

BOARD OF ZONING APPEAL  
FOR THE  
CITY OF CAMBRIDGE

GENERAL HEARING

THURSDAY, MAY 16, 2019

7:00 p.m.

In

Senior Center

806 Massachusetts Avenue

First Floor

Cambridge, Massachusetts 02139

Constantine Alexander, Chair

Brendan Sullivan, Vice Chair

Janet Green, Member

Andrea A. Hickey, Member

Jim Monteverde, Associate Member

Maria Pacheco, Zoning Secretary

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1 P R O C E E D I N G S

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3 (7:02 p.m.)

4 Sitting Members: Constantine Alexander, Brendan Sullivan,  
5 Janet Green, Andrea A. Hickey  
6 Jim Monteverde

7 CONSTANTINE ALEXANDER: The Chair will call this  
8 meeting of the Board of Zoning Appeals to order, and as is  
9 our custom, we're going to start with continued cases.  
10 These are cases that started at an earlier date, but for one  
11 reason or another has been continued into this evening. And  
12 then after that we'll got to our regular agenda.

13 First, I want to read a statement, however.

14 After notifying the Chair, any person may make a  
15 video or audio recording of our open sessions, or may  
16 transmit the meeting through any media, subject to  
17 reasonable requirements that the Chair may impose after the  
18 number, placement, and operation of equipment used, so as  
19 not to interfere with the conduct of the meeting.

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

1                   CONSTANTINE ALEXANDER:  And I wish to advise those  
2  of you in the audience that not one, but at least two  
3  recordings are being made.  A citizen of the city is  
4  recording, he's left his tape recorder right there, and our  
5  stenographer is recording.  She records the entire session  
6  to assist her, and then ultimately us, in the writing of the  
7  decision.

8                   So, anyone else here planning to tape record or  
9  video record this meeting?

10                  Fair enough.  Okay.  With that, we'll start.

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1 (7:03 p.m.)

2 Sitting Members: Constantine Alexander, Brendan Sullivan,  
3 Janet Green, Andrea A. Hickey  
4 Jim Monteverde

5 CONSTANTINE ALEXANDER: The first continued case I  
6 am going to call is Case Number 017030 245-255 Bent Street.  
7 Anyone here wish to be heard on this matter?

8 MR. HOPE: Good evening Mr. Chairman and members of  
9 the board, for the record Attorney Sean Hope, Hope Legal Law  
10 Offices in Cambridge, and I'm here tonight on behalf of the  
11 petitioner. We have Mr. Tim Bianchi, if you want to spell  
12 your name for the board?

13 MR. BIANCHI: Sure. It's B-i-a-n-c-h-i. Thank  
14 you.

15 MR. HOPE: And Mr. Bianchi is a board member of  
16 the Charter School. The Head of Schools could not make it  
17 tonight, but Mr. Bianchi is also an Operations Director at  
18 the school, can answer any procedural questions the board  
19 may have.

20 As the Chair said, this is a continued case from  
21 several months ago. We initially applied for two variances;  
22 one was a variance for a wall sign that exceeded the wall he

1 is, and as well as 16 diameters for three buildings as part  
2 of the campus.

3           We -- the last hearing we represented to the board  
4 that we were no longer seeking relief for the wall sign, and  
5 that still remains the case. So tonight, we are just  
6 requesting variances for the projecting signs -- are also  
7 known as banners -- at the property.

8           As part of the revised proposal, we have reduced  
9 the number of banners. Initially, there were 16 banners and  
10 as part of the representation, we -- the goal was probably  
11 too broad. There was a goal to create a unified campus, and  
12 we have a memo to submit into the board as part of the  
13 revised application, to kind of explain the history of the  
14 three buildings and how those came be.

15           But I was looking closer at the ordinance, and  
16 also having several conversations with Community Development  
17 trying to understand more of the intent and purpose of the  
18 sign ordinance and how it might apply to this institutional  
19 use, we then revised the proposal, and we were looking at --  
20 so the ordinance says you can have one projected sign for a  
21 ground-floor use.

22           Now, the Article VII breaks the categories into

1 commercial, or residential or nonresidential. So, there's  
2 no designation for an institutional or a school or use. And  
3 I think that's important, because right across the street,  
4 for example, is Verizon. Verizon is in an industrial  
5 building very similar to the buildings that are here.

6           CONSTANTINE ALEXANDER: Now that -- it's across  
7 the street, but set way back.

8           SEAN HOPE: It is set way back, but I think the  
9 point is for any commercial use, if it's a retail use, it  
10 would make sense to have one primary entrance. You are  
11 serving customers and patrons, and you'd have a sign, and  
12 typically you'd want people to come in, and the sign would  
13 be more of a commercial nature.

14           In this case, the sign that we're proposing -- the  
15 affected signs are not to sell anything; really, they're to  
16 make sure to identify the entrances. And so --

17           CONSTANTINE ALEXANDER: Can I just interrupt you  
18 right there?

19           SEAN HOPE: Sure.

20           CONSTANTINE ALEXANDER: We're talking about a  
21 school.

22           SEAN HOPE: Okay.

1           CONSTANTINE ALEXANDER: The first day of school,  
2 or their parents may need the sign -- the banner -- to find  
3 the front entrance, maybe even the second day. But there  
4 after that, they get to the school, they don't need a banner  
5 to find the front door, and meanwhile the sign is going to  
6 be up 24/7, 12 months a year. So --

7           SEAN HOPE: Well, I would say, you know, so what  
8 it is for the students -- I would say that there are three  
9 buildings --

10          CONSTANTINE ALEXANDER: Right.

11          SEAN HOPE: And so, it's not just one building,  
12 it's three buildings. I would also say there are visitors,  
13 there are parents, but there's also the public. And part of  
14 what the identification -- and this is part of what we  
15 believe -- is that the primary entrance has five existing,  
16 nonconforming signs. And so, it's very clear to know that's  
17 your primary entrance.

18          As there's -- as the campus has evolved -- and  
19 they've expanded the campus, Mr. Bianchi can speak to this,  
20 that there's not just one entrance, there are three primary  
21 entrances. And so, we've limited the proposed banners to  
22 those entrances.

1           So to make sure that it's clear for the students,  
2 staff and to the general public that there's even a school  
3 there. If you're coming down parts of Bent street, it looks  
4 like several other industrial buildings in the area. And I  
5 do think that is a unique case.

6           And again, I think it's important that the sign  
7 ordinance doesn't have any recognition for institutional  
8 uses, which I think are different than the commercial uses  
9 that are there in nature. So I do think that the school use  
10 particularly would benefit from that use.

11           The other thing is so it allows for one ground-  
12 floor use. So we believe that it's not for three primary  
13 entrances and the way they're located, one banner sign would  
14 not be appropriate for the safety and security concerns that  
15 we believe would be alleviated by the banner signs on those  
16 entrances.

17           So if the ordinance says one and we go and have  
18 three separate buildings, then how many should we use, if we  
19 believe one is not appropriate?

20           And so, the way we quantified that was we had five  
21 nonconforming signs. And I believe part of the issue with  
22 signage is the board visual clutter. So I would say that

1 the five projecting signs at the front of the entrance would  
2 be that visual clutter.

3           So what we've done is we've just taken those five  
4 and spread them over throughout three buildings. So then we  
5 would have two per building, all focused around the  
6 entrance. So there was five nonconforming signs in front of  
7 245 Bench Street, and we've added two in front of each  
8 entrance.

9           So when you go over what the ordinance allows, we  
10 wanted to make sure we had a rationale and a basis for those  
11 additional signs.

12           The other thing that I would also mention is that  
13 two of the six signs are interior to a parking lot. Now,  
14 they are viewable from the public, but again in terms of  
15 this idea about visual clutter or excess, I think we have  
16 brought those much closer in conformance to the ordinance.

17           I would also say, we also talked about things like  
18 speeding and traffic control, which we think is a safety  
19 issue. We recognize that the signs are not going to  
20 alleviate all of that.

21           So as part of the memo, we are going to use things  
22 like murals and other measures as well. So we are not

1 trying to accomplish all of the things with the use of  
2 banners, we understand that there's a limitation. I think  
3 we've also recognized the limitation by the number of  
4 proposed banner signs that we have located.

5           So I think that some of the goals we realize won't  
6 all be achieved by the banners, but we believe that the  
7 security, the safety concerns for the six banners that we're  
8 proposing would be achieved.

9           Last, and this is a nuance that I didn't even  
10 fully understand. I was under the understanding that it was  
11 the banner itself that triggered the zoning requirement.  
12 That's not true.

13           So we could have had the 16 banners all along.  
14 It's the lettering or the wording on the banner that  
15 actually triggers the regulation. So that we could have had  
16 purple signs, or the same banners with different colors on  
17 those. If we have school colors, if we had pencils, that  
18 would be advertising what's inside.

19           So some of the feedback that we received from  
20 neighbors in terms of correspondence was about visual  
21 clutter, and we think we should have less. I think the  
22 relevance of that is that it's not the projecting banner

1 that is regulated, it's what's on the banner.

2           So our banners are regulated, because we wanted  
3 them to focus on the school. We wanted our school colors as  
4 part of those -- part of the identification of school is  
5 important, but I think just in general it's not like  
6 projecting signs, or projecting banners, excuse me, are  
7 prohibited or even are regulated.

8           It is actually the text that draws into the  
9 ordinance. I didn't understand that distinction, but I do  
10 think it's important, because it's not purely the number, as  
11 if less is more, it's really that.

12           And my read on this is that the commercial nature  
13 I can understand where if you have a business, a commercial  
14 business, and you primarily would have one per ground-floor  
15 use, I could see why the city as part of its zoning would  
16 say we don't want to have a company advertising several uses  
17 all around a building when you only have one ground floor  
18 use.

19           In this case, I think that you could distinguish  
20 it because we have three buildings. I think it's an  
21 institutional use that's not well captured by Article VII,  
22 and I would say that in my experience, the ordinance

1 sometimes is a blunt instrument, and so this is where the  
2 board can often nuance it based on the uniqueness of a  
3 particular use, and I think that this would rise to that  
4 occasion.

5           CONSTANTINE ALEXANDER: I can certainly  
6 understand, have no problems with the banners on either side  
7 of the entrance -- I'm going to call it an alleyway --  
8 that's the space between the two buildings on your plan.  
9 That makes a good deal of sense, you can't see it from the  
10 street.

11           It's the other four banners that are in front of  
12 245 Bent and 255 Bent I have some questions on. Is there  
13 not a sign on the wall of the building right now? And it  
14 identifies this school?

15           SEAN HOPE: So on 245 Bent Street there is a wall  
16 sign. And that was one of the things we sought relief when  
17 we brought that down. So on the 245 entrance, there's  
18 currently five, and so we're reducing those to two. So what  
19 we're reducing those two, there's five existing, and part of  
20 the --

21           CONSTANTINE ALEXANDER: I have 10, and I want to  
22 focus on if there's a wall sign there that identifies a

1 school, why do you need banners except for other purposes  
2 other than identification?

3 SEAN HOPE: Frankly, indeed that's true. I think  
4 part of the proposal is we thought we were reducing those,  
5 we --

6 CONSTANTINE ALEXANDER: Well, you're reducing from  
7 16 to 5, I get that. But the question is do you need five -  
8 - or 6 I should say -- I'm sorry, six. I can see you need  
9 two, personally, I'm only speaking for myself.

10 The other four I've still got a question about,  
11 because there is already a sign on the building that says --  
12 or one of the buildings -- that says there's a school here.

13 SEAN HOPE: Yeah. I agree. You know, the  
14 identification specifically on 245 Bent Street is probably  
15 less on the need just for identification. I would say just  
16 in terms of having them nonconforming, I mean you have two  
17 there, so we're not adding two. We're essentially taking  
18 three away. So if you -- so right?

19 So I mean we have five, so we're taking three  
20 away. It sounds like the 255 Bent Street one you see a  
21 rationale for because that's another entrance. And then the  
22 other two are anterior to a parking lot. So --

1           CONSTANTINE ALEXANDER: As I said, I have no  
2 problem with the anterior to the park, personally.

3           SEAN HOPE: I see.

4           CONSTANTINE ALEXANDER: Only one person. I have  
5 no problems with the signs that are anterior to the park.  
6 You know, they make a great deal of sense and there's a need  
7 for it, with respect. Understood. I'm still troubled by  
8 those banners on the street, in front of a building that  
9 already has a sign on the building that identifies there's a  
10 school there.

11          SEAN HOPE: Yeah. I take your point. I think the  
12 school feels that it's been a historic part of the front in  
13 terms of the banner --

14          CONSTANTINE ALEXANDER: You know, that's not a  
15 justification for wanting relief?

16          SEAN HOPE: I understand. I'm just -- the  
17 rationale, and I think frankly we could keep the same  
18 banners and put things that aren't regulated by -- as a  
19 sign, we could do that. I don't necessarily think that  
20 would change the aesthetic for the public, it would just  
21 probably, you know, change the aesthetic for the school.  
22 Because I don't know who would be served by saying, "Hey,

1 take down the lettering and put something that doesn't have  
2 your school logo, and you're still allowed to have those,  
3 whether or not you're just changing the cloth."

4 But do you want to maybe speak to that?

5 TIM BIANCHI: Yeah. I mean, I could share a  
6 little bit about what's happening with 255 Bent, which  
7 historically we've only had one floor in that building, and  
8 we've been fortunate enough to actually acquire the  
9 property, and my charge right now is to add different  
10 functions that these kids really need.

11 We're going to have more study space; they need  
12 more science lab. So we're developing a business plan to  
13 add those.

14 So we're going to have a lot more traffic going  
15 from 245, which is the main school on campus going to 255.  
16 And our concern right now is having banners, we're going to  
17 have a lot of sixth-graders, seventh-graders walking down  
18 Bent Street, and frankly I believe a banner that sticks out  
19 is a little bit of an eye-catching (sic) than a flush sign  
20 on the front of a building.

21 CONSTANTINE ALEXANDER: Yeah, but assuming that  
22 sixth or seventh or eighth-grader is walking down that

1 street day after day, he's going to know where the entrance  
2 is after the first couple days.

3 TIM BIANCHI: I'm talking about someone driving in  
4 a vehicle driving north on Bent Street towards this that you  
5 cannot see that it's a school, because it's a flush side --

6 CONSTANTINE ALEXANDER: I know, on the wall.

7 TIM BIANCHI: -- on the front of the school. So  
8 you'd only notice it's a school when you actually pass the  
9 school on the right. That's my opinion. We're just  
10 concerned about safety for our students going from 245 to  
11 255 on a street that frankly --

12 CONSTANTINE ALEXANDER: Personally, I think safety  
13 is a red herring. We have a zone -- I don't mean to be  
14 difficult. I think your school is wonderful. I don't have  
15 a problem with banners. We have a zoning law we have to  
16 enforce.

17 TIM BIANCHI: Understood.

18 CONSTANTINE ALEXANDER: And there's a standard  
19 that you have to satisfy. And I'm at a loss so far with  
20 regard to the four signs on Bent Street as to why you think  
21 you satisfy the requirements?

22 SEAN HOPE: I -- frankly I -- and maybe Mr.

1 Bianchi's didn't, but I think it's not the students not  
2 finding their way. So I think the safety concerns that  
3 we've tried to express are for vehicles driving.

4           And I think if you drive by any of these other  
5 schools, even on Putnam Ave, you know it's a school, you  
6 recognize the building. We don't have the benefit. It  
7 looks like all the other industrial buildings that are in  
8 this district.

9           So part of it -- the safety concern I think that  
10 we've tried to make clear is not about students getting  
11 lost, it's about people driving by, and if you're driving by  
12 Bent Street, I think as we were trying to say, you don't see  
13 the flush sign until you're driving by it, where the banners  
14 project out, and so there is a signal if you're driving by  
15 that there's something maybe different going on than over a  
16 block over.

17           And so, I think that is the safety concern. I  
18 would note, to the Chair's point, I think in terms of the  
19 need for bracketing is probably the weakest on 245, because  
20 it has an existing wall sign that is there. I do think 255  
21 Bent Street, as Mr. Bianchi mentioned, is going to be  
22 increased use. There's going to be more students out of

1 there, and I do think the banners are -- there's nothing up  
2 -- there are other elements there, but I think that part of  
3 the building, because it's also on the corner, I think would  
4 benefit greatly from --

5           CONSTANTINE ALEXANDER: So why not just have two  
6 banners on Bent Street, not four?

7           SEAN HOPE: Well, I think what our proposal was  
8 for --

9           CONSTANTINE ALEXANDER: The one in the alleyway --

10          SEAN HOPE: Yeah.

11          CONSTANTINE ALEXANDER: -- I'm going to call it  
12 the alleyway.

13          SEAN HOPE: And I think that, you know, frankly if  
14 the board found out those 245 were objectionable, we would  
15 likely keep banners and do something that wasn't regulated.  
16 So I think in the end it would -- you know, and I understand  
17 your purview is the ordinance, so you're not against the  
18 four banners.

19                 But I think the result would be the same; we would  
20 find a creative way to be able to signify that it's in  
21 keeping with the ordinance versus something that's more  
22 consistent, and I actually thought it was the blade sign

1 that somehow triggered relief in terms of quantity, but it's  
2 actually the text on.

3           So if the board said, "We don't like the text" all  
4 it would mean is you just take down the logo on it and you  
5 put up something else; that would still for the school have  
6 a very similar effect.

7           I would also say too -- this is not necessarily  
8 relevant to Article VII -- but all the banners are over  
9 private property. And so, none of them are over the public  
10 way. The way the buildings are recessed, they're not in the  
11 public way.

12           Again, that's only relevant for bonding  
13 capacities, but in terms of visual clutter and things  
14 hanging over the public way, I do think that is another  
15 element that would maybe cause this new sense of congestion  
16 and some of the complaints that people may have when there's  
17 excessive signage.

18           CONSTANTINE ALEXANDER: Why don't you go through  
19 the three requirements for a variance, as to why you think  
20 you satisfy those?

21           SEAN HOPE: Yep. So I think that given the nature  
22 of the three buildings containing a use that is distinct

1 within that district, it's an Industry A District that I  
2 think without relief there is a safety concern that would be  
3 a substantial hardship to the petitioner.

4 I think that the hardship is owed to the buildings  
5 and the shape of the lot. We have three buildings, and  
6 continuing on three corners, so that there are blind areas  
7 key to some of the key entrances, and I think that the  
8 proposed relief would help alleviate that.

9 I think that the ordinance Article VII does not  
10 distinguish this particular use, and so I think this use  
11 should have disparate treatment, and I think that strict  
12 adherence to the ordinance allowing for only one sign for  
13 one ground-floor use I think would be a substantial  
14 hardship, and I think that would be a safety concern.

15 And so, I think once you exceed the one banner  
16 use, I think there leads to a rational use to be able to  
17 service what we believe are significant safety issues, and  
18 that would be primarily focusing the banners on the  
19 entrances, and their corners. And I think that's what we're  
20 try to achieve.

21 CONSTANTINE ALEXANDER: That addresses the  
22 hardship interests as well, but what about we have to make a

1 finding that this hardship is owing to circumstances  
2 relating to the soil conditions, shape or topography of such  
3 land or structures, and especially affecting such land and  
4 structures, and not affecting generally the zoning District  
5 in which it is located?

6 SEAN HOPE: Yeah. So I would not say it falls  
7 directly in the shape of a lot, but I think it's a  
8 combination of the shape of the lot being, having three  
9 corners, and those nonconforming, preexisting structures  
10 they're on.

11 Again, I think it's the combination of the shape.  
12 If this was a -- if it was a differently configured lot, or  
13 if the buildings were all in a line, then you wouldn't --  
14 you could have one entrance in the front and one entrance in  
15 the back, and you might not need that.

16 I think the shape of the lot and where the  
17 structures are lead the entrances in certain areas, but I  
18 think there is opportunity for blind corners, and I think  
19 that the projecting banners specifically -- even as opposed  
20 to flat banners -- would allow for vehicles passing by to  
21 notice.

22 And I think the text on the banners themselves

1 also provide a signal that there is an institutional and a  
2 school use.

3           And I think that's different, because this the  
4 only charter school in this industry district. There is a  
5 residential district adjacent to that, and there also are  
6 schools nearby, but I would say within this particular  
7 industry and district, this is one of the few schools --  
8 it's a charter school, and I think that the hardship may not  
9 have existed when they had one building.

10           CONSTANTINE ALEXANDER: You keep going back to  
11 hardship. You're not addressing the shape or topography.

12           SEAN HOPE: Yeah, I mean -- and I think -- I mean  
13 I've tried to address it if it's not sufficient for the  
14 board, but I think it's a combination of the shape of the  
15 lot and the structures they're on, such that the entrances  
16 are located on areas that could create a --

17           JIM MONTEVERDE: What's so unusual about the shape  
18 of the lot?

19           SEAN HOPE: I think it's a combination of the  
20 shape of the lot and the buildings that are on it. And I  
21 think the buildings, the building entrances where they're  
22 located on three corner lots, I think that's pretty unique.

1 I think when you have one building on one lot you maybe have  
2 one corner; we have three corners. And I think that we have  
3 three corners --

4 JIM MONTEVERDE: Everybody that has a three-  
5 cornered lot is entitled to a variance.

6 SEAN HOPE: I didn't say that. And I think as you  
7 know, every lot is unique. And I think the fact that this  
8 is an institutional use in an industrial district I think  
9 what I believe separates it from every other corner lot. I  
10 don't know if the Chair is convinced.

11 CONSTANTINE ALEXANDER: Questions from other  
12 members of the board at this point?

13 JIM MONTEVERDE: Can you explain why that, if I  
14 understand correctly, there are two signs at each entry?

15 CONSTANTINE ALEXANDER: Yes.

16 JIM MONTEVERDE: Two signs for each?

17 SEAN HOPE: Sorry?

18 JIM MONTEVERDE: That there are -- you are  
19 proposing two signs at each building, or two signs at each  
20 entry?

21 SEAN HOPE: Yeah.

22 JIM MONTEVERDE: Is it -- yeah, you're right,

1 doesn't that work with one per entry, doesn't that kind of  
2 confuse the issue?

3 SEAN HOPE: I don't know if it confuses the issue.  
4 So I think historically there's been -- there were five.  
5 And then maybe that's not relevant.

6 CONSTANTINE ALEXANDER: Not relevant.

7 SEAN HOPE: But I think moving forward, you know,  
8 I think there is a symmetry. I think there is an aesthetic.  
9 This is a blade sign. So, you know, you could --

10 CONSTANTINE ALEXANDER: Why is there any less  
11 symmetry if there's one sign? Now, to Mr. Monteverde's  
12 suggestion, you have one sign that tells someone there's  
13 something here. Why do you need two? Per entrance.

14 SEAN HOPE: So I would say the zoning ordinance  
15 only allows one. We have three entrances. So I think after  
16 you exceed what the zoning allows, right? And then we  
17 quantified it.

18 It was the school's prerogative that they felt  
19 that having two of these signs bracketing the doorways was  
20 going to be -- there's an aesthetic element to it, and  
21 there's also a safety element.

22 If -- I mean, if the board in its purview felt

1 that one blade sign -- and frankly it's not a have to. I  
2 mean, I think this is what we've proposed. We think that we  
3 have done it in a way that would preserve the integrity of  
4 the building, and also satisfied safety concerns.

5 I think if the board said, hey, two is too many  
6 and we don't believe that that's going to accentuate the  
7 safety concerns, then I'm sure the school would listen to  
8 that.

9 CONSTANTINE ALEXANDER: Okay. Do you have any  
10 comments to that, ready to go to public testimony?

11 JANET GREEN: I think that, I mean, we can talk  
12 afterwards.

13 CONSTANTINE ALEXANDER: Oh, yeah, we can certainly  
14 have a chance to talk.

15 BRENDAN SULLIVAN: I always sort of approach these  
16 in what is driving this? And especially when it comes to  
17 any signage, it's usually either advertising, way finding,  
18 or somebody wants to put their informata, their name on a  
19 building.

20 And sort of wrestling with this one when it first  
21 came down. Obviously, I applaud what you do, the mission in  
22 life and the benefit to an awful lot of people, but I

1 thought it was a little too much.

2           So okay, you've reduced it. And then again, what  
3 is driving this? And again, you can go back and forth on  
4 the legal or possibly very tenuous argument, but what is  
5 really driving this?

6           And I think the underlying attempt here is to  
7 distinguish yourself from your neighbors, from your  
8 surrounding buildings.

9           And I think you sort of touched on what you said,  
10 you know, the Verizon building even though it's set back and  
11 so forth, and to possibility try to because of the location  
12 of your school, is to give it a little bit more of a campus  
13 in a sense, to soften the location, where you are in the  
14 middle of an industrial commercial area.

15           And so that the students may not think that  
16 they're going to work every day.

17           And I don't know if that's what's driving this,  
18 but I think that would be the only thing if I were on the  
19 board and they were saying, you know, what can we do to --  
20 again, it's a little bit of cheerleading. It's a little bit  
21 of rah-rah. You know, for the students yes, unfortunately  
22 it does have an impact.

1           And how much of that cheerleading, how much of  
2 that rah-rah, how much of that campus feel gets you there?  
3 That's, again, sort of what my thought is on it.

4           CONSTANTINE ALEXANDER: Do you think they get  
5 there if they're affiliated with one sign per -- one banner  
6 per entrance?

7           BRENDAN SULLIVAN: Well, because I -- I mean, I'm  
8 sort of an aesthetic guy; I sort of like balance in a sense,  
9 you know?

10          CONSTANTINE ALEXANDER: Right.

11          BRENDAN SULLIVAN: One -- sort of a half a loaf,  
12 you know? But, you know, obviously what's before us tonight  
13 is a lot better than what was before us --

14          CONSTANTINE ALEXANDER: That's for sure.

15          BRENDAN SULLIVAN: -- the first night. Whether or  
16 not we really reduce it a whole lot more I don't know, we'll  
17 see. But that's how I think I sort of arrive at what is  
18 really driving this?

19                 And I think it's really trying to soften, trying  
20 to distinguish yourself from the surrounding buildings.  
21 Anyway -- and maybe that enhances the educational  
22 experience. Maybe it makes the students feel better; the

1 staff, faculty feel better. Maybe that enhances the ability  
2 to feel good about the school.

3 SEAN HOPE: Could I just make one comment to that?  
4 And to your point, so I think when we first came in there,  
5 there was too much of the campus feel. That was the sole  
6 focus.

7 And so, part of what we were trying to do is to  
8 really reign it back in, so that realizing that the banners  
9 weren't going to accomplish all that.

10 And so, in the memo, there's going to be  
11 potentially a mural on the corner where -- it's one of our  
12 more dangerous corners, where a blade sign might not even  
13 do. So something graphic with colors, so that I think the  
14 feedback we had last time was we can't use the banners to  
15 create this campus feel, that's just not what the ordinance  
16 is for. So we -- but there is an element of that, and I  
17 think that that's going to be helpful.

18 But we also -- I think the positioning of those  
19 really were about we felt the blind corners, where students  
20 might be running across the street, run into an entrance;  
21 you know how students do. They don't necessarily walk on  
22 the sidewalks. So we positioned those in those areas.

1           So I would only say that we -- I think that's  
2 definitely an element for the school, and that's why they're  
3 putting a logo and not just a white banner. But I hope that  
4 you've recognized that we have tried to pull back some of  
5 the rah-rah so that we're not totally overboard with that.  
6 That's what we tried to do.

7           CONSTANTINE ALEXANDER: Sure. Anybody want to  
8 comment, before I open the matter to public testimony? Does  
9 anyone here wish to be heard on this matter? Mr. O'Hare?  
10 I'm surprised you're here tonight, Mr. O'Hare. I thought  
11 you were not interested in signs any longer, since you  
12 didn't want to oppose the North Point Boulevard one.

13           You know what I'm talking about?

14           CAROL: I don't but I'm a little out of it.

15           [Crosstalk]

16           CAROL O'HARE: So I was not planning -- are you  
17 going to read Heather's?

18           ANDREA HICKEY: I can't hear you.

19           CAROL O'HARE: Will you be reading Heather's?

20           CONSTANTINE ALEXANDER: I'm sorry, we'll be  
21 reading what?

22           CAROL O'HARE: Will you be reading Heather

1 Hoffman's letter?

2           CONSTANTINE ALEXANDER: What?

3           CAROL O'HARE: Will you be reading Heather's  
4 letter?

5           CONSTANTINE ALEXANDER: Oh, yes, of course.

6           CAROL O'HARE: Okay. So I'm --

7           ANDREA HICKEY: You spoke?

8           CAROL O'HARE: Pardon me?

9           ANDREA HICKEY: After you spoke, the microphone  
10 was -- sorry.

11           CAROL O'HARE: Well, I'm not accustomed to  
12 standing and speaking to you like this, but I wasn't  
13 planning to speak, but having heard the presentation, I  
14 wanted to say a few things.

15           Yes, it's good that they have reduced their signs.  
16 The fact that it is an institutional use in Cambridge,  
17 Massachusetts, especially when we have hospitals, all other  
18 kinds of institutions, if that is a rationale for having  
19 more than allowed banners, the whole city would be bannered,  
20 right? So I don't think that flies.

21           And I don't frankly see how the hardship is  
22 justified, really. But I would suggest that the banners,

1 even though it may not be -- you know, it may not be  
2 balanced -- that the American flag when it is posted outside  
3 a building like the Post Office, doesn't have anything to  
4 balance it with. So if you're going to have a banner that  
5 violates zoning, have one at each entry that violates  
6 zoning, not two. Because it really is a question of -- you  
7 know, how many violations should there be?

8           And the main thing that I was going to mention is  
9 to say that I was stunned by the letter from the Headmaster  
10 who --

11           CONSTANTINE ALEXANDER: Who?

12           CAROL O'HARE: -- the Headmaster, to you -- who,  
13 you know, applauded himself for reaching out to everybody  
14 important except the neighborhood and the residents, who had  
15 been here before and wasted their time on this variance.

16           And, you know, and I don't even think this in  
17 these cases the neighborhood residences are the only ones  
18 who care. Because once a sign variance is granted in one  
19 neighborhood, it spreads, as you all know, that everybody  
20 says "Well, they did it over there," and they're so cheap  
21 now and so easy to put up, that they spread.

22           And so at least reaching out to the neighborhood,

1 the exact neighborhood which is East Cambridge or whatever  
2 the neighborhood is, that should have been done. Thank you.

3           CONSTANTINE ALEXANDER: Anyone else wishes to be  
4 heard? If not, I will close public testimony. Excuse me.  
5 We do have a few letters in our file, which I will read into  
6 the record. And they're in no particular order, except for  
7 the way they're in the pile -- the letter from Denise  
8 Jillson, J-i- double l- s-o-n:

9           "As a Cambridge resident and a founding board  
10 member of a Community Charter School of Cambridge, I am  
11 pleased to voice my overwhelming support for the Community  
12 Charter School of Cambridge application to locate a wall  
13 sign and projecting banners, exceeding the ordinance  
14 requirements.

15           "I have been actively involved with CCSC since its  
16 inception. Since 2005, CCSC has combined the highest  
17 possible academic standards with real-world experience to a  
18 student population that can sometimes be overlooked.

19           "Our vision through it all was to find a place  
20 that would afford our students the possibility to dream big  
21 and achieve these dreams.

22           "Our place, as you know, is located at 245-255

1 Brent (sic) Street; not exactly the perfect setting, but  
2 over the years we grew from our original rented spaced into  
3 owning three clustered buildings.

4 "It is in this cluster of buildings that we  
5 nurtured hundreds of successful and truly impressive young  
6 men and women, and continue to do so. We have created a  
7 safe, dynamic urban campus, a true home away from home for  
8 many students in our community and beyond.

9 "This application comes from CCS's desire to make  
10 its campus even safer than it is today. We want to create a  
11 cohesive design within the cluster that identifies us as a  
12 campus that gives the school appropriate disability.

13 "In addition to strong academics and real-world  
14 experience, safety, identification and visibility are three  
15 critical elements that our students, teachers, staff, and  
16 community need as we move forward. It is with great pride  
17 in our achievements and aspirations for greater success that  
18 we ask the board of Zoning Appeal to approve this  
19 application."

20 We have a letter from Mark Rogers, who is a  
21 principal of the Rogers Properties Group.

22 "I am writing in support of the requested variance

1 by the Community Charter School of Cambridge. These folks  
2 provide a wonderful service for the youth of Cambridge.  
3 They have been wonderful neighbors over the years. In no way  
4 do I find the banners detrimental to the neighborhood; just  
5 the opposite. I find them pleasing to the eye.

6 "If the school feels that the banners will help  
7 their cause, I only see an upside, and feel we all should be  
8 supportive."

9 And then we have a letter from Heather Hoffman,  
10 who resides at 213 Hurley Street.

11 "Please accept my apologies for writing so close  
12 to the hearing." Her letter comes on Tuesday, May 14. "I  
13 have had both an increased workload at my day job and a  
14 tremendous amount of other, more consequential neighborhood  
15 issues to deal with. Luckily for me, Carol Harrison has  
16 been paying attention to this continued case.

17 "Unfortunately, I will be unable to attend the  
18 meeting because of a very important neighborhood meeting at  
19 the same time. So I ask you to make sure that Board members  
20 see this letter in order that they may consider it in their  
21 deliberations.

22 "I'm writing to express my continued

1 disappointment with the petitioner's proposal, their failure  
2 to even make an attempt to discuss it with my neighbors and  
3 me in the many months since the last hearing, and the  
4 failure to make any meaningful change that responds to the  
5 objections raised in public testimony.

6 "This line in the narrative says it all,  
7 'Incorporating feedback from board members, city staff and  
8 signage professionals, we have significantly revised our  
9 proposal.'" That's a quote.

10 "It is quite clear whose feedback the petitioner  
11 neither sought nor incorporated in this not at all  
12 significantly revised proposal.

13 "The notion that banners that do not in any way  
14 indicate that they're attached to the school will  
15 communicate anything about the presence of students to  
16 drivers, pedestrians or anyone else remains baffling to me.

17 "The school should apply the high standards it  
18 demands of the students itself. As I said before, this is a  
19 pedagogical opportunity that they should take full advantage  
20 of. Please do not approve this petition. The school could  
21 do much better, and we should all insist on it. Yes, there  
22 would be more work. Would they accept any less than the

1 scholars they are rightly proud of?"

2           And that's it. So three letters, two in favor and  
3 one opposed. With that, I will close public testimony. Any  
4 final comments?

5           SEAN HOPE: Just a point of clarification, I think  
6 Mrs. O'Hare was right. I did say, "institutional" and what  
7 I really meant to say was, "educational." I wasn't thinking  
8 about schools and -- excuse me, churches and hospitals, I  
9 was really thinking about particularly primary schools, and  
10 I think this is where the safety issue is most salient.

11           And then I think to the point about how each --  
12 and I frankly, I think that the outreach in some ways could  
13 have been more robust, the feedback that we had at the  
14 initial hearing was really about the -- not all the  
15 feedback, but I think what we took away from it was the  
16 number, was quantity. Now, there was suggestions from  
17 people about different ways to achieve the banner and the  
18 branding, and I think we've incorporated some of those, but  
19 at the end of the day, the school's feeling was that if they  
20 wanted to do the banners, they wanted to do them by the  
21 entrances and they felt that the reduction was significant  
22 and not even just going from 16 to 6, so there is this idea,

1 "Ask for a lot, and then you come back with a little."

2           And that was -- I think frankly we got educated on  
3 the intended purpose of the sign ordinance -- the school,  
4 and somewhat myself, and then we looked at, and you always  
5 start with what you have.

6           And I do think that the five nonconforming was  
7 really the basis. And from that, we then decided to bracket  
8 them.

9           I would also say too, though, the idea of versus  
10 (sic) one versus two for symmetry, you know, I do think, and  
11 the board -- excuse me, the board -- the school -- does  
12 think that the two bracketing -- let's say the 255 entrance,  
13 is something aesthetic and it is important if this is going  
14 to be long-term.

15           I would say, again, to note that it's not the  
16 projecting banner that triggers relief. So that if the  
17 board said, "Hey I wanted one sign" we could do one sign  
18 with the logo, which is regulated, and we could also do  
19 another banner for symmetry that had the color line. Again,  
20 it would satisfy some of the school's needs for relief or  
21 signaling in calming and recognizing an entrance, without  
22 triggering the relief.

1           I think that would be a shame, frankly. The images  
2 are of children. The images of the lettering, I mean to me  
3 those are what -- and they also would want to change those  
4 out. So I think it would be a shame to be able to -- not to  
5 do that, when the ordinance really does regulate the print  
6 and not the projection itself.

7           CONSTANTINE ALEXANDER: With that I'll close  
8 public testimony. Discussion, board members? I think  
9 Janet, you wanted to speak?

10           JANET GREEN: I do. I have a comment, and I would  
11 just say at the beginning that I think definitely I  
12 understand that you felt having listened to all the comments  
13 at the last meeting that you had heard from the neighbors.  
14 But I think what hearing is you probably should have made  
15 more of an outreach effort.

16           That being said, I feel that for the safety, if  
17 you drive down Bent Street, I think it's really important to  
18 be able to see that there's a school there. And I do feel  
19 that kids run out in the street, they play, they do this and  
20 that, and that traffic should definitely be alerted to this.

21           CONSTANTINE ALEXANDER: Shouldn't there be --  
22 isn't the answer to that shouldn't the city put a sign up?

1           JIM MONTEVERDE: I was going to ask, you know, the  
2 standard school district?

3           [MULTIPLE]: Yes.

4           JIM MONTEVERDE: School Zone, 20 miles and hour?

5           JANET GREEN: That's right. But I don't think  
6 that that does it as much as having the signs, because the  
7 signs that the city puts up either are a single little sign  
8 somewhere previous to the school, or they put something in  
9 the middle of the street.

10           We have something in the middle of the street on  
11 our street; it's constantly knocked over, it's often sitting  
12 at the side of the road, you would have no control over  
13 that.

14           This is a sign that hangs over the property of the  
15 school and doesn't interfere with the pathways. I really  
16 found that for the safety -- and I also took Brenden's  
17 comments about the aesthetic and the feeling of having a  
18 campus. And I know for schools that that is very important.  
19 I don't feel that that means that every school needs to have  
20 the same thing, they're not located in the same district.

21           I think this is a unique situation. These are  
22 buildings that look industrial. They're right next to other

1 buildings that look industrial. So I'm really in favor of  
2 this, and the new plan that you brought forward.

3           CONSTANTINE ALEXANDER: Does anyone else wish to  
4 speak? Let me ask a question, since Jim raised a point this  
5 was good about why do you need -- I was saying that Jim made  
6 a very good point, I think a very good point regarding why  
7 do you need two signs per entrance, why not one banner,  
8 which would even reduce further a departure from our zoning  
9 requirements?

10           If other members of the board, including Jim, wish  
11 to -- would vote this down because there are two, but might  
12 be interested in voting for it if there were one, I think we  
13 should know now, to let the petitioner know.

14           JIM MONTEVERDE: That's definitely my sense.

15           CONSTANTINE ALEXANDER: Frankly, it's my sense  
16 too.

17           JANET GREEN: I don't have an issue with two.

18           CONSTANTINE ALEXANDER: Okay. Well, as long as  
19 there's two of us, you all know we're not going to approve  
20 it. So if you want to amend your petition to --

21           BRENDAN SULLIVAN: Well my understanding is that  
22 they could have two there. So one would have lettering, the

1 other one would not.

2           CONSTANTINE ALEXANDER: Yeah.

3           JIM MONTEVERDE: So it's only one with the  
4 lettering and logo, whatever the ordinance is actually  
5 speaking to?

6           SEAN HOPE: Would that be --

7           CONSTANTINE ALEXANDER: So again, from my point of  
8 view, the two, the two signs, the sign on either side of the  
9 entrance of it I'm going to call the alleyway is fine,  
10 because it's off the street, nobody can see it.

11           But it's the other four, we would just reduce  
12 those to two.

13           JANET GREEN: I think Brenden asked a different  
14 question. He -- didn't you -- you were saying that, like,  
15 you can have a sign that had the logo of a school on it, but  
16 they could have a sign of the same background color on the  
17 other side of the door --

18           ANDREA HICKNEY: With no letters.

19           JANET GREEN: -- with no lettering.

20           JIM MONTEVERDE: No lettering, right, because it's  
21 not part of our purview.

22           CONSTANTINE ALEXANDER: Yeah, I mean --

1           JIM MONTEVERDE:  Correct?

2           SEAN HOPE:  Yeah.

3           CONSTANTINE ALEXANDER:  We're departing from the -  
4 - you've got to remember, we're a zoning board, and we're  
5 applying a zoning bylaw.  The case for a variance here is  
6 extremely weak, in my judgment.

7           But I understand the community, the needs, I  
8 understand the -- you know, the whole legitimate, the school  
9 proponent is a great service, and I don't want to undercut  
10 that.  But we don't want to undercut that.  But we don't  
11 want to go too far in our -- I don't, anyway, from our  
12 departure from what the facility requires.

13          BRENDAN SULLIVAN:  My only thought on that is that  
14 the reason why the signed ordinance has this language in  
15 there about clutter -- and I think that's what they're  
16 trying to avoid, is clutter and things shouting at you all  
17 the time -- and in this particular situation, the net effect  
18 I think is the same if with the two signs, banners, one  
19 would have lettering and one would not.  But I think  
20 visually the effect is the same.

21          So does it legally -- it may be on solid ground to  
22 approve one, not to approve the other one with any

1 lettering, because all it says now, we have touched  
2 ourselves on good, legal footing. But I think the  
3 underlying reason for all of this is to avoid clutter.

4           And yet I think that having two signs is going to  
5 be, to my way of looking, aesthetically the same, whether it  
6 has a letter or a bunch of letters on it, it's the sign,  
7 it's the size, shape, form that you see coloring; not  
8 necessarily that it contains a word or two or three.

9           CONSTANTINE ALEXANDER: Again, I don't want to  
10 beat this to death, but why can't you have two banners on  
11 Bent Street, one on each end --

12           BRENDAN SULLIVAN: Well, if that --

13           CONSTANTINE ALEXANDER: -- one of which, one has  
14 the lettering, and the other has --

15           BRENDAN SULLIVAN: -- if that will get us to the  
16 finish line, then with the two signs, then --

17           CONSTANTINE ALEXANDER: That's where I would go.

18           BRENDAN SULLIVAN: -- then that's fine.

19           SEAN HOPE: I just want to make sure -- no, I just  
20 wanted to make sure that I understand what we're talking  
21 about. Just let me repeat the idea?

22           CONSTANTINE ALEXANDER: Sure.

1           SEAN HOPE: No, I just -- we were talking,  
2   whispering, and I wanted to make sure we heard --

3           BRENDAN SULLIVAN: I was just saying that the net  
4   effect of having the two there are, to me, negligible as far  
5   as addressing what the ordinance is trying to do is to avoid  
6   clutter.

7           Because you can have one as a -- you can have one,  
8   you can have the other one with no lettering on it. I don't  
9   think it's the lettering that makes it cluttering, it's the  
10  fact that it's there, you can have both.

11          And so, I would support both, even though one --  
12  both of them may have some lettering on it. I think that  
13  visually it's the same effect. But on the same token, if  
14  that will get us to the finish line tonight and not a  
15  denial, then I would support having one with lettering and  
16  one with coloring.

17          SEAN HOPE: Is that --

18          CONSTANTINE ALEXANDER: Yeah, as I said before, if  
19  you have one sign for each entrance, I'm not hung up on  
20  whether it's lettering or it's coloring. I just don't want  
21  too many banners.

22          SEAN HOPE: And you had a suggestion I think that

1 might incorporate all the feedback?

2           TIM BIANCHI: Yeah, the thought being if the two  
3 went to 255 and framed that entryway --

4           CONSTANTINE ALEXANDER: Well, whatever you want to  
5 do, I --

6           TIM BIANCHI: And we had none on 245 --

7           SEAN HOPE: 245 has the wall sign.

8           CONSTANTINE ALEXANDER: I would give you the two  
9 wherever you want to put the two on Bent Street. If you  
10 want to do it that way, it's up to you. I'm not sure what  
11 it does to your safety argument, but --

12           TIM BIANCHI: Yeah, I understand.

13           SEAN HOPE: I mean, when I looked at the floor  
14 plan, it actually -- if you look at the entrance between 255  
15 and 245, it's like, maybe 20 feet. It's not like at the end  
16 of the block.

17           And that's why I think if you have a projected  
18 sign and you're driving down Bent Street, whether you see  
19 the 255 or you see the 245, there is something there. I  
20 would think very different if the two entrances were on  
21 opposite sides of the block.

22           CONSTANTINE ALEXANDER: Right.

1           SEAN HOPE: That I think -- and so as I looked at  
2 it, I said, hey, if we want to make sure people see, then I  
3 think -- and if the school feels that 255 is really where  
4 they're going to be increasing activity where there wasn't  
5 the before --

6           CONSTANTINE ALEXANDER: My motion would be that we  
7 allow up to two signs -- no more than two signs -- on Bent  
8 Street. Where you put them on Bent Street is up to you.

9           SEAN HOPE: Okay.

10          CONSTANTINE ALEXANDER: If you want to put two on  
11 one entrance and none on the other -- that's my view,  
12 anyway, if anybody feels differently.

13          ANDREA HICKEY: Yeah. I'm fine with it.

14          JIM MONTEVERDE: I'm fine with it.

15          CONSTANTINE ALEXANDER: So we don't have to get  
16 into that. You can decide that at your leisure if you want,  
17 okay? Are you ready for a motion?

18          JIM MONTEVERDE: Sure.

19          CONSTANTINE ALEXANDER: Okay. The other thing is  
20 I think we should put in our -- the variance that I think  
21 we're going to grant, that should you operate a school, or  
22 should there no longer be a school at these premises, the

1 relief is the end. You can't have these banners for the  
2 next biotech company that comes along.

3 SEAN HOPE: Right, fair enough.

4 CONSTANTINE ALEXANDER: Alright. The Chair moves  
5 that we make the following findings with regard to the  
6 variance being sought: That a literal enforcement of the  
7 provisions of the ordinance would involve substantial  
8 hardship, the hardship maintenance at the building then  
9 which -- the educational activities are conducted, it was  
10 not originally built as a school, has an industrial feel, in  
11 an industrial area, and so for as long as the school is  
12 being operated at the premises, there is a need for some  
13 additional signage to identify that there is a school there.

14 That the hardship is owing to the shape of the  
15 lot, the fact it's a three-cornered lot, and it's a special  
16 -- it especially affects your land and not the district  
17 generally.

18 And the relief can be granted without substantial  
19 detriment to the public good, or nullifying, substantially  
20 derogating from the intent or purpose of the ordinance.  
21 This regards the signs that we're going to allow, should we  
22 grant the variance, or further the educational mission of

1 the school, which is a valuable contribution to our  
2 community.

3 From the basis of these findings, the Chair moves  
4 that we grant the relief being sought, subject to the  
5 following conditions:

6 1) That on Bent Street there will be no more than  
7 two banner signs at locations selected by you, and that the  
8 banner signs that are two more veteran -- I'm going to again  
9 call it the alleyway -- I have no problem, as identified in  
10 your plan, which I've initialed, and will be part of our  
11 record.

12 And second, as I mentioned, should the school  
13 cease to operate at these premises, that the relief being  
14 granted will cease, and whoever moves in will have to -- and  
15 they want banners, they've got to come back and see us.

16 All those in favor, please say, "Aye."

17 THE BOARD: Aye.

18 CONSTANTINE ALEXANDER: Five in favor, variance  
19 granted.

20 SEAN HOPE: Thank you.

21 CONSTANTINE ALEXANDER: Sean? Excuse me, are you  
22 going to be here for the Oxford Street?

1 SEAN HOPE: Yeah.

2 CONSTANTINE ALEXANDER: Okay.

3 SEAN HOPE: Do you want to call it now?

4 CONSTANTINE ALEXANDER: Let me get the other case  
5 out of the way.

6 ANDREA HICKEY: Spring Street.

7 CONSTANTINE ALEXANDER: Yeah. I don't have to do  
8 it in that order, but I am going to do it.

9 ANDREA HICKEY: That's Sean too.

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1 (7:52 p.m.)

2 Sitting Members: Constantine Alexander, Brendan Sullivan,  
3 Janet Green, Andrea A. Hickey  
4 Jim Monteverde

5 CONSTANTINE ALEXANDER: The Chair will call Case  
6 Number 017081 68 SPRING STREET. Anyone here wish to be  
7 heard on this matter? Mr. Hope.

8 SEAN HOPE: Good evening Mr. Chair and members of  
9 the board. For the record, Attorney Sean Hope, Hope Legal  
10 Offices in Cambridge. I'm here on behalf of the applicant.  
11 We have David Applebee, and we also have Project Architect.

12 TOBIN SHULMAN: My name is Tobin Shulman, for the  
13 record, from SV Design. I'm the architect on the project.

14 SEAN HOPE: This is an application requesting  
15 setback relief for an existing two-family structure. This  
16 is also a continued case. When we first filed the case, we  
17 didn't realize that this would trigger review by Historical.  
18 This is an area, although this building itself is not  
19 landmarked, it is in a district this this could be seen as a  
20 contributing district.

21 The proposal in terms of renovating the structure  
22 called for a change of the roof. This is a two-family that

1 was in serious need of repair. We have pictures and there's  
2 water damage, and this had been owned by the same family for  
3 some time.

4 And then the third-floor structure is going to  
5 stay a two-family. There was a bed and there were stairs up  
6 there. And so, part of the renovation sought to make use of  
7 the whole structure. There was some demolition. But any  
8 touch or any change to that side of the structure would  
9 require relief.

10 There are stairs that are leading up to that, and  
11 they weren't code compliant because of the head height. So  
12 part of the dorm, and that's part of the application, is  
13 really just for that to allow for some additional stair head  
14 height.

15 We did go with historical. We first started off  
16 with a flat roof. There are several flat roofs in the area.  
17 We thought that a flat roof would achieve that.

18 And then when we went to Historical, we actually  
19 met with Charlie Sullivan, and he showed us a picture of a  
20 very similar house that was close by that was renovated, and  
21 also won an award.

22 Mr. Applebee, this is his primary residence. He

1 plans on living there. He currently lives in East  
2 Cambridge, works in Kendall Square, and wants -- he's going  
3 to make this his home.

4           And so, once we looked at the other offer, we just  
5 quickly made the change. So we changed this to a pitched  
6 roof, and the architect can talk about any element you want  
7 of that, but the Historical Commission found the property  
8 significant, and they also found it not preferably preserved  
9 in light of this replacement structure.

10           We held a neighborhood meeting. Mrs. Hoffman is  
11 actually a direct abutter in the rear, and she had come to  
12 the meeting, and they were able to walk around the house,  
13 and we made a presentation, and there were concerns about  
14 the property, the use and after that meeting I would say  
15 that most of those concerns, if not all, were resolved at  
16 that point.

17           Again, this change -- one I think is an aesthetic  
18 change: The side yard setback is less than two feet. So  
19 there's a three-family there, and then there is our  
20 structure. It's not quite clear which one was built first,  
21 but it's incredibly close.

22           So again, the stairs are concentrated in the

1 middle of the structure, so in order to make it up to the  
2 third floor, the head height on that element was also  
3 needed.

4           There wasn't -- so we did actually look at it as a  
5 right option; we always start up with as of right. And so,  
6 what we could have done is left the lower roof pitch and did  
7 a very awkward-looking dormer on the left-hand side of the  
8 driveway side, which would have complied with zoning.  
9 Historical, because of the significance of the structure,  
10 would not have approved that. And also, I think that the  
11 neighborhood would have found that objectionable as well.

12           So I think what we have today is a result sort of  
13 neighborhood feedback. It's also the fact that this is a  
14 significant property, and the fact that we want to safely  
15 utilize an area of a property that was previously used, but  
16 would need relief in terms of --

17           CONSTANTINE ALEXANDER: You're aware, I'm sure,  
18 that there's neighborhood opposition to what you want to --  
19 the relief you're seeking? Which I'm going to read into the  
20 record, we have letters.

21           SEAN HOPE: Yeah.

22           CONSTANTINE ALEXANDER: If you want to address any

1 of those in advance, up to you.

2           JANET GREEN: Just one thing I noticed about those  
3 letters?

4           CONSTANTINE ALEXANDER: Yeah.

5           JANET GREEN: Was all those letters were dated  
6 before the meeting.

7           SEAN HOPE: Yeah. I didn't -- actually, I wasn't  
8 aware of any new letters.

9           JANET GREEN: And there was only one letter that  
10 came in since then, which approved it.

11          SEAN HOPE: Yeah.

12          JANET GREEN: So just to make sure that we don't  
13 give the wrong --

14          CONSTANTINE ALEXANDER: Okay, good point.

15          TOBIN SHULMAN: If I may, just to chime in  
16 anecdotally, I know that the prior submission was met with  
17 significant neighborhood opposition, and we modified our  
18 proposal in response to that, and then in the course of  
19 holding that neighborhood meeting, people were very pleased.

20          CONSTANTINE ALEXANDER: Well, one member did write  
21 a letter in opposition, who then wrote us a second letter  
22 after the meeting and said, "I withdraw my opposition." But

1 what about the others, and that's why I'm just asking?

2 SEAN HOPE: Yeah. If there is something in the  
3 file that's dated after we changed our submission, but we  
4 weren't aware of any new opposition. The -- all the direct  
5 abutters --

6 CONSTANTINE ALEXANDER: Are you aware of any old  
7 opposition being withdrawn, except for the one I just  
8 identified?

9 SEAN HOPE: Yeah, I --

10 DAVID APPLEBEE: At the meeting, everybody said,  
11 "This looks great, we love it." Shook my hand, somebody told  
12 me they were writing a letter. I mean, that might be the  
13 one that you're holding. You know, the last question I was  
14 asked was basically, "How soon are you going to be our  
15 neighbor?" So I would be shocked if there was any opposition  
16 at this point.

17 CONSTANTINE ALEXANDER: Okay.

18 SEAN HOPE: That's it.

19 CONSTANTINE ALEXANDER: Questions or comments for  
20 members of the board at this point? No? I will open the  
21 matter up to public testimony. Is there anyone here wishing  
22 to be heard on this matter? The fact that nobody's here is a

1 signal that you may be right. I will close public  
2 testimony.

3 We do have letters, as I've identified, but  
4 there's a question as to whether those letters are outdated  
5 or obsolete in view of your public hearing. I'm just going  
6 to -- I'm not going to read the letters, but I am going to  
7 identify the people and the date that we'd say opposed the  
8 relief being sought.

9 There is a letter on March 28 from Katheryn, K-a-  
10 t-h-r-y-n Carlson, C-a-r-l-s-o-n; and Tito Tottitta, T-o-t-  
11 t-i-t-t-a, that's four t's; a letter from  
12 Danielle -- and these folks reside at 71 Spring Street -- a  
13 letter from Danielle Mishkin, M-i-s-h-k-i-n who resides at  
14 72 Spring Street; a letter or an e-mail from Joseph Rose, R-  
15 o-s-e, who resides at 72 Spring Street, and that's it.

16 SEAN HOPE: From what we read, those were members  
17 who came to the meeting, direct abutters, and they did say  
18 they would follow up in their letter, but I mean, they  
19 thought that everyone was in support and didn't have to  
20 write one.

21 CONSTANTINE ALEXANDER: I just have one question,  
22 it's not necessarily relevant, and it's to you sir, I guess,

1 to the legal merits. But you're on the side of the  
2 building, there's only one foot or so from the next  
3 building, and you're going to be building up on that side,  
4 right?

5 TOBIN SHULMAN: Yes.

6 CONSTANTINE ALEXANDER: How are you going to do  
7 that without disrupting the life of the neighbor next door?

8 TOBIN SHULMAN: So primarily you'll have to do it  
9 from our side of the property. There is about a foot and a  
10 half.

11 CONSTANTINE ALEXANDER: Oh, yes, you can't go on  
12 their property.

13 TOBIN SHULMAN: You can't go on their property of  
14 course, but you can erect some narrow scaffolding and then  
15 work back and forth from that. A lot of it will have to be  
16 done sort of from the deck of the attic floor, and then  
17 building up a new wall, and then putting it --

18 CONSTANTINE ALEXANDER: Hammering and sawing and  
19 all that, the people next door a foot away are going --

20 TOBIN SHULMAN: They're very close. Some of those  
21 residents were at the neighborhood meeting, so they're  
22 aware. I do think there is a substantial benefit to them,

1 because when we put that wall back together, it will be a  
2 one-hour fire-rated wall, which it certainly isn't today.

3 CONSTANTINE ALEXANDER: Yep. No, that's good.

4 TOBIN SHULMAN: So it's an improvement to their  
5 safety in the long run if the banging is a little annoying  
6 in the short run.

7 CONSTANTINE ALEXANDER: Well, pardon the dumb  
8 question from someone who's absolutely clueless as to these  
9 kinds of things. Thank you. I asked for public testimony,  
10 there is none. Discussion? Ready for a vote? Okay. All  
11 right. The Chair moves that we make the following findings  
12 with regard to the variance being sought, and as Sean's  
13 identified that variance relates to the front and side yard  
14 setbacks.

15 There is -- some people in the letters that may no  
16 longer be relevant -- complained about raising the height of  
17 the building, but in fact that building will still be within  
18 the zoning code. So you have every right as a matter of law  
19 to build up to 35 feet, and you're not going to go that far.

20 Those considerations I consider to be irrelevant.

21 So I make the following findings: That a literal  
22 enforcement of the provisions of the ordinance could involve

1 a substantial hardship to the charge of this being an older  
2 building in need of modification, particularly with regard  
3 to access to the third floor, and the need there for a code  
4 compliant stairway.

5 But the hardship is okay as it relates to the  
6 location of the structure on the lot. It's too close, if  
7 you will, by our zoning standards anyway, too close to the  
8 street and to the side, right side, and that relief may be  
9 granted with our substantial judgment to the public good or  
10 nullifying or substantially derogating the intent or purpose  
11 of this ordinance.

12 The reason for that is that with the proposal we  
13 upgrade the housing stock of the city, and make a structure  
14 that's shall we say marginally habitable to be much more  
15 habitable.

16 So on the basis of all of these findings, the  
17 Chair moves that we grant the variance requested on the  
18 condition that the work proceed in accordance with plans  
19 submitted by design -- have I got it right?

20 TOBIN SHULMAN: SV Design.

21 DAVID APPLEBEE: SV.

22 CONSTANTINE ALEXANDER: Oh, here it is. SV

1 Design, thank you. I have trouble. And the first page of  
2 which has been initialed by the Chair. All those in favor,  
3 please say, "Aye."

4 THE BOARD: Aye.

5 CONSTANTINE ALEXANDER: Five in favor, thank you,  
6 good luck.

7 TOBIN SHULMAN: Thank you.

8 DAVID APPLEBEE: Thank you very much.

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1 (7:02 p.m.)

2 Sitting Members: Constantine Alexander, Brendan Sullivan,  
3 Janet Green, Andrea A. Hickey  
4 Jim Monteverde

5 CONSTANTINE ALEXANDER: Okay. The Chair will now  
6 call Case Number 017044 74 Oxford Street.

7 SEAN HOPE: Good evening Mr. Chair and members of  
8 the board. For the record, Attorney Sean Hope, Hope Legal  
9 Offices in Cambridge, and we're here tonight on behalf of  
10 the petitioner requesting to withdraw --

11 CONSTANTINE ALEXANDER: Oh, finally, good okay.  
12 That's what I wanted to talk to you about, about wanting to  
13 continue. Say no more.

14 SEAN HOPE: Yes.

15 CONSTANTINE ALEXANDER: I move that we accept the  
16 requested withdrawal. All those in favor say "Aye."

17 THE BOARD: Aye.

18 CONSTANTINE ALEXANDER: Five in favor.

19 ANDREA HICKEY: -- that's the answer?

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1 (8:04 p.m.)

2 Sitting Members: Constantine Alexander, Brendan Sullivan,  
3 Janet Green, Andrea A. Hickey  
4 Jim Monteverde

5 CONSTANTINE ALEXANDER: The Chair will now call  
6 Case Number 016906 15 Lambert Street. Anyone here wish to  
7 be heard on this matter?

8 UNIDENTIFIED: Hi, good evening Chair, board  
9 members, I don't have a lawyer.

10 ANDREA HICKEY: Have you got your name, please?

11 UNIDENTIFIED: Goran Smiljic, G-o-r-a-n, last name  
12 S-m-i-l-j-i-c. I'm here to represent Cambridge Housing  
13 Authority. I'm here to speak on behalf of the comprehensive  
14 -- change the comprehensive permit.

15 As you can remember from the occasion that we were  
16 tasked to work with the city to preserve the grand junction  
17 path, and we were able to come up with the agreement for the  
18 city to give away a 10-foot easement by 48 feet long.

19 In doing so, we created a kind of -- what I would  
20 say is out of the compliance of the zoning, because we had  
21 to move the parking lot to give 10 feet easement, and by  
22 doing so we were kind of -- all of a sudden out of

1 compliance with the zoning ordinance, and we are here to be  
2 in compliance with the zoning ordinance and make changes to  
3 our compliance requirement.

4           CONSTANTINE ALEXANDER: Yeah, the issue I think --  
5 thank you, the issue we have to resolve, is this an  
6 insubstantial change from what we granted before?

7           GORAN SMILJIC: Yes.

8           CONSTANTINE ALEXANDER: If it is, we can grant the  
9 relief. Otherwise, you have to readvertise. This is for  
10 the record, not necessarily for your benefit. We'd have to  
11 readvertise the case.

12           And, as you've identified, basically by granting  
13 this easement to preserve the access on the grant junction,  
14 before you go to reduce the size of the parking lot.

15           However, you submitted evidence, or your  
16 organization, that the parking lot today is not being fully  
17 used, which doesn't surprise me as a senior citizen's  
18 housing location in use.

19           And so even with the reduced parking, it would  
20 appear from the data you have presented that you'll have  
21 more than enough parking.

22           GORAN SMILJIC: That is correct.

1           CONSTANTINE ALEXANDER:  There you have -- to me  
2  that's the definition of an insubstantial change.  But I'll  
3  open up the matter for public -- any comments from members  
4  of the board?

5           [MULTIPLE]:  No

6           CONSTANTINE ALEXANDER:  Open that up to public  
7  testimony.  Anybody here wish to be heard on this matter?  
8  Apparently not.  Or oppose public testimony, or ready for a  
9  vote?

10          ANDREA HICKEY:  Ready.

11          CONSTANTINE ALEXANDER:  Very simply, the Chair  
12  moves that the proposal or the petitioner change what they  
13  propose is an insubstantial change and does not require a  
14  full-blown hearing or a new, comprehensive permit.

15          GORAN SMILJIC:  Thank you so much.

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

18          THE BOARD:  Aye.

19          CONSTANTINE ALEXANDER:  Five in favor.  Now motion  
20  granted.

21          GORAN SMILJIC:  Thank you.

22          Sorry.  I wasn't sure what's going on.  Thank you.

1 Have a nice day.

2 CONSTANTINE ALEXANDER: Thank you.

3 ANDREA HICKEY: He's ready to go. He was.

4 CONSTANTINE ALEXANDER: Good cause. All right.

5 Now turning to our regular agenda.

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1 (7:36 p.m.)

2 Sitting Members: Constantine Alexander, Brendan Sullivan,  
3 Janet Green, Andrea A. Hickey  
4 Jim Monteverde

5 CONSTANTINE ALEXANDER:

6 The Chair will call Case Number 017109 40 Granite  
7 Street. Anyone here wish to be heard on this matter?

8 DANIEL WOLF: Hello, this is Daniel Wolf. I'm a  
9 Neighborhood Planner for the city of Cambridge Community  
10 Development Department representing the city on this matter.

11 ANDREA HICKEY: Could you spell your last name for  
12 the record?

13 DANIEL WOLF: Absolutely. Wolf, W-o-l-f.

14 CONSTANTINE ALEXANDER: And we've granted  
15 variances in the past to allow the farmer's market to be  
16 conducted on these premises at certain times, and -- but  
17 we've put a time limit on there, because of concern it maybe  
18 just would be disruptive to the neighborhood.

19 But the time limit was five years, and time flies,  
20 and five years are up. Have you had any complaints from  
21 neighbors or any objections to the conduct of the farmers'  
22 market on the school premises?

1 DANIEL WOLF: Not that I or anyone I had spoken to  
2 in the Department is aware of. I should say that I started  
3 at the Department a little over two and a half years ago, so  
4 I haven't been present for the entire period.

5 CONSTANTINE ALEXANDER: Right.

6 DANIEL WOLF: But I have been at the market, you  
7 know, many times. Obviously, the people that attend the  
8 market seem to enjoy it. I haven't been aware of any other  
9 companies.

10 CONSTANTINE ALEXANDER: And there's no letters in  
11 our files from abutters or anyone else complaining or  
12 objecting to continuing the variance. So it's the open and  
13 shut case, as they say. Any comments from members of the  
14 board?

15 On the matter of the public testimony, is there  
16 anybody here wishing to be heard on this matter? Apparently  
17 not. I'm going to make a -- I assume there's no discussion,  
18 so I'll move that we grant the petitioner another five-year  
19 variance on the same conditions as the prior five-year  
20 variance; namely that the market can be conducted I think in  
21 the summer months, as identified in the old one, and from  
22 certain hours on a weekend. Same conditions as before.

1 All those in favor, please say, "Aye."

2 THE BOARD: Aye.

3 CONSTANTINE ALEXANDER: Five in favor.

4 DANIEL WOLF: Can I just clarify that --

5 CONSTANTINE ALEXANDER: Sure.

6 DANIEL WOLF: -- it's from June through November.

7 CONSTANTINE ALEXANDER: That's what it was before.

8 DANIEL WOLF: Yeah. Just in case when you said,

9 "summer months" I just wanted to make sure --

10 CONSTANTINE ALEXANDER: Oh, okay.

11 DANIEL WOLF: -- it wasn't taken literally.

12 CONSTANTINE ALEXANDER: No, no, fair enough. I

13 misspoke, you're correct.

14 DANIEL WOLF: Okay, thank you.

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1 (8:10 p.m.)

2 Sitting Members: Constantine Alexander, Brendan Sullivan,  
3 Janet Green, Andrea A. Hickey  
4 Jim Monteverde

5 CONSTANTINE ALEXANDER: Thank you. The Chair will  
6 call Case Number 017078 28-30 Shea Road. Anyone here  
7 wishing to be heard on this matter?

8 RICHARD BROWN: Good evening, my name is Richard  
9 Brown. I'm an architect, 50 Hillcrest Avenue, Lexington,  
10 Massachusetts.

11 ERIN POWELL: And I'm Erin Powell, one of the  
12 owners of 28-30 Shea Road in Cambridge.

13 RICHARD BROWN: Okay, good evening. We are  
14 requesting a variance and a special permit. The variance is  
15 to extend the existing second floor porch, which is easiest  
16 actually just to see in the photograph that you have. It's  
17 a fairly long porch, but very narrow, and we've been  
18 renovating the inside of the house, and opening up to that  
19 back porch.

20 The problem is that back porch is four feet five  
21 and a half inches to the outside of the railing, which means  
22 it's almost less than four feet on the inside, which makes

1 it almost an unusable porch for being out there in the  
2 evenings.

3 It's a family of four, and so trying to seat four  
4 people out there is extraordinarily difficult. And so,  
5 we're asking for a variance to extend that, cantilever it  
6 out a little bit to two and a half feet.

7 We would overhang the steps, which are five feet  
8 wide, so that increases the FAR a grand total of 10 feet.

9 And then -- shall I talk about the special permit  
10 first?

11 CONSTANTINE ALEXANDER: Sure. The variance will  
12 go to special permit.

13 RICHARD BROWN: And so, the hardship on the  
14 variance is basically because of the narrowness of that  
15 porch, that it is basically unusable. The special permit is  
16 to add windows.

17 If you look at the photograph to the left side,  
18 we'll be replacing one double hung window with a transit  
19 window on the second floor.

20 It's just because that particular window looks  
21 straight across at the neighbor, which is about ten, eight  
22 feet away, yeah, and they would like a little more privacy,

1 and also that would be a great place to put the, you know,  
2 eight-foot wide television or something like that underneath  
3 that.

4 And in addition, the front room on the second  
5 floor, we would like to eliminate one window on the side  
6 there to create that, make it more of an office space.  
7 Apparently, it's an enclosed porch with windows all around.

8 We'd like to weaken it, eliminate some of the  
9 windows on the front and on the other side without a special  
10 permit, and we'd need a special permit to eliminate this  
11 window.

12 CONSTANTINE ALEXANDER: Anything? Any questions?  
13 I don't have any. Does anyone have questions? I think  
14 we're all set. Let me open the matter up to public  
15 testimony. Apparently not. We are in receipt of a  
16 petition, which I will read.

17 "We, the neighbors of Jamie and Erin Howell have  
18 seen their proposal for an extended second-floor rear porch  
19 and a window change on the south side of their house. We  
20 understand that they need a variance for the rear porch  
21 extension, and a special permit for the window. We fully  
22 support their applications and understand the porch

1 extension will make their back porch useable and the window  
2 change will give them more privacy to their living room.

3 "We also realize that these changes will not have  
4 any negative impact on the neighborhood."

5 And the petitioners who have signed at residents  
6 at 16 Shea Road, 31 Shea Road, 32 Lock Street, 36 Shea Road,  
7 24 -- no, 29 Locke Street, 23 Woodbridge Street, 17  
8 Woodbridge Street, and 32 Shea Road. And there are no  
9 letters of opposition or any other negative commentary.

10 I will close public testimony, ready for a vote?

11 [MULTIPLE]: Yes, ready.

12 CONSTANTINE ALEXANDER: We'll take -- it's two  
13 votes, actually. We'll take the variance vote first. Chair  
14 moves that we make the following findings with regard to the  
15 variance that's being sought: that a literal enforcement of  
16 the provisions of the ordinance would involve a substantial  
17 hardship, such hardship being as that the porch in its  
18 current configuration is poorly designed and really not  
19 useable.

20 And this would apply not only to you folks as you,  
21 the current residents, but anyone who occupies the structure  
22 and would have -- would have liked to have access to the

1 rear porch.

2           The circumstance is that the hardship is owing to  
3 the shape of the structure, and the fact that it was built  
4 insubstantial, extended rear porch, and the desirable relief  
5 may be granted without substantial detriment to the public  
6 good, or nullifying to substantially derogate the intent and  
7 purpose of this ordinance.

8           In this regard, we note that the -- there seems to  
9 be unanimous neighborhood support, and that what is being  
10 proposed will increase the livability of the structure, by  
11 making a rear porch accessible for use beyond something you  
12 can look at.

13           So on the basis of all these findings, Chair moves  
14 we grant the variance being sought on the condition that the  
15 work proceed in accordance with plans prepared by Richard  
16 Brown Architects, the first page of which has been initialed  
17 by the Chair. All those in favor, please say, "Aye."

18           THE BOARD: Aye.

19           CONSTANTINE ALEXANDER: Five in favor, variance  
20 granted. Moving on to the special permit, which is a little  
21 bit more wordy. "More wordy"? Nothing can be more wordy.

22           The Chair makes the following -- Chair moves that

1 we make the following findings with regard to the special  
2 permit being sought, that the requirements of the ordinance  
3 cannot be met unless we grant you your special permit; that  
4 traffic generated or patterns of access or egress resulting  
5 from the extended porch and -- well no, resulting from the  
6 window changes will not cause congestion, hazard or  
7 substantial change in established neighborhood character; if  
8 it's just a minor window change to -- it has no effect that  
9 is discernible on neighboring properties; that the continued  
10 operation of or development of adjacent uses will not be  
11 adversely affected by the window change, and in this regard  
12 we have the petition that was from neighbors that support  
13 that finding; that no nuisance or hazard will be created to  
14 the detriment of the health, safety and/or welfare of the  
15 occupant -- I hope not, anyway, or the citizens of the city,  
16 and generally what you're proposing with regard to the  
17 window relocation will not impair the integrity of the  
18 district or adjoining districts, or otherwise derogate in  
19 the intent and purpose of this ordinance.

20           From the basis of all of these voluminous  
21 findings, Chair moves that we grant the special permit  
22 requested, again on the condition that the work proceed in

1 accordance with these plans. All those in favor, please  
2 say, "Aye."

3 THE BOARD: Aye.

4 CONSTANTINE ALEXANDER: Five in favor. Relief  
5 granted.

6 RICHARD BROWN: Thank you very much. Have a nice  
7 evening.

8 ERIN POWELL: Thank you.

9 RICHARD BROWN: Have a nice evening.

10 CONSTANTINE ALEXANDER: Good luck.

11 ERIN POWELL: Thanks.

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1 (8:18 p.m.)

2 Sitting Members: Constantine Alexander, Brendan Sullivan,  
3 Janet Green, Andrea A. Hickey  
4 Jim Monteverde

5 CONSTANTINE ALEXANDER: The Chair moves, and the  
6 Chair calls Case Number 017098 46 Clarendon Avenue. Anyone  
7 here wishing to be heard on this matter? And you want  
8 extraordinary relief from --

9 SUZANNE SHAW: I know. Three inches.

10 CONSTANTINE ALEXANDER: I can't believe the zoning  
11 ordinance requires you --

12 SUZANNE SHAW: I can't believe it either. Yeah,  
13 so I -- I'm just residing my house, and I can -- oh, I'm  
14 sorry, Suzanne Shaw. I'm the owner of 46 Clarendon Avenue,  
15 representing myself, and I want to reside my house and take  
16 some 60-70-year-old, horrible aluminum siding off, and I  
17 found out in order to insulate the exterior of the house,  
18 I'm too close to one of my property lines.

19 I'm about six feet eleven inches from that line,  
20 and the setback is 7.2, and I'm seven feet two inches, and  
21 therefore I need to ask for relief to do that.

22 My neighbors on that side sent a letter that you

1 should have saying that they don't object, and I'm hoping  
2 you will grant me this variance.

3           CONSTANTINE ALEXANDER: Well, your hubris  
4 notwithstanding in seeking relief, I'll open the matter up  
5 to public testimony. Anybody here wishing to be heard on  
6 this matter? Excuse me, no one wishes to be heard.

7           As you say, we are in receipt of a letter from  
8 Carolann, C-a-r-o-l-a-n-n, one word C. Barrett and Donna M.  
9 Thompson.

10           "Suzanne Shaw has applied for a variance to add  
11 exterior rigid foam insulation to the property at 46  
12 Clarendon Avenue when the house is resided. Our property  
13 abuts hers. We have no objection to this work, and trust it  
14 will enhance the energy efficiency of the house."

15           I will now close public testimony. Ready to vote,  
16 I hope?

17           [MULTIPLE]: Ready.

18           JIM MONTEVERDE: Can I ask a question?

19           CONSTANTINE ALEXANDER: Sure, go ahead. I'm  
20 sorry.

21           JIM MONTEVERDE: How did you get to the three  
22 inches of insulation, just out of curiosity?

1           SUZANNE SHAW: So for my work, I work at the union  
2 of Concerned Scientists and work on climate change, that's  
3 why I care about this -- and, you know, to insulate your  
4 house they recommend if you can to do four inches. I can't  
5 possibly do it because I don't have enough roof hanging.

6           JIM MONTEVERDE: Who's "they"?

7           SUZANNE SHAW: Oh, "they" -- energy efficiency  
8 experts, generally speaking. If you want to get a lot of  
9 information -- you don't agree?

10          JIM MONTEVERDE: Well, I'm just asking where it  
11 came from.

12          SUZANNE SHAW: Oh, yeah. I work with a lot of  
13 energy analysts, and so I consulted my in-house consultants,  
14 as I often do when I'm doing home renovation projects. And  
15 so that's how I got to that. I don't know that I'll  
16 actually be able to put the full three inches on, it might  
17 just be two, we'll see. But, you know, it's like it  
18 substantially increases with each inch you add. So.

19          JIM MONTEVERDE: Okay.

20          CONSTANTINE ALEXANDER: Other questions or  
21 comments from members of the board? On the matter of the  
22 public testimony, is there anybody here wishing to be heard

1 on this matter? No one wishes to be heard. As I indicated,  
2 we did have a letter from your neighbor most affected by  
3 what you want to do, and that letter is in support of the  
4 very relief you're seeking. Time for a vote.

5 Chair moves that we make the following findings  
6 with regard to the variance being sought: That a literal  
7 enforcement of the provisions of the ordinance would involve  
8 a substantial hardship, such hardship being that the  
9 petitioner is in need of, or desires, additional insulation  
10 to improve the inhabitability of the older structure, and  
11 this would apply not only to you or anyone else who resides  
12 in that structure, that their hardship is owing to the fact  
13 of the location of a structure on the lot being rather close  
14 to the side lot line on the one side, and that relief may be  
15 granted without substantial detriment to the public good, or  
16 nullifying, or substantially derogating the intent or  
17 purpose of this ordinance.

18 In this regard, the petitioner is being a good  
19 citizen of the city and of our country by improving the  
20 insulation of the structure. That's all for the vote. So  
21 on the basis of this, Chair moves that we grant the variance  
22 requested. All those in favor, please say, "Aye."

1 THE BOARD: Aye.

2 CONSTANTINE ALEXANDER: Five in favor. Good luck.

3 SUZANNE SHAW: Thank you very much. Thank you.

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1 (8:23 p.m.)

2 Sitting Members: Constantine Alexander, Brendan Sullivan,  
3 Janet Green, Andrea A. Hickey  
4 Jim Monteverde

5 CONSTANTINE ALEXANDER: The Chair will now call  
6 Case Number 017099 206 Norfolk Street, Number 1. Mr.  
7 Glassman.

8 KEVIN GLASSMAN: Good evening, Board, how are you?  
9 Kevin Glassman, Architect, 2 Worthington Street, Cambridge.  
10 G-l-a-s-s-m-a-n. I'm repairing the Lind family.

11 ERIC LIND: I'm Eric Lind, one of the owners of 206  
12 Norfolk Street.

13 KEVIN GLASSMAN: So we're here tonight seeking  
14 variance to construct two 15-foot dormers --

15 CONSTANTINE ALEXANDER: Well one of them is 15  
16 foot 10 inches, according to the plans.

17 KEVIN GLASSMAN: Which plans are that? That might  
18 be the measurement of the roof, not the dormer.

19 CONSTANTINE ALEXANDER: I'm making a mistake?  
20 That's not usual.

21 KEVIN GLASSMAN: The overall length of the dormer  
22 is 15 feet.

1           CONSTANTINE ALEXANDER: Hold on. Let me see if I  
2 can find it. Okay. Where did I see 15 feet? There.

3           KEVIN GLASSMAN: On A.5, the dormer wall, as I  
4 mentioned, is 15 feet.

5           CONSTANTINE ALEXANDER: A.6 shows the proposed  
6 shed dormers as 15 feet 10 inches.

7           KEVIN GLASSMAN: Oh, no, that's not the length of  
8 the dormer, that's the length from face to face.

9           CONSTANTINE ALEXANDER: Thank you.

10          KEVIN GLASSMAN: So our hardship is due to the  
11 fact that we have a finished attic space, the access to  
12 which is not code compliant, not safe. There's no end room.  
13 As you can see, it's a space one can't use safely or  
14 functionally, and --

15          CONSTANTINE ALEXANDER: I want to see that  
16 picture. Not much room.

17          KEVIN GLASSMAN: Yeah. Not much room. The lot is  
18 existing nonconforming.

19          CONSTANTINE ALEXANDER: So the hardship is he's  
20 too tall?

21          KEVIN GLASSMAN: He's too tall, plus his kids are  
22 the ones who need to be able to get bigger safely, so the

1 dormer itself is conforming with the garden setbacks. We're  
2 adding 167 additional square feet to an existing,  
3 nonconforming structure. That's the relief we're seeking.

4           CONSTANTINE ALEXANDER: That's why you're here,  
5 because you have an AR issue?

6           KEVIN GLASSMAN: Exactly.

7           CONSTANTINE ALEXANDER: You're already  
8 nonconforming, and you're going to be more nonconforming?

9           KEVIN GLASSMAN: We have letters of support from  
10 other units' owners and our neighbor --

11           CONSTANTINE ALEXANDER: I don't think we have --

12           KEVIN GLASSMAN: -- we just got those in.

13           CONSTANTINE ALEXANDER: Okay. Are the dormer --  
14 the fact that the 15-foot wide dormers complies with the  
15 dormer guidelines. What about the other requirements?

16           KEVIN GLASSMAN: Setbacks from the end was also,  
17 the front rear walls, are all conforming, round about the  
18 ridge line at the blazing percentage.

19           JIM MONTEVERDE: So you're all set?

20           KEVIN GLASSMAN: We're all set.

21           CONSTANTINE ALEXANDER: Questions from members of  
22 the board?

1           JIM MONTEVERDE: In the illustration, that says  
2 "side by side," your neighbor, if you're on the whole  
3 façade, the dormer's on one side?

4           KEVIN GLASSMAN: I'm sorry?

5           JIM MONTEVERDE: The renovations are one side?

6           KEVIN GLASSMAN: The renovations are on one side.

7           JIM MONTEVERDE: So it's 206-208, or?

8           KEVIN GLASSMAN: 206-204, the Linds live in 206.

9           JIM MONTEVERDE: Yep. So 204.

10          KEVIN GLASSMAN: The left side of the building.

11          JIM MONTEVERDE: They're the residents or owners  
12 of 204?

13          KEVIN GLASSMAN: Yes, we have letters from them.

14          JIM MONTEVERDE: They're in record?

15          CONSTANTINE ALEXANDER: Yes. No -- yes, they are,  
16 Jim. Yeah, they are. They will be in the record, but not  
17 yet.

18          JIM MONTEVERDE: Can I ask another question?

19          CONSTANTINE ALEXANDER: Of course.

20          JIM MONTEVERDE: Is it a -- I have a similar  
21 circumstance, but it's a condominium. It's got a master  
22 view, but it regulates what we can all do. Is there a

1 similar arrangement between the two dwellings?

2 KEVIN GLASSMAN: There's no prohibition for  
3 additions. I think, like, I live in a similar building. As  
4 long as you get permission from your neighbors, you can add.

5 JIM MONTEVERDE: You can do whatever?

6 KEVIN GLASSMAN: You can do whatever.

7 CONSTANTINE ALEXANDER: Any other comments or  
8 questions for members of the board? Apparently not. I'll  
9 open the matter up to public testimony. Anyone here wishing  
10 to be heard on this matter? Wishing to be heard? Sure!  
11 Come on up. You've got to give your name and address to the  
12 microphone.

13 CHARLOTTE: My name is Charlotte.

14 CONSTANTINE ALEXANDER: Okay.

15 ANDREA HICKEY: Can you spell that?

16 CHARLOTTE: C-h-a-r-l-o-t-t-e. And I want to turn  
17 the attic into a bedroom because my two siblings and I all  
18 share a room, and it's starting to get really crowded, so.

19 CONSTANTINE ALEXANDER: It's going to get more  
20 crowded as you get older.

21 CHARLOTTE: Yeah. And so, I want the attic room  
22 so then there's more space for all of us.

1           CONSTANTINE ALEXANDER: Thank you. After that, I  
2 can turn her down?

3           Also, there are some letters that have just been  
4 handed to us, which I'll read into the record. One is from  
5 -- oh my goodness -- I'm not going to even try to pronounce  
6 it, S-h-s-h-e-h-z- double a-d-z-a-m-a-n. That's the last  
7 name, I assume, because it comes from the e-mail address.  
8 It's addressed to you, sir.

9           "Sorry for the delay. We reviewed the plans, and  
10 everything looks good. We would like to help you do  
11 whatever you feel is needed for your family. If you still  
12 need us to sign a letter in support, let us know."

13           We don't need her. We have a letter from Ashiana,  
14 A-s-h-i-a-n-a. I'm just going to spell the last name J-i-v-  
15 r-a-j.

16           "As the owner of 204 Norfolk Street Unit Number 1,  
17 I am writing in support of the construction plan for 206  
18 Norfolk Street. Eric Lind has shared the blueprints for the  
19 attic dormer that they hope to construct in order to convert  
20 the attic space into a livable bedroom, including safer  
21 stair access for their oldest daughter, Charlotte.

22           "I understand the purpose of the construction and

1 fully support this project."

2           And last but not least we have a letter from Vinny  
3 and Cheryl, C-h-e-r-y-l Whelan, W-h-e-l-a-n, who reside at  
4 212 Norfolk Street.

5           "We are writing in support for the two-dormer  
6 project proposed by our next-door neighbors, the Linds, at  
7 206 Norfolk Street in Cambridge. We have known the family  
8 for 10 years, since they moved here in 2009. We have  
9 watched their family grow over that time and understand  
10 their need for an additional bedroom for their oldest  
11 daughter. We have seen the plans for the building, and  
12 fully support this project."

13           And that's all she wrote. There are no letters of  
14 support or any -- that I'm aware of -- of any expression of  
15 opposition. I think we're ready for a vote.

16           JIM MONTEVERDE: Chairman, I have a question.

17           CONSTANTINE ALEXANDER: Oh, of course.

18           JIM MONTEVERDE: Is there any other local  
19 neighborhood regulatory review?

20           DANIEL WOLF: No.

21           JIM MONTEVERDE: Not of the Historic District --

22           DANIEL WOLF: No.

1           JIM MONTEVERDE:  -- or District Conservation  
2 Commission or Commission here, there or everywhere?

3           DANIEL WOLF:  No.

4           JIM MONTEVERDE:  Okay.

5           CONSTANTINE ALEXANDER:  The Chair makes the  
6 following findings with regard to the variance being sought,  
7 that a literal enforcement of the provisions of the  
8 ordinance would involve a substantial hardship, the charge  
9 of being is that the structure now has a non-code compliant  
10 staircase, which would apply to you or anyone else who owns  
11 that property.  And so, there's a need to improve the safety  
12 of the staircased, stairway if you want to call it, to the  
13 third floor.

14           And also, that with this staircase code compliant,  
15 that the full ability to -- the ability to use the structure  
16 fully will be delivered.  The hardship is owing to the  
17 nature of the structure itself.  It's an older structure  
18 built before the building codes, at least the current  
19 building code, was in effect, and that relief may be granted  
20 without substantial detriment to the public good, or  
21 nullifying, or substantially derogate the intent or purpose  
22 of this ordinance.

1           So on the basis of all these findings, Chair moves  
2 that we grant the relief requested on the condition that the  
3 work proceed in accordance with plans prepared by GCD  
4 Architects dated March 15, 2019, the first page of which has  
5 been initialed by the Chair. All those in favor, please  
6 say, "Aye."

7           THE BOARD: Aye.

8           CONSTANTINE ALEXANDER: Five in favor. Good luck.

9           [MULTIPLE]: Thank you.

10          CONSTANTINE ALEXANDER: The last case is going to  
11 be a pain in the ass. I hope that didn't get caught on the  
12 mic.

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1 (8:33 p.m.)

2 Sitting Members: Constantine Alexander, Brendan Sullivan,  
3 Janet Green, Andrea A. Hickey  
4 Jim Monteverde

5 CONSTANTINE ALEXANDER:

6 The Chair will call Case Number 017100 33 Parker  
7 Street. Anyone here wishing to be heard on this matter?

8 ANDREA HICKEY: Do you have the right file? Do  
9 you have the right file?

10 CONSTANTINE ALEXANDER: Should have it. Parker.

11 ANDREA HICKEY: Parker? Yeah, all right. I'll  
12 take that.

13 [Crosstalk]

14 CONSTANTINE ALEXANDER: Okay, as you know, name  
15 and address for the stenographer, please.

16 TAGORE HERNANDEZ: My name is Tagore Hernandez,  
17 from Group Design Build, 30 Quincy Street, in care of Alex  
18 Taylor, my client, at 33 Parker Street.

19 UNIDENTIFIED: Pardon me, Mr. Chair, the  
20 petitioner is not audible. Could you get --

21 CONSTANTINE ALEXANDER: yeah.

22 UNIDENTIFIED: -- rock star close?

1           CONSTANTINE ALEXANDER: I was about to say the  
2 same thing.

3           ANDREA HICKEY: And if I can ask you to spell your  
4 name for the stenographer, please?

5           TAGORE HERNANDEZ: Yes, it's T-a-g-o-r-e, last  
6 name Hernandez.

7           CONSTANTINE ALEXANDER: Are you seeking a special  
8 permit to relocate and enlarge windows and add some windows  
9 and doors?

10          TAGORE HERNANDEZ: Correct. Hardship owing to  
11 existing non people (sic)? I mean, site?

12          CONSTANTINE ALEXANDER: Yep, and this is not a  
13 variance case, so we don't need to demonstrate hardship.

14          TAGORE HERNANDEZ: Okay.

15          CONSTANTINE ALEXANDER: You've got to demonstrate  
16 other things, or -- anyway, thank you.

17          TAGORE HERNANDEZ: So our clients have been living  
18 on 33 Parker Street for about 10 years.

19          UNIDENTIFIED: You have to get very close to the  
20 mic, really close.

21          ANDREA HICKEY: You can tell when it's --

22          CONSTANTINE ALEXANDER: You want to hold this mic?

1 TAGORE HERNANDEZ: That would be better. Thanks  
2 for hearing us tonight.

3 CONSTANTINE ALEXANDER: Still speak up a little  
4 bit, even though you have the microphone.

5 TAGORE HERNANDEZ: Sorry, I'm just naturally soft-  
6 spoken. Our clients have been on 33 Parker Street for  
7 roughly ten years. They purchased the third floor, which  
8 came onto the market, which -- and their hope is to combine  
9 the second and third floor into a single unit.

10 As such, there are new planning opportunities that  
11 require, or it would be helpful if we could move windows  
12 around to either afford a better kitchen or bath or bedroom  
13 configuration.

14 So I'll just jump straight to page A 200 showing  
15 the before and after. The bottom row are existing  
16 conditions, and the second row is proposed. We also have  
17 some xylometric views.

18 So basically, along the east -- existing east  
19 condition, what we want to do is reduce to a two-gang window  
20 into a triple-gang. The first-floor unit owners have also  
21 seen -- are hoping to use this as an opportunity to create  
22 some better alignments, so we were taking some existing

1 windows and moving them over a few inches to create more  
2 alignments, specifically along the public way.

3           On the south existing, we are -- which is along  
4 Parker Street, we want to take a single window and turn it  
5 into a three -- a triple window, to create a better reading  
6 space and larger, to introduce a lot more light into that  
7 room.

8           And then the more significant changes are taking  
9 place along the west elevation, which is effectively the  
10 back yard, where we're taking on the second floor two single  
11 windows and growing them to a triple window as a means of  
12 bringing in a lot more natural light into the kitchen, and  
13 on the third floor into the reading room for the kids.

14           And then on the north existing, which is also kind  
15 of a back-yard abutter view, the proposals are to replicate  
16 the double doors below on the second floor, and to  
17 reconfigure an existing window into a dorm. That's it.

18           CONSTANTINE ALEXANDER: All right. Questions from  
19 members of the board? Apparently not. I'll open the matter  
20 up to public testimony. Anyone here wishing to be heard on  
21 this matter? Apparently not. We are in receipt of some  
22 letters, which I'll read into the record. We have a letter

1 from Heather Bell, B-e-l-l and Neil, N-e-i-l Shepherd, S-h-  
2 e-p-h-a-r-d who reside at -- I don't know if they're at --  
3 yeah, 26 Parker Street.

4 "We hope" -- It's addressed to the board members  
5 "-- you are well." I can say we are well, so. "We are  
6 writing in support of the proposed renovation of the home of  
7 our neighbors, Alex and Beth Taylor, who live at 33 Parker  
8 Street, Number 2.

9 "We moved to 26 Parker Street 11 months ago. 33  
10 Parker Street is visible from our front porch, across the  
11 road and to our left across the intersection of Parker and  
12 Healy Streets.

13 "The Taylors kindly sent us their renovation plans  
14 dated 02/24/19." These are all the -- the ones we have in  
15 our files are later than that, so anyway. "We have reviewed  
16 the plans, and we support this renovation. The proposed  
17 changes will enhance the building and therefore our  
18 neighborhood.

19 "Part of the reason that we moved to Cambridge  
20 from Belmont was to be part of a more urban, residential  
21 community. It has been an absolute joy to find ourselves  
22 with neighbors who are as kind, thoughtful and welcoming as

1 the Taylors. We support the enhancement of their home and  
2 their commitment to our neighborhood."

3 We have a letter from Nancy Curtis, C-u-r-t-i-s,  
4 who resides at 39 Parker Street.

5 "I have been the owner of 39 Parker Street since  
6 1985. I enthusiastically support the Taylor's family  
7 renovation plan for the property next door to mine, 33  
8 Parker Street Number 2, dated 02/24/19. I believe that the  
9 plan is aesthetically in keeping with the building's  
10 existing appearance.

11 "Most importantly, uniting two units into one  
12 makes them suitable for a family. Parker and Healey Streets  
13 have long been a friendly, mini neighborhood even as housing  
14 pressures have increased the number of absentees and  
15 transients. I welcome the long-term commitment the Taylors  
16 have already brought to the community, and hope that these  
17 alterations will allow them to stay a long time."

18 And last, we have a letter from Marshall W.  
19 Carter, who resides at 5 Healey Street.

20 "I write in full support of the renovation plans  
21 for 33 Parker Street Number 2 as proposed by owners  
22 Alexander and Beth Taylor. I have owned my family's home at

1 5 Healey Street since 2004, which is directly across the  
2 street from 33 Parker Street. Beth, Alex and their children  
3 are exemplary neighbors. They are well-known as a great  
4 family in this neighborhood; highly engaged and respectful.

5 "The modifications they are proposing add to the  
6 stability and strength of the area. As noted above, I am  
7 fully supportive of their plans dated February 24, which I  
8 have reviewed carefully."

9 And that's it. You should be proud of the letters  
10 you're getting from your neighbors.

11 TAGORE HERNANDEZ: It's humbling. Thank you.

12 CONSTANTINE ALEXANDER: They're very nice letters.  
13 I'll close public testimony. Comments? Or are we ready for  
14 a vote?

15 [MULTIPLE]: Ready.

16 CONSTANTINE ALEXANDER: If we take the vote, the  
17 relief that we grant -- and I think we're going to grant the  
18 relief -- will be subject to compliance with these plans  
19 that you submitted. Any modification after tonight, we're  
20 going to have to come back before. So you're satisfied?

21 TAGORE HERNANDEZ: Yes, as a client, we are  
22 satisfied.

1           CONSTANTINE ALEXANDER: Okay. Just want to read  
2 you your rights, that's all. Okay, the Chair makes the  
3 following findings with regard to the special permit being  
4 sought:

5           That the requirements of the ordinance cannot be  
6 met unless we grant you your special permit, that traffic  
7 generated or patterns of access or egress will not cause --  
8 as proposed -- will not cause congestion, hazard or  
9 substantial change in established neighborhood character.

10           I think the plans in this regard speak for  
11 themselves; certainly, are not going to cause congestion or  
12 hazard, and they will not be a substantial change in  
13 established neighborhood character, resulting from the  
14 proposed relocations of doors that are on your plans.

15           That the continued operation of or development of  
16 adjacent uses as permitted by the ordinance will not be  
17 adversely affected by what is being proposed, and witness to  
18 this are the letters of support from the folks in your  
19 neighborhood that no nuisance or hazard will be created to  
20 the detriment of the health, safety and/or welfare of the  
21 occupant of the proposed use or the citizens of the city,  
22 and generally what is being proposed will not impair the

1 integrity of the district or adjoining district, or  
2 otherwise derogate the intent and purpose of this ordinance.

3           So on the basis of all these findings, Chair moves  
4 that we grant the special permit requested on the condition  
5 that the work proceed in accordance with plans prepared by  
6 Group Design Build dated 04/04/2019, the first page of which  
7 has been initialed by the Chair.

8           All those in favor, please say, "Aye."

9           THE BOARD: Aye.

10           CONSTANTINE ALEXANDER: Five in favor. Relief  
11 granted.

12           TAGORE HERNANDEZ: Thank you very much. Thank  
13 you.

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1 (8:46 p.m.)

2 Sitting Members: Constantine Alexander, Brendan Sullivan,  
3 Janet Green, Andrea A. Hickey  
4 Jim Monteverde

5 CONSTANTINE ALEXANDER: The Chair will now call  
6 Case Number 017103 46 Mount Vernon Street. Anyone here  
7 wishing to be heard on this matter?

8 TAGORE HERNANDEZ: Tagore Hernandez, from Group  
9 Design Build, T-a-g-o-r-e.

10 CONSTANTINE ALEXANDER: This is another special  
11 permit case, right?

12 TAGORE HERNANDEZ: Correct. We're seeking relief  
13 for an existing, nonconforming in order to rebuild basically  
14 a bay that had been demolished sometime in the 1940s. This  
15 is basically per the recommendation of the Historic  
16 Commission, and Sarah and Charles have provided us with a  
17 letter of support.

18 Basically, and I can just describe it very quickly  
19 on page A 502, sometime in the '40s, the bay was destroyed  
20 for a reason we know not, and we are working with a  
21 photograph circa 1940 trying to zoom in and replicate  
22 verbatim the exact picture. So we have not gotten any

1 letters of support, but there has been some kind of open  
2 conversations.

3           CONSTANTINE ALEXANDER: I have a letter which I'll  
4 read into the record from Cambridge Historical that you  
5 already mentioned.

6           TAGORE HERNANDEZ: Yes, sir. That's it.

7           CONSTANTINE ALEXANDER: Okay. Short and sweet.  
8 Questions from members of the board, or? No? Apparently  
9 not. I'll open the matter up to public testimony. Is there  
10 anyone here wishing to be heard on this matter? Apparently  
11 not.

12           We'll -- we do have one letter from the Cambridge  
13 Historical Commission. It's from Sarah L. Burks, B-u-r-k-s,  
14 Preservation Planner.

15           "I am writing with regard to the request of 46  
16 Mount Vernon, LLC for a special permit to reconstruct a bay  
17 window on the front elevation of the house at 46 Mount  
18 Vernon Street.

19           "The Lund House at 46 Mount Vernon Street is a  
20 significant mansard house constructed in 1870, and located  
21 within the Avon Hill Neighborhood Conservation District. It  
22 is also a contributing building in the Avon Hill National

1 Registered District.

2 "On January 28, 2019, the Avon Hill Neighborhood  
3 Conservation Commission granted a certificate of  
4 appropriateness for the exterior restoration of both this  
5 house and the 1969 house at the rear of the lot" --

6 That house that is not a subject of this hearing  
7 tonight

8 TAGORE HERNANDEZ: Correct.

9 CONSTANTINE ALEXANDER: The developer has prepared  
10 plans that include restriction of a bay window on the front  
11 elevation, which requires zoning relief.

12 "This bay window was original to the house's  
13 construction, but was removed in about 1969 when the house  
14 was unsympathetically modernized with aluminum siding,  
15 inappropriate replacement windows and modifications to the  
16 front porch.

17 "The grounded foundation of the bay remains in  
18 place. The Avon Hill Neighborhood Conversation District  
19 Commission encouraged the owner to restore the bay window to  
20 complete the exterior restriction of this significant  
21 building. A similar bay was recently reconstructed at 34  
22 Mount Vernon Street. This is a very worthwhile project that

1 will restore a significant architectural feature to this  
2 historic home. I hope the board will grant the requested  
3 relief."

4 That's it for public testimony. I will close  
5 public testimony. Ready for a vote?

6 [MULTIPLE]: Ready for a vote.

7 CONSTANTINE ALEXANDER: Okay. And again, this is  
8 a special permit case. The Chair moves that we make the  
9 following findings with regard to the special permit being  
10 sought:

11 That the requirements of the ordinance cannot be  
12 met unless we grant the relief being sought; that traffic  
13 generated or patterns of access or egress resulting from  
14 what is proposed will not cause congestion, hazard or  
15 substantial change in established neighborhood character.

16 In fact, what is being done is to restore the  
17 architectural beauty and significance of the structure with  
18 no other impact on the neighborhood -- no other adverse  
19 impact on the neighborhood.

20 That the continued operation or development of  
21 adjacent uses as permitted by the ordinance will not be  
22 adversely affected by the restoration of this bay.



1 (9:00 p.m. )

2 Sitting Members: Constantine Alexander, Brendan Sullivan,  
3 Janet Green, Andrea A. Hickey  
4 Jim Monteverde

5 CONSTANTINE ALEXANDER: Call Case Number 017096 10  
6 ARLINGTON STREET. Anyone here wishing to be heard on this  
7 matter?

8 MAGGIE BOOZ: Hi.

9 CONSTANTINE ALEXANDER: Good evening.

10 MAGGIE BOOZ: Hello, hi. Hi. I'm Maggie Booz, B-  
11 o-o-z, and I'm the architect for Jenny Stodolsky, who is the  
12 owner of 10 Arlington Street. Do you need that spelled?

13 ANDREA HICKEY: Yes, yeah.

14 MAGGIE BOZE: Yeah. Jenny, J-e-n-n-y Stodolsky; S  
15 as in Sam -- t as in Tom -- o-d-o-l-s-k-y, as in yellow.

16 CONSTANTINE ALEXANDER: You want a bunch of  
17 relief, right?

18 MAGGIE BOZE: We do. We want -- we're here  
19 tonight to --

20 CONSTANTINE ALEXANDER: We want to make sure  
21 everyone can here you.

22 MAGGIE BOZE: We're here tonight to request relief

1 from floor area ratio at 10 Arlington Street.

2           CONSTANTINE ALEXANDER: And you're going to be  
3 going from compliant under our zoning law at 0.47 to  
4 noncompliant to 0.52?

5           MAGGIE BOZE: That's right.

6           CONSTANTINE ALEXANDER: It's not a matter of just  
7 increase, you're crossing the border.

8           MAGGIE BOZE: We're crossing, that's why we're  
9 here, because we're requesting relief from floor area ratio,  
10 yes. We're requesting 120 square feet of addition at the  
11 first floor in addition to a bay window and an overhang in a  
12 side door.

13           We're requesting 60 square feet of the second  
14 floor, which is the addition of a master bathroom, and at  
15 the third floor we're requesting two dormers; one in the  
16 front, which is a new dormer, and it's about fifteen square  
17 feet, and then an extension of an existing shed dormer at  
18 the rear, and we want to extend it about three feet. It's  
19 one foot wide now, we're bringing it over to about fourteen  
20 feet.

21           CONSTANTINE ALEXANDER: So is it safe to say that  
22 these two dormers, should we grant you the relief, will be

1 compliant with the dormer guidelines?

2           MAGGIE BOZE: Yes, yes. And the -- so the house  
3 is -- it's an unusual situation, because we -- it was never  
4 actually a nonconforming house, even though it has us a  
5 zero-lot line because it was granted by variance. But the  
6 division of the lot was granted by variance.

7           We met with Ranjiv and Sisia and they explained --  
8 Ranjiv explained because he had an institutional memory of  
9 this whole thing that it was -- that it never became -- the  
10 lot never became nonconforming.

11           So it was a conforming lot with a single building  
12 on it, they divided it by variance so it was never actually  
13 nonconforming. So we're only subject the floor area ratio  
14 limitation.

15           So our requests are based on the fact that the  
16 building right now has very long, narrow additions on the  
17 back. And -- am I holding this close enough?

18           [MULTIPLE]: Yeah.

19           MAGGIE BOZE: It has very long, narrow additions  
20 on the back, and the limitations for putting in the kitchen,  
21 for getting some -- a little bit of elbow room in that  
22 space, and to get a boot room in and a side entrance is

1 tough, just because of the form of the building.

2           So at some point in time, it looks like probably  
3 the 1960s, the kitchen was moved to the front room, which  
4 would typically be the living room; I mean it's the front  
5 room on the street.

6           And I think it was probably because they wanted to  
7 have a family room or something in the sunny back of the  
8 house, because the rear of the house faces south.

9           So we're trying to get the living room back, move  
10 the kitchen to the back, and we're just looking for really a  
11 small amount of space back there in addition to trying to  
12 get this -- trying to kind of squeeze this side entrance in  
13 as well.

14           So the side door -- currently there's a front door  
15 on the house under the porch, and then there is a sliding  
16 door around the back. But the driveway is on the side, and  
17 you have to go -- you know, you have to go downtown doorway,  
18 around the back, up onto a deck and in through the sliding  
19 door.

20           So we're trying to get a sort of -- a more  
21 convenient condition of entry for a family with place for  
22 coats and boots, and then a kitchen, and just a small place

1 to eat in the kitchen. And it isn't very much. I mean, I'm  
2 able to create -- with the addition, I'm able to create, you  
3 know, a place that's about seven feet wide for a table, and  
4 that's about it, if -- you know, with the coatroom as well.

5           So then we have a situation on the second floor,  
6 so Jenny and Dan have two children, and they have a large  
7 family who -- with both Jenny's parents and Dan's parents  
8 have come and stayed for extended periods of time.

9           So we're trying to get enough bedrooms to handle  
10 these people, and enough -- you know, enough bathrooms to  
11 handle that as well.

12           So that's why we're requesting the relief for the  
13 sixty square feet of the second floor, in order to just have  
14 the quantity of bedrooms and bathrooms that they need. As  
15 it is, the girls are sharing -- or they will be sharing a  
16 bathroom at the third floor.

17           The third-floor rooms are -- have a non -- really  
18 a noncompliant by code headroom situation. You're supposed  
19 to have seven feet of -- at least seven feet of width in one  
20 direction that is at least seven feet high, and they don't  
21 have that.

22

1           And they will -- this will bring them into a sort  
2 of more compliant situation if the extension of the dormer  
3 were granted, and the dormer on the front of the house.

4           JENNY STODOLSKY: Well, just from a -- if I'm  
5 using the word correctly, an integrity to the style of the  
6 home, currently the dormer is not in keeping with how the  
7 house was designed in 1864.

8           MAGGIE BOZE: This is the existing.

9           JENNY STODOLSKY: And so, we're trying to -- nor  
10 does it align with the windows on the rest of the floors,  
11 and so the intention is to put in a dormer that not only  
12 will match the other side of the house, but then be in  
13 alignment as well. So taking out something that is a very  
14 odd situation. So that's what I wanted to respond to.

15           MAGGIE BOZE: Yeah. No, that's good. There's an  
16 existing skylight on that north side of the house now, which  
17 is visible in that drawing. In the lower drawing, it's  
18 showing the dormer, which we're trying to match to the one  
19 next door at Number 8 Arlington.

20           Other aspects of the house in terms of the  
21 architecture are trying to be consistent with both Number 8  
22 side of the house, which is a bay on the left, and also

1 Number 14 Arlington, which is just west of this house, and  
2 it's another double house. They must have been at the same  
3 time. There are these two double houses, and the Number 14  
4 Arlington has significant bays on the side of it.

5 It's actually one single-story bay and one double-  
6 story bay. So we're trying to -- we think we're being  
7 consistent in terms of the additions that we're requesting,  
8 architecturally.

9 CONSTANTINE ALEXANDER: And you spoke to Cambridge  
10 Historical on them?

11 MAGGIE BOZE: We've been before the Historic  
12 Commission and they have approved our design, and so we do  
13 have their permission.

14 And I should also say that, you know, we're not  
15 trying to -- I mean, for one thing we're taking down a sort  
16 of ramshackle and large accessory building that is on the  
17 property line now. And we're taking that all down and  
18 certainly creating more open space.

19 I realize in my dimensional form I don't actually  
20 call for an increase in open space, because our addition is  
21 taking up that floor area again; that site area again. But  
22 we're -- you know, we're trying to -- Jenny and Dan are

1 trying to really fix this house up, and it's a completely  
2 neglected building.

3           So we're attempting to make changes to the  
4 building and additions to the building that don't have an  
5 affect on neighbors. And we're really trying hard not to  
6 create shadows, not to be inconsistent with the rear façade  
7 that adjoins Number 8 Arlington; you know, sort of keep that  
8 rear façade in the same plane, and that we create -- that we  
9 request additions that are not having an adverse effect on  
10 anybody.

11           CONSTANTINE ALEXANDER: I didn't see any letters  
12 from neighbors for or against, you know, on file. Have you  
13 spoken to your neighbors? Can you report orally?

14           JENNY STODOLSKY: Yes, thank you. And in fact,  
15 one of our neighbors is actually here this evening, if she's  
16 willing to speak, I'm not sure.

17           CONSTANTINE ALEXANDER: All right.

18           JENNY STODOLSKY: Thank you. Yes, of course, we  
19 presented our plans both to our immediate abutters at Number  
20 8, Bill and Marcia Harris, and they signed off on it. Bill  
21 Harris himself is an architect and reviewed quite  
22 extensively the plans, and yes. And we also have our other

1 neighbor here, Andrea, who might speak. She has also said  
2 yes to us. And so that's where we're at. It's to keep with  
3 the street vernacular, and to bring this to be a home for  
4 our large family.

5 CONSTANTINE ALEXANDER: Anything further you want?

6 JENNY STODOLSKY: I don't think so.

7 CONSTANTINE ALEXANDER: Questions from members of  
8 the board?

9 [MULTIPLE]: No.

10 CONSTANTINE ALEXANDER: No questions? I'll open  
11 the matter up to public testimony. Is there anyone here  
12 wishing to be heard on this matter? Apparently not. The  
13 neighbors are here and they have every right to remain  
14 silent. I assume they would, if you didn't express their  
15 views correctly, they'd be shouting.

16 JENNY STODOLSKY: Yes.

17 CONSTANTINE ALEXANDER: So I'll take it as assent  
18 to what you said. I will close public testimony. We have  
19 nothing in our files otherwise. Discussion, or are we ready  
20 for a vote?

21 [MULTIPLE]: Ready.

22 CONSTANTINE ALEXANDER: I think we're ready for a

1 vote. The chair moves that we make the following finding  
2 with regard to the variances being sought, that a literal  
3 enforcement of the provisions of the ordinance would involve  
4 a substantial hardship, that hardship is one that's not just  
5 peculiar to the current owner of the property, but anyone  
6 occupying or owning the property and the hardship results  
7 from the fact that over the years there have been some  
8 perhaps inappropriate modifications of the structure, and  
9 the third floor certainly there was noncompliant stairs,  
10 which limits at least legally the ability to use that part  
11 of the structure.

12 The hardship is owing to the nature of the  
13 structure itself, and its location on many of the -- the  
14 structure itself, for the reasons I've just identified, and  
15 that relief may be granted without substantial detriment to  
16 the public good, or nullifying, or substantially derogating  
17 the intent or purpose of this ordinance.

18 So on the basis of all these findings, the Chair  
19 moves that we grant the variance requested on the condition  
20 that the work proceed work proceed in accordance with plans  
21 prepared by Smart Architecture dated March 29 2019, the  
22 first page of which has been initialed by the Chair.

1 All those in favor, please say, "Aye."

2 THE BOARD: Aye.

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

5 MAGGIE BOZE: Thank you so much.

6 JENNY STODOLSKY: Thank you so much.

7 CONSTANTINE ALEXANDER: We have five minutes  
8 before we can hear our next case.

9 \* \* \* \* \*

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1 (9:17 p.m.)

2           CONSTANTINE ALEXANDER: The Chair will call Case  
3 Number 01797 377-379 Putnam Avenue. Anyone here wishing to  
4 be heard on this matter?

5           JAMES RAFFERTY: Good evening Mr. Chairman and  
6 members of the board. For the record, my name is James  
7 Rafferty and I'm an attorney with offices located at 907  
8 Massachusetts Avenue in Cambridge, appearing this evening on  
9 behalf of the applicant, Eversource Energy. Trying to come  
10 up with a name.

11           JANET GREEN: They can't hear you, James.

12           JAMES HAFFERY: Oh, really?

13           JANET GREEN: Even though you're very good at  
14 speaking into the microphone.

15           JAMES RAFFERTY: Hard to believe.

16           JANET GREEN: You should be the example.

17           JAMES RAFFERTY: Thank you. I got a nice note --

18           JANET GREEN: There are a lot of people that would  
19 like to --

20           JAMES RAFFERTY: I got a nice note from the woman  
21 who was the stenographer, who said she never had trouble  
22 hearing me. Never -- the woman that was here.

1 [MULTIPLE]: Right, right.

2 JANET GREEN: Well, Jim, you sat right next to  
3 her. And you bought her a cake, right?

4 JAMES RAFFERTY: Well, that was after the fact. I  
5 mean. So, again, James Rafferty appearing on behalf of  
6 Eversource Electric. Seated to my right is Domenic  
7 Nicotera, N-i-c-o-t-e-r-a. Mr. Nicotera is a Project  
8 Manager for Eversource and is here to walk the board through  
9 the technical elements of the application. Just --

10 DOMENIC NICOTERA: Those of you in the audience,  
11 can you hear what's being said?

12 JAMES RAFFERTY: Thank you. So the application  
13 involves the request for a special permit to allow for the  
14 expansion of an electrical substation in a residence C2B  
15 zone on Putnam Avenue.

16 The existing station was authorized by a special  
17 permit issued in 1987, a copy of which I believe I provided  
18 in the file. I provide some historical context here.

19 CONSTANTINE ALEXANDER: And voted Chairman of the  
20 board at that time. Did you see who the Chairman was?

21 JAMES RAFFERTY: I paid close attention to the  
22 members of the board. I noticed that some voices remain on

1 this board. Nice to see that type of consistency in city  
2 government. But yes, I did note that. So there may be  
3 opportunities in your future, Mr. Chair, for other public  
4 service, if you were to follow that model. At any rate, as  
5 noted, this zoning district allows for this use by way of  
6 special permit, and the existing facility currently contains  
7 three transformers, and the application tonight involves the  
8 introduction and placement of a fourth transformer.

9           The fourth transformer is located in a structure  
10 in addition to that structure containing the transformer,  
11 there's also a location where a switch gear will be placed,  
12 and Mr. Nicotera will take the board through the site.

13           He has a handout to the board. He had talked  
14 about bringing Power Points and slides; I explained we don't  
15 really do that at the zoning board, but we also had brought  
16 copies. Copies of this presentation are being distributed  
17 now. We brought 25 copies to the audience.

18           CONSTANTINE ALEXANDER: Excuse me, members of the  
19 audience, have you -- would you like to have copies of this?

20           JAMES RAFFERTY: No, they're being distributed  
21 now, 25 copies of --

22           CONSTANTINE ALEXANDER: Oh, oh no, I'm sorry, I --

1           JAMES RAFFERTY:  -- we brought with us, in  
2 anticipation of the public interest in this.  So with your  
3 indulgence, we'll just have Mr. Nicotera walk you through  
4 the location where these structures are proposed to be  
5 located and provide you with some background information on  
6 how they operate.

7           CONSTANTINE ALEXANDER:  Before we do this, is this  
8 stuff any different than what's attached to your letter?

9           JAMES RAFFERTY:  I think it's -- the letter was --  
10 the letter address questions contained in the petition that  
11 we received.  So there are some additional items here.

12          CONSTANTINE ALEXANDER:  This is mostly drawings.  
13 This is attached to a letter you --

14          JAMES RAFFERTY:  Well, when you say, "letter"  
15 that's the application.  So there's also -- we also  
16 submitted to the board dated May 13, 2019.

17          CONSTANTINE ALEXANDER:  Yeah, we have that.

18          JAMES RAFFERTY:  Right.  So -- but you said,  
19 "letter."

20          CONSTANTINE ALEXANDER:  I'm sorry.  Usually we ask  
21 if -- when we do make a motion, as you well know, we  
22 generally tie the relief should we pass the vote, to plans

1 or drawings or whatever that's been submitted. And I wonder  
2 what I should be telling. The purpose of the motion, not  
3 saying we're going to grant the motion, but --

4 JAMES RAFFERTY: Understood, right.

5 CONSTANTINE ALEXANDER: -- the purposes of the  
6 motion.

7 DOMENIC NICOTERA: There was a revised set of plans  
8 filed on Monday, so was that there Monday?

9 CONSTANTINE ALEXANDER: Yeah, Monday night.

10 JAMES RAFFERTY: Yes. And those are the plan.

11 CONSTANTINE ALEXANDER: Okay. Just wanted to make  
12 sure. All right.

13 JAMES RAFFERTY: So -- but there's some additional  
14 information or formatting.

15 CONSTANTINE ALEXANDER: That's okay.

16 JAMES RAFFERTY: And this is more presentation  
17 material.

18 CONSTANTINE ALEXANDER: That's fine.

19 DOMENIC NICOTERA: Thanks, Jim. Well, Good  
20 evening Mr. Chairman and members of the board. Again, for  
21 the record my name is Domenic Nicotera, Project Manager with  
22 Eversource. And for the record, N-i-c-o-t-e-r-a.

1           With us here tonight also are a few other of my  
2 cohorts from Eversource who are subject matter experts that  
3 should the need arise letter on to answer some more  
4 technical answers should they be answered and they chose to  
5 call upon that for that purpose.

6           So with no further ado, with your permission I'll  
7 walk you and the board through the presentation briefly.

8           CONSTANTINE ALEXANDER: And the members of the  
9 audience as well.

10          JAMES RAFFERTY: And the members of the audience,  
11 afterwards which we will be available to answer any  
12 questions that may arise.

13          So if everyone can hear me okay, I'm going to talk  
14 start on page 10 of the handout. This page is an overview  
15 of the city of Cambridge, and is intended to show that there  
16 are four substations that serve the city -- North Cambridge,  
17 East Cambridge, Putnam and Prospect Street.

18          These stations are all connected to the grid, and  
19 serve to provide the overall, you know, need of the city.

20          Turning to page 2 speaks to the reason for, or the  
21 need for the project. As part of Eversource's normal course  
22 of business and due diligence, we monitor through a planning

1 process a low growth plan for communities that the company  
2 serves.

3           And in the case of Cambridge, our forecasts have  
4 shown that there's been significant growth in the city over  
5 the past few years, further projected into the future, as  
6 indicated where there's an expectation of a need for over  
7 100 megawatts of additional capacity in the city.

8           CONSTANTINE ALEXANDER: The irony here though is  
9 the fact is that this additional need for electricity being  
10 generated by Kendall Square area, at least that's according  
11 to the materials that you submitted -- yet, this  
12 neighborhood, residential neighborhood is going to be  
13 affected by what you want to do. It just is a fact, I mean,  
14 I'm not arguing.

15           DOMENIC NICOTERA: Right. But the reality of that  
16 is that is true for all four of the substations. So power  
17 generation doesn't simply serve --

18           CONSTANTINE ALEXANDER: Oh, okay.

19           DOMENIC NICOTERA: -- the abutting neighborhood.

20           CONSTANTINE ALEXANDER: Got it. Thank you.

21           DOMENIC NICOTERA: So there's transmission coming  
22 from North Cambridge, and it's an integrated plan, but it's

1 not correct to say, "This is an isolated example of power  
2 shifting to another area."

3           CONSTANTINE ALEXANDER: Got it. Thank you.

4           DOMENIC NICOTERA: So in concluding that slide,  
5 the intent was to describe the reason for, and the need for  
6 the project. There is an urgent need to provide for this  
7 additional capacity and be ready for it when it comes  
8 online, and is necessary.

9           Turning to page 3, this diagram shows the existing  
10 Putnam Station, the inset with solid blue line is the  
11 existing station. The dash blue line is the Eversource  
12 property that's connected to the existing station, on which  
13 the new equipment will be placed.

14           It will be shown a little bit more in the upcoming  
15 pages, but briefly the rectangle structure you see is the  
16 four walled and roofed structure that will house the new  
17 transformer. The rectangle indicated to the left is the  
18 switch gear equipment.

19           Furthering to page 4, this is simply a photograph  
20 of the existing conditions now of the proposed site,  
21 currently used as sometimes a lay-down area or a storage  
22 area.

1           And then turning to page 5, which really gets to  
2 the heart of the matter, this is a rendering of the final  
3 condition.

4           And I take a moment at this time to state that  
5 where the existing station has been here for approximately  
6 thirty-five years, we understand that the area has changed,  
7 you know, a bit, or quite a bit over those years.

8           It's become more residentially built up, and so  
9 knowing that and with that in mind, the company wanted to  
10 embark on a robust, proactive approach to reaching out to  
11 the city, both the government and the abutters about the  
12 plan for this project.

13           And with that, we held over the course of three  
14 months February through April five open houses in which we  
15 presented the project, answered questions.

16           CONSTANTINE ALEXANDER: Were they well attended?

17           DOMENIC NICOTERA: They were well-attended, yes.  
18 We were there with -- again, some of the team members you  
19 see here, and even a few additional members. So we've  
20 documented all of those open houses. I believe that is with  
21 the board at this time.

22           But we also, you know, took in and solicited a lot

1 of input that we received from the city.

2 JAMES RAFFERTY: Did you make any modifications as  
3 a result of what you heard?

4 DOMENIC NICOTERA: We did, and I was just about to  
5 speak to that. They're noted here on this slide #5. One  
6 of, you know, the first was that we were asked to look at  
7 the engineering to see if we could move the new transformer  
8 further away from the town homes.

9 Engineering did achieve that. We moved it an  
10 additional 30 feet closer to the existing station buildings.  
11 So that was achieved.

12 We also enhanced and are planning to construct a  
13 robust transformer surround building that will be also be  
14 made of a sound-absorptive material in order to further  
15 reduce the sound levels from the existing transformer, which  
16 would without the structure meet the city of Cambridge and  
17 the Mass DEP guidelines for noise ordinances and  
18 requirements.

19 Additionally, from an aesthetic standpoint, we  
20 took in input, and with our landscape architect went through  
21 a number of iterations and created a landscape plan with  
22 enhanced plantings and new fencing that you'll see, again,

1 as we proceed through the slides.

2 JAMES RAFFERTY: To that point, Mr. Chair, if you  
3 match the Monday submittal with the original submittals,  
4 you'll see where the changes came about -- I'm sorry -- the  
5 meeting, particularly sound attenuation related to the  
6 peaked roof, the two peaked roofs which were not present in  
7 the earlier plan; the relocation for 30 feet away from the  
8 residential abutters, and enhanced landscaping based upon  
9 input.

10 We held meetings at the condo association itself,  
11 that was perhaps our most well-attended meeting, and we met  
12 with the --

13 CONSTANTINE ALEXANDER: You mean sound  
14 attenuation, which I wasn't asking a question about that.  
15 What noise, if anything, is made by the structure, or the --  
16 which you're proposing to -- you're seeking relief for  
17 tonight. Is there any? I mean, I know you've got a -- we  
18 have a noise ordinance, and so you can't go above whatever  
19 is prohibited by the ordinance, but I'm just curious if  
20 there's any sound that comes from this structure?

21 JAMES RAFFERTY: And could you answer that as well  
22 as what steps were taken to mitigate that noise?

1           DOMENIC NICOTERA: Sure.

2           JAMES RAFFERTY: Because I know you incorporated  
3 new design elements.

4           DOMENIC NICOTERA: Right. So as part of our  
5 engineering design effort, we look at the technical  
6 characteristics of the transformer. We have engineers that  
7 conduct those analyses to make sure that whatever city, town  
8 or municipality that we're citing into we meet those local  
9 ordinances, and in this case the DEP ordinances as well.

10          CONSTANTINE ALEXANDER: There will be noise -- if  
11 I can use that word, and it will not be in excess of what is  
12 -- there's a lot -- that's prohibited by the city of  
13 Cambridge. Is it a humming noise? Is it sort of a constant  
14 hum? What's the nature of the noise, and how often is it  
15 made for the neighborhood?

16          DOMENIC NICOTERA: So I may defer to one of my  
17 colleagues, and if that's okay to go through the last couple  
18 of slides?

19          CONSTANTINE ALEXANDER: Go ahead, sure. That's  
20 fine.

21          DOMENIC NICOTERA: And go to that. Thank you, Mr.  
22 Chairman. The only last point I wanted to make on the final

1 condition here, which, you know, we think is an enhancement,  
2 is that once the station project is complete, it will be  
3 turned over to the company station Operations Division, and  
4 at that time they're responsible for the location and there  
5 are a limited number of key personnel that only have the  
6 keys and access to the site.

7           So unlike its current use, it will be restricted  
8 access, limited access; I won't even have a key.

9           CONSTANTINE ALEXANDER: Will Mr. Rafferty have a  
10 key?

11           DOMENIC NICOTERA: Who?

12           CONSTANTINE ALEXANDER: Mr. Rafferty, will he have  
13 a key? For the record, he will not.

14           DOMENIC NICOTERA: The next slide, turning to  
15 slide number 6 and number 7 merely show similarly, but from  
16 a different angle, from Putnam Ave, the existing condition  
17 site as it exists on page 6, and on page 7 the final  
18 condition site with the transformer enclosure, the switch  
19 gear structure shown to the left, and the new landscaping  
20 and fencing.

21           CONSTANTINE ALEXANDER: With regard to the  
22 landscaping, which clearly is an improvement over what now

1 exists, one of the problems -- not problems, but one of the  
2 things that our board does not do, or we don't require  
3 inspectional services to do is for them to monitor whether  
4 you're keeping the plants healthy, replacing dead plants or  
5 alive.

6 We've got to rely on the fact that you're going to  
7 continue, or the neighborhood needs to rely that you're  
8 going to honor, if you will, to the extent you can, the  
9 landscaping that's shown on these plans.

10 JAMES RAFFERTY: Well, Mr. Chair, let me just  
11 state as you know, the site plan will be a condition of the  
12 special permit --

13 CONSTANTINE ALEXANDER: Yep.

14 JAMES RAFFERTY: And it takes but one phone call  
15 to inspectional service to allege a violation of a condition  
16 of a special permit, in which case in my experience,  
17 inspectors will go out. And if it's determined  
18 that there's deviation of a failure to maintain what  
19 appears, there is remediation imposed required.

20 CONSTANTINE ALEXANDER: I'm surprised. Because I  
21 know we would -- we've been advised, or I've been advised  
22 certainly, that the inspectional services department is very

1 reluctant to get into landscaping issues. But I'm glad to  
2 hear that.

3 JAMES RAFFERTY: In response to a complaint,  
4 zoning complaints in my experience are taken very seriously,  
5 and inspectors do go out. And so, when those landscaping  
6 elements are conditions of the site plan, failure to  
7 maintain them would involve enforcement.

8 CONSTANTINE ALEXANDER: Okay.

9 JANET GREEN: The trees look quite large, but of  
10 course this picture was taken in the winter, so you can see  
11 that there's not quite the landscaping that you might be  
12 able to -- my question was about the picture, which is --  
13 you know, there are a number of trees there, but it's  
14 obvious that in the winter those trees aren't providing any  
15 visual, you know, visual protection.

16 There are a couple of other things, and we wonder  
17 why you would want those rather than something that year-  
18 round would be protecting the visual?

19 DOMENIC NICOTERA: Sure. And I will answer your  
20 question in conjunction with maybe turning to page 8, which  
21 is an overview of a plan view of the landscaping plan, in  
22 addition to what I'll turn to in a second as page 9, which

1 are the elevation views of the landscaping plan.

2           So with our landscape architect, and by visiting  
3 the site, by listening to our abutters to our five open  
4 houses, we've developed a landscape plan that takes into  
5 account the following elements. We understand on two sides  
6 we have a lot of mature, tall Arborvitaes that we wanted to  
7 maintain.

8           There are a certain portion of them that, you  
9 know, need some trimming and care as well as some other more  
10 invasive species that we will be either removing or trimming  
11 back.

12           And then in addition adding certain tree elements  
13 and shrubbery elements, and some of the intent with respect  
14 to species was to be able to add some color as well during  
15 certainly the spring and summer seasons. So we would have a  
16 combination of evergreen plantings as well as some of the  
17 more, you know -- what's the word I'm looking for --  
18 flowering trees?

19           JANET GREEN: Yeah, flowering trees and trees that  
20 maintain their leaves during the summer.

21           DOMENIC NICOTERA: Correct. So as I noted, in  
22 turning to page 9, these are elevation views from, you know,

1 different sides that show both the existing vegetation and  
2 the new proposed vegetation to be added.

3           As I noted as well, we'll be replacing the  
4 existing fencing with an upgraded black fencing. We'll have  
5 a new gate; again, just controlled by our station Operations  
6 Department upon completion.

7           Lastly, members of the board, the last page shows  
8 our proposed schedule that we also presented at the open  
9 houses at this time, and certainly based on receipt of  
10 approvals and permits.

11           We're proposing to hopefully conduct this work the  
12 second half of this year, summer fall, with some equipment  
13 delivery more towards the end of the fall, and installation  
14 or end of the year -- excuse me, and then rounding out with  
15 the fencing and landscaping elements, and the first half of  
16 next year will be some cable installation and energization.

17           So that completes, you know, the overview, and at  
18 this time, we're available to enhance --

19           CONSTANTINE ALEXANDER: How about your colleague  
20 would advise on the noise issue?

21           DOMENIC NICOTERA: Sure. So I'd like to ask Mr.  
22 John Zicko, he's a director of our substation engineering

1 department, to join me.

2           JOHN ZICKO: Good evening. Thank you. Good  
3 evening. Can everybody hear me okay? For the record, the  
4 spelling of my last name, it's John with an H, J-o-h-n,  
5 last name is Z-i-c-k-o, and as Mr. Nicotera said, I am the  
6 Director of Substation Design Engineering at Eversource, and  
7 I am a registered professional engineer in the Commonwealth  
8 of Massachusetts.

9           I believe the question was, if I may, was does the  
10 transformer produce sound in its operation, and what is the  
11 nature of the sound, which I'm interpreting to be  
12 frequencies, and the duration of the sound?

13           So yes, all transformers make sound when they  
14 operate. They will make sound whenever any of the windings  
15 of the transformer are energized. In this case, we expect  
16 that that's going to be 24/7, 365.

17           For all intents and purposes, the transformer will  
18 be online 99+ percent time of the year. They would be  
19 switched out only for maintenance when required.

20           The predominant frequency from the transformer is  
21 in the 125 Hz range, although there are other frequencies  
22 the transformer does produce.

1           CONSTANTINE ALEXANDER: That went right over my  
2 head, the 25 Hz. Let me ask a simpler question. The  
3 neighboring residential -- the residential structures that  
4 abut the lot in question, will they be able to hear that  
5 noise?

6           JOHN ZICKO: The studies that were performed show  
7 an increase between 0 to 1 dB --

8           CONSTANTINE ALEXANDER: What does that mean?

9           JOHN ZICKO: -- in the sound level, no with your  
10 perseverance -- generally the -- anything less than 3 dB  
11 increase is regarded as imperceptible.

12           JAMES RAFFERTY: Just by way of context, the  
13 city's noise ordinance places limits on dBs -- decibel  
14 levels -- in residential and industrial districts. It's --  
15 at the property line it's 40 dBs in the residential district  
16 and 50 dBs in the commercial districts.

17           Of course -- and then there's ambient noise.  
18 There are three generators present on the site that have  
19 been there since '87, so those --

20           I was just pointing out that the sound studies in  
21 these cases also include ambient noise, so the existence of  
22 noise -- generator type noise -- has been occurring at the

1 site for 30 plus years.

2           CONSTANTINE ALEXANDER: And the increase resulting  
3 from -- should we grant you relief -- will not be  
4 noticeable?

5           JOHN ZICKO: Based on the 3 dB as what's generally  
6 regarded as perceptible, as a perceptible increase, no.

7           CONSTANTINE ALEXANDER: Thank you. Anything else?

8           JAMES RAFFERTY: No, that would conclude our  
9 presentation.

10           CONSTANTINE ALEXANDER: Okay. Questions for  
11 members of the board at this point?

12           JANET GREEN: I have a question. Why did you  
13 choose this site if any of the four sites serve the entire  
14 city?

15           JOHN ZICKO: In selecting a location, the  
16 transformer will convert power at 115,000 volts down to  
17 13,800 volts, so 14,400 volts. It's a nominal voltage that  
18 operates in that range.

19           So one of the first selection criteria is  
20 availability of a 115-kV adequate supply at the property.  
21 All of the sites meet that location, with the exception of  
22 the Prospect Street site. The 115 kV goes by that station,

1 it does not go into that station. So that ruled out  
2 Prospect Street.

3 The second consideration would be proximity to the  
4 load. And if you --

5 JANET GREEN: And the load -- and what is the  
6 load?

7 JOHN ZICKO: The area that's going to -- where the  
8 added consumption is being proposed. The closest physical  
9 area to that is the East Cambridge substation. However,  
10 there is no additional space available at the East Cambridge  
11 substation to expand at that site.

12 The only -- the next nearest substation to that  
13 area that had an adequate supply of 115,000-volt power, as  
14 well as space to expand was the Putnam Ave location.

15 ANDREA HICKEY: When you say, "space to expand" do  
16 you mean physical space --

17 JOHN ZICKO: Yes.

18 ANDREA HICKEY: -- of the site?

19 JOHN ZICKO: That's exactly what I mean; physical  
20 space available.

21 JAMES RAFFERTY: The East Cambridge site, by way  
22 of context, is shared with the power station that below

1 there has the steam station --

2           CONSTANTINE ALEXANDER: Right.

3           JAMES RAFFERTY: And there's an electro  
4 transformer right at first -- on the first -- in the back  
5 side of that behind the Cambridge Athletic Club, the  
6 Athenium building, but it's only a small portion of that lot  
7 that was available.

8           CONSTANTINE ALEXANDER: Okay.

9           JANET GREEN: So tell us about that. This is the  
10 Putnam lot, and then there was the Prospect lot, and then  
11 there was another East Cambridge site, and there was another  
12 site?

13          JOHN ZICKO: North Cambridge.

14          JAMES RAFFERTY: North Cambridge.

15          JOHN ZICKO: North Cambridge is -- does have an  
16 adequate supply of 115,000 Volts, and it is -- of all of the  
17 sites it's the furthest away that you can get from the area.  
18 So there would be an added disruption to everybody in  
19 Cambridge with the digging of duct bank path to get down  
20 into that area of Cambridge where the load is materialized.

21          CONSTANTINE ALEXANDER: Is that station in a  
22 residential district or --

1           JOHN ZICKO: Well, I can't speak to the underlying  
2 zoning. I do know --

3           CONSTANTINE ALEXANDER: No, no, practically --

4           JOHN ZICKO: For a practical perspective, it's  
5 commercial and shops.

6           CONSTANTINE ALEXANDER: Do you know where the  
7 address is?

8           JAMES RAFFERTY: I'm assuming -- I'm assuming it's  
9 the old drive in behind the train tracks, right?

10          CONSTANTINE ALEXANDER: Oh, yeah, yeah, yeah.  
11 Okay. So it's not really near --

12          [Crosstalk]

13          JAMES RAFFERTY: Well, although the Planning Board  
14 granted a special permit three months ago for a 500-unit  
15 multifamily project at the former Apt (phonetic) property  
16 adjoining that location.

17          JIM MONTEVERDE: But that's the North Cambridge  
18 location.

19          JAMES RAFFERTY: Right, but -- so while one could  
20 say it's commercial on one side, it's about to have its  
21 character change with 500 dwelling units on a lot, not  
22 unlike the housing that was built here post 1987, built

1 abutting an existing transformer station.

2           CONSTANTINE ALEXANDER: Other questions for  
3 members of the board?

4           JIM MONTEVERDE: Can I ask a question? So I'm  
5 looking at your two diagrams, your page 3, which is kind of  
6 the overall site for Putnam, and then your diagram 8, kind  
7 of the overview of the planned unit. So -- and I'm assuming  
8 -- am I correct that in the existing building the three  
9 boxes there, those are the current three transformers?

10           JAMES RAFFERTY: Correct.

11           JIM MONTEVERDE: And you're adding a fourth?

12           JAMES RAFFERTY: Yes.

13           JIM MONTEVERDE: So in the new transformer, why is  
14 either the location configur -- why isn't it just an  
15 expansion of the existing building or more similar to the  
16 existing enclosure? What's unique about this that -- why do  
17 you put it closer to the adjacent residentials, as opposed  
18 to kind of nestled in the middle and --next to Whole Foods?

19           JAMES RAFFERTY: So why is it sited where it is,  
20 right? So.

21           JIM MONTEVERDE: Basically. Why -- is there no  
22 opportunity to expand what you have now?

1                   JOHN ZICKO:  So I'm looking at the figure on page  
2  8, and I'm looking specifically where it says "115 kV  
3  building, 105-foot-long by 75-foot-wide by 28 feet high, one  
4  story."

5                   JIM MONTEVERDE:  Right.

6                   JOHN ZICKO:  And there are three boxes.

7                   JIM MONTEVERDE:  Right.

8                   JOHN ZICKO:  To the right of that.

9                   JIM MONTEVERDE:  Yep.

10                  JOHN ZICKO:  And they're the three transformers  
11 left to right.  If you look at the transformer furthest to  
12 the right --

13                  JIM MONTEVERDE:  Yep.

14                  JOHN ZICKO:  You would see that does look, at  
15 least on the surface, as a logical place to expand.  
16 However, if you also notice exactly what you've drawn, yes.  
17 If you look --

18                  JANET GREEN:  No, no, I thought you said why you  
19 couldn't put it --

20                  JAMES RAFFERTY:  No, no, I think we're getting  
21 there.

22                  JOHN ZICKO:  I'm getting to that.  If you look at

1 the -- if you look at the same figure on page 8, you'll see  
2 that there are two dashed lines, and those are easements.  
3 One of them I believe has a water main in it, and the other  
4 one has a sewer in it, and we're not permitted to build over  
5 those.

6 JIM MONTEVERDE: Okay.

7 JAMES RAFFERTY: That's an MW -- that's a  
8 significant MWRA --

9 JIM MONTEVERDE: No, I understand.

10 JAMES RAFFERTY: Yep.

11 JIM MONTEVERDE: Yeah, I understand. So on the --  
12 and then back to your diagram 3 then or sheet three, does  
13 that make the entire -- what's the cardinal direction --  
14 it's, this end of that lot unusable because of those  
15 easements below ground?

16 JOHN ZICKO: It would make it unusable to site a  
17 transformer, because of the square footage that you would  
18 need to take up. We can't have -- it's my understanding  
19 looking at those easements that we can't build anything over  
20 them.

21 JIM MONTEVERDE: Correct.

22 JOHN ZICKO: So we would have to not --

1           JIM MONTEVERDE: But adjacent to it, basically if  
2 those are the easements passing through, you've still got --  
3 that zone is still yours, correct? I'm just looking to see  
4 what options you had in terms of siting the piece of  
5 equipment as opposed to what's indicated.

6           JOHN ZICKO: Okay. I'm looking back on slide 8,  
7 on sheet 8.

8           JIM MONTEVERDE: Yeah.

9           JOHN ZICKO: Or on sheet 8. And if you look at --  
10 there's an easement that I believe it's a 25-foot-wide  
11 easement, and the one that curves around, if you look off to  
12 the right of that, you'll see that there is another piece of  
13 equipment --

14          JIM MONTEVERDE: Correct.

15          JOHN ZICKO: -- and those are voltage regulating  
16 coils, so that area is spoken for.

17          JAMES RAFFERTY: The survey that is on file with  
18 the application kind of shows that a little more clearly of  
19 the easements and that other equipment.

20          JIM MONTEVERDE: Again, I'm just trying to get to  
21 the point of --

22          JOHN ZICKO: Understood, no I --

1           JIM MONTEVERDE:  -- what alternatives were there  
2 on the site, why does this piece of equipment wind up here  
3 as opposed to nestled somewhere else either closer to the  
4 existing structure, why does it look different than the  
5 existing structure?

6           What's different about it all that makes it so  
7 unique and in this particular location seems to be the only  
8 spot you have left on the site.

9           JOHN ZICKO:  It goes down to the -- you know, where  
10 some of the underground obstructions are on the site that's  
11 the chief driver.  And even within that selected area, the  
12 equipment is located where it is because there are other  
13 underground obstructions that the company owned in that area  
14 that we couldn't build over.

15           JIM MONTEVERDE:  Okay.

16           JAMES RAFFERTY:  I don't know if I should mention  
17 it now.  The answer to the question, "Why does it look  
18 different?" I've asked Mr. Nicotera to address that.

19           DOMENIC NICOTERA:  All right, well thank you Jim.  
20 So as the rendering showed, and I believe again just for  
21 taking a moment on page 5 where we show the final condition,  
22 the transformer enclosure is specifically designed to, as I

1 mentioned, attenuate any -- you know, low level noise that  
2 Mr. Zicko explained, you know, would be present at the low  
3 levels.

4           So we took, you know, the extra steps to design a  
5 structure that would be, you know, aesthetically pleasing,  
6 you know, at least certainly in the eyes of the beholder I  
7 understand, but wouldn't be -- you know, provide that, you  
8 know, engineering need to attenuate, you know, whatever  
9 remaining sound of the transformer would be.

10           So it's a common practice. It's been used in a  
11 lot of other applications. We have a substation in  
12 Wellfleet, Massachusetts, that this kind of treatment was  
13 done where we used the sound attenuating panels to surround  
14 a transformer or other equipment to attenuate that sound.

15           JIM MONTEVERDE: If you could explain the peaked  
16 roofs and why they're different than what they're doing?

17           DOMENIC NICOTERA: Sure. So the peaked roofs are  
18 designed that way in order to provide the necessary  
19 ventilation for the transformer, whereas is going to be  
20 enclosed in a structure. That design includes fans  
21 necessary to provide the ventilation, and to supply, you  
22 know, fresh air and exhaust out any of the heat that's

1 generated, hence the design of the two-peaked roof.

2           JANET GREEN: I have another question. There were  
3 indications in the letters in the file that the maintenance  
4 and upkeep of the facility really was part of the problem  
5 for the neighborhood, and that that fence and that property  
6 and the trash that collected along the fence, weeds that  
7 grew, et cetera, were not taken care of.

8           It's a problem that we have here, and that we're  
9 talking to the people who are, you know, building it and  
10 trying to get the permit for it. You're not the person  
11 who's responsible for how it's going to be kept clean and  
12 be, you know, a good-looking part of the neighborhood.

13           Is there any way that you can guarantee people  
14 that that's not going to go in the direction that the  
15 facility has gone in the past? And how would you do that?

16           DOMENIC NICOTERA: So I can certainly commit to  
17 the board that that is the company's intent to, upon  
18 completion of this project, and putting it into service, in  
19 which case it becomes a part of our operations, a part of  
20 the company, where it will be maintained, you know, as you  
21 described, both from a landscaping perspective that was, you  
22 know, asked about earlier, and maintenance of the

1 surrounding area.

2           This project will certainly be built at  
3 considerable expense, and with that -- you know, we intend  
4 to -- you know, keep our investment, you know, up to the  
5 standards that the city expects

6           JANET GREEN: And is there a way that the  
7 neighbors have to reach you if there's some problem that  
8 happens, or that reach -- I mean what is -- say it doesn't  
9 happen?

10           DOMENIC NICOTERA: Sure.

11           JANET GREEN: And you're not there. I mean,  
12 somebody else is responsible for taking care of it. Is  
13 there a way that the neighbors can alert you to that  
14 problem?

15           DOMENIC NICOTERA: Let me introduce, William  
16 Zamparelli, who is the Eversource liaison for the city of  
17 Cambridge. He's the person that Cambridge problems get  
18 addressed too.

19           WILLIAM ZAMPORELLI: Good evening. As --

20           JANET GREEN: Could you spell your name for me,  
21 please?

22           WILLIAM ZAMPORELLI: Yes, it's William Zamparelli,

1 Z-a-m-p-a-r-e-l-l-i, and I'm the Community Relations and  
2 Economic Development representative for Eversource for the  
3 city of Cambridge.

4 JAMES RAFFERTY: And where do you live? You've  
5 got to go right into --

6 WILLIAM ZAMPORELLI: Okay. I live at 7 Emans  
7 Place in Cambridge, and I've been a longstanding resident  
8 here, but I am very aware of the issues that been occurred  
9 at that station in the past.

10 We work closely with the city officials as well as  
11 the abutters. If there's a complaint that is received, I do  
12 work with our management -- station management to try to  
13 address that.

14 I know that there are existing contracts with  
15 individual companies to maintain different aspects. We do  
16 have an issue because of the configuration of the street.  
17 It tends to collect a lot of trash. Oftentimes, that trash  
18 is generated from Whole Foods, and it tends to blow against  
19 the fence and collect there. So we've had issues having to  
20 clean that fence area, and I certainly have received a  
21 number of phone calls from city officials to go down and  
22 have that addressed.

1           So we are aware of that, and they have worked to  
2 try to improve that maintenance process. But as I said, we  
3 will continue to maintain that. And the company has a  
4 commitment. We have existing contractors for both snow  
5 removal as well as trash removal.

6           JANET GREEN: And so, you're the person who's  
7 available to neighbors to call if there's a problem?

8           WILLIAM ZAMPORELLI: Yes. I am very familiar with  
9 the city officials, but --

10          JANET GREEN: Right.

11          WILLIAM ZAMPORELLI: If there's issues with  
12 Eversource they could call out 1 (800) 592-2000 number. It  
13 will get directed to me, if there's an issue that is raised,  
14 and then I would work within our system to try to get to the  
15 right people to have it corrected.

16          JANET GREEN: Thank you.

17          CONSTANTINE ALEXANDER: Thank you.

18          WILLIAM ZAMPORELLI: You're welcome.

19          JIM MONTEVERDE: Can I ask a follow-up question?

20          CONSTANTINE ALEXANDER: Of course.

21          JIM MONTEVERDE: Do you have a policy for -- how  
22 do you deal with climate resiliency and placing electrical

1 equipment on the ground. I haven't been able to put a  
2 transformer at ground level or at basement level for years,  
3 because I'm always at a floodplain. Years.

4 And the last map I looked in Cambridge, my house  
5 is underwater. It's not too far away. Do you have a policy  
6 of -- what do you do?

7 JOHN ZICKO: So this all kind of floated to the  
8 top, no pun intended --

9 JIM MONTEVERDE: Yeah, right --

10 JOHN ZICKO: -- with the super storm Sandy, when I  
11 think, you know, we saw a substation in New York get  
12 inundated, and then the company and the industry as a whole  
13 began to look at what do we do for climate resiliency, just  
14 as you stated.

15 And we have several new facilities that we are  
16 either, we have either put in service or are on the drawing  
17 boards, where we have been able to incorporate features for  
18 climate resiliency.

19 The more difficult thing to deal with is what do  
20 we do with the vast majority of existing stations that we  
21 already have? And, you know, we can -- unfortunately we can  
22 only, you know, pick away at it a little at a time, and we

1 have started with that.

2           We've got a project that's on the drawing boards  
3 at our K Street substation in South Boston, where we're  
4 going to do some flood mitigation -- flood resiliency, build  
5 some flood resiliency features into another project.

6           So we're looking at it on a case-by-case basis.  
7 The independent system operator, ISO New England, does have  
8 guidelines for flood resiliency at substations. They look  
9 at it in the -- from a cost perspective in the  
10 regionalization of costs.

11           So there are guidelines out there they're  
12 developing, and they -- you know, they're not all complete  
13 at this time. They're not all complete because of the sheer  
14 number of permutations of types of infrastructure that we  
15 have out there.

16           JIM MONTEVERDE: Understood. Why would you plan  
17 to do installation and know that you wouldn't do this if you  
18 were addressing, or something like this, I suspect, if you  
19 were to be -- I was going to say cognizant is not the wrong  
20 word, but if it were actually to be intentionally resilient?  
21 Why would you do this? You've got to build something brand  
22 new. Don't you have the opportunity to address that

1 particular aspect now?

2           JOHN ZICKO: We do. And as I stated, we had three  
3 recent substations where we looked at climate -- looked at  
4 it vis-à-vis climate change and sea level rise in  
5 particular.

6           JIM MONTEVERDE: Right.

7           JOHN ZICKO: And what we found was that one of the  
8 facilities need to be elevated approximately six feet.

9           JIM MONTEVERDE: Right.

10          JOHN ZICKO: So we did that. Another facility --  
11 this one is still on the drawing boards -- showed that if we  
12 brought the site up to the highest existing grade, it's an  
13 empty lot now, if we brought it up to the highest existing  
14 grade based on the studies that were done, it would be fine.

15          And the third facility when the studies were done,  
16 we found that it was fine just the way it was, so we didn't  
17 have to do anything there basically. So that's how we  
18 approached this. When we have to do something, we do it,  
19 and where we don't, we don't.

20          JIM MONTEVERDE: So do you have a study that says  
21 you don't need to do anything here?

22          JOHN ZICKO: This is not one of the ones that has

1 been studied.

2 JIM MONTEVERDE: Okay.

3 CONSTANTINE ALEXANDER: Any other questions from  
4 members of the board? I'll open the matter up to public  
5 testimony. Is there anyone here wishing to be heard on this  
6 matter? Sir?

7 DIRK HENTSCHEL: Let me clear away this --

8 CONSTANTINE ALEXANDER: Sir?

9 DIRK HENTSCHEL: Good evening. My name is Dirk  
10 Hentschel, D-i-r-k, last name Hentschel, H-e-n-t-s-c-h-e-l.  
11 I am one of the residents in the Pleasant Street Complex,  
12 specifically Number 157 building that overlooks the current  
13 site of the post enhancement of the substation.

14 I'm part of the group of residents that in the  
15 context of the information contained that Eversource put out  
16 came together to think about this, and we put a petition  
17 before the board, I believe that you have seen --

18 CONSTANTINE ALEXANDER: Yes.

19 DIRK HENTSCHEL: -- with concerns? And then we  
20 have -- and we have recently received the response that was  
21 filed. And if the board would allow, I would just want to  
22 go through and share the response of the citizens to this

1 response from Eversource.

2 Our overall impression is that -- or, our concern  
3 is that Eversource has been very nonspecific in its answers  
4 to a lot of our concerns, and the specificity has not been  
5 increased with this second piece of information.

6 So going through the question basically, and I  
7 think part of the board discussed this already, why this  
8 location? I think we learned a lot about this, but  
9 theoretically the north Cambridge side would be an  
10 appropriate location.

11 We also wondered about different sites on that  
12 parcel of land, and I think this was very informative to see  
13 that it's difficult. Although, if you cut out the  
14 transformer with the wall, it still fits between Whole Foods  
15 and the first building on the road. So there is actually  
16 space that maybe an engineering challenge.

17 We did wonder in the scenario that Eversource  
18 paints in their response that if one transformer in east  
19 Cambridge fails, what happens to the remaining transformers?  
20 Does that mean that there is a risk of implosion or fire,  
21 which would be the transformers that are in our immediate  
22 neighborhood?

1           And I don't know how this is going to play out.  
2 Whenever we have a question for specificity, is there  
3 somebody from Eversource who will answer right now? Or is  
4 this just a collection of questions that then will be  
5 answered later on?

6           CONSTANTINE ALEXANDER: Is there someone who can  
7 respond to that question?

8           JAMES RAFFERTY: Whatever the Chair prefers. If  
9 you want --

10          CONSTANTINE ALEXANDER: No, I prefer that we  
11 respond as we go, rather than just collective. I want to  
12 make sure there's someone here.

13          DIRK HENTSCHEL: There is someone here, and we're  
14 prepared to respond directly to each point in public  
15 comment.

16          CONSTANTINE ALEXANDER: Why don't you stop at the  
17 point and let's get the response?

18          DIRK HENTSCHEL: So why don't we have someone join  
19 us.

20          JAMES RAFFERTY: Perfect.

21          DIRK HENTSCHEL: So the question is specifically  
22 if there is an overuse of power, and a transformer in east

1 Cambridge fails, presumably it's the one closest to the  
2 Kendall area that uses most of the energy, then the overload  
3 would come to the Putnam Station. What does that mean in  
4 terms of risks?

5 JOHN ZICKO: Thank you. So the question was, if  
6 one of the transformers at the East Cambridge sub were to  
7 fail, what would happen? So the other two transformers at  
8 East Cambridge would take that load over, and the remaining  
9 load would be picked up by the transformers at Putnam Ave.

10 At that point, in that scenario, if, once the  
11 transformer is installed, and the transformer at East  
12 Cambridge were to come out of service, there would be no  
13 overloads on transformers?

14 DIRK HENTSCHEL: Well I thought -- maybe I  
15 misunderstood. I thought the question was, is it at risk of  
16 explosion?

17 JOHN ZICKO: If there is no additional  
18 transformer. So what happens cascade failure, fire risk --  
19 what happens in these scenarios?

20 So if -- if there were no additional transformers,  
21 and the transformer were to come out of service, the  
22 remaining transformers would be overloaded. They do have

1 some limited -- I'll call it thermal inertia, so there's  
2 some time before they heat up.

3           During that time, the operations center would have  
4 to react and shed load to bring transformers down within  
5 their normal -- within their capabilities.

6           CONSTANTINE ALEXANDER: Okay. And this is a --  
7 features -- that would be a sufficient time, as best you  
8 could tell?

9           JOHN ZICKO: As best I can tell there is, yes.

10          DIRK HENTSCHEL: And just to confirm, at the  
11 current time, the transformer station at Putnam is the  
12 largest in Cambridge?

13          JOHN ZICKO: Well, largest can mean a number of  
14 things, and I'll put it in terms of transformation  
15 capability to the distribution system. The Putnam Ave, the  
16 North Cambridge and the East Cambridge all have  
17 approximately the same amount of transformation capability.

18          DIRK HENTSCHEL: So in one of the information  
19 meetings that were held, it was made clear that the vast  
20 majority, or entirely all of the additional capacity is  
21 needed for commercial rather than residential needs. And as  
22 was alluded to, there's a network of substations.

1           How does Eversource usually approach areas of  
2 growth? Is there a forward planning, and in meeting the  
3 needs of energy, is it possible in these development areas  
4 to build substations into buildings as, for instance, is  
5 done in Manhattan, and also then in a safer location than in  
6 a floodplain where we are?

7           JOHN ZICKO: Just want to make -- I'll repeat the  
8 question just to make sure I understand it. Was it why do  
9 we not attempt to collocate these facilities with the  
10 commercial development, is that the gist of the question?

11          DIRK HENTSCHEL: Why don't you plan ahead and get  
12 yourself in a situation to build additional capacity into  
13 residential areas instead of building it closer to site and  
14 work with cities in order to develop these in an appropriate  
15 time.

16          JOHN ZICKO: Okay, thank you. Now, thank you for  
17 that clarification. So the company does do load  
18 forecasting. There's an entire load forecasting group, and  
19 if you look at a number of things, including economic  
20 factors and weather trends and climate trends, they submit  
21 these load forecasts.

22          In addition, you know, the company is approached

1 by developers on occasions, and are made aware of some of  
2 these so-called -- I'll call them spot loads, things that  
3 would be over and above what's in the natural kind of  
4 progression of things.

5 To date, we have not attempted to collocate with  
6 the developer. We have attempted to have some of those  
7 conversations in the past. They have not come to fruition.  
8 I'm speculating if that's okay.

9 I would say that the developers are typically  
10 unwilling to give up leasable and rentable area in their  
11 development is some of the feedback that I have heard over  
12 the years.

13 DIRK HENTSCHEL: A lot of questions that the  
14 residents have also center, obviously, about safety. One  
15 particular concern was around the distribution lines that  
16 will go from the new enhancement, direction Kendall Square,  
17 MIT. How are these lines insulated?

18 JOHN ZICKO: So the lines are insulated with an  
19 electrical insulation. They typically use -- on the street  
20 they typically use cross-linked polyethylene as the  
21 electrical insulation. They're insulated to a 15,000 Volt  
22 level.

1           And then there is around the insulation, there is  
2 an electrostatic shield, so that if there is a problem with  
3 the insulation, it will tend to go to the -- the problem  
4 will tend to go to that shield, and then over that shield is  
5 a protective overall jacket.

6           JIM MONTEVERDE: What are the fire or explosive  
7 risks associated with polyethylene?

8           JOHN ZICKO: I don't know.

9           DIRK HENTSCHEL: Does anybody know?

10          JIM MONTEVERDE: Sorry. Could I follow up that  
11 question? So what you're describing is the cable on or the  
12 --

13          JOHN ZICKO: That's the makeup of the cable, yes.

14          JIM MONTEVERDE: Is that direct buried in the  
15 ground?

16          JOHN ZICKO: No, it's in --

17          JIM MONTEVERDE: Is it encased in concrete?

18          JOHN ZICKO: It's in conduits that are encased in  
19 concrete.

20          DIRK HENTSCHEL: So if there are any, or the --  
21 let's say the visible in the news -- explosions that have  
22 been associated with power substations, are these associated

1 with the coolants that are used in the transformer?

2           JOHN ZICKO: I would have to know on a specific  
3 case basis. It could be any number of components.

4           DIRK HENTSCHEL: But we cite three events in our  
5 petition; one in 2019 in Cambridge, not too far from where  
6 we live, one in 2012 in downtown Boston, and one in 2002 in  
7 Allston, and in those examples, the coolant was implicated  
8 in these events.

9           And so would you say that with a fourth  
10 transformer there's an increase in the fire risk near our  
11 residential area?

12           JOHN ZICKO: So I can speak to what happened in  
13 the 2002 Allston event. In that case, there was a short-  
14 circuit internal to the transformer. One of the protective  
15 devices on the transformer was stuck, and the transformer  
16 did not clear in time to keep that fire from igniting.

17           One of the ways that we have mitigated that risk  
18 going forward is that the transformers, including this  
19 fourth proposed new transformer at his location would have  
20 two redundant systems on it that would protect the  
21 transformer, so if one were to fail, it would go into alarm.  
22 If the transformer were to fail before the first thing

1 protective system got repaired, the second protective system  
2 would take it offline.

3 DIRK HENTSCHEL: But there still is the same  
4 flammable and explosive coolant in the transformer?

5 JOHN ZICKO: It's the same coolant.

6 DIRK HENTSCHEL: There were several questions  
7 around traffic disruptions for the immediate abutters.

8 One of the concerns of the residents was how --  
9 there are some residents, for instance, that depend on daily  
10 transport to disabled schools with the bus arrival. When  
11 the roads are all torn up, will there be special abilities  
12 for these special vehicles to actually still get to the  
13 building?

14 JOHN ZICKO: I am going to have to defer that  
15 question to my call colleague, Mr. Nicotera, as he has  
16 addressed this on similar situations on prior projects.

17 JAMES RAFFERTY: I would note that the applicant  
18 has been meeting regularly with the Department of Public  
19 Works in Cambridge around transmission lines throughout the  
20 city, including gas transmission lines, and they hosted an  
21 open house on that topic specifically, frankly at the  
22 direction of DPW.

1           They issued the street closure permits, the street  
2 obstruction permits, and they require planning with  
3 Eversource for scheduling work in a way that does not impede  
4 traffic.

5           CONSTANTINE ALEXANDER: Excellent.

6           JAMES RAFFERTY: But if you want Mr. Nicotera to  
7 get into the details of this plan -- but there has been a  
8 plan developed with the DPW related to transmission line  
9 installation for this project concurrent with the roadwork  
10 that would be occurring in a related project involving gas  
11 distribution.

12           CONSTANTINE ALEXANDER: How has these plans with  
13 the passage of time proved to be not sufficient? Were there  
14 problems that were not anticipated? Is there a mechanism  
15 for which the DPW can go back and revise the -- what I'm  
16 concerned about is something has worked out now over the  
17 passage of time or it has worked out now, doesn't work in  
18 the future.

19           Is there -- how do we keep this alive? How do we  
20 --

21           DOMENIC NICOTERA: Are you referring to the street  
22 obstruction plan?

1           CONSTANTINE ALEXANDER: Yeah, yeah.

2           JAMES RAFFERTY: Oh, that's under constant review  
3 and adjustment by the Traffic Department and DPW with regard  
4 to all kinds of installations.

5           CONSTANTINE ALEXANDER: Okay.

6           JAMES RAFFERTY: So if an unforeseen bottleneck  
7 occurs as a result of a plan, the plan gets modified.  
8 That's just city practice.

9           DOMENIC NICOTERA: I'm not sure how much more I  
10 can add, Jim, but thank you for that. But I would add --  
11 and I guess just in a small way, in addition to what Jim  
12 outlined, which was certainly correct, you know, we work  
13 under the, you know, auspices of issued permits by the city,  
14 by the DPW, and most importantly under the auspices of  
15 Cambridge Police, who are, you know, ultimately responsible  
16 for public safety and are out there with our contractors and  
17 the work zone setups making sure that traffic flow is  
18 disrupted, you know, as minimally as possible.

19           We work under the work hours that are issued with  
20 the permits, and as Jim alluded to, in instances where a  
21 specific traffic management plan may not necessarily be  
22 going exactly as anticipated, adjustments are made



1 let abutters know about when we'll be starting work, and  
2 then in addition to, you know, a little more closer to  
3 starting work, there's some additional outreach done,  
4 communications made to make sure that access is maintained  
5 to abutters' driveways if there are driveways in which they  
6 park in, so that we make sure they're getting in and out to  
7 work, to school, and, you know, wherever they need to be.

8           DIRK HENTSCHEL: As has been raised by some of the  
9 members on the board, there is a clear perception that  
10 Eversource is paying very little attention to maintenance of  
11 this plot.

12           We've had several Eversource representatives here  
13 that say that there is relative ease of reaching out and  
14 that everything is heard.

15           However, we have several residents who have made  
16 it their regular mission to send photos of uncleared snow  
17 thorough Eversource to photograph the gate that has been  
18 left open, and thereby does not provide security, send them  
19 to Eversource, and this resident has never received any  
20 feedback, and he has not seen that anything was done.

21           So there is a disparity between what is being  
22 presented as how Eversource responds, and then the reality

1 on the ground. We don't know how that's going to change,  
2 but we just want to make sure that the zoning board receives  
3 that perspective of the residents who actually live there.

4 Further on, the area where this power station,  
5 substation is, used to actually be a shoe company. And in  
6 '63, 1963, it was then I think taken over by Cambridge  
7 Lightning.

8 Now, in the process of shoe production, leather  
9 tanning, chromium and arsenic was used, and often left over  
10 on the ground.

11 The resident community is wondering if ever has  
12 ever performed a soil assessment, so that the additional  
13 hazards that might come into existence a) through the  
14 construction dust, and b) in case there is an electrical  
15 fire, how those dangers, or what the potential dangers are.

16 In that context, one of the residents, Tim Trap,  
17 has a special petition that he asked me to present to the  
18 board, and I'm just going to quickly read this. He asks  
19 that he zoning board request a review of the proposed  
20 project by the state fire marshal, DFS and Cambridge Fire  
21 Department, Fire Prevention Bureau before granting any  
22 permits.

1           "At a minimum, the review should assess the  
2 toxicity of combustion products that will be generated by an  
3 electrical fire at the sump station, and confirm that they  
4 have the ability to rapidly evacuate a large number of  
5 nearby residents to safety, deal with electrical hazards and  
6 quickly defeat a fire, regardless of weather and access  
7 conditions.

8           "Based on public comments by Boston Fire  
9 Department Personnel after recent transformer fire, the  
10 combustion products of a transformer fire are highly toxic.

11           "The fires are difficult to fight. Our local fire  
12 station in Cambridge is very small and may lack the  
13 manpower, specialized equipment and training needed,  
14 especially if multiple transformers are involved.

15           "If the review is unsatisfactory, or Eversource  
16 does not cooperate fully in disclosing all details of the  
17 proposed project, including identification of all cooling  
18 fluids and chemicals to be on site, I" -- this is Tim Trap --  
19 "respectfully request that the board deny the appeal."

20           DIRK HENTSCHEL: This letter was given to the  
21 Chairman.

22           CONSTANTINE ALEXANDER: Response?

1 JAMES RAFFERTY: Is that a question? I mean, the

2 --

3 CONSTANTINE ALEXANDER: Okay, have you requested a  
4 review of the project?

5 JAMES RAFFERTY: No.

6 CONSTANTINE ALEXANDER: State Fire Marshall?

7 JAMES RAFFERTY: No.

8 CONSTANTINE ALEXANDER: Or the Cambridge Fire  
9 Department, Fire Protection?

10 JAMES RAFFERTY: We're not at that point in the  
11 process. As in every project that comes before the board,  
12 if it's approved, prior to the issuance of a building  
13 permit, which would be required for this installation, it  
14 will go through a very thorough review by the Fire  
15 Department.

16 So you can't get your building permit to construct  
17 this or any other structure without Fire Department review.  
18 As you know, that doesn't occur prior to the BZA hearings.

19 ANDREA HICKEY: So are there any soil studies that  
20 exist?

21 JOHN ZICKO: So as part of the design process for  
22 this project, we did conduct soil borings. They did not

1 show any hazardous material or soils. So any soils that are  
2 going to be excavated as part of the site, which will be  
3 shallow excavations, by the way, not deep, will be  
4 transported off site in a legal manner to an approved soil  
5 facility.

6 DIRK HENTSCHEL: Is it possible that he can make  
7 the findings public, and have you specifically looked for  
8 chromium and arsenic?

9 JOHN ZICKO: So I would have to go back and review  
10 the consultants' report to speak to the specific minerals or  
11 elements that, you know, that they noted.

12 DIRK HENTSCHEL: And if there wasn't specific  
13 analysis for arsenic and chromium, given the specific  
14 history, is there something that you could add in or look  
15 at?

16 JOHN ZICKO: I can confirm with our Environmental  
17 Department that was in charge of the consultant that  
18 conducted that portion of the work.

19 DIRK HENTSCHEL: So the last two points that I  
20 would like to address are the noise and electrical fields or  
21 magnetic fields.

22 So we heard something about the noise generated,

1 and it was interesting to hear that all that we got was a  
2 relative change in noise.

3 I have tried since February to get a 3D modeling  
4 of noise that is going to be generated at different  
5 frequencies by this substation, and Eversource has not --  
6 has sent me to all kinds of people, and nobody has ever  
7 gotten back in the end with any size information.

8 Again today, we have not heard what the actual  
9 decibel levels in noise generated are. I can assure you  
10 that the current site, which is about fifty feet away from  
11 my apartment, generates enough noise that I can still hear  
12 it.

13 In the meeting at our building, we were told that  
14 the noise generated by the new building would be 60  
15 decibels, which -- conversation level noise. That's what we  
16 were told. So as Mr. Rafferty pointed out, the limit is  
17 actually 40 decibels in our area. So I find this an  
18 interesting difference.

19 Now, the next thing is with relative mentioning of  
20 increases, if the noise is 0 to 1 decibel louder, but the  
21 building instead of being 40 or 50 feet is 10 feet away from  
22 me, it's going to be much louder, right? Because noise

1 reduces by the square root of the distance. So I'm going to  
2 hear something that is way louder than before, than  
3 currently. And that is the sense and the concern that the  
4 residents all share.

5 On the effect --

6 JIM MONTEVERDE: Can you let him answer the  
7 question?

8 DIRK HENTSCHEL: Yep.

9 JIM MONTEVERDE: If there's a question, can you  
10 let him answer it?

11 DIRK HENTSCHEL: Yep, sorry.

12 JIM MONTEVERDE: Do you want to read the question?

13 DIRK HENTSCHEL: Do you know the actual -- so the  
14 question is what are the specific noise levels that are  
15 going to be created by the new substation? At peak level,  
16 basically.

17 JOHN ZICKO: So thank you, and I was not -- I  
18 assume -- I believe you probably mean the February 19 open  
19 house? Yeah, I was not able to be at that one. I had a  
20 death in the family.

21 But, however, let me put this into perspective, so  
22 when the transformer tests out at the factory, the sound

1 level with all of the cooling in the service does test out  
2 to be 60 dB. So that number is correct.

3 So what we will do is we will take the transformer  
4 that already has sound attenuation features built into it,  
5 and we'll surround it with another wall that has more sound  
6 attenuation features, and cap it with some sort of a roof  
7 structure that will further attenuate the sound.

8 So that when the contribution from the transformer  
9 adds to the preexisting ambient at the property line, it  
10 would be a 0 to 1 dB increase. So the transformer -- I  
11 never meant to -- intended to suggest that the transformer  
12 only made 1 dB of sound.

13 DIRK HENTSCHEL: So it's 1 dB louder than the  
14 current transformer? That I already can hear?

15 JOHN ZICKO: It's 1 dB louder than the current,  
16 existing ambient from all sources, whether that be the  
17 transformers, the refrigeration equipment on Whole Foods,  
18 air conditioning equipment on buildings, Memorial Drive,  
19 airplanes flying over, so yes.

20 DIRK HENTSCHEL: Great. But as you pointed out,  
21 the transformer works 24/7, 365.

22 JOHN ZICKO: Yes, it does.

1           DIRK HENTSCHEL:  And the recordings, like just for  
2 the cell phone, you can make a recording off the fans that  
3 jump on and off, and it is very noticeable.  So that's a  
4 major concern of the units immediate and adjacent that we  
5 will have much increased sound, we cannot open the windows  
6 anymore.  I mean, that's a really -- weighs heavily on  
7 everyone.

8           JIM MONTEVERDE:  So -- sorry -- so let's phrase  
9 that as a question so the gentleman can try and answer it.

10          DIRK HENTSCHEL:  Is there anything more that you  
11 can do --

12          JIM MONTEVERDE:  So if the question is -- wait,  
13 let me try -- is there in fact any -- let me see if I can  
14 figure this one out.  Do you know what the current sound  
15 levels are from the facility itself?

16                 And then with the new piece of equipment in place,  
17 do you have any projection for what that -- besides the 1 dB  
18 add in addition, so that you can address whether -- and does  
19 that exceed the Cambridge ordinance?

20          JOHN ZICKO:  So what I can say is that we --  
21 sound, it's not possible to characterize a sound level only  
22 from the existing station, because any sound monitoring

1 equipment that you put out there is not going to  
2 discriminate as to the source of the sound. So that --

3 JIM MONTEVERDE: Right. But it's why we typically  
4 test on a 24-hour cycle, so you can assume at 4:00 a.m. it's  
5 pretty quiet?

6 JOHN ZICKO: That's correct.

7 JIM MONTEVERDE: And whatever sound is coming by  
8 can -- so is there an analysis that goes to that kind of  
9 duration, so you can try and separate what's coming from  
10 where?

11 JOHN ZICKO: There is. So there's recordings  
12 made, and we attempt to do it when the weather is favorable,  
13 so that there's no precipitation, so that we're not picking  
14 that up as well.

15 JIM MONTEVERDE: Yep.

16 JOHN ZICKO: And it is done as a minimum on a 24-  
17 hour basis. So to your point, yes you do get the nighttime  
18 when other sounds will presumably be less.

19 And then what is done is the proposed new  
20 equipment is modeled with any acoustical features that are  
21 proposed, and the result of that model shows that 0:1 dB  
22 increase. I don't recall what the absolute numbers are.

1           And -- excuse me one second. What I will also say  
2 is that when the original transformers went in there, they  
3 were from vintage 1987. There was in general a lot less  
4 attention paid to the acoustic management.

5           The new transformers that we're buying start with  
6 -- and I don't want to become overly technical, but they do  
7 -- they treat the core steel with a laser, and it helps cut  
8 the sound down.

9           We buy the transformers with a tank within a tank,  
10 and that space between the two tanks is packed with a  
11 combination of sand and raw wool to knock the sound down  
12 even further.

13           And it's been my experience that when I've gone  
14 into a station where these transformers are operating, that  
15 I have actually had to go up and touch the tank to see that  
16 the transformer is alive and carrying the load.

17           DIRK HENTSCHEL: Even though it's more, or newer,  
18 it's still going to be louder by about 1 dB. So, you know,  
19 I take this with a grain of salt.

20           JIM MONTEVERDE: Yeah. The point is really if it  
21 exceeds the ordinance, I mean I can understand it's  
22 nighttime, it's going to be quiet, are you going to open a

1 window? You may hear something. The question is whether it  
2 exceeds any ordinance from the city?

3 JOHN ZICKO: But we don't know.

4 JIM MONTEVERDE: Well, I'm trying to get there.

5 DIRK HENTSCHEL: I know, but we haven't gotten the  
6 number, right?

7 JOHN ZICKO: So I don't know the numbers off the  
8 top of my head. I do know that it meets the city of  
9 Cambridge ordinance as well as the DEP guidelines.

10 ANDREA HICKEY: When it was initially installed or  
11 now?

12 JOHN ZICKO: Well, there was no ordinance when it  
13 was initially installed.

14 JOHN ZICKO: Right.

15 ANDREA HICKEY: Okay. So when are you talking  
16 about?

17 DIRK HENTSCHEL: I'm talking about this proposed  
18 addition.

19 ANDREA HICKEY: Was -- Jim, was your question  
20 about what exists now?

21 JIM MONTEVERDE: Well, no. I assume there would  
22 be a study that would -- you're measuring the ambient, or

1 sound --

2 DIRK HENTSCHEL: Correct.

3 JIM MONTEVERDE: You're basically measuring what's  
4 there now?

5 DIRK HENTSCHEL: Correct.

6 JIM MONTEVERDE: And if it's running 24/7 365 days  
7 a year, you're measuring that, plus everything else that's  
8 in the neighborhood --

9 DIRK HENTSCHEL: Correct.

10 JIM MONTEVERDE: And I would assume you could then  
11 model from that, make some assumptions if you're adding by  
12 calculation 1 dB to that level, does that then exceed the  
13 Cambridge ordinance for the sound at the property line?

14 JOHN ZICKO: No, it doesn't.

15 JIM MONTEVERDE: Thank you.

16 JOHN ZICKO: So they modeled that new -- the  
17 proposed new transformer they model on the top of everything  
18 that was already there and met the both Cambridge ordinance  
19 and the DEP guide.

20 JIM MONTEVERDE: Yep, okay.

21 JAMES RAFFERTY: And during the building permit  
22 process, it's required for -- typically for rooftop

1 mechanical equipment and large buildings and the lab  
2 buildings and the like, a certification from the mechanical  
3 engineer that it meets the city ordinance, which can be  
4 tested at any time by the License Commission Inspector,  
5 right.

6 CONSTANTINE ALEXANDER: Right. Sarah?

7 SARAH RATTIGAN: I don't mean to interrupt Dr.  
8 Hentschel in the conversation, but my name is --

9 CONSTANTINE ALEXANDER: Give your name.

10 SARAH RATTIGAN: My name is Sarah Rattigan from  
11 Trilogy Law, and I'm here in an assisting capacity for Dr.  
12 Hentschel, who had contacted me very recently to ask for my  
13 assistance on legal issues and reviewing the special permit  
14 application.

15 I was going to wait until he was done, because  
16 he's in-depth reviewing the pointed concerns of the  
17 neighborhoods, but I just wanted to just point out from my  
18 point of view one thing that I hope the board considers.

19 So for example, in considering the question of  
20 noise impacts and sound impacts, I don't think that the  
21 board should consider itself constrained by the Cambridge  
22 Sound ordinance in a situation like this where the special

1 permit standard is required in order to allow this  
2 particular use in a neighborhood that is really largely now  
3 residential.

4           And so, again, as Dr. Hentschel is pointing out,  
5 if you're living with the noise, even if it is, you know,  
6 just below the ordinance requirement, but it's consistent  
7 24/7 at all times, you know, just fifteen feet from your  
8 windows of your residential condo, that has real impact,  
9 even if the ordinance standard doesn't -- you know, hasn't  
10 been violated. So I just would encourage you to consider  
11 that.

12           The other thing, and again, I'm going to give the  
13 mic back to Dr. Hentschel to continue, but there have been a  
14 number of times when in this discussion where there seems to  
15 be information and studies that have been done, that have  
16 not yet been shared with the neighbors.

17           And I think that the -- I'm hoping that the  
18 outcome of the hearing this evening was at least a  
19 continuance to allow or to require Eversource to again sit  
20 down and go over these issues, both sound studies, sound  
21 analytics that have been talked about, the soil testing  
22 questions, which I think are significant.

1           And I would respectfully disagree with Mr.  
2 Rafferty that this board should think it sufficient to just  
3 wait for a Fire Department review posting hearing on those  
4 questions of soil testing.

5           And again, in a situation like this where the  
6 petitioner is asking for a use which ordinarily wouldn't be  
7 -- it's certainly not an as of right use in the district.  
8 So the special permit review process is really one which  
9 gives you the board power to consider, you know, really  
10 genuine, honest concerns of the immediate abutters that  
11 affect their health and safety, their property values,  
12 quality of life.

13           And so, again, so being cognizant of a desire to  
14 really understand the specifics of these impacts, and also  
15 to challenge them to maybe consider any other possibilities  
16 for either location of the transformer sites elsewhere, or  
17 further away from the residential lot lines, which I think  
18 we should talk about again.

19           DIRK HENTSCHEL: So, you know, in that vein, as a  
20 physician, interest of noise pollution and health effects I  
21 think is something that's more available now. I just want  
22 to point out that the city of Cambridge sound ordinance is

1 from 1998.

2           And if you look in PubMed, the largest medical  
3 database, there are about 1000 articles that deal with noise  
4 pollution and health effects.

5           Since 1998, there have been 4600 publications; the  
6 European -- the WHO has put out a study in 2011 of noise and  
7 the effect of lowering life expectancy. There is no doubt  
8 that there is a connection between the two, and this is not  
9 a threshold effect, this is a continuous effect. So from  
10 the moment that you perceive it, some people are more  
11 affected than others.

12           So it's a real thing that, you know, yes there has  
13 to be an ordinance, because there has to be some guidance,  
14 but I think that if there's a large community that really  
15 hears this all the time, they're really all affected.

16           The last thing is with regard to the  
17 electromagnetic field. So the substation is going to have a  
18 distribution line that runs to my understanding right  
19 parallel to the building.

20           And there have been in the recent past -- in  
21 contrast to what the Eversource and Mr. Rafferty state, that  
22 they quote a 2002 data from the World Health Organization

1 that there's no connection between electromagnetic fields  
2 and cancer.

3 This view has changed from the medical community  
4 recently. There have been several studies that point out  
5 that leukemia in children is increased. There are over  
6 twenty children less than 12 years living in the building  
7 immediately adjacent to that distribution power line.

8 The numbers at a distance that is usually quoted  
9 as -- if you look closer than 50 meters or 150 feet, then  
10 there are effects that have been seen now. We're going to  
11 be 12.5 meters away, 30 feet, less than 30 feet.

12 The electromagnetic field at 12.5 meters versus 50  
13 meters is 16 times stronger. So if there is an effect, it's  
14 going to be really strong and it's going to be there. So  
15 we're concerned about this.

16 European Commission has put out also an alert that  
17 there is a connection between electromagnetic fields that  
18 are stronger than 0.3 to 0.4 microtesla.

19 It is noteworthy that in their response,  
20 Eversource mentions that we're still modeling the  
21 electromagnetic fields, so there's no specifics available.  
22 But then two sentences later say that these levels are well

1 below the guidelines.

2           So it's hard to see, you know -- again, it's kind  
3 of a little smokescreen action there that it would be good  
4 to get the specific numbers, the results that Eversource has  
5 to help us really understand what we're going to be faced  
6 with, and there is a real concern among the residents to  
7 have this exposure to the EMF for the next decades.

8           JOHN ZICKO: There's another member of the team  
9 who is better suited to that, and I'm going to defer to him.  
10 Thank you.

11           CHRISTOPHER SODERMAN: Hello, my name is  
12 Christopher Soderman, last name is spelled S-o-d-e-r-m-a-n.  
13 I work for Eversource. I'm the manager of Transmission Line  
14 and Civil Engineering, and I a licensed professional  
15 Engineer in the Commonwealth of Massachusetts. So I wanted  
16 to kind of go through kind of the questions that you raised.

17           So one of the things in our response was we  
18 referenced the World Health Organization Project EMF, which  
19 was in 2007, and the reason why that's still relevant is  
20 because it was one of the more powerful reviews of the state  
21 of the science that was undertaken, in terms of the  
22 exhaustive nature, in terms of what they had done.

1           But since then, and more recently, the European  
2 Union, the SCENIHR Committee, the Scientific Community of  
3 Emerging and Newly Identified Health Risks, came to a  
4 similar conclusion to what the World Health Organization  
5 identified in 2007.

6           And in 2018 in March, the World Health  
7 Organization on their website regarding electromyograph  
8 fields on the standards page has basically said that the  
9 main conclusion of all of the studies that the World Health  
10 Organization has reviewed to date is the that exposures  
11 below the ICNIRP guideline, which is 2000 milligauss, do not  
12 have any known consequence on health. Okay?

13           So this is -- again, this is not individual  
14 studies, but this is a major scientific organization who is  
15 conducting a substantial review.

16           So the other thing that we can speak to is in  
17 terms of the modeling of the transformer itself. And I can  
18 speak to this based off of modeling, and we have modeled  
19 some scenarios. We're still modeling more, right? In terms  
20 of various loading scenarios at the substation, to make sure  
21 that we have a good understanding of the complete picture.

22           But one of the things that we can say has been

1 consistent with the IEEE guideline on siting substations is  
2 that transformers and bus work and switch gear inside of a  
3 substation are not a substantial contributor to magnetic  
4 field exposures beyond the substation fence.

5           And that the dominant sources at substation  
6 borders are the transmission and distribution lines that  
7 cross, which exist today.

8           So the -- you know, the dominant source would  
9 probably be the distribution feeders that are there today  
10 and the new feeders that will be constructed as part of this  
11 project.

12           DIRK HENTSCHEL: Just to government an understand  
13 of the timeframes, so the WHO review in 2007 basically came  
14 out based on data reviewed in 2002. So there's always a lag  
15 between the publishing of a report and the date of review.  
16 Now, our original petition quoted the most recent study in  
17 this field, which was just in the beginning of this year to  
18 2019.

19           Some of you have maybe seen that and translated it  
20 in popular news, which is a study from California looking  
21 really for the first time at childhood leukemia and the  
22 distant strength of the field, and this is the first study

1 that actually had a significant P value looking at strong  
2 magnetic fields close to home at a distance less than 50  
3 meters. So this science is evolving.

4           It's not easy to do these studies, and certainly  
5 there's no conclusive data, but the trend towards finding  
6 basically what do these fields do is towards that there is  
7 leukemia risk and there are several organizations that  
8 actually do now say that there is a connection between  
9 leukemia and --.

10           So the WHO is the largest organization. They will  
11 move the slowest, and the review always usually -- I mean,  
12 in this -- with the last one it was five years behind what  
13 the most recent publications were. So just that as an  
14 addition.

15           CHRISTOPHER SODERMAN: Again, more recent, you  
16 know, most notably from the European Union, the SCENIHR  
17 study came out with the similar conclusion of not  
18 establishing a causal link between exposure to magnetic  
19 fields below the ICNURP guidelines -- the International  
20 Council for Nonionizing Radiation Protection --

21           DAVID COPE: Let me understand --

22           [Crosstalk]

1           DAVID COPE: Okay. My name is David Cope. I was  
2 just going to ask a question to start with, which is whether  
3 the gentleman seated to my right is an engineer or a public  
4 health expert? Are you trained in medicine, sir?

5           CHRISTOPHER SODERMAN: No. I am an engineer, sir.

6           DAVID COPE: Oh, okay. And so not trained in  
7 medicine. Are you trained in the evaluation of medical  
8 data?

9           CHRISTOPHER SODERMAN: I am not, sir.

10          DAVID COPE: Okay. To my left, I have a  
11 physician. I also deal with science in my work, and both of  
12 us have identified a number of studies which demonstrate a  
13 causal link between electro -- well, let me ask you, another  
14 question, then. Is the shielding on the site able to shield  
15 the residents from the magnetic field?

16          CHRISTOPHER SODERMAN: The shielding in the  
17 vicinity will not completely cancel out the magnetic field.  
18 It will shield out the electric field, but not the magnetic  
19 field.

20          DAVID COPE: Ah, and is it the case, as can easily  
21 be found out on Google and anywhere else, any other  
22 scientific source, that magnetic fields may not be shielded

1 by any known material, so that the magnetic field that  
2 exists here cannot be shielded, and will be well within the  
3 50 meters, which has been identified by many organizations  
4 as a risk?

5           And is it the case that people are reasonably  
6 fearful of the effect of having think of risk to their  
7 children?

8           CHRISTOPHER SODERMAN: So I want to try and kind  
9 of slow that down and make sure I answer each individual  
10 question. So there are not a whole lot of materials that  
11 will easily -- quote, unquote -- shield magnetic fields.

12           Certain materials such as steel tend to have a  
13 shunting effect, which means that magnetic flux tends to  
14 like to float through that more rapidly than, say, open air,  
15 or empty space.

16           However, it's one thing to think about fields from  
17 a particular source, such as a distribution line, and it's  
18 also important to notice -- to note and understand that the  
19 bulk of our exposure is actually not from transmission and  
20 distribution facilities, but from any sources of electric  
21 appliances within our home, wiring within our home, all of  
22 which are going to be sources of magnetic field exposure.

1           DAVID COPE: And many of those items within our  
2 home generate 140,000 volts, is that correct?

3           CHRISTOPHER SODERMAN: No, most of the items  
4 within a home are energized at either 120 volts, or if it's  
5 two-phase, it would be 208 or 240. However, the magnetic  
6 field is not dependent upon the voltage, but dependent on  
7 the current traveling through a wire.

8           DAVID COPE: Okay. So it's the amount of current  
9 traveling through the wire in my toaster the same as what  
10 would be traveling through the wires at Eversource?

11           Also, an additional question about the effect on  
12 the human body of magnetic field, I have here a source which  
13 is pretty reliable.

14           It's a major hospital that says that the effect on  
15 the body from magnetic field induces electric charges which  
16 build up on the surface of skin and hair, and the body's  
17 voltage increases, weak currents generated within the people  
18 who are close to a large magnetic field -- are you  
19 suggesting this is not going to be a large magnetic field  
20 generated?

21           CHRISTOPHER SODERMAN: I am suggesting that.

22           CONSTANTINE ALEXANDER: Okay. Let's bring this to

1 a conclusion if we may.

2 DIRK HENTSCHEL: Yeah. So I -- this is basically  
3 what we, as the residents -- these were our concerns. And  
4 we hope that the zoning board will be able to take those  
5 into consideration.

6 CONSTANTINE ALEXANDER: Well, how will we take  
7 them into consideration? I mean, you're --

8 DIRK HENTSCHEL: So we find that there are  
9 unresolved issues.

10 CONSTANTINE ALEXANDER: So we don't allow this to  
11 go forward? Is that --

12 DIRK HENTSCHEL: And so, we would ask the zoning  
13 board either to just say, "Well, so what we -- " if you  
14 decide that you shouldn't -- that it should be built  
15 somewhere else, or it should not be built there, we can  
16 decide somewhere else, then that would be fantastic.

17 If the zoning board says, "Well, we need to have,  
18 you know, it has to be there" then I think that there needs  
19 to be a lot more conversation and more transparency what the  
20 issues are, and Eversource should really consider that we,  
21 you know, to work on a different location, or to provide  
22 really the maximum possible that can be done at the site.

1           CONSTANTINE ALEXANDER: We tried to explore this  
2 much earlier in the presentation, about other alternative  
3 sites. The only thing that I can recall that seemed  
4 possible was to locate it in North Cambridge.

5           DIRK HENTSCHEL: Correct.

6           CONSTANTINE ALEXANDER: And that -- because there  
7 is a concern here, I can see that. The problem is we have  
8 an electrical -- this facility before the addition, is  
9 located in a residential neighborhood.

10           It's unfortunate, but those are the facts. And  
11 it's going to be expanded over time, and that's what they  
12 want to do in terms of the capacity.

13           But why can't you go back and reconsider using the  
14 North Cambridge site for this new transformer?

15           JAMES RAFFERTY: Well, for several reasons. One,  
16 as noted, a lot of the issue associated with the use is then  
17 the transmission. So the distance then, those transmission  
18 lines that people have expressed concerned about. Now,  
19 double in length? If the transmission has to come from  
20 North Cambridge --

21           CONSTANTINE ALEXANDER: Right.

22           JAMES RAFFERTY: To another part of Cambridge, the

1 disruption in the creation of all that, the lack of  
2 efficiency of those transmission lines --

3           CONSTANTINE ALEXANDER: No noise, though. Was  
4 there any increase? One of the issues that's been raised is  
5 the impact of noise on the abutting properties.

6           JAMES RAFFERTY: Right. And the testimony has  
7 been that there will be an increase between 1 and 2 dBs  
8 between the existing condition. I appreciate the Chair's  
9 reference to the fact that this is unfortunate it's in a  
10 residential district.

11           However, is in worth noting it is a use that is  
12 allowed by special permit in this residential district.

13           CONSTANTINE ALEXANDER: Yeah, but special permit  
14 means not a matter of right, it is --

15           JAMES RAFFERTY: I'm not suggesting it's a mater  
16 of right, but it would suggest that the incompatibility that  
17 is inferred in the reference to the fact that it's  
18 unfortunate it's in a residential district might suggest  
19 that the zoning board shouldn't permit such uses in a  
20 residential district, yet it does on the issuance of a  
21 special permit.

22           There are locations where they're not allowed,

1 where a variance would be required. This does not have to  
2 be one of them.

3 DIRK HENTSCHEL: We understand we have to live  
4 with it, but why do we have to live with more of it when you  
5 can build it somewhere else?

6 JIM MONTEVERDE: It's basically a, "not in my back  
7 yard." So that doesn't solve it for anybody.

8 SARAH RATTIGAN: Can I just interrupt for a  
9 moment? This is Sarah Rattigan again. Just one comment is  
10 that whereas I think we all understand the -- essentially  
11 the public need to -- for public utilities.

12 I mean, obviously we'll benefit from having power.  
13 It's not the neighbor's job to assist in it. And the  
14 petitioner has to establish evidence that they meet the  
15 special permit standards.

16 And I think that what you've heard from Dr.  
17 Hentschel, and you probably will hear from some other  
18 neighbors who are in the audience, is that the neighbors  
19 have raised a lot of what should be considered valid  
20 concerns that they're not meeting the standard, both in  
21 terms of impacts on the continuing neighbor uses,  
22 residential uses, both immediately really around all three

1 sides of the property.

2           They've shown concerns about nuisance and hazard  
3 that impair health, and there's also a question about  
4 whether there's negative impact on the district generally by  
5 expanding this commercial industrial use into what has now  
6 become a residential neighborhood.

7           And just two quick things that I wanted to point  
8 out. So in looking at the history of the site, it was  
9 interesting to read both the 1987 decision when the first  
10 transformer buildings were allowed, because what was really  
11 noteworthy in that file to me when looking at it was 1) the  
12 photos of the site, which bring you back in time [laughter].

13           If those of you remember this area, it was quite a  
14 bleak, grim area. No beautiful condominiums, no lovely  
15 Whole Foods, no people strolling along with strollers. This  
16 was really an industrial site at the time that the first two  
17 transformer buildings were built.

18           And then in 2011, many years later, when the  
19 petitioner came back -- this was named NSTAR at the time,  
20 when they came back to the board to request the addition of  
21 a heat exchanger I think is what it was called, a heat  
22 exchanger, there was a lot of discussion at that time.

1           And I believe a few of the board members were on  
2 the board at the time, there was quite a bit of discussion  
3 about concerns about residential neighbors, because now at  
4 this point there were residential neighbors.

5           And at the time, the discussion involved that,  
6 well their concerns should be alleviated, because the heat  
7 transformer was -- I'm sorry, heat exchanger, and the fan,  
8 noise, et cetera was going to be abutting the commercial  
9 property.

10           It was going to be abutting Whole Foods. And it  
11 was entirely not on the side of the property that was  
12 closest to the residential neighbors.

13           So, you know, again, it shows that the board's  
14 considerations have to change with the changing  
15 neighborhood, because our obligations have changed over  
16 time.

17           ALYSHA HEARN: Thank you for your service. So my  
18 name is Alysha Hearn, and I just wanted to address the --

19           UNIDENTIFIED: Can you spell that, please?

20           ALYSHA HEARN: A-l-y-s-h-a H-e-a-r-n. And I  
21 wanted to address the "not in my back yard" statement  
22 because it literally is right in my back yard. I have lived

1 in an affordable housing unit there for 16 years, and one of  
2 the things that I heard is if it moves to North Cambridge,  
3 there will also be units there eventually that will be  
4 bothered by it.

5           Maybe those haven't been built yet. Maybe the  
6 people who have been there will have a choice of whether  
7 they want to live there. I don't have a choice.

8           I don't see myself ever moving or being able to  
9 move anywhere else in Cambridge ever. This is my home. The  
10 people in North Cambridge, they will have a choice whether  
11 they want to live there, I don't have that choice.

12           And I have children, and I'm very concerned for  
13 their health and the environmental factors for this. Thank  
14 you.

15           CONSTANTINE ALEXANDER: Thank you for taking the  
16 time, a very thorough presentation. Sir, can I help you?

17           ELID YARDAN: Yes, I hope. I would like to  
18 testify.

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

21           ELID YARDAN: Yes, of course. I have testified  
22 here before.

1           CONSTANTINE ALEXANDER: I'm sorry?

2           ELID YARDAN: I have testified here before.

3           CONSTANTINE ALEXANDER: Okay.

4           ELID YARDAN: Can you hear me easily?

5           CONSTANTINE ALEXANDER: Now, I can, yes.

6           ELID YARDAN: Good. I'd like to speak openly. My  
7 name is Elid, E-l-i-d Yardan, Y-a-r-d-e-n. I live at 143  
8 Pleasant Street in a unit that abuts the proposal. The last  
9 --

10           JANET GREEN: I think we can't quite hear you yet.  
11 Could you get a little -- just a little bit closer?

12           ELID YARDAN: Sorry.

13           JANET GREEN: Yeah, no, that's all right. Just it  
14 takes a while to get it -- right there, yeah, perfect.

15           ELID YARDAN: Directly across from this proposed  
16 project. I testified here before in 2011. Some of the  
17 faces here are familiar to me, and I looked over the  
18 decision of the board at that time.

19           That was interesting to me, because all kinds of  
20 conditions were attached to the installation of the heat  
21 exchanger. But I want to speak about something quite --

22           Okay. I would like to speak about something quite

1 different, and that has to do with policy. And policy, but  
2 also the ordinances, laws and facts. The people who live  
3 there live with the facts, not the ordinances. They'll  
4 illustrate this: The ordinance, the noise ordinance ignores  
5 the fact, a very important acoustical fact called  
6 reverberation.

7 I know this from my unit. On a hot night in  
8 summer, and I want to get rid of the noise of the heat  
9 exchanger fans, which after a complaint, the muffling was  
10 improved -- this is after the 2011 decision. The muffling  
11 was improved, but the thing that was being ignored is a very  
12 simple acoustical fact that is ignored in the ordinance, and  
13 it's called reverberation.

14 If I shut the windows to the room, the noise level  
15 doubled. Why? The characteristics of the room acted like  
16 an amplifier. So the experience of sound, the facts of  
17 sounds are very different from the ordinance, what has so  
18 many decibels at this distance. That's not what happens to  
19 people living in their apartments.

20 However, that brings up the whole other issue.  
21 The city of Cambridge has policies for new buildings.

22 CONSTANTINE ALEXANDER: Talk into the microphone.

1           ELID YARDAN: The city of Cambridge has policies  
2 of zero-sum construction. Buildings going up in East  
3 Cambridge, especially institutional buildings and ultimately  
4 buildings -- are supposed to be providing for their own  
5 energy needs. They're not supposed to consume additional  
6 energy. This is called, "zero-sum construction."

7           So while the developers of new construction are  
8 being encouraged to use less electricity, NSTAR -- or,  
9 excuse me, Eversource -- is completely dependent upon being  
10 able to persuade people that they need more energy.

11           Now, I attended a hearing at the library for a  
12 rate increase by Eversource, and that was where I learned a  
13 great deal. Eversource was trying to talk the Utilities  
14 Commission into allowing an addition to my electricity bill  
15 that would enable the importation of fracked fuel sources.  
16 What? I was going to pay for pipeline construction for  
17 fracked gas. Why?

18           The point that I'm trying to make here is  
19 Cambridge is a part of the world. Many things that happen  
20 in other parts of the world have an effect on what happens in  
21 Cambridge.

22           And among these things -- I don't want to get into

1 the issue of climate change, because that's used very  
2 loosely, but I want to get more into the issue of facts.  
3 What happens actually when you have more energy instead of  
4 conversation of energy?

5 The policy of the city of Cambridge seems to be in  
6 direct contraindication with the charge of the BZA which is  
7 also an agency in the city of Cambridge. We're supposed to  
8 be reducing energy consumption unnecessarily.

9 We're supposed to be conserving energy and finding  
10 ways of conserving energy. There are whole departments of  
11 the city that are involved with the conversation of energy.

12 However, there's other things here. I really feel  
13 very bad for any utility company these days. Because  
14 utilities are regulated, and they're regulated for a reason.  
15 And --

16 [MULTIPLE]: Mic.

17 ELID YARDAN: And one of the important reasons in  
18 this case happens to be their use of our streets. The  
19 delivery, which is now independent for the sourcing, is what  
20 we live with, and we live with unfortunately a decaying  
21 infrastructure, so there are leaks all over the place.

22 Now to the issue of danger; danger is another

1 issue that is a very serious one. I don't know if anybody  
2 has seen a manhole lifted ten feet into the air as a result  
3 of the overloading of a cable section right in the  
4 intersection of Putnam and Pleasant in the middle of the  
5 street. And the black smoke which came out of there that  
6 stopped traffic.

7 Now, somebody could have been killed there if they  
8 had been there with ease. Because that heavy plate landed  
9 on the sidewalk. But leave that to one side, because the  
10 risks there are minor. The risks from leaving a gate open  
11 are much greater.

12 So the real problem, one of the problems has to do  
13 with the contempt shown for the neighbors. That contempt is  
14 not shown by Mr. Zamparelli, it's shown by the people who  
15 work in the site. There is no one on the site to make sure  
16 that things are okay.

17 There have been a lot of engineering studies here,  
18 and it's really peculiar. I completed a pre engineering  
19 program. My younger brother was an engineer for Bechtel  
20 most of his working career, with degrees in chemical and  
21 electrical engineering.

22 We use to talk -- this is the -- I hear engineers

1 talking here without mentioning the word, "cost." That's  
2 unknown in real engineering. You're costing every minute;  
3 the client expects you to do costs. Why have costs not been  
4 mentioned at this hearing -- nuts?

5 I asked the question of someone who responded. I  
6 said, "The technologies being used here are not technologies  
7 for the future. The lifetime of the existing technologies  
8 is maybe ten years. Where is the future? What happens to  
9 my grandchildren?" And he looked at me as though I was mad,  
10 why would any corporation have a horizon of more than ten  
11 years?

12 The truth of the matter is that a modern,  
13 available technology, which is partly described in there,  
14 which would allow buildings to make use of their own  
15 generating systems, making use of a wide variety of sources  
16 of energy, and be on the grid only as a backup. That is  
17 proposed. That technology already exists in some cities.  
18 Why does the cost of putting it in Cambridge determine what  
19 happens?

20 Now, as far as -- yes, excuse me, I did study the  
21 corporation, and there's a very nice report by Morning Star.  
22 And they say very specifically the prospects for Eversource

1 are not ordinary, but they rely completely on the ability to  
2 convince people that they need more power.

3           There seems to be cross-purposes at work here in  
4 terms of applied policy, and I just want to see if I have  
5 any other to mention.

6           Anyhow, there's a political fallout to all this.  
7 Unfortunately, the courts catch up with reality. So, you're  
8 operating under the laws, as you should be. And your  
9 decision will be tested in the courts of law, with the hope  
10 that there's another inch of advance in that respect.

11           CONSTANTINE ALEXANDER: Thank you.

12           ELID YARDAN: Does anyone have any questions? I  
13 can answer questions very easily.

14           [MULTIPLE]: Thank you.

15           ELID YARDAN: Would you please see to it that the  
16 stenographer gets a copy; I didn't make quite enough.

17           [MULTIPLE]: Yes, of course.

18           ELID YARDAN: I thought you might have questions  
19 about the handout.

20           CONSTANTINE ALEXANDER: Anyone else?

21           ELID YARDAN: Thank you.

22           CONSTANTINE ALEXANDER: Let me just say, the

1 evening it's getting late. And I would ask you not, I mean  
2 we've had a lot of very technical and basically unresolved  
3 issues, with one side taking different positions and not the  
4 one.

5 I'm at a loss to understand how we're going to  
6 resolve these, because this board is not really equipped to  
7 deal with the issues that have been raised here tonight, in  
8 my judgment. But that's an issue we're going to have to  
9 deal with.

10 So, ending with that, please be brief and not to  
11 repeat things other people have said.

12 STEVEN KAISER: I have a written statement, I'll  
13 read it as quickly as I can. My name is Steven H. Kaiser,  
14 K-a-i-s-e-r. I live at 191 Hamilton Street in Cambridge  
15 Court. I'm three blocks away from the street. I'm a  
16 homeowner. First of all, I'd like to thank you for not  
17 using PowerPoint. An absolute blessing. I have moderate  
18 hearing loss, so please use the microphones whenever you  
19 speak.

20 I would also note that I'm 75 years young, I'm 25  
21 years younger than Elid Yordan. The key issue here for us  
22 here today, all, is the consequence of growth and energy

1 demand; in particular future energy growth in East Cambridge  
2 of 100 to 150 megawatts over the next 10 years. That's  
3 covered very briefly in page 2 of your handout.

4           The practical risk in the coming years is that the  
5 growth in electrical demand will cause transformer burnout.  
6 The practical method to avoid overloads is to have rolling  
7 blackouts through eastern Cambridge.

8           I understand that this overload situation is  
9 closely approaching a crisis situation, as seen by  
10 Eversource, and that a more severe crisis is foreseen within  
11 a matter of months and not years.

12           The Kendall site is in serious trouble. It may be  
13 that the entire growth and demand will need to be shifted to  
14 the Putnam Site, possibly doubling of the load at Putnam  
15 Avenue, which is the worst-case condition.

16           This problem is not caused by Eversource. They  
17 are simply responding to customer demand. It is a matter of  
18 supply and demand. The true cause of our meeting here today  
19 is the demand created by new development.

20           The suddenness of this crisis is the result of  
21 poor planning; not so much by Eversource -- they've done  
22 pretty well -- but primarily by the city of Cambridge.

1           The new Envision Cambridge Master Planning  
2 includes no records for an energy plan, admits only that the  
3 city can create such a plan, but they have not done so.

4           I asked 10 days ago for an energy conservation  
5 plan from the city, I heard nothing. The board should  
6 request one.

7           Now, we have no provision for mitigation payments  
8 by developers to meet infrastructure needs. All the  
9 developers, that are creating this demand, and externalize  
10 their costs, to Eversource, the residents, and taxpayer.

11           I am concerned that in the future Eversource will  
12 be back again with plans for further installation of  
13 transformers in a residential zone. Now, how does the board  
14 make a decision? How do they decide how the law applies to  
15 what path you would take, as a government entity?

16           Article VII of the Declaration of Rights in the  
17 State Constitution says government is for the common good,  
18 and not for the profit and special interest. So your  
19 primary focus must be on the common good, and not the  
20 benefits that private developers would accrue from all of  
21 this. It gives you very good guidance.

22           We're fortunate to have in our presence tonight,

1 sitting right next to me is the best expert from the legal  
2 profession on Article VII, in the form of Mr. James  
3 Rafferty.

4 A half dozen years ago, he offered to write a  
5 treatise in the meeting of Article VII. I have yet to see  
6 such a document, but if the board so requested, I think we  
7 might be able to benefit from these views on Article VII.

8 CONSTANTINE ALEXANDER: We'll give you a two-week  
9 continuance to write it up.

10 JAMES RAFFERTY: I've been working on it.

11 CONSTANTINE ALEXANDER: Good, good.

12 STEVEN KAIZER: So I think you have quite a  
13 challenge in front of you.

14 CONSTANTINE ALEXANDER: Sir --

15 STEVEN KAIZER: I tried to lay it out to you as  
16 simply as I could, and I didn't want to get into the  
17 technicalities, because I realize you have no technical  
18 staff. So you're on your own to make your best decision.  
19 Thank you very much.

20 CONSTANTINE ALEXANDER: Let -- he had his hand up  
21 first. Again, please don't repeat anything that someone  
22 else has said.

1           ILAN LEVY: I'll try. My apologies if I do. Ilan  
2 Levy, 114 Spring Street, East Cambridge. So I wanted -- I-  
3 l-a-n, first name; last name Levy, L-e-v like Victor - you.

4           So I'm speaking because I live in East Cambridge,  
5 and obviously, as Steve just pointed out, the major reason  
6 why we're having this documentation is because all of the  
7 permitting that has been done by the city, and at no point  
8 did the city ever plan or interact with Eversource or any of  
9 the developers to actually make sure that the power was  
10 there and sufficient.

11           So what is being planned is the biggest and most  
12 complex project of Eversource should be next to our  
13 elementary school, Kennedy Longfellow, at 135 Fulkerson.

14           It is in this context that the Putnam transformer  
15 has been put in, because we have said no to an Eversource  
16 mega station next to our elementary school.

17           It seems that the city has fundamentally failed  
18 the citizen in protecting them from the actual growth that  
19 they were doing. You are the last wall between us the  
20 citizen and the developer, because the city is not willing  
21 to do its job.

22           So I know that the decision is difficult, and

1 maybe what you should do is simplify it by simplify by  
2 simply saying, "Look, this is not our purview. We shouldn't  
3 be deciding this, because there are factors here that are  
4 way beyond the control of the board of zoning appeal."

5           So I would encourage you to actually let the city  
6 know that there is a real problem here that you are not set  
7 up to deal with, and that the responsibility falls squarely  
8 on the City Administrator's shoulder for not planning and  
9 dealing with the issue correctly.

10           If you don't do that, we've been trying to do it  
11 forever. Mr. Rafferty in his very professional and very  
12 efficient matter has been able to tell us that sorry, the  
13 law is very different, and is on our side. So I'm asking  
14 you to actually be on our side, protect the resident and not  
15 the developer independently of the consequence. The City  
16 has to assume its responsibility, and you're not here to  
17 bail them out

18           CONSTANTINE ALEXANDER: Thank you. Ms. O'Hare.

19           CAROL O'HARE: I'll be brief. Carol O'Hare, 172  
20 Magazine Street. I have lived maybe four blocks away from  
21 this site, and since 1969. And I have seen it. It's a  
22 mess.

1           I mean, you could describe it, the upkeep, the --  
2 I don't know when Eversource took over from the previous  
3 company, but if you do approve this, I ask you to put a  
4 maintenance condition in your approval, and you won't  
5 believe what I'm about to ask, say: Put a sign up that has  
6 contact information for the phone number and e-mail address  
7 of the gentleman who just gave me his phone number and e-  
8 mail address right there telling people who to call if I  
9 looks like a piece of -- you know, it looks like a dump  
10 basically.

11           And it has looked that way for years. They don't  
12 maintain it -- you get the idea.

13           CONSTANTINE ALEXANDER: Right.

14           CAROL O'HARE: The noise ordinance, it is just  
15 inadequate. Everybody knows that the noise ordinance is  
16 inadequate, and nobody does anything about it, just like  
17 nobody's paid attention to power sources in the city while  
18 approving development right and left.

19           Everybody acknowledges that the noise ordinance  
20 needs improvement.

21           So just consider that if and when you approve.  
22 Can this facility be sited elsewhere on the site? You may

1 be --

2           CONSTANTINE ALEXANDER: They addressed that. That  
3 question came up hours ago, so --

4           CAROL O'HARE: I know it. I'm just wondering how  
5 far they've explored it, and whether the board will ask them  
6 to explore it further.

7           And the last question is nobody has asked them  
8 could they dampen the sound more by doing more on the  
9 building? I mean, you know, if you put more insulation, it  
10 dampens more. So if they can do that, ask them, please.  
11 That's it.

12           CONSTANTINE ALEXANDER: Thank you. There was a  
13 hand up back there. Yes, ma'am.

14           GAYOUNG LE: Hello. My name is Gyan Lee. First  
15 name is spelled G-a-y-o-u-n-g, last name is Lee, L-e, and I  
16 live on 157 Pleasant Street.

17           Thank you all for sticking around and being  
18 patient with all the resident concerns, and I appreciate  
19 Eversource for being willing to address some of our concerns  
20 to possibly the best of their ability so far, and I have  
21 learned a lot tonight about the construction as well.

22           Now, I still have lingering questions

1 unfortunately, but I will raise only one of them, and it  
2 deals with the proposed construction duration. And so, we  
3 have spent hours talking about the substation itself. But I  
4 have some questions and concerns about the construction  
5 period itself.

6           So according to the information that we have  
7 received, the proposed construction will span nearly a year.

8           CONSTANTINE ALEXANDER: I don't mean to interrupt  
9 you, but every time we have a project, and not something  
10 like this -- NSTAR, a house addition -- there's always a  
11 question about construction and disruption.

12           GUYOUNG LE: Yes.

13           CONSTANTINE ALEXANDER: Noise, duration; that is  
14 not a consideration for our board.

15           GUYOUNG LE: For this hearing, okay.

16           CONSTANTINE ALEXANDER: There is a -- I'm thinking  
17 which agency is it? Who -- what -- there are regulations in  
18 the city, and authorities who deal with that, to make sure  
19 that the disruption from construction is minimized, and they  
20 are the persons should we grant relief you deal with, and  
21 they will be very -- I think you'll find them very  
22 responsible.

1           For example, when the earliest construction can  
2 start in the morning, when it must end at the end of the  
3 day, what days of the week there can be construction, et  
4 cetera, et cetera. But we can't get in as a board, we just  
5 can't get into that.

6           GUYOUNG LE: Okay, understood. And thank you for  
7 clarifying that. I appreciate it.

8           CONSTANTINE ALEXANDER: Okay.

9           GUYOUNG LE: Well, so that actually brings up one  
10 of the key issues that us residents have faced, trying to  
11 understand what Eversource is trying to do because we have  
12 yet, despite the number of open houses that Eversource has  
13 hosted in the neighborhood, which we do appreciate, but we  
14 have many of us, including myself, believe that we have not  
15 been given enough opportunities to fully address our  
16 concerns, and for Eversource to address our question in a  
17 transparent manner with clarity.

18           So I will just.

19           CONSTANTINE ALEXANDER: That's something that has  
20 occurred to me as I'm listening tonight is, has there been  
21 enough attempted interaction between the company,  
22 Eversource, and the neighborhood.

1 I don't know how many sessions there were, how  
2 responsive Eversource was to concerns raised at those  
3 meetings. Just don't know, no way I'm going to know.

4 How many meetings, do you know how many meetings?  
5 I know there's a list.

6 JAMES RAFFERTY: Five or six. Five public  
7 meetings.

8 CONSTANTINE ALEXANDER: Five meetings. But the  
9 questions that came out of those meetings, were they  
10 addressed at future meetings? Were there attempted response  
11 to concerns that were raised?

12 JAMES RAFFERTY: The general format had been an  
13 open house style with representatives -- The general format  
14 of the meeting was an open house style where there were  
15 Eversource representatives in front of various easels around  
16 the room, so there was a lot of one on one exchange between  
17 the various Eversource Department heads or officials that  
18 are charged with certain areas.

19 So I was present for three of them. It was not a  
20 case where an audience sat down and were lectured to, it was  
21 an overview, and then a give and take as people, and in some  
22 cases, the one I attended, the condo, went on for an hour

1 and a half, people arrived, walked around, asked questions  
2 and left.

3           So I thought it was one of the more effective  
4 forms of communication, and it was headed by Eversource's  
5 Outreach Department.

6           CONSTANTINE ALEXANDER: Were some of the issues  
7 that have been raised tonight such as noise, such as health  
8 effects, were they raised at these meetings, and were they  
9 responded to by Eversource?

10           JAMES RAFFERTY: Most definitely were. Now,  
11 there's a gentleman here tonight who handles outreach. He  
12 could speak to; he could probably summarize the meetings for  
13 you and the types of information that was exchanged? Would  
14 that be?

15           CONSTANTINE ALEXANDER: He can, although I think  
16 we'll get just another debate again, where they're going to  
17 say, "No, you didn't respond." But okay.

18           Sir, yeah, could you just briefly describe the  
19 outreach at these meetings, and --

20           JAMES RAFFERTY: Might want to ask how many he  
21 attended, before he becomes the spokesperson for meetings he  
22 wasn't at. Mr. Yang was at all of the meetings. So.

1           HYUN-SIK YANG: So my name is Hyun-Sik Yang, first  
2 name H-y-u-n hyphen S-i-k, and last name Yang, Y-a-n-g, and  
3 I live at 157 Pleasant Street, and I appreciate Eversource  
4 as a board to reach out.

5           I went to all of their meetings, I mean, and then  
6 it was -- we were given a panel similar to this, and then  
7 one of their representatives were standing in front of them.

8           I thought they were trying really hard, but the  
9 problem was the information was really scattered, and if you  
10 asked a question that's a little bit deviant from the panel,  
11 they had in front of them, they didn't know the answer, so  
12 they pointed to the other one. Then I go there, they don't  
13 know about the other aspect. I have to travel along, and  
14 the information was very scattered, nonspecific.

15           So I am glad I came here today, because I learned  
16 a lot, and I wish this information was given to us at the  
17 open house meeting and, like, for example, where is the  
18 increase in the supply demand? That kind of information has  
19 not been given to us. It was just like, "Oh, yeah, your  
20 neighbors are in trouble because of increased, like, surge  
21 in summer of electricity use."

22           And I don't want to think that way, but it almost

1 feels like today to me was a deliberate cancellation of  
2 information to us.

3           CONSTANTINE ALEXANDER: Thank you. Anyone else  
4 wish to be heard? Don't have to.

5           CATHERINE BARSOUM: No, no, I just have a quick  
6 question.

7           CONSTANTINE ALEXANDER: Sure. My name is  
8 Catherine Barsoum, C-a-t-h-e-r-i-n-e, last name B-a-r-s-o-u-  
9 m. I'm a resident at 165 Pleasant Street, and it was  
10 mentioned earlier that the three transformers on the site  
11 are from the mid-1980s.

12           I was wondering if it was ever considered instead  
13 of adding a new transformer, if it was a feasible option to  
14 replace the three transformers for more efficient ones, and  
15 if they studied that, or if that is not adequate?

16           CONSTANTINE ALEXANDER: Someone want to respond to  
17 that?

18           JOHN ZICKO: Thank you, John Zicko. As far as the  
19 three existing transformers, they're going to be of a  
20 similar rating to the one that's there now. For all  
21 practical purposes, because once you get the power through  
22 the transformer, you need to get it through the switching

1 equipment in the station, and there are physical limitations  
2 on that.

3           So for all intents and purposes, these  
4 transformers are probably about the biggest -- the three  
5 existing transformers are probably about the biggest  
6 capacity that that site would tolerate.

7           The amount of power that the transformer consumes  
8 via inefficiencies that might be in it are relatively small,  
9 and wouldn't come close to making up the capacity of this  
10 proposed fourth transformer.

11           CATHERINE BARSOUM: Thank you.

12           CONSTANTINE ALEXANDER: You have an answer to your  
13 question, then?

14           CATHERINE BARSOUM: Yep.

15           CONSTANTINE ALEXANDER: Thank you. Anyone else?  
16 Okay. I think it's time for us to close public testimony.  
17 I guess it's -- then we can have the time for us to  
18 deliberate. I'll say a couple of comments, hopefully I  
19 won't be rambling.

20           Typically in cases like this, what we do is  
21 continue the case; kick the can down the road with the hope  
22 that the petitioner and the people who have problems with

1 what the petitioner wants to do we'll come to some  
2 accommodation and make our job a lot easier.

3 And in fact the city will benefit from a  
4 consensual arrangement, rather than something that's imposed  
5 upon whomever; either the neighbors or the -- in this case  
6 Eversource.

7 I don't think that makes sense in this case. I  
8 mean, I don't think -- if we were to continue this case, I  
9 think we would be having the same questions that we have  
10 now, then. I mean, health effects, the noise. These aren't  
11 easy, easy issues. Not even, you know, they're not easy  
12 issues.

13 So I have to go -- I go back to just basically in  
14 my opinion just some basics. 1) We have a power station  
15 there for better or worse, and probably in terms of the  
16 neighborhood for worse. But it was approved by this board  
17 many years ago, and as time has gone by and the need for  
18 energy expands, there is need for more equipment, more  
19 capacity.

20 Sure, Eversource is always promoting more use of  
21 energy, as some people have pointed out; that's in the  
22 nature of what they do. The fact is is Cambridge has

1 expanded considerably in terms of population, power needs.  
2 from the time we -- this board first approved the power  
3 station there.

4           And so, we have to deal with that. There is a  
5 need for additional electricity in the city. Unfortunately,  
6 some people have to pay the price for that need, and that  
7 price is being paid I think by this neighborhood.

8           I would have hoped, and one of the questions I  
9 asked earlier, there could be another power station, another  
10 facility in Cambridge, that would have less impact on  
11 residents than what is proposed here. But what I'm hearing  
12 is no, there really isn't any better way.

13           CONSTANTINE ALEXANDER: You have to stand and come  
14 closer so everyone can hear you.

15           ILAN LEVY: I apologize for interrupting, but  
16 there is plans where you can put the transformer at the  
17 bottom of the buildings, and there are examples in Kendall  
18 Square or in the existing. So we could put the transformer  
19 at the bottom of towers in Kendall Square.

20           CONSTANTINE ALEXANDER: Thank you. But I thought  
21 we heard testimony that this wasn't feasible.

22           JAMES RAFFERTY: That's not transmission

1 equipment. Those are transformers that service individual  
2 buildings.

3 CONSTANTINE ALEXANDER: Right.

4 ILAN LEVY: We have talked to developers in East  
5 Cambridge who say this.

6 CONSTANTINE ALEXANDER: Okay, thank you sir.

7 ILAN LEVY: That we can do this. So they would be  
8 willing to do that.

9 CONSTANTINE ALEXANDER: So back to where I was at.  
10 There is a need for more -- for better transmission, and  
11 there is a need for this power station, or this -- I forget  
12 exactly what it's called -- and there is no better place in  
13 Cambridge for it.

14 Every other place has got a problem, a problem  
15 that's -- not for the people who abut, who are affected by  
16 it, but a problem for the city and for the efficient  
17 transmission of energy.

18 So there we are. We have to deal with -- we're  
19 not as a board, I'm not going to be able to determine  
20 whether there are adverse health effects from the  
21 electricity or not, or from the -- you heard all the medical  
22 testimony. We have studies by some regulatory

1 organizations, starting with World Health through medical  
2 people who come to different conclusions. This board is not  
3 going to be able to resolve those. We're not going to know  
4 who's right and who's wrong.

5           We have to go back to our -- I think we've got to  
6 go back to the fundamentals. We have a station here that  
7 was allowed by this city.

8           We have a noise ordinance, may not be -- as Ms.  
9 O'Hare pointed out -- may not be the best in the world, but  
10 the answer is not for this board to try to determine what  
11 the noise ordinance should be, it's for people and the city  
12 to get the commissions to improve their ordinance, the noise  
13 ordinance.

14           Beyond that, I don't know what else this board can  
15 do. I don't have an answer to all the issues very  
16 legitimately raised. I just throw up my hands and say, "I  
17 don't know what to do, but I do know we start with this  
18 facility where it's located.

19           There is a need -- I take it as a given, maybe  
20 wrongly, but I take it as a given -- there's a need for what  
21 Eversource wants to do. I have not been persuaded so far  
22 that there's a better way of doing it than what Eversource

1 is proposing.

2           And I don't think we would get that if we waited  
3 another month or two months and have further testimony.  
4 Maybe I'm wrong, or maybe my fellow board members will feel  
5 otherwise.

6           BRENDAN SULLIVAN: Well, being there in 1987, when  
7 they received the special permit to go in, the noise and the  
8 emissions were not necessarily --

9           CONSTANTINE ALEXANDER: Right.

10          BRENDAN SULLIVAN: -- that big of a consideration,  
11 because of the distance from --

12          CONSTANTINE ALEXANDER: Understood.

13          BRENDAN SULLIVAN: -- the neighborhood,  
14 residential, to the facility. That has now encroached on  
15 this facility. Domenic, if Putnam does not get approved,  
16 the reason you're here is you have to upgrade it to service  
17 the needs for wherever.

18                 One of the telling commentaries in that 1987  
19 special permit is that the board at that time acknowledged  
20 that it was not for a neighborhood use solution, it was for  
21 a citywide --

22          CONSTANTINE ALEXANDER: Right.

1           BRENDAN SULLIVAN: -- and a far broader. So it  
2 wasn't just for this neighborhood, it was meant to service -  
3 - Kendall Square obviously was not thought of as the way it  
4 is today. But if Putnam Avenue doesn't get approved, and  
5 there's a lot of pushback on Fulkerson Street, then we have  
6 a problem. Is that correct?

7           DOMINIC NICOTERA: That's correct, sir.

8           BRENDAN SULLIVAN: What if this does not get  
9 approved tonight?

10          DOMINIC NICOTERA: If this does not get approved  
11 tonight --

12          BRENDAN SULLIVAN: And again, there's a cause and  
13 effect. There's ramifications to anything that we do, 1).

14          DOMINIC NICOTERA: So as we presented in the  
15 handouts with regards to the need that is projected to  
16 exceed capacity by approximately next June of 2020, any  
17 further delay in the approval of the project will obviously  
18 push out the approval process, push out the issuance of  
19 permitting, which of course pushes out the actual  
20 construction of the project, and then of course puts that  
21 load at risk, which our planning Department has forecasted  
22 for that timeframe.

1           BRENDAN SULLIVAN: And as far as any other  
2 location? Other than Fulkerson Street, is that correct? In  
3 other words, long-term planning by Eversource, because  
4 you've got to upgrade Putnam, and what is the next step  
5 after that?

6           Because obviously this is when you're going to  
7 service, which you are anticipating for the next 10 years  
8 maybe, or how many years out?

9           DOMINIC NICOTERA: That's about right. We do have  
10 Mr. Bikowski (phonetic) here with us tonight, who is more in  
11 the department that does those load projections, if you'd  
12 like to hear from him for a moment.

13          BRENDAN SULLIVAN: Okay, but then Fulkerson Street  
14 is really the next big item to really take care of the  
15 eastern part of the city?

16          DOMINIC NICOTERA: That's right, Fulkerson -- I'm  
17 sorry, Putnam is set up to serve that need that's forecasted  
18 for next year, 2020.

19          BRENDAN SULLIVAN: Okay.

20          CONSTANTINE ALEXANDER: Any other members want to  
21 speak?

22          JANET GREEN: I agree with you that we know the

1 city needs electricity and we know we need more electricity.  
2 The question that wasn't answered, I didn't feel tonight,  
3 and I know there's a lot inevitably, nonspecific kinds of  
4 things about how much noise is noise and how much is more  
5 noise and that sort of thing, and it bothers some people  
6 more than it bothers others, and those are very complicated  
7 living in the city kind of things.

8           But the question that I have was raised by one of  
9 our own colleagues here, which was we've known that the  
10 problem that they have in New York when they had Sandy, and  
11 they had all the water -- washed out everything and it took  
12 so long, and that somebody -- I can't remember who -- made  
13 the comment that yes, the industry has thought about that a  
14 lot, and what safety mechanisms need to be in place, so that  
15 if something like that happens -- and these things seem to  
16 be happening more and more often -- there would be things  
17 in place that would take care of these substations so that  
18 they wouldn't fail.

19           I didn't hear anything about what timing was going  
20 to be done about that. And I find that a question that I  
21 would -- and it's just hard for me to vote yes for this,  
22 feeling that that's a major question that easily can't be

1 answered, but isn't, and I don't know why.

2 JAMES RAFFERTY: Might he be permitted to respond,  
3 please? Or someone else?

4 DOMINIC NICOTERA: I'll attempt to make an initial  
5 response, and then I may refer to my colleague, Mr. Zicko.  
6 I think you asked a question with back referencing to this  
7 question and discussion about, you know, climate change in  
8 large storms and, you know, what we're doing proactively to  
9 address that, and what could be done in this case for this  
10 project.

11 As Mr. -- you know, not to parrot what Mr. Zicko  
12 said before, but certainly each individual project or  
13 proposed location for a project will examine and take into  
14 account whether or not, you know, those conditions warrant  
15 additional measures.

16 There are a lot of -- and I'm not going to claim  
17 in any manner to be a climate expert or to that degree, but  
18 I certainly understand there are a lot of studies done for a  
19 lot of different reasons -- let's say primarily on coastal  
20 communities, that do long-range climate studies to identify  
21 which particular areas of their town or city may be subject  
22 to those types of, you know, 100-500 year storm incidences,

1 so that those municipalities can evaluate and, you know,  
2 decide what type of mitigations they want to take in those  
3 areas.

4 The point being that those studies identify those  
5 areas at risk, and also by the very nature of doing so,  
6 identify the areas not at risk, you know. For instance, it  
7 may be based on elevation, you know, and such.

8 In terms of, again, speaking generally at risk of  
9 it with respect to, you know, concerns about explosions and  
10 the like, which, of course, is a valid concern, our  
11 substations -- and again,, it may refer to Mr. Zicko, but  
12 our substations are highly, highly technical and  
13 computerized, and have a lot of redundancy, redundant safety  
14 systems built into them such that, you know, when a  
15 transformer piece of equipment is, you know, starting to  
16 overload or be at risk for overload, those systems kick in  
17 automatically to trip out or transfer load to prevent that  
18 piece of equipment from getting even close to the point  
19 where that type of catastrophic failure can happen.

20 JANET GREEN: I think one of the problems about  
21 that is as you answer that question, you say, "Well you have  
22 the capacity to look in a number of different places and

1 figure out each individual site and what it needs," but that  
2 doesn't say, "We've looked at this site, and these are the  
3 things that we feel are special to this site, that would  
4 make sure that that kind of thing would be mitigated as much  
5 as possible."

6           So it's the reference to all -- "Oh, we have  
7 something that takes care of this in every site" doesn't  
8 leave a lot of certainty that this site has been tested and  
9 filled and considered, and that sort of thing.

10           I don't know how much -- what others feel, but  
11 that's how it's felt to me tonight.

12           CONSTANTINE ALEXANDER: Does anyone else wish to  
13 speak? Jim?

14           JIM MONTEVERDE: So just a couple notes. These  
15 don't necessarily add up to a final conclusion here, but it  
16 seems like there are some short-term neighborly things that  
17 if I would have personally were to approve of, were to vote  
18 in favor of this, that I'd like to see a way that you would  
19 be responsible to -- it's the simple neighborly stuff.

20           You need to not just do a study; you need to  
21 institute some mitigation measures on the sound that comes  
22 as an existing plant now. You'd need to agree to study it

1 and do it. Not for the new piece of equipment, but for the  
2 existing pieces of equipment.

3           Again, I'm just talking about being neighborly.  
4 Now that that neighborhood has changed, you've got to change  
5 with it if you want to stay there.

6           The other one is really housekeeping. I don't  
7 care whose trash it is, clean it. I don't care who went  
8 through that gate, lock it. It's just, it's the simple  
9 stuff that the neighbors have talked about that's just  
10 foolish neighborly stuff. Just do it. Agree to do it.

11           And whatever the hook is that says, "And if you  
12 don't do it, somebody's going to come in and do it, they're  
13 going to bill you -- "then it just happens, there isn't a  
14 debate. I don't need somebody's phone number or e-mail  
15 number to call. It just -- you make it happen.

16           Just try being a good neighbor. Those are the  
17 simple ones.

18           The tougher ones -- and it has to -- you know,  
19 part of it is resiliency. It's a known issue, to approve a  
20 project that appears to me to just go simply ahead as we've  
21 always done before, without recognition of everything else  
22 we've heard already about whether we'll be underwater or not

1 or what will change, that there isn't even a requirement for  
2 a study of it, for a facility like this I find absolutely  
3 mind-boggling.

4           So whether that's your problem or my problem or a  
5 city problem, I'm not sure. But I'm looking for some other  
6 way in this process to say, there has to be a way to address  
7 that now, here, for you, for this location." So that at  
8 least you can respond and either say, "No we can't, we've  
9 look at it, and the options are these, and what actually can  
10 be done?"

11           That last piece is -- you know, I'm sitting here  
12 with one of your diagrams doodling on what -- at least even  
13 I'm aware of as other growth nodes in Cambridge, or what the  
14 envisioned planning process talked about as the growth  
15 patterns for the Cambridge.

16           I'm just saying if what we're talking about  
17 tonight really solves the next 10 years, you're really as a  
18 city, as an entity with you have to be planning well beyond  
19 that, because you're just going to be back with the same --  
20 you were back in, when was the last one, '87?

21           BRENDAN SULLIVAN: First one.

22           JIM MONTEVERDE: First one. You know, you're back

1 at these decade intervals with the same -- and it's not  
2 going to get easier, it's going to get tougher. And there  
3 just needs to be a broader planning analysis, citywide and  
4 utility wide.

5           And you're probably not the only utility involved  
6 that as the city projects it'll grow by X number of  
7 residents and accommodation for the surprise developments  
8 where new parcels become available, there has to be a better  
9 way to deal with it than trying to shoehorn pieces of  
10 equipment in neighborhoods that have changed over time that  
11 no longer seem as suitable as they were 20 years ago when  
12 you came in and applied for it. You're going to be in the  
13 same pickle.

14           And this isn't the way to do it. I feel like I'm  
15 just -- if I were to approve it, I'm kicking the can  
16 downtown road.

17           BRENDAN SULLIVAN: It's a short-term fix for a  
18 long-term problem.

19           JIM MONTEVERDE: Yeah. You've got a gun to my  
20 head. I see brownouts next June. So we can serve  
21 everything that's going on in Cambridge, North Point,  
22 whatever. It's like I'm being held hostage. That's okay,

1 but I'd like the other opportunity to say, "Great. Now I  
2 need to be able to somehow mobilize effect either within the  
3 city, with you, with other utilities, and let's just plan a  
4 little bit further ahead."

5 BRENDAN SULLIVAN: A lot further ahead.

6 JIM MONTEVERDE: Like I said, your conclusions.

7 SARAH RATTIGAN: Mr. Chairman, I don't mean the  
8 limit your ongoing discussion, but could I just make a  
9 couple of questions procedurally, about how you might  
10 consider from here?

11 CONSTANTINE ALEXANDER: Go ahead.

12 SARAH RATTIGAN: I don't know if this is something  
13 that your board has done in other similar projects, but one  
14 of the things that you, Mr. Chairman, had mentioned being  
15 uncomfortable with was the board's -- not lack of  
16 competence, you're very competent, but you're obviously not  
17 in a position to be evaluating some pretty scientific both  
18 engineering and health effects and other scientific data.

19 And I don't know whether in a situation like this  
20 if it's appropriate for the board to have consultants advise  
21 the board on a decision; that's just a question whether you  
22 ever referred back to the Planning Board, Community

1 Development, as to whether or not they have any comments on  
2 the proposal. Just throwing that out there.

3           CONSTANTINE ALEXANDER: They have not. They know  
4 about it. At least the Planning Board knows about the case  
5 tonight, and they have not given us any input, any guidance.

6           SARAH RATTIGAN: Right. And I guess the question  
7 would be is it an option of the board to request if the  
8 petitioner is willing to have a continuance, and for the  
9 board to go back and seek counsel of other experts within  
10 the city. That's just one suggestion.

11           And then another comment, which is to say, again,  
12 I understand the board's feeling the pressure if you will of  
13 the public interest of Eversource being able to provide  
14 power. We'll understand that and we appreciate that. But  
15 again, just trying to focus, again, on your role in making a  
16 determination on a special permit.

17           I would just remind you all that if there is a  
18 finding, or there's significant testimony that suggests that  
19 there's substantial detriment to the neighbors, to the  
20 abutters, who I would say probably 90 percent of the people  
21 who spoke today are people who clearly have standing -- you  
22 know, within several feet of new facilities, that in a

1 situation like that, that the board should not be granting a  
2 special permit.

3           If the board feels really strongly that some  
4 additional power -- transformer facility should be allowed  
5 on the site for public purposes, public interest reasons,  
6 then I would urge the board to at least grant a continuance,  
7 so that the neighbors can talk specifically to Eversource  
8 about a few things.

9           So we had sort of discussed, "Could you put the  
10 transformer on the far right of the existing transformer  
11 site?" And they said, "No we can't because of the easements  
12 that run through there."

13           At least I wasn't quite sure that I heard whether  
14 there was an attempt to move the new fourth transformer very  
15 close to the old transformers, as opposed to essentially  
16 kind of halfway through the lot, even though, you know, I  
17 know my client would much prefer that there's nothing on  
18 this -- on what's now vacant lot.

19           If something were to be built, if it's as  
20 absolutely far away from every residential neighbor as  
21 possible, that's obviously going to have some benefit.

22           Thirdly, the issues about landscaping are

1 significant. So there's, you know, if there's going to be a  
2 facility so far by Eversource seems like their plans are not  
3 incredibly clear.

4           And I think that, you know, the neighbors would  
5 certainly want a chance to have a site walk and actually  
6 look at there are some large canopy trees that border the  
7 Pleasant Street condominium site that exists now, and they  
8 provide some shade and some buffer, particularly for Dr.  
9 Hentschel's units, which look right out on the lot.

10           And in the rendering those large trees are gone,  
11 and they don't seem to be an invasive species. So on the  
12 level of those kinds of details. So again, if you are  
13 considering allowing something to proceed, we would  
14 certainly want a continuance to be able to talk about those  
15 types of details.

16           CONSTANTINE ALEXANDER: Let me just take some  
17 notes, go ahead.

18           ELID YARDAN: I have some small question, which  
19 might be --

20           CONSTANTINE ALEXANDER: Yes, sir. The evening is  
21 late. I mean, no more -- unless there's something you see -

22 -

1 ELID YARDAN: Does the board have the right to  
2 demand that Eversource have someone on the site at all  
3 times, three shifts, so that they can be answerable for the  
4 behavior of the people who work there, as well as have  
5 someone actually living on the site, three shifts, a  
6 technician trained, and also aware of what might be  
7 disturbing to the neighbors in the increased use of the  
8 ventilating system that ventilates the coolants that go  
9 through the ground?

10 In case of any accident, there's a person on the  
11 spot. In the case of any misbehavior, there's a person on  
12 the spot.

13 CONSTANTINE ALEXANDER: Thank you.

14 ELID YARDAN: I just want to make sure the gates  
15 are closed, so that children don't walk in there.

16 CONSTANTINE ALEXANDER: Anyone -- public testimony  
17 is --

18 BRENDAN SULLIVAN: You closed that a long time  
19 ago. Again, just going through some of the criteria --  
20 traffic generated or patterns of access or egress would  
21 cause congestion, hazard or substantial change I think we  
22 can find that there would not be any congestion as it

1 created. Continued operation of adjacent uses permitted in  
2 the zoning ordinance would be adversely affected.

3           CONSTANTINE ALEXANDER: That certainly is relevant  
4 to. Is that something we heard tonight?

5           BRENDAN SULLIVAN: That is, "Nuisance or hazard  
6 would be created to the detriment of the health, safety  
7 and/or welfare of the occupant of the proposed use, or to  
8 the citizens of the city" that's the one I sort of get hung  
9 up on is, "nuisance and hazard."

10           Going back to the noise emissions where,  
11 obviously, I don't live anywhere near this, but on a warm  
12 summer night which will be coming, and you have your windows  
13 open and you hear the noise from this.

14           And I'm not totally satisfied that we have heard  
15 that the increase of what we're asking is not going to  
16 increase the noise, and is the noise level there now  
17 bothersome? And it's --

18           CONSTANTINE ALEXANDER: I've already made note of  
19 that.

20           BRENDAN SULLIVAN: And has been pointed out, noise  
21 to one person is music maybe to somebody else. You know,  
22 that's an oversimplification. The hazard, the emissions

1 from it -- again, I'm not an expert, but I'm not comfortable  
2 that we know enough about that.

3           You know, we get conflicting. One person says one  
4 thing, and then another expert says something else. You can  
5 line up five people and you're going to get five different  
6 answers to that, and how do we decide what is the truth?

7           CONSTANTINE ALEXANDER: Well, on the issue of the  
8 hazards, I'm reminded the issue we get with the microwave  
9 antennas for the telephone transmission. It's the same  
10 issue.

11           In that case, of course, the industry got Congress  
12 to basically say, "Everything is safe and forget about it,  
13 local authorities can't regulate -- essentially can't  
14 regulate microwave antennas." Your industry hasn't gotten  
15 there yet, and so there are still some hazard issues.

16           I don't know how that's dealt with, and I don't  
17 know how once the information is presented to us how we as a  
18 board, given our skill sets, or lack thereof, can pass on  
19 that. How do we determine that?

20           Again, I feel frustrated, because I think we have  
21 not the expertise to deal with the issues that have been  
22 very carefully raised. We don't have the ability to hire

1 consultants. We don't have a budget of any sort, and if we  
2 did, it would take six months to -- I assume -- for this  
3 person or outfit to get up to speed to talk with the  
4 neighbors, talk with Eversource.

5           So, but I do think some issues do require further  
6 discussion. I think clearly the noise issues are something  
7 that have not been adequately dealt with you people, and I  
8 don't think you've adequately considered the issue of noise.  
9 I got a sense that you were winging it as you went forward,  
10 when you heard the comments from some of the abutters.

11           I think noise is a -- I think the location issues.  
12 It's not the -- I'm not -- to my satisfaction I'm not  
13 convinced that there's not a better location on the site.  
14 Maybe, may not be, but I think we need more input on that.

15           I think the issues that Janet raised are another  
16 issue that we need to hear more about, about what are you  
17 doing to be sure that this is -- this property -- I mean,  
18 focus on this property to see if there's a better solution,  
19 either a different way of transmitting or some other  
20 solutions to take into account the fact that you are in a  
21 residential neighborhood, and the residential neighborhood  
22 you're in is quite different than the residential

1 neighborhood or zoned area that it was in 1987.

2           So I do think, as I hear more about it from my  
3 colleagues, I do think there is a basis for continuing this  
4 case. How long is a question, and what the procedures will  
5 be while the continuance is in effect is something I'm still  
6 wrestling with. But --

7           JAMES RAFFERTY: Mr. Chair?

8           CONSTANTINE ALEXANDER: Yeah?

9           JAMES RAFFERTY: Not to interrupt.

10          CONSTANTINE ALEXANDER: Yeah, no problem.

11          JAMES RAFFERTY: But if it makes the Board's  
12 deliberations easier, I've been discussing with the  
13 petitioner. And if the Board was willing, and the  
14 petitioner would request a continuance with an opportunity  
15 to return to the Board and address four specific issues.

16           One is to provide further acoustical details on  
17 studies involving sound.

18          CONSTANTINE ALEXANDER: Right.

19          JAMES RAFFERTY: The second would be to provide a  
20 floor risk assessment of the site.

21          CONSTANTINE ALEXANDER: Right.

22          JAMES RAFFERTY: The third would be to explore any

1 opportunities for the siting of the transformer --

2           CONSTANTINE ALEXANDER: Right.

3           JAMES RAFFERTY: -- on other locations on the  
4 site, and the fourth purpose of the continuance would be to  
5 allow for a meeting with neighbors to review the proposed  
6 landscape and solicit further --

7           CONSTANTINE ALEXANDER: Those are all the issues  
8 that I had on my list, that's fine.

9           JAMES RAFFERTY: I was struck by the similarities.

10          BRENDAN SULLIVAN: The other thing that I find  
11 that is -- can be bothersome is the noise, but also the  
12 maintenance of the site.

13                 And far beyond a nice picture of a landscaping  
14 plant, but the continued maintenance. I go back that site  
15 all the time, and I agree with what the neighbors are  
16 saying; it has become a dump.

17          CONSTANTINE ALEXANDER: It is.

18          BRENDAN SULLIVAN: And whether -- wherever it  
19 comes from, I pick up pieces of paper that drift onto my  
20 piece of property -- it may be from Dunkin' Donuts -- it may  
21 be from wherever, but I pick it up anyhow. I didn't put it  
22 there, but I pick it up.

1           And, you know, we get this all the time from  
2 public utilities and they come down, they will promise the  
3 world with a nice fence around it, and then they get what  
4 they want, they get their facility up and operating, and  
5 then it's forgotten about, until they have to come down  
6 another three, four, five years later.

7           ANDREA HICKEY: And a 1-800 number that goes to  
8 God knows who, that is never responded to is not an  
9 acceptable response.

10           BRENDAN SULLIVAN: It just gets bounced around, so  
11 I -- and again, I really think you're in jeopardy of  
12 possibly getting this thing denied, unless you really come  
13 back to us and say, "We have not been good neighbors, but we  
14 are going to be better neighbors."

15           ANDREA HICKEY: "And here's how we're going to do  
16 better."

17           BRENDAN SULLIVAN: "And this is how we are going  
18 to be better neighbors." Okay? Because you wouldn't want to  
19 live next to the site, any of you. So.

20           CONSTANTINE ALEXANDER: On that last point, with  
21 the dump, I mean one of the ironies of this case is that  
22 whatever, if we should allow it to go forward, the

1 landscaping that will be involved will improve the  
2 appearance from what's there now.

3           That's one that's a no-brainer, it seems to me,  
4 even if you don't maintain the gardens or the trees, it'll  
5 still be -- I think it'll still be better than the rusty,  
6 chain-linked fence and the desolate parking area that's  
7 there now.

8           It is a disgrace, pure and simple. You should  
9 have been maintaining this property a lot better over the  
10 years, and I think we're going to be concerned to make sure  
11 that we're going to put -- try to put teeth in that you  
12 will, should we grant you relief. And it's a should, not a  
13 given -- should we grant relief that you will do a better  
14 job, of maintaining the site than you have in the past. So  
15 --

16           JIM MONTEVERDE: Can I make one more --

17           CONSTANTINE ALEXANDER: Oh my God, go ahead. Oh,  
18 no.

19           JIM MONTEVERDE: Thank you. Just to add to Mr.  
20 Rafferty's list, the longer range one, which I'd be  
21 interested to hear about for you to comeback, and it may not  
22 be a solution, but if your projections in this binder, if

1 that really gets us in 10 years, really how far out can you  
2 project?

3           What -- and again, just in Cambridge, when East  
4 Cambridge and old MIT, the old NASA site -- or not NASA  
5 site, transportation site --

6           JAMES RAFFERTY: Volpy.

7           JIM MONTEVERDE: -- Volpy is fully developed, when  
8 North Point or whatever it's called next year is fully  
9 developed when everything around Fresh Pond is fully  
10 developed, when the Envision Study along Cambridge Street,  
11 along the other arterials are fully developed and there are  
12 I don't know how many tens of thousands of new residents and  
13 occupations that came with it, can you project that, can you  
14 somehow give us a flavor?

15           Again, I'm concerned that all of what we talked  
16 about gets us to June or 10 years from now and you'll be  
17 back, and we'll be doing this same thing again. Is there a  
18 way you can, in what you come back with in the continuance,  
19 look at, at least or share with us your projections for much  
20 further down the road?

21           JAMES RAFFERTY: Yeah. I believe those exist, and  
22 there's someone --

1 JIM MONTEVERDE: Please. --

2 JAMES RAFFERTY: -- that deals with that, so we  
3 can easily add that to our list of items.

4 JIM MONTEVERDE: Thank you.

5 CONSTANTINE ALEXANDER: Well, we have -- I think  
6 we've got an agenda for this continued meeting. We need a  
7 date.

8 JANET GREEN: That makes sense.

9 CONSTANTINE ALEXANDER: And I gather -- I don't  
10 know how much time you think you need.

11 JAMES RAFFERTY: I asked that question while you  
12 were speaking.

13 CONSTANTINE ALEXANDER: Okay.

14 JAMES RAFFERTY: And four weeks was the reply.

15 CONSTANTINE ALEXANDER: This is a continued case.

16 JAMES RAFFERTY: Correct.

17 CONSTANTINE ALEXANDER: The next time we can all  
18 five of us get together is July 23. No, not going to hear  
19 this case again until July 23 or later, unless you want to  
20 proceed with less than a full board.

21 JAMES RAFFERTY: Well, it depends who won't be  
22 here.

1 I think July 25, just if you give me one second.

2 CONSTANTINE ALEXANDER: Is that a date, Maria? Is  
3 that an actual hearing date, the twenty-third?

4 JAMES RAFFERTY: I don't think I can do it.

5 CONSTANTINE ALEXANDER: You can't do it, all  
6 right. What's the date you can do it?

7 JAMES RAFFERTY: I'm not here. I can do it before  
8 or I can do it after. I can't do that. What would be next?

9 MARIA PACHECO: August 15.

10 CONSTANTINE ALEXANDER: What's the next one after  
11 July 25?

12 MARIA PACHECO: August 15.

13 CONSTANTINE ALEXANDER: August 15. That's not a  
14 good date for me, but I'll make it a point to be here. Can  
15 everybody else do the fifteenth?

16 [Crosstalk]

17 CONSTANTINE ALEXANDER: Well, how about the first  
18 week in September?

19 CATHERINE BOURSOM: Can you also consider the  
20 architecture and cladding of the building?

21 CONSTANTINE ALEXANDER: I'm sorry, I didn't hear  
22 you.

1           CATHERINE BOURSOM: Can you consider the cladding  
2 of the next meeting? They haven't hired an architect; it  
3 doesn't fit with the residential character of the  
4 neighborhood.

5           CONSTANTINE ALEXANDER: We don't -- I mean, we're  
6 not a design review board.

7           CATHERINE BOURSOM: I know, but I mean they  
8 haven't hired an architect.

9           CONSTANTINE ALEXANDER: Well, I know that. But  
10 you can talk offline with these folks about how they're  
11 going to clad the building. I don't want to -- we have a  
12 lot of more important issues in my mind to deal with than  
13 that, and because it's just not within our jurisdiction,  
14 really.

15           MARIA PACHECO: 09/12.

16           CONSTANTINE ALEXANDER: What's that?

17           MARIA PACHECO: 09/12.

18           CONSTANTINE ALEXANDER: 09/12?

19           JAMES RAFFERTY: That works.

20           CONSTANTINE ALEXANDER: That works for you?

21           JAMES RAFFERTY: Yeah.

22           CONSTANTINE ALEXANDER: Brendan, does it work for

1 you? Janet?

2 JANET GREEN: 09/12, yes.

3 MARIA PACHECO: You wanted four weeks; you've got  
4 four months.

5 CONSTANTINE ALEXANDER: Give you a lot of time to  
6 work on some of the issues that you've identified.

7 JAMES RAFFERTY: Plenty of barbecues with the  
8 neighbors. So if that's the earliest date that the board  
9 can accommodate, I'm --

10 CONSTANTINE ALEXANDER: If you want all five of us  
11 here?

12 JAMES RAFFERTY: Yes. We think with -- I think  
13 it's been a well-informed decision.

14 CONSTANTINE ALEXANDER: He's not saying anything  
15 important anyways.

16 JAMES RAFFERTY: I was saying that we would --

17 UNIDENTIFIED: He said yes.

18 JAMES RAFFERTY: Yes to --

19 UNIDENTIFIED: I don't think the audience heard  
20 the September 12 meeting, so --

21 CONSTANTINE ALEXANDER: And I think we're ready  
22 for a motion. The Chair moves that we continue this case as

1 a case heard until 7:00 p.m. on September 12, subject to the  
2 following conditions -- and these conditions are standard,  
3 they're not decreed by me, particular to Eversource:

4 1) That the waiver of time for a decision be  
5 signed. Mr. Rafferty's well aware of that kind of a  
6 condition.

7 2) Second, and Maria will give it to you in a  
8 second. Second that the posting sign that advertises when  
9 the hearing is going to be tonight, that sign be revised,  
10 obviously, and maintained for the 14 days before September  
11 12, so that public will be on notice -- if they had  
12 forgotten about this case -- through the notice, through the  
13 signage.

14 And lastly, to the extent that materials that were  
15 presented tonight are modified, like the location of, for  
16 example, location of the new facility or the landscaping,  
17 those modified plans have to be in our files no later than

18 5:00 p.m. on the Monday before September 12.  
19 That's to allow you folks or anybody else in the city to  
20 come to the Inspectional Services Department, read what's  
21 there, and to be educated and ready to go while you have the  
22 hearing on September 12.

1           Those are the three conditions of that. Again,  
2 I'll say one more time our standard for continued cases by  
3 this board.

4           So all those in favor of continuing the case on  
5 this basis, please say, "Aye."

6           THE BOARD: Aye.

7           CONSTANTINE ALEXANDER: Five in favor. See  
8 everyone on September 12.

9   \* \* \* \* \*

10 (End of proceedings)

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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 proceedings.

\_\_\_\_\_

\_\_\_\_\_

Date

CERTIFICATE

Commonwealth of Massachusetts

Middlesex, ss.

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

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

In witness whereof, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Notary Public

My commission expires:

August 6, 2021