to have a sign that meets the height requirements would diminish greatly the effectiveness of the sign and the purpose for which the sign would be put up; namely, to identify the occupant of the premises.

That the hardship is owing to the architecture or

the shape of the building, particularly its design with its mostly glass facade.

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

In this regard the Chair would note that what would be proposed -- what would be allowed would be a sign that's a -- signs, that are essentially the same as the signs that Webster Bank has now. Certainly in terms of its height at that.

On the basis of this, the Chair moves that we grant the Variance for one sign with regard to allowing the sign to be as high --

CHARLEY SCHALLIOL: Two signs.

CONSTANTINE ALEXANDER: I always forget. You're right, two signs. With the height being one foot, three inches or four inches higher than what is permitted by our Ordinance, i.e. 21 feet, 4 inches.

All those in favor of granting the Variance on the height of this one sign, please say "Aye."

SLATER ANDERSON: Two signs.

CONSTANTINE ALEXANDER: Two signs. I'll get it right yet.

Four in favor?

(Alexander, Tedesco, Anderson, Monteverde.)

CONSTANTINE ALEXANDER: Opposed?

(Sullivan.)

CONSTANTINE ALEXANDER: One opposed. Relief granted on the height.

Now, with regard to the Variance being sought, with regard to the increase in area of the total signage on the property.

That a literal -- the Chair moves that the Board make the following findings:

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

petitioner. Such hardship being it wouldn't have enough total signage area that the petitioner believes is necessary for an effective conduct of business on these premises.

The hardship, again, is owing to the nature, the architecture of the building and its shape with its -- I'll leave it go at that.

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

So on the basis of these findings, the Chair moves that we grant the Variance requested with regard to total signage area.

All those in favor please say "Aye."

SLATER ANDERSON: That's not needed.

JIM MONTEVERDE: You got me confused.

CONSTANTINE ALEXANDER: If we deny the relief, he cannot build -- right. And so I think the vote, if you don't it's no.

SLATER ANDERSON: Sorry.

CONSTANTINE ALEXANDER: Not in favor.

CHARLEY SCHALLIOL: I thought I was going to get
it.

PATRICK TEDESCO: I am going to vote in favor.

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

PATRICK TEDESCO: Aye.

CONSTANTINE ALEXANDER: One in favor. Four
against. So that Variance is denied.

And we've got to state for the record, the four of
us who denied the basis for denying this Variance is that
the petitioner's not demonstrated it would be a substantial
hardship that requires total signage area greater than what
is permitted by our Ordinance.

All those in favor of that?

(Show of hands.)

CONSTANTINE ALEXANDER: Four in favor of that.

(Alexander, Sullivan, Anderson, Monteverde.)

* * * * *

(8:25 p.m.)

(Sitting Members Case No. BZA-015699-2018: Constantine
Alexander, Brendan Sullivan, Patrick Tedesco, Slater W.
Anderson, Jim Monteverde.)

CONSTANTINE ALEXANDER: The Chair will call case
No. 015699, 23 Palermo Street.

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

ATTORNEY SEAN HOPE: Good evening, Mr. Chairman and Members of the Board. For the record, attorney Sean Hope, Hope Legal Law Offices in Cambridge. I'm here on behalf of the petitioner. We have 23 Palermo Holdings, LLC. And we have the manager, Dani....

DANI CHEDID: Chedid.

ATTORNEY SEAN HOPE: Can you spell that?

DANI CHEDID: C-H-E-D-I-D. Last name. D-A-N-I first name.

ATTORNEY SEAN HOPE: And so this is an application requesting Special Permit relief. This is part of a larger renovation in portion to add -- alter and add windows within the setback. And also to exempt a portion of the basement from GFA to combine the first floor in the basement that is all a part of one unit.

On this lot particularly, this is in East

Cambridge, generally you have very tight and small lots. This happens to be more of a larger size lot at 4,000 square feet. And the renovation has been ongoing. So this is really one of the last pieces of it. And the existing layout, if you can look at the plans, had kind of awkward layout of a series of four bedrooms on the main floor. Had the kitchen in the back. So you had your bedrooms and living space to the front. So as part of the renovation that Mr. Chedid is taking on. So he's actually flipping that around. He's putting the kitchen and living space in the front, which you can see more of the open plan.

He's keeping the same amount of bedroom count as previously as existing. So there would be a total of four bedrooms. But part of the Special Permit relief is in the basement lower level. There is a playroom area and there's going to be a bedroom that's off a bulkhead to the back.

CONSTANTINE ALEXANDER: So it's not going to create another dwelling unit?

ATTORNEY SEAN HOPE: Not another dwelling unit, just keeping the bedroom as part of the layout. And also part of the idea, too, is because the kitchen and living area is one open plan as you walk through, there really is not a second or larger living area. And as you'll see more and more in our renovations of families and others often like to have a second living space or living area in the basement on a lower level. He's trying to capture that.

The existing basement was storage. So there was a series of storage areas. So there was decent height already there, but he's looking for eight foot. And under the Ordinance if you're going to be increasing that below seven feet is going to trigger additional gross floor area. So we're looking to exempt that portion just to have at the bottom of the stairs to have a more of a landing living area and then an additional fourth bedroom, and also the windows within the setback.

CONSTANTINE ALEXANDER: I would note that of

course the building as it is now with the basement not counted as gross floor area, it's still much higher than is permitted under our Ordinance. You're going to increase the density of the neighborhood and the amount of living space devoted in that area.

ATTORNEY SEAN HOPE: Yeah --

CONSTANTINE ALEXANDER: -- if we grant relief.

ATTORNEY SEAN HOPE: And I think that's accurate it states living space, because that area could be used as other things and oftentimes they are, but you could not legally use it as living space without --

CONSTANTINE ALEXANDER: No, you can't now.

ATTORNEY SEAN HOPE: -- relief -- exactly. Storage and other things, that's right. But that is different than creating an additional dwelling unit which we are not proposing to do.

CONSTANTINE ALEXANDER: Questions from members of the Board?

JIM MONTEVERDE: If I understood you, is it a four unit -- it's four bedroom now?

ATTORNEY SEAN HOPE: It's a three-unit building, but there are four bedrooms.

JIM MONTEVERDE: That's right, the unit that will get the basement will be four bedrooms?

ATTORNEY SEAN HOPE: Yeah, exactly.

JIM MONTEVERDE: So that will be five?

ATTORNEY SEAN HOPE: No, the bedroom count will stay the same.

JIM MONTEVERDE: Stay the same.

ATTORNEY SEAN HOPE: So it's reorienting the layout, but keeping the bedroom count.

CONSTANTINE ALEXANDER: It's creating a playroom that's not there right now.

ATTORNEY SEAN HOPE: That's --

CONSTANTINE ALEXANDER: That's what you're doing with the basement.

I'm a little troubled, but not as troubled as I have been on other cases tonight, about the density resulting from -- utilizing the basement area for living space. But at least from my perspective I'm not troubled enough to vote against it. But I do think it's something we've got to keep in mind, an impact on the neighborhood.

ATTORNEY SEAN HOPE: And to the Chair's point, not every lot is created equal and there are some lots because of the proximity are not having rear yards for more cars or people that it might be a greater issue. In this case you have ample yard and ample parking, so I would distinguish that from other cases.

CONSTANTINE ALEXANDER: That's right.

Questions from members of the Board?

SLATER ANDERSON: Can I see the plans after Patrick's done?

CONSTANTINE ALEXANDER: After Patrick's done.

PATRICK TEDESCO: Sorry, I just want to look.

SLATER ANDERSON: Thanks.

CONSTANTINE ALEXANDER: I notice there's a separate entrance to the basement area, too. You'll have a separate --

DANI CHEDID: Yes, it has a full egress.

CONSTANTINE ALEXANDER: -- and people will be able to come into the play area and the basement area without going through the first floor?

DANI CHEDID: Yes, you could -- it's an egress from the basement by code.

CONSTANTINE ALEXANDER: Egress?

DANI CHEDID: Yes.

CONSTANTINE ALEXANDER: It's not going to be an ingress?

DANI CHEDID: Well, you could use it either way. You can go in and out.

CONSTANTINE ALEXANDER: That's what I thought. Okay.

PATRICK TEDESCO: Where is the living room on the first floor?

DANI CHEDID: Right at the beginning.

ATTORNEY SEAN HOPE: So it's living, kitchen.

PATRICK TEDESCO: I see kitchen, dining and I see four bedrooms.

ATTORNEY SEAN HOPE: Is that the existing?

PATRICK TEDESCO: Yeah.

DANI CHEDID: So that's the existing.

PATRICK TEDESCO: Right. So you don't have a living space in your existing unit?

DANI CHEDID: That's how it probably was.

PATRICK TEDESCO: I mean I'm troubled by -- this is not a hardship, but the way --

CONSTANTINE ALEXANDER: They don't need a hardship by the way. It's a Special Permit.

PATRICK TEDESCO: The way these existing units are construed, four bedrooms and what's the floor plan, a

thousand square feet?

DANI CHEDID: No. It's 1300.

PATRICK TEDESCO: 1300. You don't have a living space. You have just like a kitchen, dining room is about the size of the smallest bedroom. I mean, to me it just feels like, again this doesn't necessarily affect how I'm going to vote, but this unit -- this building feels like, you know, somebody's trying to squeeze every possible --

CONSTANTINE ALEXANDER: Oh, you better believe it.

PATRICK TEDESCO: -- you know, to the detriment of health and safety.

BRENDAN SULLIVAN: It will be rented to a single tenant?

DANI CHEDID: Yes.

BRENDAN SULLIVAN: Or sold?

DANI CHEDID: Sold.

BRENDAN SULLIVAN: Is it condos or --

DANI CHEDID: Condos.

BRENDAN SULLIVAN: Condos.

PATRICK TEDESCO: Right now they're rentals?

DANI CHEDID: Used to be, yes.

PATRICK TEDESCO: I mean, the second floor is more reasonable; two bedrooms and the third floor you've got three bedrooms. Well, four.

DANI CHEDID: I think the second and third unit because of the staircase, had a bigger living space because of the common staircase. So the first floor is the only one that's potentially, that's why --

PATRICK TEDESCO: Yeah.

BRENDAN SULLIVAN: We had a case similar to this up on Walden Street, corner of Walden and Hutchison and where it was just all bedrooms. And they're using it for short-term rentals which I think seriously impacts the comings and goings, and the established neighborhood character. And even though there is a regulation in the city --

CONSTANTINE ALEXANDER: I'll make that comment.

BRENDAN SULLIVAN: -- and acknowledges short-term rentals, it's -- I mean, I think it's troubling when it's just all bedrooms.

PATRICK TEDESCO: Yeah, it is a rooming house and it's health and safety.

CONSTANTINE ALEXANDER: And there's also a separate doorway. Separate in and out, too, which makes it even more susceptible for short-term rentals.

BRENDAN SULLIVAN: Well, there has to be an egress in the basement anyhow by code.

CONSTANTINE ALEXANDER: Yeah.

BRENDAN SULLIVAN: But it -- if it looks like a duck and walks like a duck.

PATRICK TEDESCO: Yeah. I mean the requested --

UNIDENTIFIED MEMBER FROM THE AUDIENCE: Excuse me, is the Board taking any comments?

CONSTANTINE ALEXANDER: I'm sorry, Ma'am, you

can't just speak out. You have to give your name and address to the stenographer and come a little closer to us, too, please.

UNIDENTIFIED MEMBER FROM THE AUDIENCE: I'm wondering if there's an opportunity for public comment?

CONSTANTINE ALEXANDER: Oh, yes. Oh, yes, yes, yes.

ATTORNEY SEAN HOPE: So I just wanted to clarify. So you're looking at the existing conditions, and not the proposed. And I would admit that the existing conditions which he purchased with the previous occupied got the tenant out. The existing conditions don't read like the normal way people live. You don't walk into a series of bedrooms. And so the proposal is actually changing that, is actually taking the kitchen.

PATRICK TEDESCO: I understand.

ATTORNEY SEAN HOPE: I understand the previous use does seem like they're maximizing people and bedrooms

whether it's Airbnb or some other --

PATRICK TEDESCO: Yeah, and the fact you're not increasing the number of bedrooms but actually increasing the amount of space by which those bedrooms reside makes me more comfortable.

CONSTANTINE ALEXANDER: Any other comments?

SLATER ANDERSON: Three, four-bedroom units is going from three, four-bedrooms to three -- well, I know we're dealing with the first floor unit. I'm just looking at the whole building.

DANI CHEDID: The other ones are three bedrooms.

SLATER ANDERSON: They're three bedrooms?

DANI CHEDID: Right.

SLATER ANDERSON: Okay.

Well the proposed is four.

ATTORNEY SEAN HOPE: On the second and third it's four on the first.

SLATER ANDERSON: One, two, three, four. One,

two, three, four. They're labelled four bedrooms.

PATRICK TEDESCO: Second floor.

SLATER ANDERSON: Second and third floor.

PATRICK TEDESCO: Yeah.

DANI CHEDID: No, we changed that. They're three bedrooms now.

PATRICK TEDESCO: The first and second one.

DANI CHEDID: It might be an old draft.

SLATER ANDERSON: Okay. Yeah, these aren't the ones that were in the file. So I don't know --

DANI CHEDID: It's okay. We're talking about the basement. The second -- just for you to know, the second and third floor are three bedrooms, has a living room, and dining room. Just the intent is nobody, nobody wants four bedrooms. It's a three --

SLATER ANDERSON: Oh, there are people that want four bedrooms.

PATRICK TEDESCO: So is there -- are there two

existing fours now or two, threes?

DANI CHEDID: Now there are three bedroom -- okay, existing meaning when we first purchased them or now?

PATRICK TEDESCO: Today.

DANI CHEDID: Because construction is underway.

PATRICK TEDESCO: This shows existing.

DANI CHEDID: The existing is when purchased. So we're during construction we've changed them, right? We're already in progress in construction on the other ones.

PATRICK TEDESCO: But when you purchased them, they were two fours and two threes. And when all is said and done, there will be one four and three twos.

DANI CHEDID: Three threes.

PATRICK TEDESCO: Three threes.

ATTORNEY SEAN HOPE: Two threes.

PATRICK TEDESCO: There is two fours and a three --

DANI CHEDID: Three, three and four.

PATRICK TEDESCO: There will be two threes and a fours. You're actually reducing the amount of bedrooms.

DANI CHEDID: Correct.

PATRICK TEDESCO: Okay.

CONSTANTINE ALEXANDER: I can open the matter -- do you want me to wait?

JIM MONTEVERDE: No.

CONSTANTINE ALEXANDER: He'll open the matter up to public testimony. Ma'am.

JULIE CALLAHAN: Hi, good evening. My name is Julie Callahan and I live at 64 Willow Street which is right in the neighborhood. I've been living there the last few years. And I happen to walk by the property on Palermo, 23 Palermo Street pretty regularly because my eight-year-old daughter goes to the bus stop. I've watched the construction of quite a few buildings in the neighborhood as well as the beautiful school that's coming. And one thing I want to say about the property is first of all, it's one of

the neatest, cleanest construction projects that's going on in the neighborhood. The help has always been very conscientious about keeping the sidewalk clean, using the bathroom, the portable bathroom. And being in the neighborhood I've been curious about the property. So I've had the opportunity to go in and have a look at all of the floors, and I've had an opportunity to go down and see what's in the basement. I think it's completely reasonable to put a fourth bedroom in the basement. I think the way the whole place has been constructed and the way I've seen a lot of places in Cambridge go, we need as many bedrooms as we can get right now, and I don't think that the constructor has really tried to jam anything more in there. He's done a very thoughtful job of making an open plan in the kitchen, living room, and you could even call it the dining room area on the first floor as you walk in. It's a very welcoming place. The quiet bedrooms in that area in the back end to have a game room or a TV room as well as a bedroom off of

that in the basement. I think it would be quite reasonable. He's done a beautiful job. He's brought more value to the neighborhood. Paved park -- the driveway and the parking. So there would be more parking there. I would ask that you give him favorable decision on the --

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

DANI CHEDID: Thank you.

CONSTANTINE ALEXANDER: Anyone else wishes to be heard?

(No Response.)

CONSTANTINE ALEXANDER: Apparently not. I will close public testimony.

We're not in receipt of any written communications that I'm aware of. So, any final comments, Mr. Hope?

ATTORNEY SEAN HOPE: No.

SLATER ANDERSON: Have you spoken to your neighbors? I mean, have they been notified?

DANI CHEDID: The abutters? I've spoken to them. They're very happy. They have no issues with the situation.

SLATER ANDERSON: Thank you.

DANI CHEDID: They're very excited about it. I've actually walked them the property, too.

CONSTANTINE ALEXANDER: Ready for a vote?

Okay. We have, we need to -- there are two votes we have to take, because you're asking for two forms of relief. One is to exempt the basement area from the gross floor area of the building. And the second is with regard to windows in the basement, both of which as I said, require Special Permits.

On the first one, with regard to the excluding the basement area from being considered as part of GFA of the structure, the Chair moves that we make the following findings:

That what is -- this proposal with regard to the basement supports the character of the neighborhood or

district in which the structure is located. It just -- what it does is it allows a more suitable and extensive residential use and, therefore, increases living area for the structure without in duly creating increased density for the neighborhood.

Further, that the -- the next finding is that the requirements of the Ordinance cannot be met without the Special Permit you're seeking and that we're being asked to consider.

That traffic generated or patterns of access or egress resulting from what is proposed with regard to the basement will not cause congestion, hazard, or substantial change in established neighborhood character. Again, we're talking about internal use of a structure by using the basement area which would not be otherwise be possible without a Variance under our Ordinance.

That the continued operation or development of adjacent uses will not be adversely affected by what is

proposed. Again, the building is now residential, it will continue to be residential.

That no nuisance or hazard will be created to the detriment of the health, safety, and/or welfare of the occupant of the proposed use or the citizens of the city. The structure will have as required by code, a separate egress from the basement area and otherwise has no impact on the health, safety, and/or welfare of the occupant of -- future occupant of the proposed use or the citizens of the city.

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

So on the basis of all of these findings the Chair moves that we grant the relief requested on the condition that with regard to the basement area and the structure in general, the work will proceed in accordance with plans

submitted by the petitioner prepared by Khalsa K-H-A-L-S-A
in Somerville, Mass. And the date is --

PATRICK TEDESCO: 2/20/2018.

CONSTANTINE ALEXANDER: Okay. 2/20/2018. All
those in favor please say "Aye."

(Show of hands.)

CONSTANTINE ALEXANDER: Five in favor.

The relief is granted with regard to the excluding
the basement area from GFA.

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

CONSTANTINE ALEXANDER: Now with regard to the
windows. Would you just identify where the windows are on
these plans?

ATTORNEY SEAN HOPE: Yeah, so they're highlighted
on EX100.

CONSTANTINE ALEXANDER: These are not new -- I
mean --

DANI CHEDID: They're existing.

CONSTANTINE ALEXANDER: They're large windows.

You're not adding another window or two?

DANI CHEDID: We're not adding.

CONSTANTINE ALEXANDER: Okay.

ATTORNEY SEAN HOPE: Just altering.

DANI CHEDID: These are existing windows.

SLATER ANDERSON: Are you moving them? Enlarging
them?

CONSTANTINE ALEXANDER: That's my question.

DANI CHEDID: We're not going to do anything with
them. Just doing mechanical ventilation.

ATTORNEY SEAN HOPE: So it says new window here in
large opening.

DANI CHEDID: Those are upstairs. We're okay.

CONSTANTINE ALEXANDER: Why do you need relief if
you're not moving or enlarging the windows?

DANI CHEDID: No.

ATTORNEY SEAN HOPE: You're sure?

DANI CHEDID: The Building Department --

ATTORNEY SEAN HOPE: I thought the earlier plan --

DANI CHEDID: No, I thought we needed windows and we're asking not to get windows. But the Building Code allows us to do it by mechanical ventilation.

ATTORNEY SEAN HOPE: Okay, that was the change.

CONSTANTINE ALEXANDER: So you're going to withdraw your request for this Special Permit?

ATTORNEY SEAN HOPE: That's right.

DANI CHEDID: Yeah.

JIM MONTEVERDE: So those occupied spaces won't have windows?

DANI CHEDID: They have existing windows that remain.

JIM MONTEVERDE: Existing.

CONSTANTINE ALEXANDER: Okay. So we don't need to take a second vote.

DANI CHEDID: My understanding was that I thought we had to --

ATTORNEY SEAN HOPE: I thought that we were --

CONSTANTINE ALEXANDER: Case is over. Thank you very much.

* * * * *

(8:40 p.m.)

(Sitting Members Case No. BZA-015715-2018: Constantine Alexander, Brendan Sullivan, Patrick Tedesco, Slater W. Anderson, Jim Monteverde.)

CONSTANTINE ALEXANDER: The Chair will call case No. 015715, 1 Brattle Square.

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

JOHN BURKE: Good evening.

CONSTANTINE ALEXANDER: Name and address for the stenographer, please.

JOHN BURKE: John Burke. Address is 19 Camelot Lane, Westwood, Mass.

TED GALANTE: Ted Galante, 146 Cambridge Street, Cambridge, Mass.

CONSTANTINE ALEXANDER: Are you counsel for the --

TED GALANTE: I'm architect. I'm not smart enough to be an attorney. Don't write that down.

CONSTANTINE ALEXANDER: Okay.

TED GALANTE: So John put together a petition for a Special Permit to modify part of what is currently a bank in the 1 Brattle Square building and turn that into a cafe in the building. As you may all know, that's the overall building. And the idea is to take over roughly 60 percent of the space.

Right now the bank is this entire space. The intent is to take over part of that space. It's a sublease

from the bank to put in a cafe. And this is Brattle Street along here. So there's sort of 60 percent of the street frontage will be for the cafe as opposed to for a bank. And so that's the overall intent.

And the traffic patterns or traffic flow are really part of the fabric of Harvard Square with no real significant change from pedestrian level. Obviously no automobile traffic change.

CONSTANTINE ALEXANDER: Could you tell us a little bit about the nature of the -- what the business that's going to be conducted. You say a cafe. What's the food offerings? What's the hours?

JOHN BURKE: I'll start with basically food offerings. Gonna be coffee, tea, cappuccinos, and drinks. It's gonna be scones, bagels. There will be some muffins, croissants.

Hours of operation, they're thinking 8:30 to 10:00 p.m. at night. There was a recommendation by the Harvard

Square Advisory Committee to see if we could extend the hours throughout the weekend. You know, Thursday through Saturday, extend it to mimic what the neighbors are doing as well just to add life to the community. It's --

CONSTANTINE ALEXANDER: Will you be able to satisfy that request?

JOHN BURKE: I believe that's the case. Personally I'm a consultant. The management, that's what they're looking to do.

CONSTANTINE ALEXANDER: That's my next question, is this a chain of any sort?

JOHN BURKE: It's a group from Japan that's expanded through India and they just started to come into the U.S. So essentially, yes, it's a brand and a chain that's growing. So there's currently one that just opened up last month in Providence. There's another one that's opening in New Haven probably in the next 45 days. We've been working -- I think the lease has been pretty much

signed or for about eight, ten months, twelve months now.

Probably ten months.

CONSTANTINE ALEXANDER: Harvard Square has got many places to have cafe stuff from Flour on one side of you, to Crema up the street. What is going to be unique for you are that would justify why you want to open a cafe here?

JOHN BURKE: This particular location and the group, their model is more driven towards students. And what they were trying to do is to be really an educator of trying to have the students understand, like, as they're graduating, where do they want to be? So how do they transfer from student life to real world?

CONSTANTINE ALEXANDER: They're going to get that from sitting in a cafe and having a cappuccino?

JOHN BURKE: There's basically a lot of sponsorship. It's a little different concept than -- I don't want to say it's somewhat HR driven, but there's basically -- I don't want to call it a recruiting center.

But there's opportunities where, I use examples like J.P. Morgan or Google, they would be advertising within the space, and they could come in and have possible interviews or, you know, the students themselves would be, you know, they could ask questions about the company, and there'd be like -- there could be like a Google day where Google would come in and talk about their company and the students would be able to interact and have conversation and ask questions about, you know, what could I do if I worked for your company. So it's more of a -- I don't want to say it's a recruiting center, because it's really not driven that way. It's really just, they make a lot of their dollars based on sponsorships from large corporations.

TED GALANTE: And it's not a chain in a sense that there's, you know, one at 1 Brattle and then another one on the other side of Harvard Square. The intent is to open one at each of the ivy league schools, for example.

CONSTANTINE ALEXANDER: I've noticed, yeah,

Providence, New Haven, and now Cambridge. I see a pattern there.

JOHN BURKE: Right. Princeton, Amherst. MIT is in the future. You wouldn't see, you know, west coast. I don't, you know, it's not a location that's going to be in every -- it's not going to be in every town in America.

CONSTANTINE ALEXANDER: It's also not going to have food offerings it sounds like that's going to be -- say like Flour that brings people to go there because I want to have a sticky bun.

JOHN BURKE: Exactly. It's discounted to students so the students would really -- they'd benefit from it. That was kind of the draw. It's different, a different model than in the U.S. First time I heard of it. I was....

SLATER ANDERSON: Are you going to sell pizza?

TED GALANTE: There aren't enough places in the square for pizza.

CONSTANTINE ALEXANDER: As you know or should

know, what you're proposing is considered under our Ordinance as a fast order food establishment.

JOHN BURKE: Yes.

CONSTANTINE ALEXANDER: And we've got to make various findings to grant you the Special Permit to operate your fast food -- fast order food establishment.

We've got it find that the operation of the establishment will not create traffic problems, reduce available parking, threaten the public safety in the streets, or encourage or produce double parking on the adjacent public streets.

Will many people driving to your -- do you expect, obviously, driving to your cafe?

TED GALANTE: I think the answer is no. I think it's pedestrian traffic given that students are right there.

CONSTANTINE ALEXANDER: Okay.

The physical design, including the color and use of materials of the establishment shall be compatible with

and sensitive to the visual and physical characteristics of other buildings, public spaces, and uses in the particular location.

TED GALANTE: So there's fundamentally no net change to the exterior of the building other than some modest signage.

CONSTANTINE ALEXANDER: Which you'll have to comply with our Ordinance on.

TED GALANTE: Yes, to be sure, that's right. So the building is fundamentally staying exactly as it is.

CONSTANTINE ALEXANDER: The establishment fulfills a need for such a service in the neighborhood. And I think you've identified that the need you're fulfilling is sort of an informal recruiting -- that's one aspect. Recruiting center, and that's something you don't get at the other cafes in Harvard Square.

JOHN BURKE: Correct, thank you.

CONSTANTINE ALEXANDER: And you're producing, I

guess you would say, an additional benefit to the student community that mostly occupies Harvard Square.

JOHN BURKE: Absolutely. And we encourage the students to spend time there. There's no rush to get out. There's free Wi-Fi, really comfortable chairs, and the environment that Ted designed --

CONSTANTINE ALEXANDER: That's true of every one of the cafes in Harvard Square.

JOHN BURKE: I believe that to be true.

BRENDAN SULLIVAN: The venue, I think the difference you want to gather, Starbucks, you know, a recruiter may say to an individual, you know, hey, why don't we go to Starbucks and have a cup of coffee and we'll talk about this and so on and so forth. What I gather is this venue will sponsor a meet and greet type of operation which is welcoming. Starbucks would not want to take a whole bunch of people and give them a dedicated -- an area and so on and so forth. Flour, so on and so forth. You know, they

want you to get in, have their product, eat or leave, take it with you, so on and so forth. Where this venue which, you know, there's probably a great benefit. And that provides food and drink, whatever that is to, you know, add to the comfort level I guess.

CONSTANTINE ALEXANDER: I'm sorry.

Another finding we have to make is the establishment will attract patrons primarily from walk-in trade as opposed to drive-in or automobile-related trade.

And I think you've identified that as well --

TED GALANTE: That's right, the student body.

CONSTANTINE ALEXANDER: -- it's not the kind of place that people are going to drive to get their recruiting kick.

JOHN BURKE: No. There's no real parking out front.

CONSTANTINE ALEXANDER: There's no parking.

JOHN BURKE: There's no supplied parking, yes.

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

JOHN BURKE: That is -- yeah, we plan on recycling. And actually in last night's meeting there was a discussion, we're looking into commercial composting as well.

CONSTANTINE ALEXANDER: Okay.

And there will be -- what are you going to do about waste receptacles so people don't throw their trash in the streets?

TED GALANTE: They're strategically located within the shop, and then there's always one on that corner anyway, right on that corner of Brattle.

CONSTANTINE ALEXANDER: Okay.

And that the establishment complies with all state and local requirements applicable to ingress, egress, and

use of all facilities on the premises for handicapped and disabled persons.

TED GALANTE: Yes.

CONSTANTINE ALEXANDER: You're going to be --

TED GALANTE: Yes, there's -- it's accessible.

There's a lift to get -- it is actually two levels because it's above the MBTA tunnel. And there's a lift inside and the restrooms will be accessible and the counters will be accessible. Yes.

CONSTANTINE ALEXANDER: Okay, good. Those are all the things that we need to deal with and we have dealt with presumably.

Anything else you want to add? I'm going to open the matter up to public testimony in a second.

TED GALANTE: I think, the only thing, it was kind of covered last night but, you know, in terms of deliveries and rubbish removal, the building has its own bit of infrastructure around the back off Mifflin Place. And so

none of that will be happening through the main entrance through front door. It's always --

CONSTANTINE ALEXANDER: Well, there's Chipotles right down --

TED GALANTE: It's right next to Chipotle, that's right.

CONSTANTINE ALEXANDER: They have to deal with removal of trash and stuff.

JOHN BURKE: That's right.

TED GALANTE: There's a system in place. You know, this is Mifflin Place over here.

CONSTANTINE ALEXANDER: Right.

TED GALANTE: So they move through the building and then go out that way. That's how it's -- the building is managed that way and so that's how it falls into place, just to point that out.

CONSTANTINE ALEXANDER: Okay.

Questions from members of the Board at this point?

(No Response.)

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

Is there anyone here wishing to be heard?

(No Response.)

CONSTANTINE ALEXANDER: Apparently not. We are in receipt of the a memo from the Harvard Square Advisory Committee which apparently unanimously for those who attended the meeting, I guess was last night?

JOHN BURKE: Yes, it was.

CONSTANTINE ALEXANDER: Are in support of the granting you the Special Permit you're seeking. They made some comments and suggestions. They don't suggest that -- and I don't want to go on. There's four of them.

One of them you've already identified. That the evening hours be expanded at least on the weekends. And you said you're going to try to have --

JOHN BURKE: Yes.

CONSTANTINE ALEXANDER: What was the time?

JOHN BURKE: Currently it had said ten o'clock, and they had asked us to look at what the neighbors are doing in the area and try to mimic those hours.

CONSTANTINE ALEXANDER: Do you know Chipotle's hours are? That's the only one that's like your business.

JOHN BURKE: Crema, I don't know. Is it midnight, 12:30?

TED GALANTE: I go to bed early. I don't know.

JOHN BURKE: Same here.

CONSTANTINE ALEXANDER: Other one is dealing with outdoor seating. I think you've identified outdoor seatings in your plans.

JOHN BURKE: We would like to do that, yes, please.

CONSTANTINE ALEXANDER: They want barriers -- they discourage barriers around the outside.

JOHN BURKE: Yeah. They wanted to make it more

accessible. Our original drawings showed barriers basically blocking, you know --

CONSTANTINE ALEXANDER: Are you going to take out the barriers?

JOHN BURKE: We're definitely going to open up it up to the public.

CONSTANTINE ALEXANDER: Okay.

JOHN BURKE: But with ample access to get in and out. Something to beautify the area if possible.

CONSTANTINE ALEXANDER: You know, planters are usually what you see around those, but not a barrier.

JOHN BURKE: It was a planter design, but there was -- in full line. So we would open it up. We would like to add some color or have some type of floral arrangement there.

CONSTANTINE ALEXANDER: With regard to color, they said, the last comment I would make, is the windows should remain as open as possible above the counter. It is

important to see as much activity and light as possible from the outside. And I take it you're --

TED GALANTE: Yes.

CONSTANTINE ALEXANDER: -- you have every incentive to do that.

JOHN BURKE: Absolutely.

TED GALANTE: Yes.

BRENDAN SULLIVAN: John, once tonight is over and the work and so on and so forth, does your involvement end?

JOHN BURKE: Personally?

BRENDAN SULLIVAN: With the cafe?

JOHN BURKE: No, I'm a general contractor so I've been doing --

BRENDAN SULLIVAN: I'm just, you know, usually when we have these fast food, the manager or representative of the company is here making commitments, making pledges, making agreements on their behalf and so on and so forth. And not that we have a whole laundry list of things to agree

on, but --

CONSTANTINE ALEXANDER: I think by appearing here before us --

BRENDAN SULLIVAN: I mean, obviously you have authority to represent them.

JOHN BURKE: I do. And the manager was with me last night in last night's meeting. He was unable to make this evening's meeting.

BRENDAN SULLIVAN: Okay.

JOHN BURKE: And the group --

CONSTANTINE ALEXANDER: Well, the comments you've made you're speaking on behalf of and are binding upon --

JOHN BURKE: Yes.

CONSTANTINE ALEXANDER: -- the petitioner.

TED GALANTE: I think there's a letter that says that they're joined. That John is acting as their representative. I think there's letter to that effect in the file.

BRENDAN SULLIVAN: An agent for?

TED GALANTE: Yes, I think a letter --

JOHN BURKE: Yes.

BRENDAN SULLIVAN: I mean obviously when the license comes out, there's going to be a manager that's going to be tied to it.

TED GALANTE: Right.

JOHN BURKE: Right.

BRENDAN SULLIVAN: So, okay.

CONSTANTINE ALEXANDER: Ready for a vote?

The Chair moves that we make the following findings with regard to the requested Special Permit for a fast order food establishment:

That the petitioner satisfies all of the conditions -- make the following findings:

One, that the petitioner satisfies all of the conditions required under Section 11.30 of our Ordinance regarding fast order food establishments.

That further -- we've got to make the regular findings for Special Permits. That the requirements of the Ordinance cannot be met without the Special Permit you're seeking, because that's what the Ordinance requires. I don't know why they have this in there but they do.

That traffic generated or patterns of access or egress resulting from the operation of this cafe will not cause congestion, hazard, or substantial change in established neighborhood character. In this regard there is ample open space in an area around the building. There is already an eating establishment, not a fast order food establishment, but eating establishment in the same building adjoining to where you're proposing to be located.

That the continued operation of and development of adjacent uses will not be adversely affected by what is proposed.

And then in this regard no neighbor or other person has come before us to object to your Special Permit.

And the Harvard Square Advisory Committee, as I've mentioned, unanimously as those persons attending the meeting, support your Special Permit.

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

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

So on the basis of all these findings, the Chair moves we grant the Special Permit requested to operate this fast order food establishment at 1 Brattle Square.

All those in favor please say "Aye."

(Aye.)

CONSTANTINE ALEXANDER: Five in favor. Relief granted.

(Alexander, Sullivan, Tedesco, Anderson,

Monteverde.)

JOHN BURKE: Thank you very much appreciate all
your time.

TED GALANTE: Thank you very much.

PATRICK TEDESCO: Good luck.

* * * * *

(9:00 p.m.)

(Sitting Members Case No. BZA-015657-2018: Constantine
Alexander, Brendan Sullivan, Patrick Tedesco, Slater W.
Anderson, Jim Monteverde.)

CONSTANTINE ALEXANDER: The Chair will call case
No. 015657, 360 Allston Street.

Is there anyone here wishing to be heard on this

matter?

EDRICK VANBEUZEKOM: Yes. My name is Edrick Vanbeuzekom. I'm the architect for the owner of this project Alice Paar. And Alice has owned this building since 19 --

ALICE PAAR: '84.

EDRICK VANBEUZEKOM: '84. Okay. We're neighbors. Or we live within a couple of blocks of each other.

Alice currently occupies the first floor of this building and is interested to make use the basement space basically to get a home office, a little exercise space, some storage. And the whole project sort of came about originally because she was looking at redoing her utilities down there and moving from the third floor down to the first floor so she could have more space. So, and initially it was just to replace windows in the basement, but the idea came along through the suggestion of one of the building inspectors, actually, to lower the floor and make use of the

space down there.

So the property is a nonconforming --

CONSTANTINE ALEXANDER: To be sure. Which is to me a real issue, but we'll get to that.

EDRICK VANBEUZEKOM: Yeah. So basically the house occupies the entire lot.

CONSTANTINE ALEXANDER: I didn't see an inch of open space.

EDRICK VANBEUZEKOM: That's correct. There's maybe, maybe a couple inches along --

CONSTANTINE ALEXANDER: Let me ask a question. Your plans show you're going to use the basement for an exercise room and I forget the other one.

ALICE PAAR: Bathroom, office.

CONSTANTINE ALEXANDER: Why a full bath if there's no bedrooms down there? What's the purpose of a full bath? Is it for short-term rentals?

ALICE PAAR: No. No. Well, I mean, not at the

moment, no. I mean, for myself because --

CONSTANTINE ALEXANDER: I mean, I don't know why we need a -- if you have no living space down there, I mean in terms of the bedrooms and the like, why you need a full bath.

EDRICK VANBEUZEKOM: I would assume it's because she's spending time down there, she doesn't want to run back up and down the stairs always. And with the exercise space, the idea from my understanding was that you wanted to be able to --

ALICE PAAR: Shower.

EDRICK VANBEUZEKOM: -- shower or take a bath after exercising. So it's not -- you can't do a bedroom down there because there's no way to do windows to get egress. So it's never going to be habitable space in that sense.

CONSTANTINE ALEXANDER: My problem, and it's just me speaking, is that this is a complete overuse of the

structure and density. Under our Ordinance the most GFA, gross floor area, you could have is 613 square feet. Right now you have 2,811 which is four times more than our Ordinance provides. And you want to go to 3,481, which will make you more than five times what our Ordinance permits. Similarly, if you look at the GFA, the Ordinance has no more than 0.6. You are at 2.75 now which is what, more than four times, and you're going to go to 3.4.

EDRICK VANBEUZEKOM: Right.

CONSTANTINE ALEXANDER: I mean, the impact on the neighborhood is, to me, is too much. Too much house.

EDRICK VANBEUZEKOM: Well....

CONSTANTINE ALEXANDER: Just speaking for me.

Other members of the Board --

PATRICK TEDESCO: Can I -- I might challenge that.

CONSTANTINE ALEXANDER: Go ahead.

PATRICK TEDESCO: I live a couple blocks from here. So I drive down Putnam quite a bit. I mean talk

about an unusually shaped lot.

CONSTANTINE ALEXANDER: Right.

PATRICK TEDESCO: I don't think this lot or the neighborhood would benefit at all from less house on this site, on this particular site. It's three stories. If you came with dormers or a height added --

EDRICK VANBEUZEKOM: Yeah, any exterior additions I think would --

PATRICK TEDESCO: Right. If you came and wanted to lop off the back side of the house to add a yard and conform with the open space requirement, I would say I'm not so sure Putnam Avenue, Putnam Avenue is very wide in this location. You've got cars zooming in and out Whole Foods all the time. I think having a house with zero lot line, even though that's very unusual for this neighborhood for sure, but given where it is and given the shape of the house and the location, I don't think the neighborhood suffers from too much house.

EDRICK VANBEUZEKOM: Perhaps that's a good moment for us to submit -- we have -- Alice has spoken to quite a bit of the neighborhood. So we have a petition.

ALICE PAAR: You know, within -- that's the letter I composed, but then there are signatures in the back of -- I mean, other neighbors right next-door to me.

PATRICK TEDESCO: Right.

ALICE PAAR: They're, you know.

PATRICK TEDESCO: If you were looking to add another unit, I would be in full agreement with Gus.

EDRICK VANBEUZEKOM: There's no parking and --

PATRICK TEDESCO: Right. And, you know, I imagine quality of the spaces with utility and some of the spaces suffer from the odd configuration for sure which I'm --

JOHN HAWKINSON: As requested.

CONSTANTINE ALEXANDER: Sorry.

PATRICK TEDESCO: Anyway, it's a funky house.

EDRICK VANBEUZEKOM: Yes.

ALICE PAAR: I'm only the second owner of the original owner because the building was built in 1915 just on that lot by the -- and the lady lived on the third floor until she was 98 years old.

PATRICK TEDESCO: And then on the other side of Allston, if I'm not mistaken there's a --

ALICE PAAR: There is -- they're going to be townhouses. I'm right on the corner of commercial and residential. But then that, those -- the 300 Putnam is turning into townhouses which are gonna be bigger than, you know, I mean....

PATRICK TEDESCO: Well, again, I think Putnam can use some density. It's a wide street I think it's a shame that Whole Foods was never required to keep their Putnam Avenue storefront open.

EDRICK VANBEUZEKOM: I agree.

PATRICK TEDESCO: But there was probably some planning provision they committed to.

CONSTANTINE ALEXANDER: They did commit.

PATRICK TEDESCO: And it was open for about a month and it's been closed for 18 years. So, you know.

EDRICK VANBEUZEKOM: Yeah. They seemed to deliberately sabotage it by not offering much there.

PATRICK TEDESCO: Yeah. Anyway, that's neither here nor there.

EDRICK VANBEUZEKOM: So, yeah. I mean, our opinion is that, you know, it's a very unusual site, very unusual house in this location. It is a, it's a busy corner and you've got, you know, it's the corner of Allston and Putnam Ave. You know, I don't think finishing out the basement here really has any effect on the neighborhood other than the person living on the first floor. We're not adding any bedrooms. And, you know, legally we could not have bedrooms down there. And, you know, part of what we're proposing here that we're putting in a second stair down there, making it safer to access. Just making better use of

the space.

CONSTANTINE ALEXANDER: Okay.

Other questions from members of the Board?

SLATER ANDERSON: Can I just see those photos there?

EDRICK VANBEUZEKOM: Yes.

CONSTANTINE ALEXANDER: I'll ask if anyone -- open the matter up to public testimony.

Is there anyone here, while my colleagues are looking at the plans and photos, is there anyone here wishing to speak on this matter?

(No Response.)

CONSTANTINE ALEXANDER: No?

Okay, no one does. And we are in receipt of a petition submitted by the petitioner which says: I, the undersigned, am in favor of my neighbor/abutter being granted this Special Permit that you're seeking tonight. And this has been signed by 1, 2, 3, 4, 5, 6, 7, 8, 9, 10,

11, 12, 13, 14 -- 17 -- 19, 19 individuals. I am not going to read their addresses, but I presume they're all in the general neighborhood and they're not from the other side of the city.

EDRICK VANBEUZEKOM: Yeah.

CONSTANTINE ALEXANDER: Okay.

SLATER ANDERSON: There were three units in the building?

ALICE PAAR: Yes.

EDRICK VANBEUZEKOM: Correct.

CONSTANTINE ALEXANDER: When you're done, Patrick, let me know.

PATRICK TEDESCO: I'm good.

SLATER ANDERSON: All set.

CONSTANTINE ALEXANDER: Okay.

The Chair moves that we make the following findings with regard to the relief being sought. The relief being to exempt the basement area once it's been lowered. I

mean, the floor's been lowered from the GFA calculations.

That the first finding is that the -- what is proposed -- I want to get the right language. Here it is.

The uses that you put to the structure, including the structure as modified, supports the character of the neighborhood or district in which the lot is located.

And further, we have to make general findings with regard to any Special Permit we grant.

First, that the requirements of the Ordinance cannot be met without the Special Permit you're seeking.

That traffic generated or patterns of access or egress resulting from the relief you're seeking, if we grant it, will not cause congestion, hazard, or substantial change in established neighborhood character.

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

That no nuisance or hazard will be created to the

detriment of the health, safety, and/or welfare of the occupant of the structure or the citizens of the city.

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

So on the basis of all of these findings, the Chair moves that we grant the Special Permit to exclude from GFA the basement area once it's been modified. This ceiling height has been modified.

All those in favor please say "Aye."

(Aye.)

CONSTANTINE ALEXANDER: Four in favor.

(Alexander, Tedesco, Anderson, Monteverde.)

CONSTANTINE ALEXANDER: Opposed?

(Sullivan.)

CONSTANTINE ALEXANDER: One opposed. Relief granted.

(Whereupon, at 9:15 p.m., the
Board of Zoning Appeals Adjourned.)

* * * * *

ERRATA SHEET AND SIGNATURE INSTRUCTIONS

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

INSTRUCTIONS

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

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

C E R T I F I C A T E

COMMONWEALTH OF MASSACHUSETTS
BRISTOL, SS.

I, Catherine Lawson Zelinski, a Certified Shorthand Reporter, the undersigned Notary Public, certify:

That the hearing herein before set forth is a true and accurate record of the proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand this 30th day of April, 2018.

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

My Commission Expires:
April 29, 2022

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