

BOARD OF ZONING APPEAL  
FOR THE  
CITY OF CAMBRIDGE

GENERAL HEARING  
THURSDAY, APRIL 16, 2026

6:00 p.m.

Remote Meeting

via

831 Massachusetts Avenue  
Cambridge, Massachusetts 02139

Steven Ng, Chair  
Wendy Leiserson, Vice Chair  
Virginia Keesler  
Jim Monteverde  
Miranda Cecil

City Employees  
Olivia Ratay



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I N D E X

CASE	PAGE
BZA-1202049 -- 1 MYRTLE AVENUE	5
BZA-1202022 -- 407 CONCORD AVENUE	20
BZA-1202871 -- 10 GARDEN STREET	35

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

2 \* \* \* \* \*

3 (6:00 p.m.)

4 Sitting Members: Steven Ng, Wendy Leiserson, Virginia  
5 Keesler, Miranda Cecil, and Jim Monteverde

6 STEVEN NG: Good evening. Welcome to the April  
7 16, 2026 meeting of the Cambridge Board of Zoning Appeal.  
8 My name is Steven Ng, and I am the Chair.

9 Pursuant to Chapter 2 of the Acts of 2023 adopted  
10 by Massachusetts General Court, and approved by the  
11 Governor, the City is authorized to use remote participation  
12 at meetings of the Cambridge Board of Zoning Appeal.

13 This meeting is being video and audio recorded and  
14 is broadcast on cable television Channel 22 within  
15 Cambridge. There will also be a transcript of the  
16 proceedings.

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

20 Members of the public will be kept on mute until  
21 it is time for public comment. I will give instructions for  
22 public comment at that time, and you can also find

1 instructions on the City's webpage for remote BZA meetings.

2 Generally, you will have up to three minutes to speak.

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

5 OLIVIA RATAY: Jim Monteverde?

6 JIM MONTEVERDE: Jim Monteverde present.

7 OLIVIA RATAY: Miranda Cecil.

8 MIRANDA CECIL: Miranda Cecil is present.

9 OLIVIA RATAY: Virginia Keesler?

10 VIRGINIA KEESLER: Virginia Keesler present.

11 OLIVIA RATAY: Wendy Leiserson?

12 WENDY LEISERSON: Wendy Leiserson present.

13 STEVEN NG: And Steven Ng --

14 OLIVIA RATAY: Steven Ng.

15 STEVEN NG: -- present.

16 OLIVIA RATAY: Yeah.

17 STEVEN NG: Thank you.

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2 (6:09 p.m.)

3 Sitting Members: Steven Ng, Wendy Leiserson, Virginia  
4 Keesler, Miranda Cecil, and Jim Monteverde

5 STEVEN NG: First item on this evening's Agenda  
6 schedule for 6:00 p.m. is Case No. BZA-1202049, 1 Myrtle  
7 Avenue, to appeal the ISD decision to decline the  
8 petitioner's request for a written zoning determination  
9 regarding the interpretation of several provisions of the  
10 Cambridge Zoning Ordinance as applied to the property  
11 located at 1 Myrtle Ave.

12 Is there someone on the Zoom to represent this  
13 application?

14 FAN WANG: Hi. I'm here. This is Fan Wang. I'm  
15 the owner of 1 Myrtle Avenue.

16 STEVEN NG: Good evening.

17 FAN WANG: Good evening, the Board. I'm here to  
18 request a zoning interpretation under MGL Chapter 40A. I  
19 submitted a formal written request to the Inspectional  
20 Services Department under this Chapter 40A Section 7, asking  
21 for a determination on how specific the provisions of the  
22 Zoning Ordinance apply to my property, as they acknowledge

1 receiving that request, but declined to issue a written  
2 determination.

3 And one of the inspectors wrote back in writing by  
4 e-mail saying especially about the front contextual setback.  
5 She said the computation either two properties, both and  
6 (sic) next to the property, which I dispute, as elaborated  
7 in my complaint letter.

8 As a result, I'm here asking the Board to clarify  
9 how the ordinance applies before I proceed with a full  
10 building permit amendment.

11 Currently, we have a building permit being  
12 approved by ISD, but this Zoning determination is pertaining  
13 to amending that permit. It's a little bit changed in  
14 design.

15 My goal is to follow the Ordinance as written, and  
16 to proceed through the normal permitting process.

17 STEVEN NG: Okay, thank you, Ms. Wang. I -- just  
18 for the record, we did receive a letter from the City of  
19 Cambridge Solicitor. We asked for some clarification and  
20 guidance on this particular appeal that you've made, and it  
21 was issued out on April 15, 2026. I believe that was added  
22 to the Portal for your application.

1           Were you able to receive that?

2           FAN WANG: I only saw it this morning around maybe  
3 10:00 a.m. So it was already behind. I think there was a  
4 deadline to submit all the materials by Monday this week --

5           STEVEN NG: Okay.

6           FAN WANG: -- for anything to be discussed during  
7 this public hearing.

8           (Inaudible comment from Ms. Ratay.)

9           STEVEN NG: Right. Right.

10          Yes, well, that deadline is for when you're making  
11 modifications or so on -- that's the deadline to add  
12 additional information to the -- to your presentation.

13          But this finding that we received kind of provides  
14 the Board -- and this was shared with Board members as well,  
15 correct Olivia? -- kind of addresses your argument of -- or  
16 your point of citing -- let's see -- just kind of finding a  
17 section where I can --

18          So based on your application -- and I'll read out  
19 a paragraph --

20          "The petitioner seeks an opinion about how the  
21 Zoning Ordinance applies to their property. There is no  
22 legal right to an Advisory opinion from a Building

1 Commissioner, General Laws Section C40A, Section 7: allows  
2 someone to request enforcement of the Zoning Ordinance  
3 against any person allegedly in violation of the Zoning  
4 Ordinance, and allows someone to appeal from the inability  
5 to obtain an enforcement action after submitting a request,  
6 an appeal from the inability to obtain a building permit  
7 after submitting a building permit application.

8 "However, neither statute requires the Building  
9 Commissioner issue an Advisory opinion about how the Zoning  
10 Ordinance will be applied to a property, nor gives someone  
11 the right to appeal from an Advisory opinion or lack of an  
12 Advisory opinion."

13 So the point the City Solicitor is making is that  
14 there's no real -- there's no legal basis for a petitioner  
15 to get an opinion on how the Zoning Ordinance applies to the  
16 property without having applied for a building permit or a  
17 modification to an existing permit.

18 And because GL 40A Section 8 does not authorize an  
19 appeal in this situation, the Board lacks jurisdiction to  
20 appeal this -- to consider this appeal.

21 And if that's the case, I don't think we have any  
22 standing to be able to advise or approve or -- the appeal

1 that's being made this evening.

2 FAN WANG: May I say something, Board Chairman and  
3 the Board? The Zoning Inspector's interpretation about the  
4 contextual front setback to --

5 STEVEN NG: Well, I'm not -- Ms. Wang --

6 FAN WANG: Yeah.

7 STEVEN NG: -- I don't want to dive into the  
8 details regarding what the issues are with the particular  
9 modifications or design zoning issues you'd like -- you're  
10 addressing. We're talking about the process.

11 And right now, there is no legal right for -- to  
12 ask for a determination from ISD, unless you filed a  
13 modification to the building permit.

14 FAN WANG: The -- it's this parameter impacting  
15 our amendment. And we have already provided the architect-  
16 drafted plan with the envelope for that to be proposed, all  
17 the details and calculations of the floor-leading area  
18 space.

19 So this is a pretty much specifically addressing  
20 this Zoning determination question applying to our property.  
21 So there's no ambiguity about it. And this is the step that  
22 we will take in amending our building permit.

1           So it's now clear to me -- and the Zoning  
2 Inspector already has had in writing declining that this  
3 contextual setback applies to corner lots. This applies to  
4 a wider number of properties on the corner, because there  
5 are just so many streets. It's impacting a lot of property  
6 owners.

7           So this question is rather -- is very specific to  
8 those corner lots, and is the strict interpretation of the  
9 Zoning Ordinance. It's nothing Advisory. It's not that we  
10 ought to do, not to do, it's like we want to do this.

11           And we already elaborated in front of Zoning  
12 Inspector. She declined in writing, saying this doesn't  
13 apply.

14           STEVEN NG: So I think what I'm -- what we'll do  
15 here is I guess I'll ask Board members if they have any  
16 questions about the Solicitor's letter or any questions for  
17 the petitioner regarding her request.

18           FAN WANG: Also, I would --

19           MIRANDA CECIL: Could I clarify something?

20           FAN WANG: Sure, go ahead.

21           MIRANDA CECIL: So because we lack jurisdiction to  
22 decide something here, that means that it wouldn't have --

1 if we act on what you're asking us to do, it wouldn't  
2 actually have any legal effect.

3 It wouldn't give you any new rights, it wouldn't  
4 help you to build your project. You have to go through the  
5 process of filing a building permit or a modification so  
6 that there can be a legal effect of deciding what zoning  
7 applies to your property.

8 So that's the issue here. We can't do anything to  
9 change what Zoning applies to your property.

10 FAN WANG: It's rather the Zoning interpretation.  
11 We are actually [unclear] the Zoning Inspector's  
12 interpretation about the contextual setbacks on corner lots.  
13 It's -- you know, it's not what the Zoning Ordinance says.  
14 So --

15 UNIDENTIFIED SPEAKER: Excuse me.

16 FAN WANG: Yes.

17 STEVEN NG: Ms. Wang, I think that the  
18 conversation I'd like to maintain is whether or not you have  
19 -- the request for a Zoning determination is actually  
20 something you can request for, and that letter from the City  
21 Solicitor is saying you don't have that.

22 FAN WANG: I guess that's the City Solicitor's

1 opinion.

2 STEVEN NG: So I think we'll have -- we understand  
3 what your point is. But I'm asking fellow Board members if  
4 they have questions? I think Wendy, you had a question or  
5 comment?

6 WENDY LEISERSON: So if we're moving to the  
7 discussion among the Board members, I would like to speak,  
8 yes? Are we moving --

9 STEVEN NG: Just questions.

10 WENDY LEISERSON: -- among the Board members  
11 only?

12 STEVEN NG: Yes.

13 WENDY LEISERSON: Okay. So my understanding after  
14 reading the statute and the City Solicitor's legal opinion  
15 as well as our Ordinance and Section 10.2 which is -- and  
16 Section 10 in general, which governs the Board's  
17 jurisdiction, is that first, under the MGL Section 7 as you  
18 cited from the letter, Steve -- or Mr. Chair -- that the  
19 only thing that Section 7 allows for in-right is if a  
20 citizen makes -- in writing for enforcement of the laws.

21 That's not the case here. There's been no request  
22 in writing for enforcement of the laws, and there is no

1 right to have -- or written interpretation of the laws under  
2 Section 12.

3 So for one thing there's no basis for an  
4 entitlement for a written determination from ISD. The fact  
5 that the petitioner asked for and was given some informal  
6 advice about the Zoning laws is not -- that is not something  
7 that is appealable to the Board.

8 And until the petitioner has gotten a denial of a  
9 permit or modification to a permit, there's nothing to  
10 appeal here. That's one thing.

11 The second thing is that there's nowhere in our  
12 Ordinance that gives this Board the right to interpret the  
13 law or give an Advisory opinion about the Zoning law in a  
14 hypothetical situation. We have to only review the actions  
15 of the Building Officer as they have chosen to apply the  
16 law.

17 So there's nothing right, as it were, for us to  
18 review; we don't have that authority, and we cannot comment  
19 on how the Zoning Ordinance may or may not apply to a  
20 hypothetical situation of a specific property. That's my  
21 understanding.

22 Does the rest of the Board agree?

1           MIRANDA CECIL: I agree with that, yes.

2           VIRGINIA KEESLER: Yes, I agree.

3           JIM MONTEVERDE: Yes. This is Jim Monteverde, I  
4 agree.

5           STEVEN NG: Yes. And in the Solicitor's letter as  
6 well, I mean they mention that the petitioner's remedy is to  
7 apply for a building permit. If the building permit  
8 application is denied, the petitioner can appeal from the  
9 denial of that building permit.

10           So I think in this case, there's been no formal  
11 submission of modification to your existing permit. So I  
12 think that that's kind of where the Board stands for --  
13 regarding your appeal.

14           WENDY LEISERSON: That we lack jurisdiction to  
15 hear it?

16           STEVEN NG: Correct.

17           FAN WANG: Got you. We can officially submit a  
18 building permit application with the full plan, but I just  
19 -- I want to highlight in front of the Board, given the  
20 opportunity, that applying for a full building permit takes  
21 three to four months of design work, and also another three  
22 to four months of review work.

1           Unfortunately, the Zoning Inspector gets to review  
2 and the plan only at the last step after the DPW, Fire  
3 Department, Police Department -- everybody, reviews it. So  
4 it's a very lengthy process.

5           I hope that the Board could do something in the  
6 future. When you look at the Zoning Ordinance, how can we  
7 make the Zoning process work for homeowners?

8           WENDY LEISERSON: I encourage you to bring that to  
9 your -- the City Council's attention if you are looking for  
10 legislative changes. That would be also outside the Board's  
11 purview.

12           STEVEN NG: So I think just following procedure  
13 for applications, I think we can open public comment.

14           OLIVIA RATAY: Yeah.

15           STEVEN NG: Yeah. So we'll now open to public  
16 comments. Any members of the public who wish to speak  
17 should now click the icon at the bottom of your Zoom screen  
18 that says, "Raise hand."

19           If you're calling in by phone, you can raise your  
20 hand by pressing \*9 and unmute or mute by pressing \*6. I'll  
21 now ask Staff to unmute the speakers one at a time.

22           You should begin by saying your name and address,

1 and Staff will confirm that we can hear you. After that,  
2 you will have up to two minutes to speak before I ask you to  
3 wrap up.

4 No, there's no one online for public comment. So  
5 Board discussion?

6 I think it's pretty -- we've got the City  
7 Solicitor's letter. Any comments/thoughts, on fellow Board  
8 members?

9 Time for a motion.

10 So the Chair makes a motion to -- and it's always  
11 in the positive, correct? -- makes a motion to approve  
12 petitioner's appeal pursuant to Mass General Law 40A  
13 Sections 8 and 15 from the refusal of the Zoning Enforcement  
14 Authority to issue a determination regarding the  
15 interpretation of the relevant provisions of the Cambridge  
16 Zoning Ordinance at 1 Myrtle Ave.

17 On a voice vote, please, Board members, Wendy?

18 WENDY LEISERSON: Against.

19 STEVEN NG: Jim Monteverde?

20 JIM MONTEVERDE: Against.

21 STEVEN NG: Virginia Keesler?

22 VIRGINIA KEESLER: Against.

1 STEVEN NG: Miranda Cecil?

2 MIRANDA CECIL: Against.

3 STEVEN NG: And Steven Ng against.

4 [All vote NO]

5 STEVEN NG: The vote is 0 in favor, 5 against.

6 The motion does not pass. And I need to move reasons.

7 Okay.

8 So I move the BZA has not voted in favor of the  
9 petitioner's request because, per the letter from City of  
10 Cambridge Solicitor dated April 15, 2026, the petitioner  
11 does not have a legal basis to get an opinion on how the  
12 Zoning Ordinance applies to the property without having  
13 applied for a building permit.

14 And because General Laws 40A.8 does not authorize  
15 an appeal in this situation, the Board lacks jurisdiction to  
16 consider this appeal.

17 On a voice vote, please? Wendy?

18 WENDY LEISERSON: I concur with those reasons for  
19 denying the appeal.

20 STEVEN NG: Jim?

21 JIM MONTEVERDE: I agree with your rationale.

22 STEVEN NG: Virginia?

1 VIRGINIA KEESLER: I agree.

2 STEVEN NG: Miranda?

3 MIRANDA CECIL: I agree.

4 STEVEN NG: And of course Steven Ng agrees as  
5 well.

6 [All vote YES]

7 STEVEN NG: So we'll put that into the record.  
8 And we can close this one.

9 Thank you, Ms. Wang.

10 FAN WANG: May I ask for, as the Chair, would you  
11 think that the past that you can clarify -- petition -- on  
12 this Zoning determination is this a form of building permit  
13 application? Is there another way alternatively?

14 STEVEN NG: No, I -- the reason why if you make a  
15 modification or need or want to build, you know, have -- you  
16 have to file the building permit with your design intent and  
17 documentation. And from there, the conversation and process  
18 begins.

19 In certain areas of town, you may be required to  
20 see various Boards such as Historic Commission, Conservation  
21 Districts, and then the variety of Public Safety  
22 Departments, and then ISD kind of gathers or receives all

1 that information and that's when that discussion happens.

2 It involves sometimes quite a few parties to help  
3 kind of get you through the zoning and building codes and so  
4 on so that the permit can be issued for you to start  
5 construction, but if you -- it's all about that process and  
6 officially starting that process by filing for the building  
7 permit.

8 And yes, unfortunately at the time it can take  
9 quite a bit of time, but I think with a pretty in-depth  
10 process we have to follow, that's the way we should --  
11 that's the way it's done.

12 FAN WANG: Okay. Thank you.

13 STEVEN NG: Thank you.

14 FAN WANG: Have a good night.

15 STEVEN NG: So our next hearing is -- our next  
16 case is at 6:30. So we've got six minutes. We'll see you  
17 in a little bit.

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2 (6:30 p.m.)

3 Sitting Members: Steven Ng, Wendy Leiserson, Virginia  
4 Keesler, Miranda Cecil, and Jim Monteverde

5 STEVEN NG: Next item on the agenda: Case No.  
6 BZA-1202022 -- 407 Concord Avenue. Seeking a variance to  
7 increase indoor seating capacity and extend hours of  
8 operation that increases previously approved seating and  
9 hours under variance BZA-255390, Sections 4. -- Articles  
10 4.000, Section 4.35; Article 11.000, Sections 11.30; and  
11 Article 10.000, Sec. 10.30.

12 Is someone on line here to speak to this  
13 application?

14 SOHEIL FATHI: Hello, yes. This is Soheil.

15 STEVEN NG: Good evening.

16 SOHEIL FATHI: Last name Fathi. Good evening,  
17 guys. Sorry, the Board members.

18 STEVEN NG: Oh, no worries [Laughter]

19 SOHEIL FATHI: [Laughter] Sorry.

20 STEVEN NG: Tell us about your application.

21 SOHEIL FATHI: So yes. We are trying to add some  
22 seats inside and increase our hours of operation. We wanted

1 to do -- we're just trying to add some business, and that's  
2 it.

3 We have some problems like wintertime, so people  
4 want to see it, but we had like an outdoor seating and that  
5 was a little bit tough for the people to use.

6 STEVEN NG: Okay. Yeah, if you could pull that  
7 up. Okay. So this is kind of a -- your proposed plan,  
8 correct?

9 SOHEIL FATHI: Yes.

10 STEVEN NG: And I believe the seating area you're  
11 showing was originally before -- you know, was storage, I  
12 believe?

13 SOHEIL FATHI: Yes. That's true. Yes.

14 STEVEN NG: Okay. So you're just converting that  
15 area into a seating area?

16 SOHEIL FATHI: That's true, yes.

17 STEVEN NG: All right. And this -- it's okay.  
18 Okay. So this is an exterior photo based upon the variance  
19 we granted I'd say, how long ago was that? just --

20 OLIVIA RATAY: okay.

21 STEVEN NG: -- 2024, so just --

22 SOHEIL FATHI: Yes.

1           STEVEN NG:  -- the outdoor seating and the -- your  
2 proposed new interior seating would be off to the left side  
3 of the building?

4           SOHEIL FATHI:  Yes, sir.

5           STEVEN NG:  Okay.  And then I think that last page  
6 was just a yes.  Okay.  So nothing there.  Okay.

7           Was there -- could you tell us about -- since it  
8 is a variance, there's several conditions that your  
9 application has to meet.  Would you be able to kind of  
10 clarify some of those?

11          SOHEIL FATHI:  Yes.  Yes.  So you want to ask me  
12 the questions so I can answer?  Or --

13          STEVEN NG:  Sure.  Sure, we can do that.

14          SOHEIL FATHI:  Yes.

15          STEVEN NG:  So a literal -- item a) A literal  
16 enforcement of the provisions of the Ordinance would involve  
17 a substantial hardship, financial or otherwise, to the  
18 petitioner or appellant for the following reasons:

19                 And what would those, what are some of the reasons  
20 for that?

21          SOHEIL FATHI:  So yes.  This has been a little bit  
22 slow.  And we're hoping to have more guests, especially in

1 the wintertime, we get into, like, a huge hit.

2 And especially this year, the winter was -- like  
3 -- very, like a severe weather. So we tried --

4 STEVEN NG: Oh, yeah.

5 SOHEIL FATHI: -- to -- we're getting more people  
6 sitting inside.

7 STEVEN NG: Mm-hm.

8 SOHEIL FATHI: And yes, so we are just trying to  
9 add a little bit more business so we can pay people a little  
10 more easier and pay our rent a little bit easier. So that's  
11 the reason we wanted to do this.

12 STEVEN NG: Okay, thank you.

13 SOHEIL FATHI: Yes.

14 STEVEN NG: Item b) the hardship is owing to the  
15 following circumstances relating to the soil conditions,  
16 shape or topography of such land or structures, and  
17 especially affecting such land or structures, but not  
18 affecting generally the zoning district in which it is  
19 located for the following reasons.

20 SOHEIL FATHI: Okay. So as far as I understand  
21 it, it says so we don't have to be harmful for environment,  
22 right? Is that the main thing, or I did get it wrong?

1 Sorry.

2 STEVEN NG: No, I think this is about the type of  
3 physical hardship that you're having -- you're dealing with  
4 that make -- to justify the variance in your --

5 SARAH MORIDPOUR: Physical space.

6 SOHEIL FATHI: Sorry.

7 SARAH MORIDPOUR: In terms of height. This is  
8 Sarah. The physical means the physical space.

9 STEVEN NG: Yeah, I'm just looking for your  
10 summary. Yes.

11 [Side conversation]

12 So I believe in your application, you stated the  
13 existing structure was built prior to current Zoning  
14 Requirements, layout of the building including the restroom  
15 location and interior floor plan limits the ability to  
16 comply strictly with current zoning provisions without  
17 hardship, and it's unique to the property.

18 SARAH MORIDPOUR: Yeah.

19 STEVEN NG: Okay?

20 The third item was desirable relief may be granted  
21 without either 1) desirable -- relief may be granted without  
22 substantial detriment to the public good for the following

1 reasons:

2 Your application states there is no structural  
3 expansion or changes to the existing building.

4 SOHEIL FATHI: No.

5 STEVEN NG: Just interior work.

6 SOHEIL FATHI: Yes.

7 STEVEN NG: So okay.

8 And then No.2, desirable relief may be granted  
9 without nullifying or substantially derogating from the  
10 intent or purpose of this ordinance for the following  
11 reasons:

12 Your comment was not changing the footprint of the  
13 building. Use remains compatible with the neighborhood and  
14 consistent with nearby uses.

15 SOHEIL FATHI: Exactly.

16 STEVEN NG: So those were the conditions.

17 SOHEIL FATHI: Yes.

18 STEVEN NG: So I think that is kind of the  
19 application presentation there. And I'll open it up to  
20 fellow Board members' questions or comments.

21 No comments from the Board members. All right.

22 WENDY LEISERSON: Mr. Chair?

1 STEVEN NG: Oh yeah, sure.

2 WENDY LEISERSON: Sorry.

3 STEVEN NG: Wendy, no problem.

4 WENDY LEISERSON: Just so I'm clear, so the two  
5 pieces of relief that are sought is to extend the what --  
6 currently you have already a variance to operate until 9:00  
7 p.m. on Fridays, Saturdays and Sundays and you're asking to  
8 extend that by one hour to 10:00 p.m., is that correct?

9 SOHEIL FATHI: Yes. That's very -- that was -- we  
10 are hoping for.

11 WENDY LEISERSON: Okay. And then the other relief  
12 that you're seeking is to add indoor seating. Is that  
13 correct?

14 SOHEIL FATHI: Yes, ma'am.

15 WENDY LEISERSON: Okay. And currently you have no  
16 indoor seating?

17 SOHEIL FATHI: No.

18 WENDY LEISERSON: And you have, I assume the  
19 building permit that you would need would determine the  
20 occupancy that is allowed under the Building Code? So the  
21 only relief is to change from not having an indoor seating  
22 area to -- thank you, I just wanted to clarify that.

1 SOHEIL FATHI: Yes.

2 WENDY LEISERSON: Okay.

3 SOHEIL FATHI: That is right. Yes.

4 STEVEN NG: And then I just had one question also  
5 about the hours. I know the previous variance that was  
6 approved had the hours up until 9:00 p.m.

7 Was -- is there any specific reason why the  
8 additional hour is needed?

9 SOHEIL FATHI: Yes. So what we were hoping, we  
10 were hoping to get a wine and beer permit so we can operate  
11 until 10:00 p.m., especially that's going to help the  
12 business so we can run the business a little bit smoother.

13 And we were talking with our -- the community that  
14 we have and the customers, and everybody was super happy to  
15 have that like a hub so they can come and hang and just --

16 STEVEN NG: Mm-hm.

17 SOHEIL FATHI: -- have such a thing in the  
18 neighborhood, you know?

19 SARAH MORIDPOUR: Yeah, right now we are -- we are  
20 working -- we are open until 4:00 --

21 SOHEIL FATHI: Yes.

22 SARAH MORIDPOUR: -- on weekends, so we're hoping

1 to add another shift for dinner, hopefully. And that 10:00  
2 would kind of help us, you know, to be open --

3 STEVEN NG: Mm-hm.

4 SARAH MORIDPOUR: -- to the public, kind of in a  
5 -- yeah, later in the night.

6 STEVEN NG: Ok. Great. Thank you.

7 Any other questions, fellow Board members? Nope?  
8 Seeing none, we'll move to public comment. I don't believe  
9 there's any correspondence in the file. So we'll see  
10 online.

11 Any members of the public who wish to speak should  
12 now click the icon at the bottom of your Zoom screen that  
13 says, "Raise hand."

14 If you're calling in by phone, you can raise your  
15 hand by pressing \*9 and unmute or mute by pressing \*6. I'll  
16 now ask Staff to unmute the speakers one at a time.

17 You should begin by saying your name and address,  
18 and Staff will confirm that we can hear you. After that you  
19 will have up to two minutes to speak before I ask you to  
20 wrap up.

21 OLIVIA RATAY: Judith Bacher?

22 JUDITH BACHER: Hi. My name is Judy Bacher. I

1 live at 8 Corporal Burns Road, which is right across the  
2 street from the bakery.

3 And we have absolutely no problem with the  
4 requested variance with the additional seating and hours.  
5 It -- the bakery is a wonderful, wonderful neighbor of ours,  
6 and we were -- we'll be glad to have them make these  
7 changes.

8 So that's all I have to say.

9 STEVEN NG: Thank you, Ms. Bacher.

10 OLIVIA RATAY: Renee Hellenbrecht?

11 RENEE HELLENBRECHT: Hi. I'm Renee Hellenbrecht.  
12 I live at 28 Corporal Burns Road. I assume you can hear me?

13 STEVEN NG: Yes.

14 RENEE HELLENBRECHT: So I am a huge supporter of  
15 Soheil and Sarah. It's a great business. I'm happy to see  
16 the vibrancy and life in our neighborhood and on our street,  
17 and I would be absolutely thrilled if they could indoor  
18 seating and longer hours.

19 STEVEN NG: Thank you, Ms. Hellenbrecht.

20 OLIVIA RATAY: Mark Donohue?

21 MARK DONOHUE: Hi. Yes, I'm Mark Donahue. I'm a  
22 homeowner at 28 Corporal Burns Road.

1           Just want to speak in support of the variance,  
2 again. Soheil and Sarah have been amazing neighbors, and  
3 it's been a real gem to have that business and that -- that  
4 hub to the community there.

5           So the both the seating question and the hours, no  
6 complaints. They're wonderful neighbors and we'd love to  
7 see it.

8           STEVEN NG: Thank you, Mr. Donohue.

9           MARK DONOHUE: Mm-hm.

10          STEVEN NG: That's it. So any discussion among  
11 Board members? Ready for a motion?

12          JIM MONTEVERDE: Yeah.

13          STEVEN NG: Okay. Let's see. Hold on. Just got  
14 to get organized here, I'm sorry.

15          The Chair makes a motion to grant relief from the  
16 requirements of the Ordinance under Sections Article 4.000,  
17 Sec. 4.35, Article 11.000, Section 11.30; Article 10.000,  
18 Sec. 10.30 for a Variance, and to show the conditions to be  
19 met for the Variance.

20          a) A literal enforcement of the provisions of the  
21 Ordinance would involve a substantial hardship, financial or  
22 otherwise to the petitioner or appellant for the following

1 reasons:

2 a) Petitioner operates in space that has  
3 existing restroom and previously approved food service.  
4 Current zoning restricts ability to provide customer seating  
5 and extended hours of operation without variance. It would  
6 create a financial hardship for the neighborhood café.

7 b) The hardship is owing to the following  
8 circumstances relating to the soil condition, shape, or  
9 topography of such land or structures, and especially  
10 affecting such land or structures but not affecting  
11 generally the zoning district generally in which it is  
12 located for the following reasons:

13 Business is located in an existing structure  
14 built prior to current zoning. Existing layout limits  
15 ability to comply strictly with current zoning provisions  
16 without hardship. These physical conditions are unique to  
17 this property.

18 c) Desirable relief may be granted without either:

19 a) desirable relief may be granted without  
20 substantial detriment to the public good for the following  
21 reasons: The variance will not create detriment to the  
22 public good, no expansion of existing structure is proposed,

1 and hours are consistent with similar cafés in the area.

2 b) desirable relief may be granted without  
3 nullifying or substantially derogating from the intent or  
4 purpose of this ordinance for the following reasons:

5 The Variance supports an existing small  
6 business without changing the footprint of the building.  
7 Use remains compatible with the neighborhood and consistent  
8 with nearby uses.

9 So by that finding, they meet the criteria under  
10 Section 10.30 for a Variance. And on the condition that the  
11 work proposed conforms to the drawing set included into the  
12 -- in the application package, which includes the following  
13 documents: A sketch by petitioner of proposed indoor  
14 seating and existing outdoor seating and parking.

15 It's not dated; I'll put a date on that, and site  
16 survey existing building 407-408 Concord Avenue, Cambridge,  
17 MA; dated August 15, 2018.

18 A photograph of existing exterior view and receipt  
19 of recorded BZA-255390 -- BZA decision book 11342, page 692  
20 recorded on March 13, 2026.

21 And further, we incorporate the supporting  
22 statements and dimensional form submitted as part of the

1 application.

2 We'd also like to add conditions -- no. No  
3 conditions necessary this evening.

4 So on a voice vote, members, please. Wendy?

5 WENDY LEISERSON: Wendy Leiserson in favor, and  
6 concurring with those reasons for issuing the variance.

7 STEVEN NG: Jim?

8 JIM MONTEVERDE: Jim Monteverde in favor.

9 STEVEN NG: Virginia?

10 VIRGINIA KEESLER: Virginia Keesler in favor.

11 STEVEN NG: Miranda?

12 MIRANDA CECIL: Miranda Cecil in favor.

13 STEVEN NG: And Steven Ng in favor.

14 [All vote YES]

15 STEVEN NG: The vote is 5:0 in favor and the  
16 application passes.

17 Thank you.

18 SARAH MORIDPOUR: Thank you. Thank you so much.

19 SOHEIL FATHI: Thank you so much. Thank you,  
20 everybody --

21 STEVEN NG: Of course.

22 SOHEIL FATHI: -- for the time and everything, for

1 the support.

2 STEVEN NG: Of course. Thank you. Good luck.

3 SARAH MORIDPOUR: Appreciate it.

4 SOHEIL FATHI: Thank you so much.

5 SARAH MORIDPOUR: Thanks.

6 SOHEIL FATHI: Thank you.

7 STEVEN NG: All right.

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(6:49 p.m.)

Sitting Members: Steven Ng, Wendy Leiserson, Virginia  
Keesler, Miranda Cecil, and Jim Monteverde

STEVEN NG: The time is 6:49 and we can move on to  
our final item on this evenings Agenda, the 6:45.

I'd also -- I guess Case No. BZA-1202871 -- 10  
Garden Street, President & Fellows of Harvard College - c/o  
Gabriel Ramos, a Senior Campus Planner seeking a Variance to  
install two wall signs to Fay House that exceeds the  
allowable amount of signs conforming to this zoning  
district, citing Article 7.000, Section 7.16.21.b, Section  
7.16.22.c for Wall Signs, and Article 10.000, Section 10.30  
(Variance).

And at this time, I'd like to just note a  
disclosure of conflict of interest. I put a letter into the  
file. My employer does provide Project Management services  
to the Harvard University -- Graduate Housing, and I am not  
on that particular project, and just wanted to share that  
with the Board. If there's any concerns about that, I'd be  
happy to recuse myself.

WENDY LEISERSON: Mr. Chair, I have no objections.

1           STEVEN NG: Okay. Thank you, Wendy. And so,  
2 thank you everyone. And so, we can move onto the  
3 presentation. Is there someone online to represent the  
4 applicant?

5           GABRIEL RAMOS: Hi, yes. Good evening, everyone.  
6 My name is Gabriel Ramos. I am a Senior Campus Planner at  
7 Harvard University Planning and Design representing the  
8 President and Fellows of Harvard College. I'm joined by my  
9 colleague, Matt Brunell, of the Radcliffe Institute, the  
10 area of conversation tonight.

11           STEVEN NG: Good evening.

12           GABRIEL RAMOS: Thank you for having us. All  
13 right. So we're here tonight to ask for a variance for 10  
14 Garden Street, also known as Fay House. As you can see here  
15 on the slide, it is Building No. 9.

16           And we're asking for two external wall signs to be  
17 placed on Fay House to provide identification and -- you  
18 know -- building identification and wayfinding for that  
19 particular building, knowing there is no existing building  
20 identification wall signage on it today.

21           So the goal here today is to get signs on Fay  
22 House so that folks know where to go when they're on the

1 Radcliffe Yard looking for Fay House.

2 As you can see, though, there are many buildings  
3 that are part of Radcliffe's campus. And we're mindful of  
4 that the existing zoning today limits the overall quantity  
5 of signs on the Radcliffe campus on a ratio of two per  
6 building.

7 But in addition to the overall signage that exists  
8 extending to parking signage -- you know -- identification  
9 signage, freestanding signage that exists off of buildings  
10 in the public way.

11 And so, in total when you look at the aggregate  
12 signage that exists on Radcliffe Yard, you know, we exceed  
13 what is maximally allowed by the zoning. However, we're  
14 making this case for this variance specifically for Fay  
15 House, as it doesn't have any existing signage today.

16 And so, in terms of providing a very safe and  
17 manageable environment, we want to ensure that people are  
18 able to find Fay House when they're looking for it, but also  
19 help residents in the surrounding neighborhood.

20 I understand that Fay House is part of Radcliffe,  
21 and it shouldn't be confused with the residential fabric  
22 that surround it.

1           And the same for students. We want to ensure that  
2 students know where Radcliffe is and aren't confused walking  
3 into a surrounding context.

4           And so, really doubling down here on the  
5 importance of good wayfinding signage, and really making the  
6 case for that. Fay House is a key area for Radcliffe. Matt  
7 can speak to that a little bit more, in addition to some of  
8 the experiences they have been having around wayfinding and  
9 signage at Radcliffe today.

10           So I'll hand it over to Matt so he can share a  
11 little bit about his experiences with wayfinding at  
12 Radcliffe.

13           MATT BRUNELL: Thank you. Thank you, Gabriel.

14           Yeah, as Gabriel mentioned, the whole collection  
15 of buildings here on the campus have signs -- some front,  
16 back. There's some around the walls too.

17           But it's an interesting situation because as you  
18 get in there from the outside Fay is the only one that  
19 doesn't have another sign telling you it's where it is.

20           Everything else has a pretty uniform, consistent  
21 building signage that identifies the building, and I'm sure  
22 Gabriel will get into this, but we're in the process of

1 updating all of those signs so that it will also state the  
2 address. And it's just really confusing for Fay right now  
3 because we have 10 Garden Street, which is its address, on  
4 the outside wall to tell you you've arrived to campus. But  
5 then when you get in there, the actual 10 Garden Street, you  
6 don't know where that is, and we have people that are trying  
7 to make deliveries there all the time that don't know where  
8 it is.

9 We have students that use this building, and  
10 there's a student lounge there on the first floor that's  
11 popular, and we also have mid-size events that are scheduled  
12 in the Sheerr Room there, which we routinely have and it  
13 just -- it would be very helpful to have some clear signage  
14 on this building.

15 GABRIEL RAMOS: Thank you, Matt. If you go to the  
16 next slide, No. -- I'm sorry, No.3, the slide after that,  
17 thank you -- this gives you a sense as to where the sign  
18 will be going on Fay House. So this is one sign, but in two  
19 locations.

20 So on the right side of the slide, you can see  
21 what this sign will look like, mocked up there in a beige  
22 cream color. Again, Fay House with the address, and then

1 the logo Radcliffe is to the lower right-hand corner. And  
2 that will be going where you can see those red boxes on Fay  
3 House itself.

4 And so, that's some additional context. And this  
5 is just another slide to kind of convey that.

6 And so, just a little bit more detail, if you go  
7 to Slide 2. Sorry for jumping around a little bit. These  
8 will be painted acrylic panel graphics around 13" x 20" and  
9 that I believe is the overall gist of the application  
10 itself.

11 Just for some additional context, we have screened  
12 this by CHC. And they have essentially approved this. If  
13 we are able to go ahead and get the variances, we would be  
14 able to put these signs up in accordance with our guidance  
15 regarding the Historic Preservation and making sure that  
16 signs are in line with that aesthetic.

17 And with that, we'll answer any questions that you  
18 have.

19 STEVEN NG: Okay. I think firstly, in regards to  
20 the Variance Request, if we could kind of run through the  
21 supporting statement?

22 GABRIEL RAMOS: Absolutely. So for us, you know,

1 we are understanding the literal interpretation of our  
2 zoning overlay, or the zoning that is surrounding 10 Garden  
3 Street to really be difficult for Radcliffe specifically in  
4 the instance of providing that safe, navigable environment  
5 for its --

6 STEVEN NG: Mm-hm.

7 GABRIEL RAMOS: -- visitors, as well as the  
8 residents and non-campus affiliates that surround it. A  
9 literal interpretation would leave Fay House without the  
10 adequate signage that it would need for university  
11 affiliates, non-affiliates, to know where this building  
12 falls into overall fabric of the Radcliffe Campus.

13 And so, that's the key part here is ensuring that  
14 folks know where they're going, and that there is no  
15 confusion regarding destinations and things of that nature,  
16 as Matt had mentioned -- the various programmatic elements  
17 that take place in and around Radcliffe.

18 This second category, you know, relating to the  
19 hardship, is really understanding that -- you know -- it's a  
20 multibuilding educational campus. And the core activities  
21 are contained within, you know, a city block.

22 And the signage here is important just to really

1 help differentiate, you know, where the campus ends and  
2 where the campus begins.

3 So really underscoring that this is really about  
4 ensuring that Fay House can fit within the overall campus  
5 wayfinding system, so that when people see a gap, it's not a  
6 question of is this building part of the campus or not.

7 So, again, really ensuring that it's a public  
8 safety perspective that folks are able to get around in the  
9 way that they need to, as well as thinking about sort of the  
10 ultimate outcomes of, you know, being mindful of the public  
11 good here.

12 I think we're mindful that it's a residential  
13 environment that surrounds the campus, but we -- again, we  
14 want to ensure that with wayfinding, and we're able to  
15 promote a clear way of which people can navigate the campus  
16 and/or -- you know, if anything is supposed to -- if  
17 anything happens, unfortunately, you know, people need to do  
18 to be able to identify the address and the locations of  
19 certain things as well.

20 So it's just really important that folks know  
21 where this building is on campus, as they're in the overall  
22 environment.

1           STEVEN NG: That's great. Thank you so much, Mr.  
2 Ramos.

3           Any other comments or questions from fellow Board  
4 members?

5           JIM MONTEVERDE: No.

6           STEVEN NG: Hearing none, we will move to public  
7 comment. I don't believe we have anything in the file from  
8 residents or neighbors. There is a Cambridge Historical  
9 Commission memo, which -- it does -- with what was filed.

10           The work described below does not involve any  
11 activity requiring issuance of a Certificate of  
12 Appropriateness or Hardship. So that's -- we have that in  
13 the file.

14           And so, we'll check Any members of the public who  
15 wish to speak should now click the icon at the bottom of  
16 your Zoom screen that says, "Raise hand."

17           If you're calling in by phone, you can raise your  
18 hand by pressing \*9 and unmute or mute by pressing \*6. I'll  
19 now ask Staff to unmute the speakers one at a time.

20           You should begin by saying your name and address,  
21 and Staff will confirm that we can hear you. After that you  
22 'll have approximately two minutes to speak before I ask you

1 to wrap up.

2 We have seen none online for public comment. We  
3 will move to Board Member discussion. Any thoughts,  
4 comments? Ready for a motion?

5 JIM MONTEVERDE: Ready for a motion.

6 STEVEN NG: All right. The Chair makes a motion  
7 to grant relief from the requirements of the Ordinance under  
8 Section 7.16.21.b and Section 7.16.22.c for Wall Signs, and  
9 Sections 10.30 for a Variance. The conditions to be met for  
10 a variance:

11 a) a literal enforcement of the provisions of this  
12 ordinance would involve a substantial hardship, financial or  
13 otherwise, to the petitioner or appellant for the following  
14 reasons:

15 a) literal enforcement of Section 7.16 would  
16 permit a maximum of two signs per building and limit  
17 freestanding signs to a height of four feet, placed at half  
18 the depth of the required front yard. This restriction  
19 would prevent Harvard from adequately identifying its campus  
20 as key public-facing entry points.

21 The two proposed signs would be installed on Fay  
22 House, a building that currently has no exterior wall

1 signage. A strict application of Section 7.16 would  
2 prohibit any wall signage on that building, creating  
3 confusion for visitors attempting to locate it.

4 b) The hardship is owing to the following  
5 circumstances relating to soil conditions, shape or  
6 topography of such land or structures, and especially  
7 affecting such land or structures, but not affecting  
8 generally the zoning district in which it is located for the  
9 following reasons:

10 Given the physical characteristics of this  
11 multibuilding campus, additional signage is necessary to  
12 identify key access points and support visitor wayfinding.

13 The need for greater flexibility in permitted  
14 signage for nonresidential uses in Residential C-2 Zoning  
15 District is a direct result of the unique demand of a  
16 multibuilding educational campus and is not a need that  
17 would typically arise for other uses within the same zoning  
18 district.

19 c) Desirable relief may be granted without either  
20 substantial detriment to the public good for the following  
21 reasons:

22 A requested variance is necessary to address the

1 need for clear identification and wayfinding signage that  
2 supports a welcoming environment for the significant number  
3 of visitors who come to the campus on a regular basis.

4 The proposed signage will also improve the overall  
5 appearance of the campus by establishing the consistent  
6 design aesthetic along its public-facing frontages.

7 For these reasons, granting the variance would not  
8 be detrimental to the public good. On the contrary, it  
9 would provide a public benefit for allowing -- for easy  
10 identification of Fay House.

11 And item 2, desirable relief may be granted  
12 without nullifying or substantially derogating from the  
13 intent or purpose of this Ordinance for the following  
14 reasons:

15 The requested variance would allow for adequate  
16 signage to better identify Fay House for guests and visitors  
17 to the Harvard Radcliffe Institute. This is consistent with  
18 the recognition that the public interest is served when  
19 businesses and institutions use signs to identify their  
20 premises and the products or services they offer.

21 So by that finding, we believe they meet the  
22 criteria under Section 10.31 for a Variance, on the

1 condition that the work proposed conforms to the drawing set  
2 included in the application package entitled, "Harvard  
3 Radcliffe Institute Campus Signage Proposed Updates," dated  
4 March 2026, which is a five-page document, signed  
5 certification documentation with Community Development  
6 Department dated 03/11/2026.

7 And further, that we incorporate the supporting  
8 statements and Dimensional Form submitted as part of the  
9 application.

10 On a voice vote, please, Board members? Ms.  
11 Leiserson?

12 WENDY LEISERSON: In favor.

13 STEVEN NG: Mr. Monteverde?

14 JIM MONTEVERDE: In favor.

15 STEVEN NG: Ms. Keesler?

16 VIRGINIA KEESLER: In favor.

17 STEVEN NG: Ms. Cecil?

18 MIRANDA CECIL: In favor.

19 STEVEN NG: And Steve Ng in favor.

20 [All vote YES]

21 STEVEN NG: The vote is 5:0 in favor, and the  
22 application passes. Thank you very much.

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COLLECTIVE: Thank you.

GABRIEL RAMOS: Thank you. Have a good evening.

STEVEN NG: You too. And this concludes our business this evening. Thank you to Olivia Ratay and my fellow Board members for their assistance and participation. So have a great night.

JIM MONTEVERDE: Goodnight.

[7:05 p.m. End of Proceedings]

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CERTIFICATE

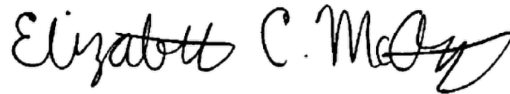
Commonwealth of Massachusetts

Middlesex, ss.

I, Elizabeth McAvoy, 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.

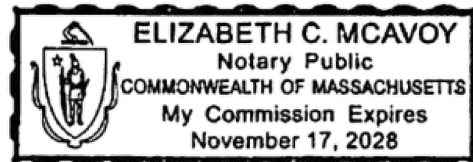
In witness whereof, I have hereunto set my hand this 23rd day of April 2026.



Notary Public

My commission expires:

November 17, 2028



<b>A</b>				
<b>a.m</b> 7:3	13:13	6:22 7:18 8:7	<b>assume</b> 26:18	7:14 8:19 9:2,3
<b>ability</b> 24:15	<b>aesthetic</b> 40:16	14:8,18 18:13	29:12	10:15 12:3,7
31:4,15 49:7	46:6	20:13,20 22:9	<b>attempting</b> 45:3	12:10 13:7,12
<b>able</b> 7:1 8:22	<b>affiliates</b> 41:8,11	24:12 25:2,19	<b>attendance</b> 4:4	13:22 14:12,19
22:9 37:18	<b>agenda</b> 5:5 20:5	32:12 33:1,16	<b>attention</b> 15:9	15:5 16:5,7,17
40:13,14 42:8	35:6	40:9 45:1 47:2	<b>audible</b> 4:4	17:15 20:17
42:14,18	<b>aggregate</b> 37:11	47:9,22	<b>audio</b> 3:13	25:20,21 28:7
<b>absolutely</b> 29:3	<b>ago</b> 21:19	<b>applications</b>	<b>August</b> 32:17	30:11 35:20
29:17 40:22	<b>agree</b> 13:22 14:1	15:13	<b>authority</b> 13:18	43:3 44:3
<b>access</b> 45:12	14:2,4 17:21	<b>applied</b> 5:10	16:14	47:10 48:5
<b>acknowledge</b>	18:1,3	8:10,16 17:13	<b>authorize</b> 8:18	<b>Board's</b> 12:16
5:22	<b>agrees</b> 18:4	<b>applies</b> 6:9 7:21	17:14	15:10
<b>acrylic</b> 40:8	<b>ahead</b> 10:20	8:15 10:3,3	<b>authorized</b> 3:11	<b>Boards</b> 18:20
<b>act</b> 11:1	40:13	11:7,9 17:12	<b>Ave</b> 5:11 16:16	<b>book</b> 32:19
<b>action</b> 8:5 49:9	<b>allegedly</b> 8:3	<b>apply</b> 5:22 10:13	<b>Avenue</b> 1:5 2:4	<b>bottom</b> 15:17
49:11	<b>allow</b> 46:15	13:15,19 14:7	2:5 5:7,15 20:6	28:12 43:15
<b>actions</b> 13:14	<b>allowable</b> 35:11	<b>applying</b> 9:20	32:16	<b>boxes</b> 40:2
<b>activities</b> 41:20	<b>allowed</b> 26:20	14:20	<b>B</b>	<b>bring</b> 15:8
<b>activity</b> 43:11	37:13	<b>Appreciate</b> 34:3	<b>b</b> 23:14 31:7	<b>broadcast</b> 3:14
<b>Acts</b> 3:9	<b>allowing</b> 46:9	<b>Appropriaten...</b>	32:2 45:4	<b>Brunell</b> 36:9
<b>actual</b> 39:5	<b>allows</b> 8:1,4	43:12	<b>Bacher</b> 28:21,22	38:13
<b>add</b> 7:11 20:21	12:19	<b>approve</b> 8:22	28:22 29:9	<b>build</b> 11:4 18:15
21:1 23:9	<b>alternatively</b>	16:11	<b>back</b> 6:3 38:16	<b>building</b> 6:10,11
26:12 28:1	18:13	<b>approved</b> 3:10	<b>bakery</b> 29:2,5	7:22 8:6,7,8,16
33:2	<b>amazing</b> 30:2	6:12 20:8 27:6	<b>based</b> 7:18	9:13,22 11:5
<b>added</b> 6:21	<b>ambiguity</b> 9:21	31:3 40:12	21:18	13:15 14:7,7,9
<b>addition</b> 37:7	<b>amending</b> 6:13	<b>approximately</b>	<b>basis</b> 8:14 13:3	14:18,20 17:13
38:7	9:22	43:22	17:11 46:3	18:12,16 19:3
<b>additional</b> 7:12	<b>amendment</b>	<b>April</b> 1:3 3:6	<b>beer</b> 27:10	19:6 22:3
27:8 29:4 40:4	6:10 9:15	6:21 17:10	<b>begins</b> 18:18	24:14 25:3,13
40:11 45:11	<b>amount</b> 35:11	49:13	42:2	26:19,20 32:6
<b>address</b> 15:22	<b>and/or</b> 42:16	<b>architect-</b> 9:15	<b>beige</b> 39:21	32:16 36:15,18
28:17 39:2,3	<b>answer</b> 22:12	<b>area</b> 9:17 21:10	<b>believe</b> 6:21	36:19,19 37:6
39:22 42:18	40:17	21:15,15 26:22	21:10,12 24:12	38:21,21 39:9
43:20 45:22	<b>appeal</b> 1:1 3:7	32:1 36:10	28:8 40:9 43:7	39:14 41:11
<b>addresses</b> 7:15	3:12 5:7 6:20	38:6	46:21	42:6,21 44:16
<b>addressing</b> 9:10	8:4,6,11,19,20	<b>areas</b> 18:19	<b>benefit</b> 46:9	44:22 45:2
9:19	8:20,22 13:10	<b>argument</b> 7:15	<b>best</b> 49:6	<b>buildings</b> 37:2,9
<b>adequate</b> 41:10	14:8,13 16:12	<b>arrived</b> 39:4	<b>better</b> 46:16	38:15
46:15	17:15,16,19	<b>Article</b> 20:10,11	<b>bit</b> 6:13 19:9,17	<b>built</b> 24:13
<b>adequately</b>	<b>appealable</b> 13:7	30:16,17,17	21:5 22:21	31:14
44:19	<b>appearance</b>	35:12,13	23:9,10 27:12	<b>Burns</b> 29:1,12
<b>adopted</b> 3:9	46:5	<b>Articles</b> 20:9	38:7,11 40:6,7	29:22
<b>advice</b> 13:6	<b>appellant</b> 22:18	<b>asked</b> 6:19 13:5	<b>block</b> 41:21	<b>business</b> 21:1
<b>advise</b> 8:22	30:22 44:13	<b>asking</b> 4:3 5:20	<b>Board</b> 1:1 3:7	23:9 27:12,12
<b>Advisory</b> 7:22	<b>applicant</b> 36:4	6:8 11:1 12:3	3:12,17 4:3	29:15 30:3
8:9,11,12 10:9	<b>applicants</b> 3:17	26:7 36:16	5:17 6:8 7:14	31:13 32:6
	<b>application</b> 5:13	<b>assistance</b> 48:5		48:4

<p><b>businesses</b> 46:19  <b>BZA</b> 4:1 17:8  32:19  <b>BZA-1202022</b>  2:5 20:6  <b>BZA-1202049</b>  2:4 5:6  <b>BZA-1202871</b>  2:6 35:7  <b>BZA-255390</b>  20:9 32:19</p> <hr/> <p style="text-align: center;"><b>C</b></p> <hr/> <p><b>c</b> 3:1 31:18  45:19  <b>C-2</b> 45:14  <b>c/o</b> 35:8  <b>C40A</b> 8:1  <b>cable</b> 3:14  <b>café</b> 31:6  <b>cafés</b> 32:1  <b>calculations</b>  9:17  <b>call</b> 3:19  <b>calling</b> 15:19  28:14 43:17  <b>Cambridge</b> 1:2  1:6 3:7,12,15  5:10 6:19  16:15 17:10  32:16 43:8  <b>campus</b> 35:9  36:6 37:3,5  38:15 39:4  41:12,20 42:1  42:2,4,6,13,15  42:21 44:19  45:11,16 46:3  46:5 47:3  <b>capacity</b> 20:7  <b>case</b> 2:3 5:6 8:21  12:21 14:10  19:16 20:5  35:7 37:14  38:6  <b>category</b> 41:18  <b>Cecil</b> 1:9 3:5 4:7  4:8,8 5:4 10:19</p>	<p>10:21 14:1  17:1,2 18:3  20:4 33:12,12  35:4 47:17,18  <b>certain</b> 18:19  42:19  <b>Certificate</b>  43:11 49:1  <b>certification</b>  47:5  <b>certify</b> 49:5,8  <b>Chair</b> 1:7,7 3:8  12:18 16:10  18:10 25:22  30:15 35:22  44:6  <b>Chairman</b> 9:2  <b>change</b> 11:9  26:21  <b>changed</b> 6:13  <b>changes</b> 15:10  25:3 29:7  <b>changing</b> 25:12  32:6  <b>Channel</b> 3:14  <b>Chapter</b> 3:9  5:18,20  <b>characteristics</b>  45:10  <b>CHC</b> 40:12  <b>check</b> 43:14  <b>chosen</b> 13:15  <b>circumstances</b>  23:15 31:8  45:5  <b>cited</b> 12:18  <b>citing</b> 7:16 35:12  <b>citizen</b> 12:20  <b>city</b> 1:2,10 3:11  6:18 8:13  11:20,22 12:14  15:9 16:6 17:9  41:21  <b>City's</b> 4:1  <b>clarification</b>  6:19  <b>clarify</b> 6:8 10:19  18:11 22:10</p>	<p>26:22  <b>clear</b> 10:1 26:4  39:13 42:15  46:1  <b>click</b> 15:17  28:12 43:15  <b>close</b> 18:8  <b>Code</b> 26:20  <b>codes</b> 19:3  <b>colleague</b> 36:9  <b>collection</b> 38:14  <b>COLLECTIVE</b>  48:1  <b>College</b> 35:8  36:8  <b>color</b> 39:22  <b>come</b> 27:15 46:3  <b>comment</b> 3:21  3:22 7:8 12:5  13:18 15:13  16:4 25:12  28:8 43:7 44:2  <b>comments</b> 15:16  25:20,21 43:3  44:4  <b>comments/tho...</b>  16:7  <b>commission</b>  18:20 43:9  49:17  <b>Commissioner</b>  8:1,9  <b>Commonwealth</b>  49:2,5  <b>community</b>  27:13 30:4  47:5  <b>compatible</b>  25:13 32:7  <b>complaint</b> 6:7  <b>complaints</b> 30:6  <b>comply</b> 24:16  31:15  <b>computation</b> 6:5  <b>concerns</b> 35:20  <b>concludes</b> 48:3  <b>Concord</b> 2:5  20:6 32:16</p>	<p><b>concur</b> 17:18  <b>concurring</b> 33:6  <b>condition</b> 31:8  32:10 47:1  <b>conditions</b> 22:8  23:15 25:16  30:18 31:16  33:2,3 44:9  45:5  <b>confirm</b> 16:1  28:18 43:21  <b>conflict</b> 35:16  <b>conforming</b>  35:11  <b>conforms</b> 32:11  47:1  <b>confused</b> 37:21  38:2  <b>confusing</b> 39:2  <b>confusion</b> 41:15  45:3  <b>Conservation</b>  18:20  <b>consider</b> 8:20  17:16  <b>consistent</b> 25:14  32:1,7 38:20  46:5,17  <b>construction</b>  19:5  <b>contained</b> 41:21  <b>context</b> 38:3  40:4,11  <b>contextual</b> 6:4  9:4 10:3 11:12  <b>contrary</b> 46:8  <b>conversation</b>  11:18 18:17  24:11 36:10  <b>converting</b>  21:14  <b>convey</b> 40:5  <b>core</b> 41:20  <b>corner</b> 10:3,4,8  11:12 40:1  <b>Corporal</b> 29:1  29:12,22  <b>correct</b> 7:15</p>	<p>14:16 16:11  21:8 26:8,13  <b>correspondence</b>  28:9  <b>Council's</b> 15:9  <b>counsel</b> 49:9  <b>course</b> 18:4  33:21 34:2  <b>Court</b> 3:10  <b>cream</b> 39:22  <b>create</b> 31:6,21  <b>creating</b> 45:2  <b>criteria</b> 32:9  46:22  <b>current</b> 24:13  24:16 31:4,14  31:15  <b>currently</b> 6:11  26:6,15 44:22  <b>customer</b> 31:4  <b>customers</b> 27:14</p> <hr/> <p style="text-align: center;"><b>D</b></p> <hr/> <p><b>D</b> 2:1 3:1  <b>date</b> 32:15  <b>dated</b> 17:10  32:15,17 47:3  47:6  <b>day</b> 49:13  <b>deadline</b> 7:4,10  7:11  <b>dealing</b> 24:3  <b>decide</b> 10:22  <b>deciding</b> 11:6  <b>decision</b> 5:7  32:19  <b>decline</b> 5:7  <b>declined</b> 6:1  10:12  <b>declining</b> 10:2  <b>deliveries</b> 39:7  <b>demand</b> 45:15  <b>denial</b> 13:8 14:9  <b>denied</b> 14:8  <b>denying</b> 17:19  <b>Department</b>  5:20 15:3,3  47:6</p>
--	---	--	--	---

<p><b>Departments</b> 18:22  <b>depth</b> 44:18  <b>derogating</b> 25:9 32:3 46:12  <b>described</b> 43:10  <b>design</b> 6:14 9:9 14:21 18:16 36:7 46:6  <b>desirable</b> 24:20 24:21 25:8 31:18,19 32:2 45:19 46:11  <b>destinations</b> 41:15  <b>detail</b> 40:6  <b>details</b> 9:8,17  <b>determination</b> 5:8,21 6:2,12 9:12,20 11:19 13:4 16:14 18:12  <b>determine</b> 26:19  <b>detriment</b> 24:22 31:20,21 45:20  <b>detrimental</b> 46:8  <b>Development</b> 47:5  <b>differentiate</b> 42:1  <b>difficult</b> 41:3  <b>dimensional</b> 32:22 47:8  <b>dinner</b> 28:1  <b>direct</b> 45:15  <b>disclosure</b> 35:16  <b>discussed</b> 7:6  <b>discussion</b> 12:7 16:5 19:1 30:10 44:3  <b>dispute</b> 6:6  <b>district</b> 23:18 31:11 35:12 45:8,15,18  <b>Districts</b> 18:21  <b>dive</b> 9:7  <b>document</b> 47:4</p>	<p><b>documentation</b> 18:17 47:5  <b>documents</b> 32:13  <b>Donahue</b> 29:21  <b>Donohue</b> 29:20 29:21 30:8,9  <b>doubling</b> 38:4  <b>DPW</b> 15:2  <b>drafted</b> 9:16  <b>drawing</b> 32:11 47:1</p> <hr/> <p style="text-align: center;"><b>E</b></p> <hr/> <p><b>E</b> 2:1 3:1,1  <b>e-mail</b> 6:4  <b>easier</b> 23:10,10  <b>easy</b> 46:9  <b>educational</b> 41:20 45:16  <b>effect</b> 11:2,6  <b>either</b> 6:5 24:21 31:18 45:19  <b>elaborated</b> 6:6 10:11  <b>elements</b> 41:16  <b>Elizabeth</b> 49:4  <b>employed</b> 49:9  <b>Employees</b> 1:10  <b>employer</b> 35:17  <b>encourage</b> 15:8  <b>ends</b> 42:1  <b>enforcement</b> 8:2 8:5 12:20,22 16:13 22:16 30:20 44:11,15  <b>ensure</b> 37:17 38:1 42:14  <b>ensuring</b> 41:13 42:4,7  <b>entitled</b> 47:2  <b>entitlement</b> 13:4  <b>entry</b> 44:20  <b>envelope</b> 9:16  <b>environment</b> 23:21 37:17 41:4 42:13,22 46:2</p>	<p><b>especially</b> 6:4 22:22 23:2,17 27:11 31:9 45:6  <b>essentially</b> 40:12  <b>establishing</b> 46:5  <b>evening</b> 3:6 5:16 5:17 9:1 20:15 20:16 33:3 36:5,11 48:2,4  <b>evening's</b> 5:5  <b>evenings</b> 35:6  <b>events</b> 39:11  <b>everybody</b> 15:3 27:14 33:20  <b>Exactly</b> 25:15  <b>exceed</b> 37:12  <b>exceeds</b> 35:10  <b>Excuse</b> 11:15  <b>existing</b> 8:17 14:11 24:13 25:3 31:3,13 31:14,22 32:5 32:14,16,18 36:19 37:4,15  <b>exists</b> 37:7,9,12  <b>expansion</b> 25:3 31:22  <b>experiences</b> 38:8,11  <b>expires</b> 49:17  <b>extend</b> 20:7 26:5 26:8  <b>extended</b> 31:5  <b>extending</b> 37:8  <b>exterior</b> 21:18 32:18 44:22  <b>external</b> 36:16</p> <hr/> <p style="text-align: center;"><b>F</b></p> <hr/> <p><b>fabric</b> 37:21 41:12  <b>fact</b> 13:4  <b>falls</b> 41:12  <b>Fan</b> 5:14,14,17 7:2,6 9:2,6,14 10:18,20 11:10</p>	<p>11:16,22 14:17 18:10 19:12,14  <b>far</b> 23:20  <b>Fathi</b> 20:14,16 20:16,19,21 21:9,13,16,22 22:4,11,14,21 23:5,8,13,20 24:6 25:4,6,15 25:17 26:9,14 26:17 27:1,3,9 27:17,21 33:19 33:22 34:4,6  <b>favor</b> 17:5,8 33:5,8,10,12 33:13,15 47:12 47:14,16,18,19 47:21  <b>Fay</b> 35:10 36:14 36:17,21 37:1 37:14,18,20 38:6,18 39:2 39:18,22 40:2 41:9 42:4 44:21 46:10,16  <b>feet</b> 44:17  <b>fellow</b> 12:3 16:7 25:20 28:7 43:3 48:5  <b>Fellows</b> 35:8 36:8  <b>file</b> 18:16 28:9 35:17 43:7,13  <b>filed</b> 9:12 43:9  <b>filing</b> 11:5 19:6  <b>final</b> 35:6  <b>financial</b> 22:17 30:21 31:6 44:12  <b>financially</b> 49:10  <b>find</b> 3:22 37:18  <b>finding</b> 7:13,16 32:9 46:21  <b>Fire</b> 15:2  <b>first</b> 5:5 12:17 39:10  <b>firstly</b> 40:19</p>	<p><b>fit</b> 42:4  <b>five-page</b> 47:4  <b>flexibility</b> 45:13  <b>floor</b> 24:15 39:10  <b>floor-leading</b> 9:17  <b>folks</b> 36:22 41:14 42:8,20  <b>follow</b> 6:15 19:10  <b>following</b> 15:12 22:18 23:15,19 24:22 25:10 30:22 31:7,12 31:20 32:4,12 44:13 45:4,9 45:20 46:13  <b>food</b> 31:3  <b>footprint</b> 25:12 32:6  <b>form</b> 18:12 32:22 47:8  <b>formal</b> 5:19 14:10  <b>four</b> 14:21,22 44:17  <b>freestanding</b> 37:9 44:17  <b>Fridays</b> 26:7  <b>front</b> 6:4 9:4 10:11 14:19 38:15 44:18  <b>frontages</b> 46:6  <b>full</b> 6:9 14:18,20  <b>further</b> 32:21 47:7 49:8  <b>future</b> 15:6</p> <hr/> <p style="text-align: center;"><b>G</b></p> <hr/> <p><b>G</b> 3:1  <b>Gabriel</b> 35:9 36:5,6,12 38:13,14,22 39:15 40:22 41:7 48:2  <b>gap</b> 42:5  <b>Garden</b> 2:6 35:8</p>
--	--	--	---	---

36:14 39:3,5 41:2 <b>gathers</b> 18:22 <b>gem</b> 30:3 <b>general</b> 1:3 3:10 8:1 12:16 16:12 17:14 <b>generally</b> 4:2 23:18 31:11,11 45:8 <b>getting</b> 23:5 <b>gist</b> 40:9 <b>give</b> 3:21 11:3 13:13 <b>given</b> 13:5 14:19 45:10 <b>gives</b> 8:10 13:12 39:17 <b>GL</b> 8:18 <b>glad</b> 29:6 <b>go</b> 10:20 11:4 36:22 39:15 40:6,13 <b>goal</b> 6:15 36:21 <b>going</b> 27:11 39:18 40:2 41:14 <b>good</b> 3:6 5:16,17 19:14 20:15,16 24:22 31:20,22 34:2 36:5,11 38:5 42:11 45:20 46:8 48:2 <b>Goodnight</b> 48:7 <b>gotten</b> 13:8 <b>Governor</b> 3:11 <b>governs</b> 12:16 <b>Graduate</b> 35:18 <b>grant</b> 30:15 44:7 <b>granted</b> 21:19 24:20,21 25:8 31:18,19 32:2 45:19 46:11 <b>granting</b> 46:7 <b>graphics</b> 40:8 <b>great</b> 28:6 29:15 43:1 48:6	<b>greater</b> 45:13 <b>guess</b> 10:15 11:22 35:7 <b>guests</b> 22:22 46:16 <b>guidance</b> 6:20 40:14 <b>guys</b> 20:17 <hr/> <b>H</b> <b>half</b> 44:17 <b>hand</b> 15:18,20 28:13,15 38:10 43:16,18 49:12 <b>hang</b> 27:15 <b>happens</b> 19:1 42:17 <b>happy</b> 27:14 29:15 35:21 <b>hardship</b> 22:17 23:14 24:3,17 30:21 31:6,7 31:16 41:19 43:12 44:12 45:4 <b>harmful</b> 23:21 <b>Harvard</b> 35:8 35:18 36:7,8 44:19 46:17 47:2 <b>hear</b> 14:15 16:1 28:18 29:12 43:21 <b>hearing</b> 1:3 7:7 19:15 43:6 <b>height</b> 24:7 44:17 <b>Hellenbrecht</b> 29:10,11,11,14 29:19 <b>Hello</b> 20:14 <b>help</b> 11:4 19:2 27:11 28:2 37:19 42:1 <b>helpful</b> 39:13 <b>hereunto</b> 49:12 <b>Hi</b> 5:14 28:22 29:11,21 36:5	<b>highlight</b> 14:19 <b>Historic</b> 18:20 40:15 <b>Historical</b> 43:8 <b>hit</b> 23:1 <b>Hold</b> 30:13 <b>homeowner</b> 29:22 <b>homeowners</b> 15:7 <b>hope</b> 15:5 <b>hopefully</b> 28:1 <b>hoping</b> 22:22 26:10 27:9,10 27:22 <b>hour</b> 26:8 27:8 <b>hours</b> 20:7,9,22 27:5,6 29:4,18 30:5 31:5 32:1 <b>House</b> 35:10 36:14,17,22 37:1,15,18,20 38:6 39:18,22 40:3 41:9 42:4 44:22 46:10,16 <b>Housing</b> 35:18 <b>hub</b> 27:15 30:4 <b>huge</b> 23:1 29:14 <b>hypothetical</b> 13:14,20 <hr/> <b>I</b> <b>icon</b> 15:17 28:12 43:15 <b>identification</b> 36:17,18,20 37:8 46:1,10 <b>identifies</b> 38:21 <b>identify</b> 42:18 45:12 46:16,19 <b>identifying</b> 44:19 <b>impacting</b> 9:14 10:5 <b>importance</b> 38:5 <b>important</b> 41:22 42:20 <b>improve</b> 46:4	<b>in-depth</b> 19:9 <b>in-right</b> 12:19 <b>inability</b> 8:4,6 <b>Inaudible</b> 7:8 <b>included</b> 32:11 47:2 <b>includes</b> 32:12 <b>including</b> 24:14 <b>incorporate</b> 32:21 47:7 <b>increase</b> 20:7,22 <b>increases</b> 20:8 <b>indoor</b> 20:7 26:12,16,21 29:17 32:13 <b>informal</b> 13:5 <b>information</b> 7:12 19:1 <b>inside</b> 20:22 23:6 <b>Inspectional</b> 5:19 <b>Inspector</b> 10:2 10:12 15:1 <b>Inspector's</b> 9:3 11:11 <b>inspectors</b> 6:3 <b>install</b> 35:10 <b>installed</b> 44:21 <b>instance</b> 41:4 <b>Institute</b> 36:9 46:17 47:3 <b>institutions</b> 46:19 <b>instructions</b> 3:21 4:1 <b>intent</b> 18:16 25:10 32:3 46:13 <b>interest</b> 35:16 46:18 <b>interested</b> 49:10 <b>interesting</b> 38:17 <b>interior</b> 22:2 24:15 25:5 <b>interpret</b> 13:12 <b>interpretation</b>	5:9,18 9:3 10:8 11:10,12 13:1 16:15 41:1,9 <b>involve</b> 22:16 30:21 43:10 44:12 <b>involves</b> 19:2 <b>ISD</b> 5:7 6:12 9:12 13:4 18:22 <b>issuance</b> 43:11 <b>issue</b> 6:1 8:9 11:8 16:14 <b>issued</b> 6:21 19:4 <b>issues</b> 9:8,9 <b>issuing</b> 33:6 <b>it's</b> 38:19 <b>item</b> 5:5 20:5 22:15 23:14 24:20 35:6 46:11 <hr/> <b>J</b> <b>Jim</b> 1:8 3:5 4:5,6 4:6 5:4 14:3,3 16:19,20 17:20 17:21 20:4 30:12 33:7,8,8 35:4 43:5 44:5 47:14 48:7 <b>joined</b> 36:8 <b>Judith</b> 28:21,22 <b>Judy</b> 28:22 <b>jumping</b> 40:7 <b>jurisdiction</b> 8:19 10:21 12:17 14:14 17:15 <b>justify</b> 24:4 <hr/> <b>K</b> <b>Keesler</b> 1:8 3:5 4:9,10,10 5:4 14:2 16:21,22 18:1 20:4 33:10,10 35:4 47:15,16 <b>kept</b> 3:20 <b>key</b> 38:6 41:13
---	---	--	--	---

44:20 45:12 <b>kind</b> 7:13,15,16 14:12 18:22 19:3 21:7 22:9 25:18 28:2,4 40:5,20 <b>know</b> 11:13 18:15 21:11 27:5,18 28:2 36:18,22 37:8 37:12 38:2 39:6,7 40:22 41:11,14,18,19 41:21 42:1,10 42:16,17,20 <b>knowing</b> 36:19 <b>known</b> 36:14	47:11,12 <b>lengthy</b> 15:4 <b>let's</b> 7:16 30:13 <b>letter</b> 6:7,18 10:16 11:20 12:18 14:5 16:7 17:9 35:16 <b>life</b> 29:16 <b>limit</b> 44:16 <b>limits</b> 24:15 31:14 37:4 <b>line</b> 20:12 40:16 <b>literal</b> 22:15,15 30:20 41:1,9 44:11,15 <b>little</b> 6:13 19:17 21:5 22:21 23:9,9,10 27:12 38:7,11 40:6,7 <b>live</b> 29:1,12 <b>locate</b> 45:3 <b>located</b> 5:11 23:19 31:12,13 45:8 <b>location</b> 24:15 <b>locations</b> 39:19 42:18 <b>logo</b> 40:1 <b>long</b> 21:19 <b>longer</b> 29:18 <b>look</b> 15:6 37:11 39:21 <b>looking</b> 15:9 24:9 37:1,18 <b>lot</b> 10:5 <b>lots</b> 10:3,8 11:12 <b>lounge</b> 39:10 <b>love</b> 30:6 <b>lower</b> 40:1 <b>luck</b> 34:2	<b>making</b> 7:10 8:13 37:14 38:5 40:15 <b>manageable</b> 37:17 <b>Management</b> 35:17 <b>March</b> 32:20 47:4 <b>Mark</b> 29:20,21 29:21 30:9 <b>Mass</b> 16:12 <b>Massachusetts</b> 1:5,6 3:10 49:2 49:5 <b>materials</b> 7:4 <b>Matt</b> 36:9 38:6 38:10,13 39:15 41:16 <b>maximally</b> 37:13 <b>maximum</b> 44:16 <b>McAvoy</b> 49:4 <b>mean</b> 14:6 <b>means</b> 10:22 24:8 <b>meet</b> 22:9 32:9 46:21 <b>meeting</b> 1:4 3:7 3:13 <b>meetings</b> 3:12 4:1 <b>Member</b> 44:3 <b>members</b> 3:4,17 3:17,20 4:3,4 5:3 7:14 10:15 12:3,7,10 15:16 16:8,17 20:3,17 25:21 28:7,11 30:11 33:4 35:3 43:4 43:14 47:10 48:5 <b>members'</b> 25:20 <b>memo</b> 43:9 <b>mention</b> 14:6 <b>mentioned</b> 38:14 41:16	<b>met</b> 30:19 44:9 <b>MGL</b> 5:18 12:17 <b>mid-size</b> 39:11 <b>Middlesex</b> 49:3 <b>mindful</b> 37:3 42:10,12 <b>minutes</b> 4:2 16:2 19:16 28:19 43:22 <b>Miranda</b> 1:9 3:5 4:7,8,8 5:4 10:19,21 14:1 17:1,2 18:2,3 20:4 33:11,12 33:12 35:4 47:18 <b>Mm-hm</b> 23:7 27:16 28:3 30:9 41:6 <b>mocked</b> 39:21 <b>modification</b> 8:17 9:13 11:5 13:9 14:11 18:15 <b>modifications</b> 7:11 9:9 <b>Monday</b> 7:4 <b>Monteverde</b> 1:8 3:5 4:5,6,6 5:4 14:3,3 16:19 16:20 17:21 20:4 30:12 33:8,8 35:4 43:5 44:5 47:13,14 48:7 <b>months</b> 14:21,22 <b>MORIDPOUR</b> 24:5,7,18 27:19,22 28:4 33:18 34:3,5 <b>morning</b> 7:2 <b>motion</b> 16:9,10 16:11 17:6 30:11,15 44:4 44:5,6 <b>move</b> 17:6,8 28:8 35:5 36:2 43:6 44:3	<b>moving</b> 12:6,8 <b>multibuilding</b> 41:20 45:11,16 <b>mute</b> 3:20 15:20 28:15 43:18 <b>Myrtle</b> 2:4 5:6 5:11,15 16:16
<hr/> <b>L</b> <hr/>	<hr/> <b>M</b> <hr/>		<hr/> <b>N</b> <hr/>	
<b>lack</b> 8:11 10:21 14:14 <b>lacks</b> 8:19 17:15 <b>land</b> 23:16,17 31:9,10 45:6,7 <b>Laughter</b> 20:18 20:19 <b>law</b> 13:13,13,16 16:12 <b>laws</b> 8:1 12:20 12:22 13:1,6 17:14 <b>layout</b> 24:14 31:14 <b>leave</b> 41:9 <b>left</b> 22:2 <b>legal</b> 7:22 8:14 9:11 11:2,6 12:14 17:11 <b>legislative</b> 15:10 <b>Leiserson</b> 1:7 3:4 4:11,12,12 5:3 12:6,10,13 14:14 15:8 16:18 17:18 20:3 25:22 26:2,4,11,15 26:18 27:2 33:5,5 35:3,22	<b>little</b> 6:13 19:17 21:5 22:21 23:9,9,10 27:12 38:7,11 40:6,7 <b>live</b> 29:1,12 <b>locate</b> 45:3 <b>located</b> 5:11 23:19 31:12,13 45:8 <b>location</b> 24:15 <b>locations</b> 39:19 42:18 <b>logo</b> 40:1 <b>long</b> 21:19 <b>longer</b> 29:18 <b>look</b> 15:6 37:11 39:21 <b>looking</b> 15:9 24:9 37:1,18 <b>lot</b> 10:5 <b>lots</b> 10:3,8 11:12 <b>lounge</b> 39:10 <b>love</b> 30:6 <b>lower</b> 40:1 <b>luck</b> 34:2	<b>making</b> 7:10 8:13 37:14 38:5 40:15 <b>manageable</b> 37:17 <b>Management</b> 35:17 <b>March</b> 32:20 47:4 <b>Mark</b> 29:20,21 29:21 30:9 <b>Mass</b> 16:12 <b>Massachusetts</b> 1:5,6 3:10 49:2 49:5 <b>materials</b> 7:4 <b>Matt</b> 36:9 38:6 38:10,13 39:15 41:16 <b>maximally</b> 37:13 <b>maximum</b> 44:16 <b>McAvoy</b> 49:4 <b>mean</b> 14:6 <b>means</b> 10:22 24:8 <b>meet</b> 22:9 32:9 46:21 <b>meeting</b> 1:4 3:7 3:13 <b>meetings</b> 3:12 4:1 <b>Member</b> 44:3 <b>members</b> 3:4,17 3:17,20 4:3,4 5:3 7:14 10:15 12:3,7,10 15:16 16:8,17 20:3,17 25:21 28:7,11 30:11 33:4 35:3 43:4 43:14 47:10 48:5 <b>members'</b> 25:20 <b>memo</b> 43:9 <b>mention</b> 14:6 <b>mentioned</b> 38:14 41:16	<b>moving</b> 12:6,8 <b>multibuilding</b> 41:20 45:11,16 <b>mute</b> 3:20 15:20 28:15 43:18 <b>Myrtle</b> 2:4 5:6 5:11,15 16:16	
<b>need</b> 17:6 18:15 26:19 41:10 42:9,17 45:13 45:16 46:1 <b>needed</b> 27:8 <b>neighbor</b> 29:5 <b>neighborhood</b> 25:13 27:18 29:16 31:6 32:7 37:19 <b>neighbors</b> 30:2 30:6 43:8 <b>neither</b> 8:8 49:8 <b>new</b> 11:3 22:2 <b>Ng</b> 1:7 3:4,6,8 4:13,13,14,15 4:17 5:3,5,16 6:17 7:5,9 9:5 9:7 10:14 11:17 12:2,9 12:12 14:5,16 15:12,15 16:19 16:21 17:1,3,3 17:5,20,22 18:2,4,4,7,14 19:13,15 20:3 20:5,15,18,20				

<p>21:6,10,14,17 21:21 22:1,5 22:13,15 23:4 23:7,12,14 24:2,9,19 25:5 25:7,16,18 26:1,3 27:4,16 28:3,6 29:9,13 29:19 30:8,10 30:13 33:7,9 33:11,13,13,15 33:21 34:2,7 35:3,5 36:1,11 40:19 41:6 43:1,6 44:6 47:13,15,17,19 47:19,21 48:3 <b>night</b> 19:14 28:5 48:6 <b>No.2</b> 25:8 <b>No.3</b> 39:16 <b>non-affiliates</b> 41:11 <b>non-campus</b> 41:8 <b>nonresidential</b> 45:14 <b>Nope</b> 28:7 <b>normal</b> 6:16 <b>Notary</b> 49:4,16 <b>note</b> 35:15 <b>November</b> 49:18 <b>nullifying</b> 25:9 32:3 46:12 <b>number</b> 10:4 46:2</p> <hr/> <p style="text-align: center;"><b>O</b></p> <p><b>O</b> 3:1 <b>objections</b> 35:22 <b>obtain</b> 8:5,6 <b>occupancy</b> 26:20 <b>offer</b> 46:20 <b>Officer</b> 13:15 <b>officially</b> 14:17 19:6</p>	<p><b>Oh</b> 20:18 23:4 26:1 <b>Ok</b> 28:6 <b>okay</b> 6:17 7:5 12:13 17:7 19:12 21:6,7 21:14,17,18,20 22:5,6,6 23:12 23:20 24:19 25:7 26:11,15 27:2 30:13 36:1 40:19 <b>Olivia</b> 1:10 4:5,7 4:9,11,14,16 7:15 15:14 21:20 28:21 29:10,20 48:4 <b>online</b> 16:4 28:10 36:3 44:2 <b>open</b> 15:13,15 25:19 27:20 28:2 <b>operate</b> 26:6 27:10 <b>operates</b> 31:2 <b>operation</b> 20:8 20:22 31:5 <b>opinion</b> 7:20,22 8:9,11,12,15 12:1,14 13:13 17:11 <b>opportunity</b> 14:20 <b>ordinance</b> 5:10 5:22 6:9,15 7:21 8:2,4,10 8:15 10:9 11:13 12:15 13:12,19 15:6 16:16 17:12 22:16 25:10 30:16,21 32:4 44:7,12 46:13 <b>organized</b> 30:14 <b>originally</b> 21:11 <b>ought</b> 10:10 <b>outcome</b> 49:10</p>	<p><b>outcomes</b> 42:10 <b>outdoor</b> 21:4 22:1 32:14 <b>outside</b> 15:10 38:18 39:4 <b>overall</b> 37:4,7 40:9 41:12 42:4,21 46:4 <b>overlay</b> 41:2 <b>owing</b> 23:14 31:7 45:4 <b>owner</b> 5:15 <b>owners</b> 10:6</p> <hr/> <p style="text-align: center;"><b>P</b></p> <p><b>P</b> 3:1 <b>p.m</b> 1:4 3:3 5:2 5:6 20:2 26:7,8 27:6,11 35:2 48:8 <b>package</b> 32:12 47:2 <b>page</b> 2:3 22:5 32:19 <b>painted</b> 40:8 <b>panel</b> 40:8 <b>paragraph</b> 7:19 <b>parameter</b> 9:14 <b>parking</b> 32:14 37:8 <b>part</b> 32:22 37:3 37:20 41:13 42:6 47:8 <b>participation</b> 3:11 48:5 <b>particular</b> 6:20 9:8 35:19 36:19 <b>parties</b> 19:2 49:9 <b>pass</b> 17:6 <b>passes</b> 33:16 47:22 <b>pay</b> 23:9,10 <b>people</b> 21:3,5 23:5,9 37:17 39:6 42:5,15 42:17</p>	<p><b>permit</b> 6:10,11 6:13 8:6,7,16 8:17 9:13,22 11:5 13:9,9 14:7,7,9,11,18 14:20 17:13 18:12,16 19:4 19:7 26:19 27:10 44:16 <b>permitted</b> 45:13 <b>permitting</b> 6:16 <b>person</b> 8:3 <b>perspective</b> 42:8 <b>pertaining</b> 6:12 <b>petition</b> 18:11 <b>petitioner</b> 7:20 8:14 10:17 13:5,8 14:8 17:10 22:18 30:22 31:2 32:13 44:13 <b>petitioner's</b> 5:8 14:6 16:12 17:9 <b>phone</b> 15:19 28:14 43:17 <b>photo</b> 21:18 <b>photograph</b> 32:18 <b>physical</b> 24:3,5 24:8,8 31:16 45:10 <b>pieces</b> 26:5 <b>place</b> 41:17 <b>placed</b> 36:17 44:17 <b>plan</b> 9:16 14:18 15:2 21:7 24:15 <b>Planner</b> 35:9 36:6 <b>Planning</b> 36:7 <b>please</b> 16:17 17:17 33:4 47:10 <b>point</b> 7:16 8:13 12:3 <b>points</b> 44:20</p>	<p>45:12 <b>Police</b> 15:3 <b>popular</b> 39:11 <b>Portal</b> 6:22 <b>positive</b> 16:11 <b>premises</b> 46:20 <b>present</b> 4:6,8,10 4:12,15 <b>presentation</b> 7:12 25:19 36:3 <b>Preservation</b> 40:15 <b>President</b> 35:8 36:8 <b>pressing</b> 15:20 15:20 28:15,15 43:18,18 <b>pretty</b> 9:19 16:6 19:9 38:20 <b>prevent</b> 44:19 <b>previous</b> 27:5 <b>previously</b> 20:8 31:3 <b>prior</b> 24:13 31:14 <b>problem</b> 26:3 29:3 <b>problems</b> 21:3 <b>procedure</b> 15:12 <b>proceed</b> 6:9,16 <b>proceedings</b> 3:16 48:8 49:7 <b>process</b> 6:16 9:10 11:5 15:4 15:7 18:17 19:5,6,10 38:22 <b>products</b> 46:20 <b>programmatic</b> 41:16 <b>prohibit</b> 45:2 <b>project</b> 11:4 35:17,19 <b>promote</b> 42:15 <b>properties</b> 6:5 10:4 <b>property</b> 5:10</p>
---	--	--	---	--

5:22 6:6 7:21 8:10,16 9:20 10:5 11:7,9 13:20 17:12 24:17 31:17 <b>proposed</b> 9:16 21:7 22:2 31:22 32:11,13 44:21 46:4 47:1,3 <b>provide</b> 31:4 35:17 36:17 46:9 <b>provided</b> 9:15 <b>provides</b> 7:13 <b>providing</b> 37:16 41:4 <b>provisions</b> 5:9 5:21 16:15 22:16 24:16 30:20 31:15 44:11 <b>public</b> 3:18,20 3:21,22 7:7 15:13,15,16 16:4 18:21 24:22 28:4,8 28:11 31:20,22 37:10 42:7,10 43:6,14 44:2 45:20 46:8,9 46:18 49:4,16 <b>public-facing</b> 44:20 46:6 <b>pull</b> 21:6 <b>purpose</b> 25:10 32:4 46:13 <b>pursuant</b> 3:9 16:12 <b>purview</b> 15:11 <b>put</b> 18:7 32:15 35:16 40:14	<b>questions</b> 10:16 10:16 12:4,9 22:12 25:20 28:7 40:17 43:3 <b>quite</b> 19:2,9	<b>receipt</b> 32:18 <b>receive</b> 6:18 7:1 <b>received</b> 7:13 <b>receives</b> 18:22 <b>receiving</b> 6:1 <b>recognition</b> 46:18 <b>record</b> 6:18 18:7 49:6 <b>recorded</b> 3:13 32:19,20 <b>recuse</b> 35:21 <b>red</b> 40:2 <b>refusal</b> 16:13 <b>regarding</b> 5:9 9:8 10:17 14:13 16:14 40:15 41:15 <b>regards</b> 40:19 <b>regular</b> 46:3 <b>related</b> 49:8 <b>relating</b> 23:15 31:8 41:18 45:5 <b>relevant</b> 16:15 <b>relief</b> 24:20,21 25:8 26:5,11 26:21 30:15 31:18,19 32:2 44:7 45:19 46:11 <b>remains</b> 25:13 32:7 <b>remedy</b> 14:6 <b>remote</b> 1:4 3:11 4:1 <b>Renee</b> 29:10,11 29:11,14 <b>rent</b> 23:10 <b>represent</b> 5:12 36:3 <b>representing</b> 36:7 <b>request</b> 5:8,18 5:19 6:1 8:2,5 10:17 11:19,20 12:21 17:9 40:20	<b>requested</b> 29:4 45:22 46:15 <b>required</b> 18:19 44:18 <b>requirements</b> 24:14 30:16 44:7 <b>requires</b> 8:8 <b>requiring</b> 43:11 <b>residential</b> 37:21 42:12 45:14 <b>residents</b> 37:19 41:8 43:8 <b>rest</b> 13:22 <b>restriction</b> 44:18 <b>restricts</b> 31:4 <b>restroom</b> 24:14 31:3 <b>result</b> 6:8 45:15 <b>review</b> 13:14,18 14:22 15:1 <b>reviews</b> 15:3 <b>right</b> 7:9,9,22 8:11 9:11,11 13:1,12,17 21:17 23:22 25:21 27:3,19 29:1 34:7 36:13 39:2,20 44:6 <b>right-hand</b> 40:1 <b>rights</b> 11:3 <b>Road</b> 29:1,12,22 <b>roll</b> 3:19 <b>Room</b> 39:12 <b>routinely</b> 39:12 <b>run</b> 27:12 40:20	30:2 33:18 34:3,5 <b>Saturdays</b> 26:7 <b>saw</b> 7:2 <b>saying</b> 6:4 10:12 11:21 15:22 28:17 43:20 <b>says</b> 11:13 15:18 23:21 28:13 43:16 <b>schedule</b> 5:6 <b>scheduled</b> 39:11 <b>screen</b> 15:17 28:12 43:16 <b>screened</b> 40:11 <b>seating</b> 20:7,8 21:4,10,15 22:1,2 26:12 26:16,21 29:4 29:18 30:5 31:4 32:14,14 <b>seats</b> 20:22 <b>Sec</b> 20:11 30:17 30:18 <b>second</b> 13:11 41:18 <b>section</b> 5:20 7:17 8:1,1,18 12:15,16,17,19 13:2 20:10 30:17 32:10 35:12,12,13 44:8,8,15 45:1 46:22 <b>Sections</b> 16:13 20:9,10 30:16 44:9 <b>see</b> 7:16 18:20 19:16 21:4 28:9 29:15 30:7,13 36:14 37:2 39:20 40:2 42:5 <b>Seeing</b> 28:8 <b>seeking</b> 20:6 26:12 35:9 <b>seeks</b> 7:20 <b>seen</b> 44:2
<hr/> <b>Q</b> <b>quantity</b> 37:4 <b>question</b> 9:20 10:7 12:4 27:4 30:5 42:6	<hr/> <b>R</b> <b>R</b> 3:1 <b>Radcliffe</b> 36:9 37:1,5,12,20 38:2,6,9,12 40:1 41:3,12 41:17 46:17 47:3 <b>Radcliffe's</b> 37:3 <b>raise</b> 15:18,19 28:13,14 43:16 43:17 <b>Ramos</b> 35:9 36:5,6,12 39:15 40:22 41:7 43:2 48:2 <b>Ratay</b> 1:10 4:5,7 4:9,11,14,16 7:8 15:14 21:20 28:21 29:10,20 48:4 <b>ratio</b> 37:5 <b>rationale</b> 17:21 <b>read</b> 7:18 <b>reading</b> 12:14 <b>Ready</b> 30:11 44:4,5 <b>real</b> 8:14 30:3 <b>really</b> 38:4,5 39:2 41:3,19 41:22 42:3,3,7 42:20 <b>reason</b> 18:14 23:11 27:7 <b>reasons</b> 17:6,18 22:18,19 23:19 25:1,11 31:1 31:12,21 32:4 33:6 44:14 45:9,21 46:7 46:14	<hr/> <b>S</b> <b>S</b> 3:1 <b>safe</b> 37:16 41:4 <b>safety</b> 18:21 42:8 <b>Sarah</b> 24:5,7,8 24:18 27:19,22 28:4 29:15		

<p><b>Senior</b> 35:9 36:6  <b>sense</b> 39:17  <b>served</b> 46:18  <b>service</b> 31:3  <b>services</b> 5:20  35:17 46:20  <b>set</b> 32:11 47:1  49:12  <b>setback</b> 6:4 9:4  10:3  <b>setbacks</b> 11:12  <b>severe</b> 23:3  <b>shape</b> 23:16  31:8 45:5  <b>share</b> 35:19  38:10  <b>shared</b> 7:14  <b>Sheerr</b> 39:12  <b>shift</b> 28:1  <b>show</b> 30:18  <b>showing</b> 21:11  <b>sic</b> 6:6  <b>side</b> 22:2 24:11  39:20  <b>sign</b> 38:19 39:17  39:18,21  <b>signage</b> 36:20  37:7,8,9,9,12  37:15 38:5,9  38:21 39:13  41:10,22 45:1  45:2,11,14  46:1,4,16 47:3  <b>signed</b> 47:4  <b>significant</b> 46:2  <b>signs</b> 35:10,11  35:13 36:16,21  37:5 38:15  39:1 40:14,16  44:8,16,17,21  46:19  <b>similar</b> 32:1  <b>sir</b> 22:4  <b>site</b> 32:15  <b>sitting</b> 3:4 5:3  20:3 23:6 35:3  <b>situation</b> 8:19  13:14,20 17:15</p>	<p>38:17  <b>six</b> 19:16  <b>sketch</b> 32:13  <b>slide</b> 36:15  39:16,16,20  40:5,7  <b>slow</b> 22:22  <b>small</b> 32:5  <b>smoother</b> 27:12  <b>Soheil</b> 20:14,14  20:16,19,21  21:9,13,16,22  22:4,11,14,21  23:5,8,13,20  24:6 25:4,6,15  25:17 26:9,14  26:17 27:1,3,9  27:17,21 29:15  30:2 33:19,22  34:4,6  <b>soil</b> 23:15 31:8  45:5  <b>Solicitor</b> 6:19  8:13 11:21  17:10  <b>Solicitor's</b> 10:16  11:22 12:14  14:5 16:7  <b>sorry</b> 20:17,19  24:1,6 26:2  30:14 39:16  40:7  <b>sort</b> 42:9  <b>sought</b> 26:5  <b>space</b> 9:18 24:5  24:8 31:2  <b>speak</b> 4:2 12:7  15:16 16:2  20:12 28:11,19  30:1 38:7  43:15,22  <b>SPEAKER</b>  11:15  <b>speakers</b> 15:21  28:16 43:19  <b>speaking</b> 3:18  <b>specific</b> 5:21  10:7 13:20</p>	<p>27:7  <b>specifically</b> 9:19  37:14 41:3  <b>ss</b> 49:3  <b>Staff</b> 4:3 15:21  16:1 28:16,18  43:19,21  <b>standing</b> 8:22  <b>stands</b> 14:12  <b>start</b> 4:3 19:4  <b>starting</b> 19:6  <b>state</b> 3:18 39:1  <b>stated</b> 24:12  <b>statement</b> 40:21  <b>statements</b>  32:22 47:8  <b>states</b> 25:2  <b>statute</b> 8:8 12:14  <b>step</b> 9:21 15:2  <b>Steve</b> 12:18  47:19  <b>Steven</b> 1:7 3:4,6  3:8 4:13,13,14  4:15,17 5:3,5  5:16 6:17 7:5,9  9:5,7 10:14  11:17 12:2,9  12:12 14:5,16  15:12,15 16:19  16:21 17:1,3,3  17:5,20,22  18:2,4,4,7,14  19:13,15 20:3  20:5,15,18,20  21:6,10,14,17  21:21 22:1,5  22:13,15 23:4  23:7,12,14  24:2,9,19 25:5  25:7,16,18  26:1,3 27:4,16  28:3,6 29:9,13  29:19 30:8,10  30:13 33:7,9  33:11,13,13,15  33:21 34:2,7  35:3,5 36:1,11  40:19 41:6</p>	<p>43:1,6 44:6  47:13,15,17,19  47:21 48:3  <b>storage</b> 21:11  <b>street</b> 2:6 29:2  29:16 35:8  36:14 39:3,5  41:3  <b>streets</b> 10:5  <b>strict</b> 10:8 45:1  <b>strictly</b> 24:16  31:15  <b>structural</b> 25:2  <b>structure</b> 24:13  31:13,22  <b>structures</b> 23:16  23:17 31:9,10  45:6,7  <b>student</b> 39:10  <b>students</b> 38:1,2  39:9  <b>submission</b>  14:11  <b>submit</b> 7:4  14:17  <b>submitted</b> 5:19  32:22 47:8  <b>submitting</b> 8:5,7  <b>substantial</b>  22:17 24:22  30:21 31:20  44:12 45:20  <b>substantially</b>  25:9 32:3  46:12  <b>summary</b> 24:10  <b>Sundays</b> 26:7  <b>super</b> 27:14  <b>support</b> 30:1  34:1 45:12  <b>supporter</b> 29:14  <b>supporting</b>  32:21 40:21  47:7  <b>supports</b> 32:5  46:2  <b>supposed</b> 42:16  <b>sure</b> 10:20 22:13</p>	<p>22:13 26:1  38:21 40:15  <b>surround</b> 37:22  41:8  <b>surrounding</b>  37:19 38:3  41:2  <b>surrounds</b> 42:13  <b>survey</b> 32:16  <b>system</b> 42:5</p> <hr/> <p style="text-align: center;"><b>T</b></p> <hr/> <p><b>take</b> 4:3 9:22  19:8 41:17  <b>taken</b> 3:19  <b>takes</b> 14:20  <b>talking</b> 9:10  27:13  <b>television</b> 3:14  <b>tell</b> 20:20 22:7  39:4  <b>telling</b> 38:19  <b>terms</b> 24:7  37:16  <b>thank</b> 4:17 6:17  18:9 19:12,13  23:12 26:22  28:6 29:9,19  30:8 33:17,18  33:18,19,19  34:2,4,6 36:1,2  36:12 38:13,13  39:15,17 43:1  47:22 48:1,2,4  <b>Thanks</b> 34:5  <b>thing</b> 12:19 13:3  13:10,11 23:22  27:17  <b>things</b> 41:15  42:19  <b>think</b> 7:3 8:21  10:14 11:17  12:2,4 14:10  14:12 15:12,13  16:6 18:11  19:9 22:5 24:2  25:18 40:19  42:12</p>
---	---	---	---	---

<b>thinking</b> 42:9	15:1 19:8	<b>visitor</b> 45:12	23:5 27:22	<b>wrote</b> 6:3
<b>third</b> 24:20	42:17	<b>visitors</b> 41:7	36:13,16 37:3	<hr/> <b>X</b> <hr/>
<b>thoughts</b> 44:3	<b>UNIDENTIFL...</b>	45:3 46:3,16	37:13 38:22	x 2:1 40:8
<b>three</b> 4:2 14:21	11:15	<b>voice</b> 16:17	42:12,14	<hr/> <b>Y</b> <hr/>
14:21	<b>uniform</b> 38:20	17:17 33:4	<b>we've</b> 16:6 19:16	<b>yard</b> 37:1,12
<b>thrilled</b> 29:17	<b>unique</b> 24:17	47:10	<b>weather</b> 23:3	44:18
<b>THURSDAY</b>	31:16 45:15	<b>vote</b> 16:17 17:4	<b>webpage</b> 4:1	<b>yeah</b> 4:16 9:6
1:3	<b>university</b> 35:18	17:5,17 18:6	<b>week</b> 7:4	15:14,15 21:6
<b>time</b> 3:21,22	36:7 41:10	33:4,14,15	<b>weekends</b> 27:22	23:4 24:9,18
15:21 16:9	<b>unmute</b> 15:20	47:10,20,21	<b>Welcome</b> 3:6	26:1 27:19
19:8,9 28:16	15:21 28:15,16	<b>voted</b> 17:8	<b>welcoming</b> 46:2	28:5 30:12
33:22 35:5,15	43:18,19	<b>votes</b> 3:18	<b>Wendy</b> 1:7 3:4	38:14
39:7 43:19	<b>Updates</b> 47:3	<hr/> <b>W</b> <hr/>	4:11,12,12 5:3	<b>year</b> 23:2
<b>today</b> 36:20,21	<b>updating</b> 39:1	<b>walking</b> 38:2	12:4,6,10,13	<hr/> <b>Z</b> <hr/>
37:4,15 38:9	<b>use</b> 3:11 21:5	<b>wall</b> 35:10,13	14:14 15:8	<b>zoning</b> 1:1 3:7
<b>tonight</b> 36:10,13	25:13 32:7	36:16,20 39:4	16:17,18 17:17	3:12 5:8,10,18
<b>topography</b>	39:9 46:19	44:8,22 45:2	17:18 20:3	5:22 6:12 7:21
23:16 31:9	<b>uses</b> 25:14 32:8	<b>walls</b> 38:16	25:22 26:2,3,4	8:2,3,9,15 9:3
45:6	45:14,17	<b>Wang</b> 5:14,14	26:11,15,18	9:9,20 10:1,9
<b>total</b> 37:11	<hr/> <b>V</b> <hr/>	5:17 6:17 7:2,6	27:2 33:4,5,5	10:11 11:6,9
<b>tough</b> 21:5	<b>variance</b> 20:6,9	9:2,5,6,14	35:3,22 36:1	11:10,11,13,19
<b>town</b> 18:19	21:18 22:8	10:18,20 11:10	47:12	13:6,13,19
<b>transcript</b> 3:15	24:4 26:6 27:5	11:16,17,22	<b>whereof</b> 49:12	15:1,6,7 16:13
49:6	29:4 30:1,18	14:17 18:9,10	<b>wider</b> 10:4	16:16 17:12
<b>tried</b> 23:3	30:19 31:5,21	19:12,14	<b>wine</b> 27:10	18:12 19:3
<b>true</b> 21:13,16	32:5,10 33:6	<b>want</b> 9:7 10:10	<b>winter</b> 23:2	23:18 24:13,16
49:6	35:9,14 36:13	14:19 18:15	<b>wintertime</b> 21:3	31:4,11,14,15
<b>trying</b> 20:21	37:14 40:20	21:4 22:11	23:1	35:11 37:4,13
21:1 23:8 39:6	44:9,10 45:22	30:1 37:17	<b>wish</b> 15:16	41:2,2 45:8,14
<b>two</b> 6:5 16:2	46:7,15,22	38:1 42:14	28:11 43:15	45:17
26:4 28:19	<b>variances</b> 40:13	<b>wanted</b> 20:22	<b>witness</b> 49:12	<b>Zoom</b> 5:12
35:10 36:16	<b>variety</b> 18:21	23:11 26:22	<b>wonderful</b> 29:5	15:17 28:12
37:5 39:18	<b>various</b> 18:20	35:19	29:5 30:6	43:16
43:22 44:16,21	41:16	<b>way</b> 18:13 19:10	<b>work</b> 14:21,22	<hr/> <b>0</b> <hr/>
<b>type</b> 24:2	<b>verify</b> 4:4	19:11 37:10	15:7 25:5	<b>0</b> 17:5
<b>typically</b> 45:17	<b>vibrancy</b> 29:16	42:9,15	32:11 43:10	<b>02139</b> 1:6
<hr/> <b>U</b> <hr/>	<b>Vice</b> 1:7	<b>wayfinding</b>	47:1	<b>03/11/2026</b> 47:6
<b>ultimate</b> 42:10	<b>video</b> 3:13	36:18 38:5,8	<b>working</b> 27:20	<hr/> <b>1</b> <hr/>
<b>unclear</b> 11:11	<b>view</b> 32:18	38:11 42:5,14	<b>worries</b> 20:18	<b>1</b> 2:4 5:6,11,15
<b>underscoring</b>	<b>violation</b> 8:3	45:12 46:1	<b>wouldn't</b> 10:22	16:16 24:21
42:3	<b>Virginia</b> 1:8 3:4	<b>we'll</b> 10:14 12:2	11:1,3,3	<b>10</b> 2:6 12:16
<b>understand</b> 12:2	4:9,10,10 5:3	15:15 18:7	<b>wrap</b> 16:3 28:20	35:7 36:13
23:20 37:20	14:2 16:21,22	19:16 28:8,9	44:1	39:3,5 41:2
<b>understanding</b>	17:22 18:1	29:6 40:17	<b>writing</b> 6:3 10:2	<b>10.000</b> 20:11
12:13 13:21	20:3 33:9,10	43:14	10:12 12:20,22	
41:1,19	33:10 35:3	<b>we're</b> 9:10 12:6	<b>written</b> 5:8,19	
<b>unfortunately</b>	47:16	21:1 22:22	6:1,15 13:1,4	
			<b>wrong</b> 23:22	

30:17 35:13	<hr/> <b>5</b> <hr/>			
<b>10.2</b> 12:15	<b>5</b> 2:4 17:5			
<b>10.30</b> 20:11	<b>5:0</b> 33:15 47:21			
30:18 32:10				
35:13 44:9	<hr/> <b>6</b> <hr/>			
<b>10.31</b> 46:22	<b>6</b> 15:20 28:15			
<b>10:00</b> 7:3 26:8	43:18			
27:11 28:1	<b>6:00</b> 1:4 3:3 5:6			
<b>11.000</b> 20:10	<b>6:09</b> 5:2			
30:17	<b>6:30</b> 19:16 20:2			
<b>11.30</b> 20:10	<b>6:45</b> 35:6			
30:17	<b>6:49</b> 35:2,5			
<b>11342</b> 32:19	<b>692</b> 32:19			
<b>12</b> 13:2				
<b>13</b> 32:20 40:8	<hr/> <b>7</b> <hr/>			
<b>15</b> 6:21 16:13	<b>7</b> 5:20 8:1 12:17			
17:10 32:17	12:19			
<b>16</b> 1:3 3:7	<b>7.000</b> 35:12			
<b>17</b> 49:18	<b>7.16</b> 44:15 45:1			
	<b>7.16.21.b</b> 35:12			
<hr/> <b>2</b> <hr/>	44:8			
<b>2</b> 3:9 40:7 46:11	<b>7.16.22.c</b> 35:13			
<b>20</b> 2:5 40:8	44:8			
<b>2018</b> 32:17	<b>7:05</b> 48:8			
<b>2023</b> 3:9				
<b>2024</b> 21:21	<hr/> <b>8</b> <hr/>			
<b>2026</b> 1:3 3:7	<b>8</b> 8:18 16:13			
6:21 17:10	29:1			
32:20 47:4	<b>831</b> 1:5			
49:13				
<b>2028</b> 49:18	<hr/> <b>9</b> <hr/>			
<b>22</b> 3:14	<b>9</b> 15:20 28:15			
<b>23rd</b> 49:13	36:15 43:18			
<b>28</b> 29:12,22	<b>9:00</b> 26:6 27:6			
<hr/> <b>3</b> <hr/>				
<b>35</b> 2:6				
<hr/> <b>4</b> <hr/>				
<b>4</b> 20:9				
<b>4.000</b> 20:10				
30:16				
<b>4.35</b> 20:10 30:17				
<b>4:00</b> 27:20				
<b>407</b> 2:5 20:6				
<b>407-408</b> 32:16				
<b>40A</b> 5:18,20				
8:18 16:12				
<b>40A.8</b> 17:14				