

BOARD OF ZONING APPEAL  
FOR THE  
CITY OF CAMBRIDGE

GENERAL HEARING

THURSDAY, MAY 28, 2015

7:20 p.m.

in

Senior Center

806 Massachusetts Avenue

Cambridge, Massachusetts 02139

Constantine Alexander, Chair

Brendan Sullivan, Member

Douglas Myers, Associate Member

George S. Best, Associate Member

Alison Hammer, Associate Member

Jim Monteverde, Associate Member

Sean O'Grady, Zoning Specialist

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(7:20 p.m.)

(Sitting Members Case #BZA-006684-2015: Brendan Sullivan, Douglas Myers, George S. Best, Alison Hammer, Jim Monteverde.)

BRENDAN SULLIVAN: The Board will hear case No. 006684, 45 Francis Avenue.

Whoever is going to speak, introduce yourself and give your name and address. When you speak, give it to the stenographer.

DIANE GRAY: Good evening. My name is Diane Gray, D-i-a-n-e, G-r-a-y, Harvard University. Tonight we're -- Harvard University is seeking a Variance to permit seven signs as part of a comprehensive wayfinding sign program at the Harvard Divinity School campus. The signs will give a consistent design aesthetic to a variety of sign types, clarify wayfinding to campus buildings, to

students, faculty, staff, and visitors and identify primary access points.

The campus is a multi-building educational campus with building fronting on several streets; divinity Avenue, Museum Street, and Francis Avenue.

The campus is located in a Residence C-3 District and a Residence A-2 District. A portion of it is in the Shady Hill National Register District, and it's not a typical use in this resident district.

We're seeking a Variance under CZO Section 7.16.21.B to permit proposed area, number, and height of signs. Seven signs are subject to Zoning review.

They have been reviewed by the Community Development Department, the Planning Board, and the Cambridge Historical Commission. Other signs in the

program have been determined to be exempt by the Community Development Department.

A literal enforcement of the Zoning provision for non-residential uses in this district would permit a maximum of two signs per building, 30 square feet of signage per building, with a maximum height of a freestanding signs of four feet. This would preclude the Divinity School from installing adequate signage and create a hardship by impacting campus operations and making wayfinding difficult for students and visitors.

The granting of the Variance would benefit the public good by guiding visitors to the Divinity campus.

Cathleen Hoelscher of the Divinity School will speak next about the Divinity School's comprehensive sign program,

followed by Anna Farrington, signage and wayfinding consultant.

CATHLEEN HOELSCHER: So Cathleen Hoelscher. That's C-a-t-h-l-e-e-n H-o-e-l-s-c-h-e-r. I'm with the Divinity School. And we embarked on this project to look at a comprehensive signage program for campus for many reasons. As Diane said, we have many visitors to our campus; perspective students, tourists, researchers coming to the library, people attending public events, lectures, conferences, and things like that. And so it's being able to guide people through the campus to find the various locations. We have multiple entry parts on the various roads. There's not like one gate that people come in, they come in from all different locations via foot, car, from

Harvard Yard, things like that. We also have on our campus a bunch of buildings are kind of clustered together around Francis Avenue, Museum Street but then we have Divinity Hall over on Divinity Ave., and there's a pretty big disconnect of how you get from that building to the rest of the campus. You have to go through an alley to be really able to guide people between the buildings and our admissions. And so here is the map. Divinity Hall is over here. And then most of the rest of our buildings are here. And then we have Rockefeller Hall, Andover Hall, library, Center For the Study of World Religion all clustered close together. And people trying to navigate from here to here. It's a little bit difficult to have to know to walk here and then through here.

So being able to provide signage there as part of our projects and, you know, something of note is that our Missions Department is in Divinity Hall, and that's obviously a point of destination for new people coming to campus, being able to get to that department.

So this program is also about being able to mark arrival to campus and about the school identity and having the sign share that's all, you know, similar style and type and so that way, you know, okay, this is, this is the Divinity School.

So, you know, sort of my last statement would be cohesive signage package will allow for clear wayfinding throughout the campus and for all the users. And it also includes clearly marked handicap entrances to the buildings



and also building addresses for visitors.

And Anna can speak a little bit more about the design.

ANNA FARRINGTON: My name is Anna Farrington, A-n-n-a F-a-r-r-i-n-g-t-o-n and I'm the signage and wayfinding consultant working with Harvard Divinity School. We've worked together with the team of staff and faculty from the Divinity School to develop both exterior and interior comprehensive signage and wayfinding program that will as both of these nice ladies have indicated, help first time visitors specifically identify when they've arrived on the campus, understand the identification of each of the buildings on the campus, how to wayfind through the campus, to the areas between Andover Hall and Divinity Hall.

And also one of the priorities was to more clearly identify the handicap accessible entrances to the buildings on campus.

The existing wayfinding was inadequate, very low to the ground, and it was in disrepair and it was time for a new program to be developed.

So the signs in question, if I may just like walk through them quickly. The sign program was designed to speak to the context of the historic nature of some of the buildings on the campus; Andover Hall and Divinity Hall, but also to create a language that would be in keeping with, say, the more modern buildings on campus; Rockefeller Hall, and with the landscape furniture that's already existing on-site. There are two map kiosks that we've kept in the program. Historic map kiosks.

We've updated them, cleaned them up, added new map graphics to them with the new map program developed for the sign system. So the signs that we are bringing to you for the Variance, one would be an identification sign that would be in front of Andover Hall to identify clearly to visitors as they're coming up Francis Street, that they've arrived at the Harvard Divinity School campus.

An identification sign in front of Andover Hall that identifies that building, also carries the street address of the building.

Wayfinding signage in front of the building that helps visitors come around to the accessible entrance that's located between Andover Hall and Rockefeller Hall, and also identification of Rockefeller

Hall at both sides of that building on Francis Street and on the Museum Street.

And then a wayfinding sign at the corner of Museum Street, which really serves as sort of a pedestrian gateway to the campus from that side.

So, really what we are trying to achieve is a comprehensive approach to wayfinding on the campus making sure there are no gaps in information and really trying to achieve a look and feel that would be appropriate to the neighborhood and the character of the campus.

BRENDAN SULLIVAN: Is this a program that is current with the entire Cambridge campus not just the Divinity School? You're just working exclusively for the Divinity School?

ANNA FARRINGTON: At the moment

just the Divinity School.

BRENDAN SULLIVAN: But is it part of a program to do the entire --

CATHLEEN HOELSCHER: No. Each school operations is separate and they have their own decisions when it comes to --

BRENDAN SULLIVAN: You do your own thing?

CATHLEEN HOELSCHER: Basically, yeah.

BRENDAN SULLIVAN: Because you're more attune to what the difficulties are, what have you, and again, how to alleviate some of the difficulties.

One question that I did have is on the height of some of the buildings. I'm just wondering why, you know, this one here is -- obviously some are at five

feet, some of them are a bit taller. I think the perspective would be the figure is helpful, but what drove that?

ANNA FARRINGTON: Well, you know, there's really best practices that we took into consideration; the size of the lettering, typical viewing distances that people would be expected to see and read the signs from. Also, wanted to make sure that the information is located at a height that would be accessible to most people. Typically, you know, best practice is between three feet and six feet from grade to locate that information. And so we really try to make an effort. And some of the information falls below that three-foot line, but we were trying to be also cognizant of, you know, the regulations in place for the

height of the signs.

BRENDAN SULLIVAN: Okay.

Anything else at the moment?

(No Response.)

BRENDAN SULLIVAN: Any questions  
by members of the Board?

JIM MONTEVERDE: No.

BRENDAN SULLIVAN: All right. I  
have no further -- let me open it up to  
public comment. There is correspondence  
in the file.

There's a letter from Joel Atlstein,  
A-t-l-s-t-e-i-n, 56 Hancock Street.

(Reading) Dear BZA, We are in favor of  
Harvard's desire to install seven signs at  
45 Francis Avenue. Harvard's work in our  
neighborhood has always been sensitive to  
aesthetic value. Sincerely, Joel Atlstein  
and Nan Laird, L-a-i-r-d and Richard

Hughes, Trustees of 86 Hammond Street.

There's correspondence from the Planning Board. (Reading) The Planning Board has reviewed the above sign Variance application and is in favor of the dimensional relief to allow a well-organized wayfinding signage program. And that is all I see in the correspondence.

Is there anybody here who would like to speak on the matter either for or against?

(No Response.)

BRENDAN SULLIVAN: I see nobody. I will then close public comment.

Anything else to add, delete, change? No? Okay.

Any questions by the Board at all?

JIM MONTEVERDE: Can I ask just



one question?

BRENDAN SULLIVAN: Go ahead.

DOUGLAS MYERS: Go ahead.

JIM MONTEVERDE: Is that literally  
the color?

ANNA FARRINGTON: Yes, they're  
black.

JIM MONTEVERDE: And the finish of  
it is?

ANNA FARRINGTON: Fabricated  
aluminum with an automotive grade paint  
finish, two part catalytic paint finish.

JIM MONTEVERDE: So a shiny  
finish, matte finish?

ANNA FARRINGTON: No, it's semi.  
Semigloss finish.

JIM MONTEVERDE: Semi.

And the signs aren't illuminated,  
correct.

ANNA FARRINGTON: Non-illuminated.

DOUGLAS MYERS: I just wanted to say that I live not far from the Divinity School on Trowbridge Street. And they've always regarded the courtyard behind Andover Hall as one of the most charming, secluded, peaceful places in all of Cambridge. It really is a garden of tranquility. I've noticed of over the last 10 or 15 years, however, the pedestrian use and popular, just usage by from all sorts of different people in this area has increased, and it seems to me a program of modernizing the signage is very much to the point and it seems to be it's being done with great deal of discretion and good taste. So I'm in favor.

BRENDAN SULLIVAN: Okay.

Any other comments?

GEORGE BEST: No.

BRENDAN SULLIVAN: Let me make a motion. I'll make a motion to grant the relief requested to allow per the signage as per the application.

The Board finds that a literal enforcement of the provisions of the Ordinance would involve a substantial hardship not only to the petitioner, but also it would continue a real and practical difficulty to students, visitors, and the general public in locating destination points at the Divinity School campus.

The Board finds that in view of the fact that the Divinity School serves over 400 graduate students and four degree programs, that the implementation of a comprehensive signage program for the

Divinity School campus is needed to establish a more consistent campus-wide signage design. And to simplify directional wayfinding for students, faculty, staff, and the many visitors to the Divinity School campus.

The Board finds that given the number of campus access points, multiple buildings and street addresses, sufficient signage is necessary in order to adequately identify campus access points and to guide visitors, especially emergency personnel, vehicles, first responders, fire, medical to key campus destinations.

The Board finds that the proposed signs have been carefully designed to work well with the architecture of the building and the neighborhood in general. And even

though they exceed the allowable amount under the Ordinance in area, number, and height, the Board finds that they are minimal in nature and a fair and reasonable request to adequately satisfy the need for wayfinding and that they serve a non-commercial purpose.

The Board finds that the hardship is owing to the many access points in a multiple -- multi-building campus.

The Board finds that nearby street garage facilities and pathways are difficult to trespass without some identification.

The Board also notes the desirability of having some wayfinding for handicap persons and so that the number of entryways, walkways, does pose a tremendous hazard and handicap -- I don't

mean that -- hazard and difficulty in finding points of interest to individuals.

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

The requested Variance is needed to properly identify the buildings of the Divinity School campus.

The granting of the Variance will in fact be a benefit to the public good as it will guide visitors to the Divinity School campus.

Given the proximity of the campus to the Shady Hill National Register District and the proposal has been reviewed by the Executive Director of the Cambridge Historical Commission.

The Board finds that relief may be granted without nullifying or

substantially derogating from the intent of the Ordinance.

The requested Variance will allow the placement of campus wayfinding signs to guide visitors to the Divinity School campus which is consistent with the Cambridge Zoning Ordinance Section 7.11.1.G which says: The public interest is served by use of signs by businesses and services to identify their premises or the product or services there available or to display non-commercial messages.

So the proposal is in conformance with that requirement and that stated goal.

The Board finds that wayfinding for emergency vehicles is of particular interest and that this will alleviate that potential problem.

And hence the Board finds that the Variance will not nullify or derogate from the intent and purpose of the Ordinance.

Is there anything else to add?

(No Response.)

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

(Show of hands.)

BRENDAN SULLIVAN: Five in favor.

(Sullivan, Myers, Best, Hammer, Monteverde.)

BRENDAN SULLIVAN: I might just add one thing is that the work to be completed will comply with the drawings and the sketches that have been submitted.

DIANE GRAY: Yes, thank you.

BRENDAN SULLIVAN: Which I will initial.

\* \* \* \* \*



(7:40 p.m.)

(Sitting Members Case #BZA-006009-2015:

Brendan Sullivan, Douglas Myers, George S.

Best, Alison Hammer, Jim Monteverde.)

BRENDAN SULLIVAN: The Board will hear case No. 006009-2015, 30 Brattle Street.

Is there anybody here wishing to present that case?

ATTORNEY JAMES WAGNER: Yes, thank you, Mr. Chairman. Your pleasure whether you like me at the table. I do have boards and whatnot. I want to make sure everyone can see them so whatever is best in terms of providing angle.

BRENDAN SULLIVAN: If you would introduce yourself for the record and I would like to make a statement after that before you proceed.

ATTORNEY JAMES WAGNER: James Wagner for Citizens Bank, petitioner.

BRENDAN SULLIVAN: For the record,

the petitioner, through counsel Mr. Wagner, was advised of the fact that I sit on the Board of Directors of a Cambridge bank, and if they felt more comfortable that I recuse myself from this case, that I would gladly do so. I'm under the understanding that they pose no protest to that.

ATTORNEY JAMES WAGNER: That's correct, Mr. Chairman.

BRENDAN SULLIVAN: Okay, so we shall proceed then.

ATTORNEY JAMES WAGNER: I'll grab my boards?

BRENDAN SULLIVAN: Yes.

ATTORNEY JAMES WAGNER: If I do this, audience members and Board members can see.

Mr. Chairman and Members of the

Board, my name is James Wagner, and as I said, I represent Citizens Bank and we're here for a sign variance at 30 Brattle Street, not just for ourselves but two co-tenants in the building: Leather World and Bob Slate Stationers. Before I get going, I would like to introduce the folks I have with me.

My client Stephen Hess is here as the project manager on behalf of Citizens Bank. We also have the owners of Leather World, Carol and Michael Noymer who are here to speak if they desire to for Leather World. I make apologies for Laura Donohue who is the proprietor of Bob Slates. She isn't able to be here. There's a letter in the file somewhere. I realize there's a lot of paper already in there, and I'm not going to add to that.

Hopefully the things are there and you've had a chance to view most of what's in there.

I'd like to talk about three things. I realize you have a busy agenda tonight so I don't want to take up too much of your time. I would like to talk about three things:

One, I would like to talk about what Citizens' intent is with this particular property.

Talk a little bit about the history of this permit and this Variance application, because it has some history here I think it's important to understand.

And then I would like to talk about why this application meets the Variance standard.

And then at the end of that I'm

going to talk briefly about how it might have a way forward here on this.

So you may know Citizens had a branch in Harvard Square at 7 J.F.K. Street. It lost its lease. Another bank in the area owns the building and Citizens was not able to re-up and now it's a CVS sadly.

It's very difficult, as you probably know, to find large contiguous space in Harvard Square. And so not having its lease at 7 J.F.K. and it did what it could to find space that would be adequate for the branch and provide services to its customers. The space it found was at 30 Brattle Street. It is not the same location, that good location that it had at 7 J.F.K. both in terms of visibility, in terms of the location, and in terms of

the store frontage that it provided at 7 J.F.K. If you know the buildings, and I'll show the addition that we found when we first entered into the lease. It's an odd building. It's got retail on two levels. I think there are about four or five buildings in the City of Cambridge that have this particular configuration. It was done in the 60s and 70s to try to maximize presumably the amount of street level retail, and the spaces here for Leather World and here for Bob Slate Stationer and then the space at the garden level shall we say, was that of which Citizen leased.

Prior to Citizens coming to this space, it had been empty for ten years. It was a not a benefit to The Square, to the City of Cambridge at all. It was a

used in part by homeless people who found shelter there. It was used intermittently for civic type of activities. But as you can see, it was not in good condition and it needed a lot of work.

Citizens decided that it wanted to invest in this location. It has -- Citizens has poured a lot of money into this location to bring it up to LEED Gold standards for the leased space. It's done an asbestos abatement. It has repaired the elevator in the location. It's done every manageable work that we needed to bring this up to top quality space in this location.

What it doesn't have is it does not have the identity and the signage necessary to make this a recognizable location for a top flight bank, both in



terms of visibility, findability, and also to have an identity within Harvard Square, within Brattle Square.

And so that's what it set out to do in terms of this sign application, is to give it an identity and to give it a visibility that existing customers and visitors to The Square can find the location.

A little bit of history on this particular application. We're now in the thirteenth month of the permitting effort on this location. Back in early May of last year, I met with the -- Liza Paden at CDD to talk about the sign applications both in terms of as-of-right, which is now installed at the location, and then our plans for a more robust sign package that would exceed the as-of-right square

footage for the location.

At that time it was Ms. Paden's view that we did not require a Variance. We went forward. Obviously it requires Historic approval for any type of change to the location. We moved forward with that, simultaneously putting together the interim as-of-right signage.

It was then determined that no, in fact that we did need a Variance, and so we were preparing to make an application for the Variance. And then you may recall that we were on your agenda for February I believe it was to come before you to argue the Variance.

We were then informed by ISD that we did not in fact need a Variance. And so we continued the hearing for a number of months while we pulled a Building Permit

for the sign. We had the sign permit in hand, we began fabrication, engineering for the sign, sunk about \$10,000 worth of effort into the signs, and then we got a letter from the Building Comm -- sorry, the -- yes, the Building Commissioner saying that the sign permit had been revoked. That there had been an error in interpretation by the Department.

I just wanted to make it clear that Citizens has never objected to any of the interpretation bylaw. We have not pushed for any of these particular interpretations. We have done whatever the City had asked us in terms of permitting and we're happy to be before you tonight to try to show you that a Variance is appropriate for this particular location.

But I just want to make it understood that, you know, we weren't wasting your time or anybody's time in trying to get the permit, proper permits for these signs and for the sign package.

Let me show you what we have in mind for the signs. It's in your materials, but let me show you up on the board as well.

So this is the package that's sent before you and this is also -- this was what was approved by the store.

The sign program is made up of three elements, because there are essentially three dimensions on this building that in our view call out the signs. One is at the mid-sign level, one is at the upper sign level, and then we have vertical elements going into the design as well.

I don't know which order it's appropriate to address these, but let me talk a little bit about each of them.

As you probably know, the way that I ISD and other departments, city -- anything that has a corporate color on it counts towards the sign area. So, the elements in the design that don't have any text on them still count towards our necessary sign area. So, the amount of signage, the total area that we're applying for seems like a lot, but that's because these sign blanks or the blanks here, the ends of signs, all of that counts towards the total. So it looks like a substantial number, but the actual amount of text on these signs is not actually that much in exceedance of what is allowed as of right had these

businesses instead of being on two levels would actually were on single level on the street.

The banners, actually, were something we looked at and designed right from the get-go. As you know, as you can see, the building here is on the corner and it's not in the heart of Harvard Square, but it's here in the Brattle Square, which is a good location but not necessarily a prominent location. And the building is not so distinctive that it detracts people's attention without some form of sign.

So item No. 1, element No. 1 were the banners. Their experience from Citizens and with others is that the banners are good in providing visibility from several hundred yards away. And they

also have a design element in kind of softening the way that the facade of the building is. It provides a curve around the curve of the building, and provides a, what we think is a good breaking up of the massing of this modern type of structure.

Then on this level, obviously, there are both sign blanks and signs for Citizens, again, which has the lower space here. And then the upper level here is evenly divided amongst Leather World which has two-thirds potentially of the upper level of the retail space, and Bob's Slate which has one third of the upper level and then Citizens which has all of the lower level. So it's trying to make it a fair allocation of the sign space for all three of the businesses.

The third is that the ATMs, if

you've seen them in their current location, are awful to be honest. They just stick out of the wall. They really need some kind of finish. If we use the Citizens' green, that's gonna count for the sign area. And so that's included in the application for the area of the signs beyond that which is allowed as of right.

Let me talk a little bit about the Variance standard. I don't have to tell you just dealt with a Variance, you deal with them all the time. We're probably coming at an unfortunate time because this has become a little bit of a political issue in the City as to whether a sign variances are appropriate or not appropriate. This is a probably unique or relatively unique circumstance where there is no doubt that this location calls out



for the -- has the physical unusual circumstances that call out for a Variance. The way that the bylaw works now is that the area that we're entitled to is based on the linear feet of frontage for the building, but we would have to share that between the three different retail tenants. The fact that the -- there are -- two levels of retail is not provided for in the bylaw, no additional area is allowed. So that's one visible factor.

Another physical factor is the curvature of the building which makes it somewhat unusual. That both, we want elements that make the curvature actually work, and also the businesses have a need to present themselves to two different major roadways, both here on Brattle

Street and the sections not well named, but the Mount Auburn or Eliot Street or whatever it is, so that it provides -- so that there is a need to have essentially two faces for these retail tenants in order to attract customers and to have an identity on this portion of the Brattle Square.

Obviously we're at the intersection of something like four or five major roads here that also presents a physical difference that makes this particular location unique and really calls out for additional signage.

The signs are -- have their different purposes. The lower level signs are obviously helping to bring people in to particular locations. Citizens' entrance is here on this level, whereas

Bob Slate's and Leather World is here up on these stairs. So those elements help there.

The banners are intended to be a pedestrian-friendly element. Help to -- people who are walking from Harvard Square or up towards ART should be able to view them. And then the upper level signs, the internal illuminated channel letter signs, are intended to provide visibility from the area.

And, again, we feel that the design well anchors the corner location that this building represents and provides, again, some massing. It differentiates the retail level from the office level in a good way and provides, you know, again some identity to these businesses, all of whom have struggled in one way or another

to really have the same footprint that they had in other locations. I can't speak to Leather World. I do know Bob's Slate was in another location in Harvard Square. Even though they have been in this location a number of years, they still have trouble attracting people to come to this location as opposed to the old location. I know that Citizens Bank is down about 18 percent in terms of its business since moving from the J.F.K. location, and actually that's as compared to other banks is up in the economy is probably worse than 18 percent now, but it needs help to identify its current and new location.

Let me tell you one other thing about these signs that may not be obvious to those of us who don't deal with signs

that much. These signs are designed, although they are internally illuminated, to be as light friendly as possible.

Unlike a box sign where the entire box lights up, each of these signs lights up only the letters so that you're throwing off less light than a box sign which we have now. Leather World has two box signs. So these signs will actually be more environmentally friendly than the existing signs, and more importantly they will be a modern update to the building and for the tenants.

In terms of the Variance standard, interestingly you have the memo from the Planning Board, and I'll paraphrase. It says, I think that while we recognize that this is a difficult building in a different location, they don't like the

design. So I think even the Planning Board understands that. And I think almost everyone who has actually looked at this has understood that this location needs some help, and that more signage than is allowed as of right is appropriate. What's been difficult is to get an agreement about the design. We agree. This is, this is revision 28 believe it or not. Part of this is that we've got an existing condition with box signs that Leather World has, existing signs that Bob Slate has, we have to work around their expectations and their needs. We also have to work around with what Citizens needs in order to be competitive in its location. We have worked with staff here in the city to try to come up with a better improved designs. I think

that was revision 24 and 25. We then went to Historic, which basically sent us back and said try again. And we came back with a design that it was, again, as this one, I guess this is 28. We had discussions with the co-tenants, with staff of Historic, they came up with this design. Basically they asked us to eliminate a couple of additional signs and to move as much as we could off of the upper level. For example, this Bob Slate Stationer's sign down into the alcove to again minimize the appearance of the signs while still giving some additional visibility to the stores.

All of that to explain that we are happy to be flexible in terms of the design. It has not been easy. Some people like the banners, other people

don't like the banners.

Some people like the channel letters, some people don't like the channel letters.

Some people like the surround ATM surround, other people don't like it.

My suggestion for a way forward in this is I'd like to hear from the Board in terms of what its concerns and what its thoughts are. I mean, I didn't want to simply eliminate elements from the design that the Historic had approved.

Some -- again, some of the Board Members, I heard loud and clear didn't like certain elements, they did like other elements. I didn't want to presume what this Board would feel comfortable with. So I'm happy to take questions and hear comments, and I'm also happy to hear comments from the



audience to hear what it is that we can change about this design that will make it appropriate for the location and for the city as long as it accomplishes the purposes that the tenants all have.

So, with that I will be quiet and again, I'm happy to answer any questions you may have both on tenant --

BRENDAN SULLIVAN: Mr. Wagner, do you have a graphic showing what would be as of right?

ATTORNEY JAMES WAGNER: I do not.

BRENDAN SULLIVAN: Because I think that would be helpful to me --

ATTORNEY JAMES WAGNER: Yeah.

BRENDAN SULLIVAN: -- to see this is what we can do as of right and why it doesn't work.

ATTORNEY JAMES WAGNER: Yeah.

So I'll use a combination of the two boards to make that happen. So these three signs were pre-existing when we came on to the site. We've taken down these two banners, and essentially the new signs are one, two, and three, not internally illuminated, and that's what we have at the location. It doesn't provide any upper level sign for Citizens.

The signs for Leather World are, I think, I think this one actually existed for Wordsworth back in the day. It definitely needs repair. It's not energy efficient. And as I say a box sign throws off more light, you know, than a channel letter sign. And none of this is -- does a very good job in helping people find entrances. And we're hoping that that's what this does, that the Bob Slate signs

show a Bob Slate location and entrance.

The Leather World shows a Leather World location and entrance.

And the Citizens' materials show a Citizens' presence and a Citizens' entrance.

DOUGLAS MYERS: Following up on Mr. Sullivan's question, in outright alternative, are you allowed to have all of the green middle level panelling and the three Citizens Bank non-illuminated signs?

ATTORNEY JAMES WAGNER: No.

DOUGLAS MYERS: No?

ATTORNEY JAMES WAGNER: It's very, very limited, 145 linear feet of frontage for the building. 145 square feet total --

DOUGLAS MYERS: What about the

three individual panels where the Citizens Bank signs in the middle level now green background?

ATTORNEY JAMES WAGNER: Yes, that would -- you know, again, leave what to do here with the ATM which needs something to give -- to provide some finish. And, again, some anchoring, something or other here. And, again, it doesn't do anything for these -- forgive me.

And it doesn't do anything for the existing box signs which definitely needs some help.

BRENDAN SULLIVAN: I'm just maybe editorializing, but one of the things that I'm trying to wrestle with and become very prominent down in the Kendall Square area, and they are designing these buildings and some of them are very nice and some of

them are not so nice, and they're throwing up these buildings and all of a sudden then they're trying to rent them to the corporate world. But then all of a sudden the corporate world says oh, we need identification. We need to get out our signature out there. And oh, so where do we put it? And they say well, you know, you can stick -- well, no. In other words, I really don't have too much sympathy for somebody who designs a buildings, builds a building, and then all of a sudden opens it up for rental and then there's a problem with signage because the building hasn't been designed to accept as-of-right signage sufficient for a tenant to either be identified or to survive. The Wordsworth I think is probably a sign of its time. You know,

those things just don't -- and so why is it not rented for ten years? Why does anything in Harvard Square not rent for a number of years? Is it because lack of signage, lack of identification? How do they -- why do they suffer financially? And I think a lot of it is because of the rents. I think they are renting themselves out of business, basically the landowners, because there's always somebody else willing to come in and throw down a bag of money and survive there for a few years or whatever and they just can't because the rents keep going up. So it's almost a self-inducing hardship between the landowners who own the buildings and somebody retail who is trying to survive in the climate of trying to attract customers.

What is the solution? The solution is that when they design these buildings, and again, can't go back in time, but that they should design a building to satisfy the need of a retail tenant to properly identify themselves with the current ordinance, plain and simple, and not just to go up these buildings how am I going to get the identification? Well, go down before the Zoning Board and plead your case.

That's a little bit of editorializing on my part. That's a theme that's going through my head.

ATTORNEY JAMES WAGNER:

Mr. Chairman, I think that the Wordsworth occupancy here predated some of the more restrictive limitations on signage here. I've seen some photos of the Wordsworth

and they had signs here on this level.

Again, this one I think, actual one, they had signs here, they had a sandwich board and they had some banners. So, it's not so dissimilar from what we're proposing here for three tenants as opposed to one.

Again, I realize that was a different Ordinance and a different time, but I think that in terms of what the building calls for is just, you know, is what we're trying to accomplish here.

BRENDAN SULLIVAN: And I also think that it was a wise move to try to clean-up, if you will, the square. I mean, there's just way too much shouting going on. And the more signage, we say, you know, again, whatever, client comes down before us, I need more signage, I need more attention because I'm not



getting the foot traffic, and so we need this. And okay, fine, we approve this. And then the next guy says well, I need more. And the next thing we can't see the forest for all the trees. And it's just you're just getting more clutter and clutter and clutter. I mean J.F.K. Street, Boil Street prior to that looked like Route 1 in Saugus to me. Route 1 in Saugus looks better to me today. And so I think that the tendency is to try to tone down the volumes in the signage which is maybe not a bad thing. But that's sort of where I'm -- George.

GEORGE BEST: Yes.

Have you thought about everybody has about the same real estate -- can I see this board up? -- for their own personal signage. And to me it looks overwhelming

with Citizens Bank. That's just my general opinion.

ATTORNEY JAMES WAGNER: In terms of the split between the three?

GEORGE BEST: Yes.

Have you thought about dropping that Citizens' sign down into the similar location like Bob Slate is?

ATTORNEY JAMES WAGNER: This one?

GEORGE BEST: Yes.

ATTORNEY JAMES WAGNER: We did talk about that. This is a window for Leather World and they display goods here. We thought it would not be fair to have our sign blocking their merchandise display there.

GEORGE BEST: The only issue I really have is all the banners on the side of the building.

ATTORNEY JAMES WAGNER: Banners?

GEORGE BEST: Yes, I think that's overkill.

ATTORNEY JAMES WAGNER: We have, we have certainly talked about reducing the number of banners, you know, leaving them closer to the entrances to focus there. If that's, if that's the Board's desire, we definitely would see that as positive.

DOUGLAS MYERS: And did you consider -- I'm sorry, George. Go ahead.

GEORGE BEST: I want to say the green is prominent so you're going to notice that anyway, driving at any angle because you can only go straight ahead and pass by.

CAROL O'HARE: Could you speak up because the audience can't hear you.

GEORGE BEST: Oh, I'm sorry.

I'm just saying green is a prominent color in this particular situation. So you only have so much traffic that's going to go either way, because you can only go straight ahead up -- what is that, Mount Auburn Street? Or come down Brattle and make a turn there. So I don't know who all the signage would be speaking to.

ATTORNEY JAMES WAGNER: The -- so there are two aspects, as I say, of why one wants to have signs and not just signs, but decorative elements here. Part of it is certainly to draw attention to it for customers and potential customers. And part of it is to create an identity for the location. Again, this building is not perfect. We like to do what we can to make this look like a special location,

something that does an honor to Harvard Square. I realize that people disagree about whether commercial, anything is honoring Harvard Square. But it's a commercial building, it's a commercial location.

We certainly could take out those elements, the green elements, and put in white or brass or what have you. It would -- the designers thought that it would be more consistent to have a consistent color along that sign banner visually look like it should be of the piece as opposed to different colors, different elements. Again, if it's the will of the Board to say hey, dump those, let's talk.

GEORGE BEST: So I'm just saying that I don't have any problem with the

lower green all the way around. I think that's -- because that's at eye level, you're going to drive by and notice it. I don't know how many people are going to look up high to see the white Citizens' sign. And the banners seem like overkill. That's just my personal opinion.

FROM THE AUDIENCE: The banners do -- I'm sorry?

BRENDAN SULLIVAN: You'll get a chance to speak.

JIM MONTEVERDE: So if I can add, I would agree that the green band at the lower end, the Citizens Bank seems appropriate and part of the building and equal to what the original design was and there seems to be an opportunity there as a signage band and you're taking advantage of that and that's great. I think the

higher signage, the Bob Slate sign it works within the framework of that facade seems better to me, more appropriate, than the ones that are applied on the facade. It just keeps it quieter. It keeps it more in keeping with the framework that the building provides. And it would seem that Leather World on both sides could do similar type of configuration. And I'm just not sure about the larger Citizens one on the corner.

The curious thing about the scheme overall, which is interesting is I think you mentioned the signage, is trying to point you to the entry. Usually if you're not solving the problem, you need more signs because you're really not pointing to the entry. And this one never does the entry in that staircase. I'm assuming

that's how you get to Leather World and that's how you get to Bob Slate.

ATTORNEY JAMES GRAY: Right.

JIM MONTEVERDE: The banners on either side. So all the signage elsewhere on the building is telling you yes, we're here. But it's really not telling you, yes, we're here and enter here.

There's a lot of signage. The banners wouldn't be the piece that I would go towards. They seem to be superfluous. The other sign that says it, it's somehow not getting the point across, and there's something else about not identifying your entry strong enough.

And I don't -- sorry, last thing. I would also suggest that if in fact you're over the area permitted for the signage, then I would seriously consider not using



all the, your logo green color around the ATM machines. I'm assuming that would then take it out of the signage request if it were done another way? Is that correct?

ATTORNEY JAMES WAGNER: Yes.

We -- again, we'll have to hear from ISD with how they interpret it. But my understanding is not the corporate color then it does not count towards the area.

JIM MONTEVERDE: Right.

ATTORNEY JAMES WAGNER: I will say that -- don't let me forget to go to the Leather World aspect because that was important. The ATM surround is important. I know that is, you know, for a particularly heavy traffic area. Having the Citizens' green around the ATM, someone knows they're going to save two

bucks by walking the extra hundred yards is sort of an important economic reality for a bank like Citizens. So that aspect is important.

Let me say the owners can speak for themselves. But that was a discussion about whether to move those Leather World signs down to the windows. You can't see it from this rendering, but they have really nice displays of the leather goods that are in these windows. And they were reluctant, understandably reluctant, to have anything that would block that system.

Also, they already have signs up here. We're actually making them better here by making them simpler and the no box signs that they have here. So we felt that it was sort of difficult to ask them

to give up having the sign up here, to have a sign that goes down lower and then blocks, you know, one of the features. That was the reason. I'm not saying it's perfect reasoning. There's nothing perfect in this world but that was the reasoning.

GEORGE BEST: So I know what the banner issue with me is. There are so many Citizens Bank banners, not enough for me, Bob's World or Bob Slate sign. Bob's Slate has one puny sign over at the left, and then the Leather World actually has two signs and Citizens has the majority of the signs. I mean the banners, sorry.

ATTORNEY JAMES WAGNER: What you can't see well in this rendering is this sign here, projecting sign here. That's a terrific sign, because it's further

towards the square. It's a projecting sign. It really is highly visible. So that's not a bad, you know, component of this for them. The number of banners, ten divide up evenly for the amount of -- sorry, proportionally to the amount of space that each tenant has, but I see what you're saying in terms of --

GEORGE BEST: I'm not really taking it from the Brattle Street side. If I'm driving up Mount Auburn Street, I don't know -- I don't see Bob Slate.

ATTORNEY JAMES WAGNER: Again, that would seem then the point in keeping some of the banners perhaps or, you know, we can reallocate who gets what where within the scheme, too.

BRENDAN SULLIVAN: I think the reality of the situation in Harvard Square

is that you don't drive into Harvard Square looking around for a somewhat particular bank, because there is no place to put your car. You know, this is really meant for foot traffic. And I think, you know, you probably -- you know, so is Leather World or Bob Slate or something, you know, you possibly come upon it and say oh, yeah, I could go in there and so on and so forth. But to go into the square and look for a particular -- it's a -- that's a false error to be honest with you. But anyhow.

DOUGLAS MYERS: Without a Variance from this Board, what can and would you do of right with the ATMs concerning signage, color, and illumination without a Variance? What is your as-of-right approach to the ATM area: Signage, color,

illumination?

ATTORNEY JAMES WAGNER: So we have not taken that road yet. We're fully committed to the Variance. That said, there are -- we have talked about options.

One option would be to have a white background and to put green or to have a sign here. It doesn't work great because that creates sort of an imbalance of the facade by having, you know, additional sign over here. It's possible that we could ditch other elements and include the ATM surround instead. I think there's something like 12 square feet of available area beyond what we have out there right now. I have not gone out and calculated exactly. If you exclude the machines themselves, exactly what this looks like, it might be close. You might be able to

get the ATM surround, plus the one, two, three. Again, that's not a good option certainly for the -- approving the existing --

DOUGLAS MYERS: That's color. What about signage and illumination of right? You discussed color.

ATTORNEY JAMES WAGNER: Yeah.

DOUGLAS MYERS: What about signage and illumination of right in the ATM area without a Variance from this Board?

ATTORNEY JAMES WAGNER: So the Historic has jurisdiction as I understand it, as I understand it, over illumination of signs, that was approved. These, all these signs were approved by Historic. So presuming that they are not insistent on the entire package, but would allow cutbacks to get to particular elements

within the package, then we would seem to have the necessary approvals for the internal illumination of the signs that are shown here. You see what I mean about the -- they may say hey we approve the package, we want the package.

DOUGLAS MYERS: The signs shown there. I'm talking only about the ATM area. What signs are shown there? You just have a logo. Talking only about the ATM area.

ATTORNEY JAMES WAGNER: Yes.

DOUGLAS MYERS: What signs are shown there?

ATTORNEY JAMES WAGNER: Everything that's green, it's a Citizens' green.

DOUGLAS MYERS: Okay. I meant -- I'm distinguishing between signage and color.



ATTORNEY JAMES WAGNER: Right.

DOUGLAS MYERS: There's no verbal instructions there, correct?

ATTORNEY JAMES WAGNER: Correct. That will be on the screen.

DOUGLAS MYERS: Only that. Okay.

ATTORNEY JAMES WAGNER: I take that back. I believe that there is a small plaque with instructions, maybe in there as well. It's, you know, very small. It's the typical thing you would see with an ATM. And it may also be related to the night drop box, how to operate the thing.

BRENDAN SULLIVAN: Any --

ATTORNEY JAMES WAGNER: No Citizens branding.

DOUGLAS MYERS: No commercial?

ATTORNEY JAMES WAGNER: Yeah.

BRENDAN SULLIVAN: Any other questions by the Board? Yes.

ALISON HAMMER: I would just comment that I certainly understand as a resident and somebody who has frequented Harvard Square over the years, that this is a difficult location for retail. I certainly feel that the current design makes me feel like this is like the Citizens Bank building, global headquarters. You know, it's just all green. All I see are the Citizens' logos. I would frankly be concerned for these other businesses that they're already in a difficult location that's difficult to sign and all I see is, you know, green and, you know, Citizens Bank's. Even though I do think it's an improvement on what it is. I mean, I like it being kind

of jazzed up with, you know, some color, whether it's your corporate color or not. And, you know, actually, I like -- personally I know there are different disagreements and everything, but I do like the little flags or banners, whatever you want to call them. Though maybe again it's a little bit overpowering for me personally on the Citizens, and as well as the just the big green ATM section. So maybe there's just a way to balance it a little bit more.

ATTORNEY JAMES WAGNER: If I might speak to that, I find at least the rendering is a little deceiving because it's -- you know, it's a photograph overlaying with images so the green really pops. I don't think it actually pops that way. You know, it's not gonna pop than

the other Citizens'. Yes, it's a lot of green. And I -- actually, the Noymers can speak to this and I wish Ms. Donohue was here to speak to this. I hope that Citizens is not going to, you know, over dominate this location. I don't think it will. The truth is, though, my office is over a bank. It's not a bad thing to say we're over at the Citizens'. And so the fact that the people are drawn to the Citizens' green may help them a little bit, because again, those upper locations are a little awkward. And so if you could say, you know, where's Bob Slate's again? It's over Citizens. I know Citizens' green, that's what's going to help me find the location. So we're hoping that the package helps everybody. You know, even if it's not totally even Steven in terms

of square footage.

BRENDAN SULLIVAN: Anything else?

ATTORNEY JAMES WAGNER: Again,  
Mr. Chairman, I'm happy after public  
comment and whatnot to come back and say  
let's cut and paste.

BRENDAN SULLIVAN: We'll give you  
a chance.

Nothing else at the moment?

DOUGLAS MYERS: Right.

BRENDAN SULLIVAN: Let me open it  
to public comment. I would just ask that  
you be kind to us. There is a plethora of  
communication that we have all read and  
are very well versed in the pros and cons.  
I ask that you be succinct, make your  
statement. We get it, okay? We will be  
here until probably midnight or so, so be  
kind with us.

Now is there somebody here who would like to speak in favor? Again, when you make comment, if you'd stand, clearly state your name and your address for the record.

MICHAEL NOYMER: Just a quick, quick thing.

BRENDAN SULLIVAN: Identify yourself.

MICHAEL NOYMER: I'm Michael Noymer, N-o-y-m-e-r from Leather World.

The banners have always -- just so we all know, the banners have been there for years and years and years and years. And so, it's part of what that building has been I would guess, and when we came in, we took some banners obviously and obviously the banners here and here really mean something to us. That's where you go

to Bob Slate, that's where you go to Leather World. The banners are nothing new to that building in an updated version of them.

That's quickly.

BRENDAN SULLIVAN: Is there anybody else who would like to speak in favor?

Yes, if you'd come forward, Denise.

DENISE JILLSON: Good evening. I'm Denise Jillson. I'm the Executive Director for the Harvard Square Business Association. We're in favor of this proposal. We've been in favor for I think maybe 25 proposals. Primarily because the owners of the building, we believe Leather World as well as Bob Slate, have really worked together with the attorney and with Citizens Bank to come to some kind of an

agreement. You know, as was stated before, this particular location had been vacant for ten years. And, you know, vacant because there are a couple of issues: One was handicap accessibility and it was, you know, incumbent upon the property owner, who by the way, it's been a family trust all along, so the same property owner. I'm not so certain about the rents. I just don't know that part of it. But I suspect they've been pretty reasonable. It's the same family trust that's owned a lot of that property along Brattle, including the building that I'm in. So I'm a little bit familiar. And there have been benevolent to at least many of the tenants in these buildings that have been there for a very long time.

Having said that, it's just, it's



just been a difficult building. One that has been challenged, you know, lots of people went in to look at renting it and just walked away and for a lot of reasons. One was handicap accessibility issue. The other was the location. It's just horrible. And the third issue I'm certain has to do with the signage. So, here we are, I think it's probably been 18 months maybe?

ATTORNEY JAMES WAGNER: Thirteen.

DENISE JILLSON: Thirteen.

Thirteen months. It feels like 18 in trying to come to some kind of agreement. It's not perfect. But to the extent that, again, those parties can agree that this is what's best for that building, then certainly the business association is giving our overwhelming support for the

24th time.

Thank you very much.

BRENDAN SULLIVAN: Thank you.

Anybody else wishes to speak in favor?

(No Response.)

BRENDAN SULLIVAN: Anybody wishing to speak in opposition.

Ms. O'Hare.

CAROL O'HARE: Do you mind if I sit?

BRENDAN SULLIVAN: As long as you don't occupy too long.

CAROL O'HARE: Too what?

DOUGLAS MYERS: Long.

CAROL O'HARE: Well, the reason that you have a very big file is because of all of the continuances, but more so you have been presented with this

rendering which exceeds Zoning by 3.6 times the square footage of signage permitted. That you have not been informed by Mr. Wagner that the City Council on May 4th denied the banners projecting in the street. He didn't mention very clearly that the Planning Board, when they discussed these signs, were perplexed by the -- what the Chairman called a sign circus, which is why I used it in my correspondence. It is a design mess, and Mr. Wagner did not appear nor did anyone appear before the Planning Board to present this signage. Nor did anybody appear before the City Council to seek approval for the banners that are not there now and that require City Council approval for signage that projects into the public way.

So, there has been a lot -- nor did Mr. Wagner attempt, as far as I know, to talk to anyone, including the Harvard Square Pebble Gifford, you know, that group of people, who commented absolutely negatively about this proposed signage. There has been no outreach. And we understand that it is a difficult corner, but how many signs do you need before it's just visual noise?

The banners may be cute for the moment but they get tattered in the wind. And if these banners are permitted here, you can believe that every storefront in Harvard Square is gonna go for bigger, better, fluttier (sic) -- fluttierer (sic) banners and you won't be able to see the architecture. Well, maybe we should -- this building doesn't exactly

win the prize for architecture, so maybe we should just banner the building and -- I'm joking.

But the other thing is they have asked for 519 square feet of signage including the green. And the green is distinctively Citizens' green. It is their logo color. And so -- and I assumed that because the City Council denied the banners just a week and a half ago, Mr. Wagner would say we can't do the banners. But he didn't mention the fact that the City Council denied approval. And they all had comments at the City Council meeting saying it's too much or we don't understand it. Or I won't tell you what the Mayor said, but -- in any case, these -- this excess signage and desperate as the Planning Board said, this is

desperate, inconsistent, and they said: This proposal results in chaotic inconsistent signage. And they said at the hearing, you know, do it again, but there was nobody there to talk to because they didn't appear before the Planning Board.

It does definite nullify or substantially derogate from the intent and purpose of the Zoning law. It's 3.6 times more than is permitted. You can't tell me really that they need all that banners to attract people to that location or all those signs. It's a visual just, you know, it would be an example of bad design. It would be exhibit A for bad design.

Furthermore, it is a precedent. It's creating a precedent in Harvard

Square and in other commercial neighborhoods. Huron Village, Central Square, and I won't mention Fresh Pond Parkway except to say that's another exhibit A for bad signage. But -- what else?

I'm just mystified that -- I'm just mystified.

BRENDAN SULLIVAN: Good, thank you.

CAROL O'HARE: That's it.

BRENDAN SULLIVAN: Thank you.

CAROL O'HARE: I wanted to just take one opportunity to show the Board what could be done to improve this constant signage, this mess that we have to constantly -- this is the form that the petitioners --

BRENDAN SULLIVAN: That's

administrative. We've had this discussion before.

CAROL O'HARE: Okay.

BRENDAN SULLIVAN: There's nothing that we can do about --

DOUGLAS MYERS: Rather than suggest changes to the administrative changes to the Ordinance, can you address any specific changes --

CAROL O'HARE: No, I can't. I'm not a designer. I won't do that. But what should have happened tonight I think, and I'm a real estate lawyer in my background. I've never mentioned this at any of these hearings, but my background is real estate law, that's why I'm so stunned. What should have happened tonight is they have had months and they've known this for months. Why didn't



they come -- why didn't they have an alternative plan to present? Your pile of papers is this thick from people objecting to this. What are they thinking?

BRENDAN SULLIVAN: Okay, thank you. But, again, I would take that up with the Commissioner.

CAROL O'HARE: Yeah, I have and that's why I'm --

BRENDAN SULLIVAN: Not us. We can listen to you, but we can't do anything about it.

Thank you.

CAROL O'HARE: Thank you.

BRENDAN SULLIVAN: Yes.

LEE FARRIS: Sir, I was wondering if I can put your as-of-right signage up, too?

ATTORNEY JAMES WAGNER: There is

no as of right.

LEE FARRIS: The current signage.

ATTORNEY JAMES WAGNER: The  
pre-existing? Sure. You can do that.

DOUGLAS MYERS: You want a hand?

ATTORNEY JAMES WAGNER: It's  
behind it, sorry.

LEE FARRIS: So what I thought I  
would do just to, and for me it's hard if  
I can't see them both at the same time.

BRENDAN SULLIVAN: Only if you  
introduce yourself for the record.

LEE FARRIS: Yeah, yeah, okay. Is  
that good? So my name is Lee Farris,  
L-e-e F-a-r-r-i-s and I live at 269  
Norfolk Street in Cambridge.

So, I can look at this current  
signage versus that signage and you can  
see that it goes from a kind of Leather

World oriented building to a very Citizens Bank oriented building. So I listened to the presentation and, you know, I don't -- I think the fact that the building was vacant for ten years, as you said, probably has to do with the rents, the rents were why Wordsworth had to leave. And Ms. Jillson is probably right that the handicap access was another reason. I don't think that's our job to deal with that vacancy. And as you said, sir, the fact that it's a difficult building and wasn't really designed well for signage, we shouldn't be bending over backwards to accommodate the building. So what I think we should be doing is trying to find the least possible signage that will help people find the three businesses.

And I'm a long time Citizens customer. I actually like Citizens. I've used this branch. I didn't have any trouble finding it. If their business is down, I think it's because it's a less desirable location than their other location, which is really at the heart of center -- of Harvard Square. And there's -- I don't think any amount of signage is going to get their foot traffic back to where it was because it's a different location.

So I feel like I'm gonna try to respond to the question about what could be done even though I'm not an expert. This is just, you know, one resident's two cents.

I feel like the green band is way too much. I don't feel like that helps me

find it or makes the building look better. And I definitely don't think there should be as many banners as there are. Look at the banner situation before.

I also agree with the point that you guys made about helping to find the entrance. I tried to find the Bob Slate entrance when I was going there and it took me a couple of minutes. So I would treat this as sort of two entrances, that entrance and this entrance. And I would not worry about signage over here because that's not where you're going in. And as also you said, this is a walking location, not a driving location. So what you need to do is make it where you can find it when you're walking, including from across the street. So put Citizens' signage in this area and put Leather World and Bob

Slate signage over there. Forget about that stuff. Forget about the green bands, and don't do as much green around the ATMs. And something like that. And I think you can get it down to, you know, probably still somewhat over the as-of-right but something that doesn't set an extreme precedent. So that's where I would be looking to go.

And, again, I'm not an expert, but this looks just, it looks way too much.

Thank you very much.

BRENDAN SULLIVAN: Right, thank you.

Anybody else who wishes to -- yes.

CAROLE PERRAULT: Hi. I'm Carole, C-a-r-o-l-e Perrault, P-e-r-r-a-u-l-t. And I'm a long time resident of Cambridge. I live at Nine Dana Street, D-a-n-a. For

the Agassiz neighborhood and out of mid-Cambridge. I'm a member of the ad hoc citizens' group that was formed a while back to monitor inappropriate and incongruous development in Harvard Square. Incongruous to its historic and architectural character and its stability. I frequent The Square regularly, particularly Bob Slate's store. I submitted to you this letter twice, seven pages. It was illustrated with my points and why I am opposed to this project. And I will just briefly summarize those points.

All these signs, illuminated signs and illuminated garish ATM in-fill will be in violation of our public way. Harvard Square is a commercial district. It's compact and streets are few, and the

sidewalks narrow to allow so many signs on one building. The current zoning is sufficient for wayfinding and identity, especially with the society that has electronic devices in their hands. A character defining feature of Cambridge has built environment has been its restraint in commercial signs on buildings and elsewhere. The collective signage, especially the ATM in-fill as proposed, demeans the integrity of the building and the streetscape at the head of the venerable Brattle Street. It is the most historic and architecturally renowned street in the old Cambridge Historic District and that character should be protected all the way down to Brattle Square.

Most other commercial buildings



along Brattle Street exhibit appropriate and characteristically restrained signage that falls within reasonable Zoning limits.

Is it in the City's ethos to permit Zoning Variances for the purposes of advertising a business or is it in the City's ethos to protect the public way from intrusive and excessive advertising and visual clutter?

Is it in the City's ethos to support its excessive branding of chain businesses over creatively designed signs that speak to a local economy?

The stationery and other stores are forced to compete in petition with the need for the bank's brand to be a dominant in Brattle Square. The paradox is that the more signs that litter or public way,

the more difficult it becomes to see any one sign. The competition rises with each additional sign. Allowing the petitioner's Zoning Variances would set precedent for all, for other businesses wanting equal rights and equal exposure on the public way.

I hope you will deny this petition and I recommend if they haven't already reached out to the city, the city storefront improvement program, and I don't know if it's available to them, to help assist them in design. I don't think it's our place here tonight to redesign the signing. I think it's too complex of an issue.

Thank you.

BRENDAN SULLIVAN: Great, thank you.

Anybody else wishing to speak?

HEATHER HOFFMAN: Heather Hoffman,  
213 Hurley Street.

When I first moved to Cambridge in 1980, I lived in greater Harvard Square and I discovered that a bookstore was open until eleven o'clock at night and I knew I had found home. And I was really sad when that bookstore ceased to be open at all.

But I am -- I look at that and it's -- as Carole said, it is garish. The ATM surround looks as though it's transplanted from Fenway Park.

It's -- and the noise to signal ratio on this is 10 or 20 to one. You just become overwhelmed by all of this green, and it is not fair to the other businesses because I remember in a color class that I took once, we were told that that green is

the color that stands out the most of any colors. That's why the Hess sign is done the way it's done.

And so you have the nice blue of Leather World, one of my very favorite colors, being just overwhelmed by that. Bob Slate is way over to the side, and it's the wonderful old sign that I remember from my childhood. So I hope that you will not encourage this kind of excessive visual assault and that you will -- that the petitioners will go back and come up with something -- I mean, there are zillions and zillions of pedestrians who are sitting there doing nothing but looking at that building, waiting for the cars to let them across. You don't need Citizens Bank above itself. And the cars, you know, this is one way.

It goes like that. Over here the cars aren't seeing that because they're just trying to get around the corner and not hit anybody that's on the pedestrians that are crossing. You just don't need this. And all -- it's working against itself. It's making people think of Citizens as the ugly bank. I think you could do far better for yourselves and make this look good. I like commercial signs. I like things that add joy. This is, this is just an assault.

Thank you.

BRENDAN SULLIVAN: Thank you.  
Anybody else wishing to speak on the matter?

(No Response.)

BRENDAN SULLIVAN: I see nobody.  
Let me close --

ATTORNEY JAMES WAGNER:

Mr. Chairman, we talked about whether -- we heard something that would sort of --

BRENDAN SULLIVAN: I'll get back to you. You'll have a -- we're in receipt of correspondence. One is from the Harvard Square Advisory Committee. (Reading) Unfortunately due to recent events the Harvard Square Advisory Committee was unable to convene to discuss the sign variance case. I distributed the BZA variance application electronically and collected a number of comments.

John P. Giovanni, Trinity Property Management, and also Sheldon Cohen. (Reading) I think this application is worthy of support because of the signage plan successfully addresses the two level

retail in this building in a thoughtful manner.

Frank Kramer. (Reading) Due to its location and shape this is a difficult building to sign adequately for visitors and customers to find their intended destinations.

Pebble Gifford. (Reading) For the citizen design group for Harvard Square. The retail tenants and 30 Brattle Street do themselves a great disservice by loading up the facade of the building with some of the visual clutter. A total of 350.5 square feet of signage. It is a well designed building that makes a distinguished determination to Brattle Street if well displayed. The windows provide a quick glance of the retail nature of the store. The problem is a

large number of competing banks in Harvard Square that were there long before Citizens. Citizens believes that all extra signage will combat the competition is unrealistic. Respectfully, Pebble Gifford.

There is correspondence on the letterhead of Bob Slate Stationer from Laura E. Donohue, D-o-n-o-h-u-e who is the owner. (Reading) I'm writing in support of the proposed signage plan for the exterior of 30 Brattle Street and Harvard Square also known as the Thomas Hadley Building. This application is scheduled for review this Thursday. The proposed signage addresses the needs of three retailers located in a challenging physical layout on a very confusing street location. The split level retail



configuration of the building results in no retail being at ground level. Citizen Bank in the basement is well below eye level and the two shops, Bob Slate Stationer and Leather World, are located well above eye level. Signage is necessary to draw the eyes both upward and downward from the variety of directions. Four streets converge at this building. Without blade signs the customers have little idea that active retail exists there and may not progress toward Brattle Square. The location of the building on a complex corner adds even more difficulty to the situation. For my own store I have a blade sign directing customers who approach from the center of the square, but do not require additional signage flat against the building directing customers

from our old location or the parking lot. Signage also assists each retailer in communicating our brand to customers. For these reasons I'm in full support of the proposed signage. Thank you for your consideration.

Correspondence from the Planning Board which is resending comments dated February 25th. The date of this is May 20, 2015. (Reading) The Planning Board reviewed the BZA sign variance proposal for 30 Brattle Street and forwards the following comments:

The Board acknowledges that designing useful signage for this building is difficult given its curved shape and relatively dark facade. However, the Board believes that there can and should be a better design sign plan for this

building, and it does not recommend approving the signage plan currently proposed. The Harvard Square design guidelines promote a novelty and interesting design. This proposal results in chaotic and inconsistent signage. In particular the amount of signage and green color allocated to the bank's space seems disproportionate.

There is correspondence from David Levit (phonetic), 14 Notre Dame Avenue, who voices his opposition; visual clutter. Does not add to the quality of our life.

There is correspondence from Margaret Warehouser (phonetic), Lakeview Avenue, who sent in -- do not approve the sign request for 30 Brattle Street. Other businesses will then ante up and want to enlarge and embolden (sic) their signs to

compete.

There's correspondence from Jan Deveraux, Lakeview Avenue -- 255 Lakeview Avenue. (Reading) I strongly urge you to reject the application for a Variance to Citizens Bank to install ten protruding banner signs on this building on a prominent corner and in an historic part of Harvard Square.

There is correspondence from Thane G. DeWitt, D-e-W-i-t-t Ten Rogers Street. (Reading) Stop flooding our city with signs.

There's correspondence from Cynthia Brossman, B-r-o-s-s-m-a-n, 174 Magazine. (Reading) Unable to attend. I'd like to go on the record as being vehemently opposed to the proposed signage at 30 Brattle Street.

There is correspondence from Jean Dolgin, D-o-l-g-i-n a citizen of Cambridge and frequenter to the area. (Reading) I strongly oppose to the proposed Variance for signs which goes far beyond that allowed for Zoning and provides for illuminated signs that will be a blight to the neighborhood. Please do not grant this Variance.

Correspondence from O.R. Simha, S-i-m-h-a, Six Blanchard Road. (Reading) Please do not grant the Citizen Bank petition for additional signs and banners. Enough is enough.

Correspondence from Colleen Clark and James Cox, C-o-x, 21 Williams Street. (Reading) We write once again to express our adamant opposition to the signs proposed for 30 Brattle Street. We cannot

attend the meeting. Please do not grant any Variances.

There's correspondence from Marilyn Wellens (phonetic), 651 Green Street.

(Reading) I am unable to attend. Please record me as a resident who thinks these Variances would create visual clutter rather than actually help the people find the businesses listed.

Correspondence from Carol O'Hare who spoke earlier.

Correspondence from Lee Farris who spoke earlier.

And from Carole Perrault who spoke earlier.

And there may be other correspondence with similar themes. And I will close public comment.

Counsel.

ATTORNEY JAMES WAGNER: So actually I would like to correct two things in the procedure I should have mentioned:

I was in front of the Planning Board. Unfortunately I was not allowed to speak so there was no presentation before the Planning Board.

Second thing is in terms of City Council, because of the permit being granted and then being revoked, there was nothing for the City Council to hear. And they don't act on a sidewalk bond for projecting signs until there's something for them to act on. So that's why I wasn't there and that's why they didn't grant anything because there was no permit for them. Anyway, be that as it may.

Mr. Chairman, I don't know if you

got a sense of the room or from your Board as to what, you know, what would improve this circumstance. I mean I think what it illustrates is that this is a tough building in a tough, tough location to make right. We have tried our best to do that again. Are we perfect? We're not perfect. You know, if it were up to Citizens, we would do it, you know, waiver -- we'd be happy to waive, reduce, or maybe even eliminate the banners. I hear from Leather World that's not going to work for them. They have a different set of criteria. But, you know, I think that, it sounded like the -- although some people didn't love the surround with the band and surround seemed to work for most of those folks. I really think the issue comes probably down to the banners. I



mean, that's a lot of square footage, absolutely. Probably a fourth of the -- what we're talking about in terms of square footage. If the Board wanted to reduce it down to, trying to do the math here to make it an appropriate division between the two. If they wanted to do it down to four banners, you know, two -- one for Leather World there, one for Bob Slate, two for Citizens, again, that would divide up a proportion for the amount of space that they have showing. That would be fine by us. I'm looking at the Noymers to make sure they're not going to throttle me. That may be a way of accommodating to try to reduce the amount of stuff on the building, still give some value to the banners, and still give, you know, some improvement from what we're seeing out

here now. But, again, I realize --

BRENDAN SULLIVAN: Well, for me I think that it has to possibly be a little nod shop to what it is now to what is proposed.

As far as the green being prominent, my heritage is very partial to green, but that should not be swayed by I think the noise that that sort of generates. And I think for me, to see this is what it is now. This is what we would be allowed to do as of right. This obviously is a wish which I think the sentiment is probably, for me, I can only speak for myself, I would not approve that. It is -- it shouts too much. And so for me it would have to be this is what we can do as of right. I think, though, that the City Council seeing how they're the ones that

write this book and give it to us,  
that -- and they're supposed to be  
reflective of the public sentiment,  
sometimes they are, sometimes they're not,  
but I think that that -- their sentiment  
should be heeded. And if they voiced  
total opposition to those banners, then  
that shouldn't even be discussed.

Because -- if they did -- I don't know. I  
did not hear that discussion about the  
banners. I think you need to weigh in on  
those minutes or get the tape or something  
like that, because if they are not going  
to approve it ultimately, which they would  
have to, then, you know, it should not be  
part of our discussion. That's my  
sentiment.

So I don't know, does anybody else  
have comments?

GEORGE BEST: I just have a quick one. For me, and I grew up in Cambridge. I was born here, so I'm kind of partial to Harvard Square and I like the way that it looks and feels. That takes away that look and feeling for me. And I also think that rather than illuminating the building, it might be an idea to illuminate the business. You know, which means that you would take it off and put it back into the business. I think years ago when they designed signs, it wasn't to illuminate the building, it was come and draw my eye to what the business is internally. So that's just my general thinking.

DOUGLAS MYERS: I would like to say that I found the public testimony very illuminating and I appreciate Mr. Wagner's

willingness to revise the proposal. And I think that, speaking for myself, what I would like to see is I would like to see a lot of the green, the empty vacant green bands at the middle level eliminated. I would like to see the ATM in-fill drastically reduced in its garishness and it's effect as a bank wall of green.

I would like to see a proposal that is clear about which signs are illuminated and free of illumination in every aspect of the signage that you propose to change.

I would like to see, at least as an alternative, the upper level signs on the lower band, the red brick, those signs there put in the alcove below, hanging the way that Bob Slate sign is now, not essentially my opinion, but as an alternative, that should be explored. And

I'd like to see the banners drastically, dramatically reduced.

I would also, in addition to the of-right proposal suggested by Mr. Sullivan which is essential, in other words, if you put forward what you think is the best your most appealing satisfactory proposal of-right. I also feel that you should give us your -- a minimum what you are willing to accept, having listened to the public, having considered the Board, you're a lawyer, you can review the transcript and so you don't have to rely on what you're hearing right now, and what you can put forward as a position of Citizens Bank that is responsive to what's been said here tonight, but in my view is your minimal position, what you're willing to accept.

Because speaking for myself, I am very much inclined to approve only the minimum based on what I have seen here tonight as a maximalist proposal.

That's my point of view. Thank you.

BRENDAN SULLIVAN: I think that's well said.

Jim, anything?

JIM MONTEVERDE: You've heard all the comments. You've heard a number of times comments about the design, disparity with the neighborhood, lack of character, the kind of chaotic nature of it. You may want to consider who's advising you on the design. You really need a comprehensive solution that takes all those comments and all those proposed together and identifies what they're trying to -- what the goal is, what you have to highlight, and design

it. And it's just, it looks like to me it's been done by a committee or by several people. No, no, I understand your point, but still, I think it's, you may need some other resources to bear to be able to make a design that's more comprehensive and more acceptable.

BRENDAN SULLIVAN: I think that the ATM machines are somewhat of a tipping point. You know, if -- I think banners obviously, but if you start with those ATM machines and really, really tone that down. Somehow that just sort of shouts at me anyhow. But.

, anything? Comments?

ALISON HAMMER: Yeah, you know, I certainly think this needs serious rethinking in light of the Board's concerns as well as the public's. You



know, I don't think well, what if we scrap the banners, can we have it then? I think this really needs to go back to the drawing board and to really hear, you know, what people are saying about, you know, obviously making sure that all three businesses are equally findable, navigatable and that it's going to be something that is appropriate and as close as possible to what is actually permitted in the Ordinance and truly only asking for what is necessary because of the unique hardship and not what you would like in an ideal world.

GEORGE BEST: I just have one question. Is there a reason that the ATMs are above and not below down in the staircase?

ATTORNEY JAMES WAGNER: Handicap

accessibility. Yeah, that was a big, big problem with the location. This is something of an experiment. It's not what Citizens loves. I'm sure some people would not love that either, but it's what works for people with special needs.

Well, Mr. Chairman, we've heard loud and clear. We request a continuance to a future hearing so that we can address the concerns that we've heard from the Board and from the audience so that we can attempt a redesign and to meet at your convenience.

BRENDAN SULLIVAN: Well, I know it's been a long torturous road to hear and I think probably one more time may be warranted.

ATTORNEY JAMES WAGNER: I appreciate that. We have our Certificate

of Appropriateness which runs so that is important to keep this process going so that we're not, you know, ping-ponging between the two boards. I think that is -- thank you, appreciate that.

BRENDAN SULLIVAN: But I think that one more time may do it. So it's going to have to be your best effort.

I think Mr. Myers reflects my sentiments exactly. He's always very concise and gets to the point far better than I. And I rely on his wise judgment over many years, but I think that we have got to go with as-of-right and the minimal, the minimal that Citizens will really, really accept and swallow hard. Because I, I am not really amendable to exceeding the Ordinance by very much at all. So -- because I think it can be done

within the Ordinance. I think those who have designed the Ordinance have changed it over the years, have been in response to excesses and that's why they have contracted a lot of the allowances out of this book. It's all in response to probably bad behavior, that's why we have a book as thick as it is. Unfortunately, it's too bad, the book should only be this thick as opposed to this thick, but it's in response to bad behavior. And so consequentially I think that those who frame the Ordinance said that this is what we will accept and businesses can survive with that. And so it should be put into that box, if you will. And only step outside the box under the extreme of conditions.

Sean, a motion to continue is on the

table. When would be the --

SEAN O'GRADY: Next available  
would be June 25th.

BRENDAN SULLIVAN: To June 25th.

SEAN O'GRADY: June 25th.

BRENDAN SULLIVAN: June 25th?

SEAN O'GRADY: Yes.

BRENDAN SULLIVAN: Okay. Can we  
all be here at June 25th?

Are we all amenable to a continuance  
I believe?

ALISON HAMMER: I think so.

BRENDAN SULLIVAN: Yes.

ALISON HAMMER: I think so.

DOUGLAS MYERS: That's fine with  
me.

BRENDAN SULLIVAN: You're not  
going to the White House that day?

ALISON HAMMER: Maybe the day

before, maybe the day after.

BRENDAN SULLIVAN: They'll have to wait. June 25?

On a motion to continue this matter to June 25, 2015, at seven p.m. on the condition that the petitioner change the posting sign to reflect the new date of June 25th, and the time of seven p.m.

And that such sign be maintained at least 14 days prior to the June 25th meeting.

Any new submissions be in the file by five p.m. on the Monday prior to June 25th.

And what else is there? That's it? That will do it.

All those in favor of continuing until then?

(Show of hands.)

BRENDAN SULLIVAN: Five in favor.

(Sullivan, Myers, Best, Hammer,  
Monteverde.)

ATTORNEY JAMES WAGNER: Thank you,  
Mr. Chairman, Members of the Board.

\* \* \* \* \*

(9:10 p.m.)

(Sitting Members Case #BZA-006158-2015:  
Constantine Alexander, Brendan Sullivan,  
Douglas Myers, George S. Best, Jim  
Monteverde.)

CONSTANTINE ALEXANDER: The Chair  
is going to call case No. 006158, 10 Canal  
Park.

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

ATTORNEY ANNE REYNOLDS: For the  
record, my name is Anne Reynolds of

Prince, Lobel, Tye on behalf of the applicant of Sprint. I'm here to give the Board an update on where we're at.

As you know the last time we were here, the Board requested before opening the hearing that we go back and consider looking at a different design and potentially boxing out the existing penthouse. So Sprint has come up with a proposed design, but has not yet developed the plans because prior to doing so they need to get an approval from the landlord which they're working towards, and from a structural perspective and just generally because it's a significant change to what was originally proposed.

In addition, because the box out will affect AT&T's antennas, which are the four antennas that are on the facade of



the building kind of right in the middle there, they'll need to get approval from AT&T. I don't know if they will be able to do that. That's sort of the second step of the process. And as a result of this, the fact that they're still working on the landlord, it's going to take time to do that. And that's where we're at and why the delay has happened.

To that effect the only thing I sort of wanted to present to the Board is that I haven't seen the particular plans for this, but having heard them, my only comment is, and I know we've discussed this, and certainly I've asked my client to do this and try to figure this out to the extent that the Board's requested it, this may be adding a lot of mass to that building where the original proposal was

minimal in the sense that it's only those three antennas. Again, we can continue to pursue this avenue as the Board has requested, but I wanted to at least bring that up again, because I -- my concern is A, we're going to have a significant delay in being able to update this building because of the fact that AT&T's up there and it's going to affect them and they may or may not agree to it. That's going to be -- I don't know. A, I can't control them, and B, that's not going to be for proprietary reasons and access reasons and all that it's going to be a complicated process.

CONSTANTINE ALEXANDER: I'm going to suggest that we continue this case one more time maybe for a couple of months and we fish and cut bait.

You come in and tell us where you are with AT&T and with the landlord and what you want and we'll tell you what we want. But we just can't keep kicking the can down the road. And I, not because you're stalling, it's because of the complications you've just cited. But I do think you should try one more time with AT&T, and come back with your best proposal and one you can work with.

ATTORNEY ANNE REYNOLDS: Okay.

DOUGLAS MYERS: I interpret what the Chair is saying is meaning you want to go ahead with something more conventional proposal, the more conventional proposal, the one you started with several months ago, that's fine. Go ahead, make it, and the Board will respond if that's the best can you do.

CONSTANTINE ALEXANDER: That's right.

We would like something better, but if you come back and give us a persuasive case why, what you proposed to us originally is all you can do, we'll consider it.

ATTORNEY ANNE REYNOLDS: All right. No, I appreciate that. I think from where at least from where I'm standing I'm feeling that may be where we end up. And --

CONSTANTINE ALEXANDER: I appreciate you signalling that to us. Right.

ATTORNEY ANNE REYNOLDS: But I will have them -- if we can do -- I don't think I'm going to have anything ready for the end of June. I would say maybe

towards the end of July maybe.

CONSTANTINE ALEXANDER: Pick a date that is going to continue it any more than the next time. Pick a date that you think you'll have enough time to decide what you want to do and have plans for us. End of July sounds fine to me. This is not a case --

DOUGLAS MYERS: I would say this is not a case heard.

CONSTANTINE ALEXANDER: No, it's not a case heard. But the original case was -- the original petition was a case heard.

ATTORNEY ANNE REYNOLDS: I don't believe we ever opened it.

CONSTANTINE ALEXANDER: Did we open it? We had a neighbor who was across the way.

DOUGLAS MYERS: She was very careful not to get into the merits I thought.

ATTORNEY ANNE REYNOLDS: You told me not to. And I started to and we stopped it because of the issue.

DOUGLAS MYERS: She indicated her concerns but the matter stopped there.

CONSTANTINE ALEXANDER: Okay, you're right. It's a case not heard.

End of July, what do you have?

SEAN O'GRADY: You've got middle of July, July 16. And then you've got August 13th.

ATTORNEY ANNE REYNOLDS: Okay. I'm going to say August 13th is probably more realistic.

CONSTANTINE ALEXANDER: Okay. The Chair moves that we continue this case

until August 13th -- seven p.m. on August 13th on the following conditions:

That the petitioner take the existing sign and modify it to reflect the new date, August 13th. The new time, seven p.m., or alternatively put up a new sign with those dates and times.

That the sign be maintained for the 14 days required by our Ordinance.

And lastly, that to the extent you are going to submit different plans than are in our files right now or different dimensional forms, as you know, they must be in our files by five p.m. -- no later than five p.m. on the Monday before August 13th.

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

(Aye.)

CONSTANTINE ALEXANDER: Five in  
favor. Case continued.

ATTORNEY ANNE REYNOLDS: Thank  
you.

(Alexander, Sullivan, Myers, Best,  
Monteverde.)

\* \* \* \* \*



(9:15 p.m.)

(Sitting Members Case #BZA-006744-2015:  
Constantine Alexander, Brendan Sullivan,  
Douglas Myers, George S. Best, Jim  
Monteverde.)

CONSTANTINE ALEXANDER: The Chair  
will call case No. 006744, 562 Franklin  
Street.

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

ATTORNEY EDWARD GOTTLIEB: Good  
evening, gentlemen.

LUCIO TRABUCCO: Plans?

CONSTANTINE ALEXANDER: These are  
the same plans as here.

LUCIO TRABUCCO: These are the  
plans are easier to work with.

CONSTANTINE ALEXANDER: I want to  
make sure they're not different than what

we have in here.

ATTORNEY EDWARD GOTTLIEB:

Mr. Chairman, my name is Edward Gottlieb.

I'm an attorney. My office is at 309

Washington Street in Brighton Center,

Massachusetts, and with me is my client

Ms. Jane Wallace who is one of the

managing members of 562 Franklin Street,

LLC, which is the petitioner in this

matter. And

Ms. Wallace is a resident of 562-564

Franklin Street as she moved there as a

child in 1929 and she continues to remain

there for many years hopefully to come.

And with her is her son Lorn Wallace who

also lives over there. And he was born

there and also continues to live there.

The Wallace -- Ms. Wallace, which

her maiden name was Gill. As I said, the

Gill family came to this property in 1929 and has continued on there to this day. Just a little bit about the property itself, we are dealing with a -- what I would consider anomalous situation.

CONSTANTINE ALEXANDER: What situation, I'm sorry?

ATTORNEY EDWARD GOTTLIEB:  
Anomalous.

CONSTANTINE ALEXANDER: Anomalous.

ATTORNEY EDWARD GOTTLIEB:  
Anomalous.

CONSTANTINE ALEXANDER: Okay.

ATTORNEY EDWARD GOTTLIEB: We are talking about a 2,752 square foot parcel on which sits two unjoined structures. We've got the front building, which was built back in the early 20th century, late 19th century, which is two-and-a-half

stories tall. It's a three decker if you will. It's a three-family structure and has always been so occupied.

We then have the rear building, which has been there since 1904. And according to the records that we were able to obtain from your offices, at least since 1927, as far back as these records go, there's a small building to the rear has always been a two-family house. And the -- we've provided you with a letter from Ms. Wallace reciting her recollections of the tenants, in fact, who occupied that property since -- according to her recollection, from 1929 forward. And indeed it seems to confirm with the Greenough Company 1931 directory and the Greenough Company 1927 directory. So I think either her memory was very good or

the Greenough Company went out and interviewed her as a child, I'm not sure which, but I think that they're pretty consistent.

So we've got a -- it's a three-family house fronting on Franklin Street. To the rear of that, we've got this two-family house where Ms. Wallace had been living. And I will describe it generously to say that the second floor unit and the first floor unit by reason of the present design of the interior staircases is absolutely not catastrophic but --

CONSTANTINE ALEXANDER:

Claustrophobic.

ATTORNEY EDWARD GOTTLIEB:

Claustrophobic, exactly.

What we are trying to do, what we're

trying to do is to reasonably continue the use of these two units with making the minimal impact possible within a very finite area that we can work with.

CONSTANTINE ALEXANDER: I would also hope that you're trying to do is improve the safety of the occupants of 562 --

LUCIO TRABUCCO: Yes.

CONSTANTINE ALEXANDER: -- because that's got to be the basis for your Zoning relief.

LUCIO TRABUCCO: Yes.

CONSTANTINE ALEXANDER: Not the rationalization of the interior.

ATTORNEY EDWARD GOTTLIEB: Okay. So, and I think the plans which have been prepared and submitted accomplish that by providing better access and egress through

that second floor.

CONSTANTINE ALEXANDER: I have to state my personal view, and this is a very -- this is a disaster waiting to happen from a safety point of view. If there's a fire in any one of those buildings, and the building next-door also right on top of 562, they're all three all wood frame buildings and so a fire is going to spread like wildfire if it starts. So anything that improves the safety is better than what you have right now which is a good reason for the staircase you want to put up. But you're not going to solve the problem. This is a -- for the City of Cambridge this is going to be an ongoing problem or concern I should say.

Sir.

ATTORNEY EDWARD GOTTLIEB: I'll  
let Mr. --

CONSTANTINE ALEXANDER: Yes.

LUCIO TRABUCCO: Lucio, last name,  
Trabucco. L-u-c-i-o T-r-a-b-u-c-c-o  
architects.

On your point, Mr. Chairman, is that  
the owner wants to remodel the three-story  
structure.

CONSTANTINE ALEXANDER: I  
understand.

LUCIO TRABUCCO: And part of that  
is the way the building is framed in the  
old days it's like a, you know, like an  
intersecting. It's kind of sagging. So  
part of that was to, you know, work on the  
structure, level the structure, introduce  
new framing, make it more safer than it is  
now. But it also, there is also to create



a separation from the exterior walls.

That's part of the remodeling.

We're introducing, again, to make the space more liveable, we're taking the interior stores, if you look at the proposed drawings, and put it to the outside.

CONSTANTINE ALEXANDER: Yes.

LUCIO TRABUCCO: That will be the main entrance to the second floor. In addition to that in the rear, there's an existing bay, we're looking to the existing bay to the right of the rear as a second means of egress. Right now there's no second means of egress. That expands, you know, on your point of safety. So we are incorporating, you know, life safety measures into the design. And but, the major portion is basically interior

design. We are introducing a couple of, you know, main stairs and a second means of egress to make it legal present day code.

CONSTANTINE ALEXANDER: As your plans show, the lot has got -- is it 2600 square foot lot?

LUCIO TRABUCCO: Yes, small lot.

CONSTANTINE ALEXANDER: One structure in front and then one right back. And then if you're looking on Franklin Street in, there's a house to the left --

LUCIO TRABUCCO: Yes.

CONSTANTINE ALEXANDER: -- of 562 that's almost on top of 562 as well. That's not owned by your client?

ATTORNEY EDWARD GOTTLIEB: No.

CONSTANTINE ALEXANDER: Have you

spoken to the owners of that structure?  
And do you know what their views are about  
putting these exterior stairs?

ATTORNEY EDWARD GOTTLIEB: I have  
spoken to the owners of the properties to  
the rear of ours and both of them are  
here. There's Mr. Steven Watt here from  
106 Kinnaird Street.

CONSTANTINE ALEXANDER: Okay.

ATTORNEY EDWARD GOTTLIEB: And  
which is immediately to the rear of our  
lot, if you will.

CONSTANTINE ALEXANDER: Right,  
right.

ATTORNEY EDWARD GOTTLIEB: And the  
neighbors right next-door to Mr. Kinnaird,  
(sic) are also here this evening. And I  
don't want to speak for them, but Mr. Watt  
is --

CONSTANTINE ALEXANDER: You'll have an opportunity to speak, sir.

ATTORNEY EDWARD GOTTLIEB: Right. He has informed us that he is certain --

CONSTANTINE ALEXANDER: You've talked to the neighbors that's the point I wanted to get across.

ATTORNEY EDWARD GOTTLIEB: Right. He is certainly not opposed to what we are proposing.

CONSTANTINE ALEXANDER: Okay.

And so given the size of the lot and the amount of lot that's occupied by structures, these stairs will really come right down to the lot line.

LUCIO TRABUCCO: Well, it's not the lot line, but it basically follows -- there's an existing stair that goes to the first floor --

CONSTANTINE ALEXANDER: Right.

LUCIO TRABUCCO: And the stair to the second floor aligns with that. So basically whatever that -- the dimension from that stair to the property line is the same dimension from the new stair to the property line.

CONSTANTINE ALEXANDER: Okay.

ATTORNEY EDWARD GOTTLIEB: If I may interrupt you one second. You should have a copy of the plans.

CONSTANTINE ALEXANDER: We have a copy.

ATTORNEY EDWARD GOTTLIEB: Okay.

CONSTANTINE ALEXANDER: Okay.

LUCIO TRABUCCO: And the stairs is not in the rear. The stair stays within the same setback as that existing bay.

CONSTANTINE ALEXANDER: Is that

it?

ATTORNEY EDWARD GOTTLIEB: That is it, Mr. Chairperson.

CONSTANTINE ALEXANDER: Okay, questions from Members of the Board at this point?

(No Response.)

CONSTANTINE ALEXANDER: None.

I'm going to open the matter up to public testimony. Is there anyone here wishing to be heard on this matter?

STEVEN WATT: My name is Steven Watt. S-t-e-v-e-n W-a-t-t, 106 Kinnaird Street, Cambridge. My house is -- the staircase is like directly behind my house and it's quite close, but I support because it's to help the Wallace family stay there. I'm supporting this Variance.

CONSTANTINE ALEXANDER: Thank you

for taking the time to come down and speak.

Is there anyone else wish being to be heard?

JEFF SNYDER: I'm Jeff Snyder (phonetic) at 108 Kinnaird which is neighbors and also the other house that's immediately to the rear. And I basically support it, too, with, I would say one caveat, which is that the stairway that is off in the back, I would prefer to see some sort of an egress that were more of a fire escape, something that was less out. But basically, yes, it's fine with that caveat.

CONSTANTINE ALEXANDER: Okay.  
Thank you.

Is there anyone else wishing to be heard?

(No Response.)

CONSTANTINE ALEXANDER: No one else is wishing to be heard.

I don't think there's any correspondence in our file. So I'm going to close public testimony.

Any final comments, sir?

Counselor, anything final?

ATTORNEY EDWARD GOTTLIEB: No, your Honor.

CONSTANTINE ALEXANDER: Your Honor? Mr. Chairman.

Okay. Discussion from Members of the Board?

Ready for a vote?

BRENDAN SULLIVAN: We've sort of seen this. This is getting to be a trend of people taking an interior element and trying to capture --



CONSTANTINE ALEXANDER: Yes.

BRENDAN SULLIVAN: -- more living space. And so taking that and now opposing that on the outside of buildings, not necessarily in favor of it, that procedure. I think that the house that's going to be remodeled, redone, probably should really live within the existing envelope, and I think that that area of Franklin, Kinnaird is -- has numerous incidences like this, not necessarily one behind the other, but I think small houses on very small lots and the insides of them are quite tiny. And yet they've been around since 18 whatever it may be, and I'm not in favor of really taking an interior element, a staircase, and moving it to the outside.

CONSTANTINE ALEXANDER: I only

observed that I absolutely agree with your comments. And I do think this is one, it's sort of the exception to the rule, particularly where there's no second means of egress in this building.

DOUGLAS MYERS: May I ask -- and this is kind of brought me to -- woke me up.

CONSTANTINE ALEXANDER: Sure.

DOUGLAS MYERS: I would like to ask a question if it's not too late with the architect. Can a second means of egress be devised for this property that does not require locating the interior staircases to the outside?

LUCIO TRABUCCO: Well, we can put -- the main reason we're locating the stair outside because if you can look at the existing plan, the stair, the existing

stair is right in the center of the floor plan.

DOUGLAS MYERS: Yes.

LUCIO TRABUCCO: But typically it's very hard to devise any layout that makes sense present day with the stair right in the middle.

DOUGLAS MYERS: Yes, of course.

My question was, my question was, could you devise a second means of egress without relocating --

LUCIO TRABUCCO: Yes.

DOUGLAS MYERS: -- the interior staircase to the outside of the building?

CONSTANTINE ALEXANDER: Put a fire escape.

LUCIO TRABUCCO: Yes.

DOUGLAS MYERS: Again, I walked the entire length of Franklin Street

between Putnam Avenue and Bay Street and I looked very carefully about whether there were any exterior stair cases in that whole rather long block on either side of the street, and I found none, none, except for one house on the corner of Franklin and Putnam Ave. which faced Putnam Avenue where there was a rear, sort of a semi-spiral type of fire escape. But otherwise there are no exterior staircases. So my thought is we're really introducing two very foreign elements into this historic neighborhood when there may be an alternative which is simply to find and design a second means of egress without the necessity of importing, adding an exterior staircase to the property which really seems to me to be quite inconsistent with the residential,

immediate residential uses in the Zone.

LUCIO TRABUCCO: Well, again, the existing stair, there isn't -- there is an issue of layout which basically right smack in the center of the floor plan and it's a very tiny floor plan. I mean, stair is right -- if you go to the property, you'll see, it's right -- it's not -- the floor plan is divided in two basically.

DOUGLAS MYERS: I hear you. I mean, I do understand that there are many advantages that can be gained by relocating an interior staircase to the outside. But my question is could you find a second means of egress that would satisfy the safety concern without an exterior staircase and still maybe accomplish something inside the property.

LUCIO TRABUCCO: The second means of egress, I mean you do have to put a stair on the outside. You can do a fire escape to minimize the size of the stair. That would be acceptable but you still need to go on the outside. I mean if I put another stair on the inside there is no --

DOUGLAS MYERS: That's --

LUCIO TRABUCCO: -- there is no floor plan --

DOUGLAS MYERS: That's the answer I'm looking for.

CONSTANTINE ALEXANDER: From my perspective, and it's one person's perspective, I'd rather see the staircase like this than a fire escape. I think a fire escape is very unattractive. I'm not sure how functional. We have an aged

person who is going to be occupying this unit and to climb her down a fire escape.... I certainly agree with what Brendan said about the trend toward creating additional living space by moving interior staircases to the outside, but I think we can deal with those on a case-by-case basis. And if there are situations where I think I'm going to say no, but I think this is one where I personally would say yes. I think it's got neighborhood support. It's a very tiny area. It's a very tiny structure. I don't see any great harm being done from this, but that's just my personal view.

BRENDAN SULLIVAN: But in response to the question of did you solicit any response from the people on the left side of -- the answer is no?

ATTORNEY EDWARD GOTTLIEB: The answer is no, I have not spoken to them, Mr. Sullivan.

CONSTANTINE ALEXANDER: Why not?

ATTORNEY EDWARD GOTTLIEB: There is no reason I have not. I did not.

CONSTANTINE ALEXANDER: They're an abutter. A direct abutter.

ATTORNEY EDWARD GOTTLIEB: I understand that. I did not speak to them. I spoke to the people in the rear of us. I have not spoken to the people to the left of us.

CONSTANTINE ALEXANDER: Is there a reason you didn't speak to them?

ATTORNEY EDWARD GOTTLIEB: There is no reason. I mean, oversight perhaps. But other than oversight, there is no reason I did not speak to them.



CONSTANTINE ALEXANDER: Okay.

BRENDAN SULLIVAN: So that's a bit troubling.

CONSTANTINE ALEXANDER: It's troubling to me, too.

DOUGLAS MYERS: Yes.

BRENDAN SULLIVAN: Because they're going to be very much affected by this.

DOUGLAS MYERS: Clinically and immediately impacted by this visual impact of the exterior staircase.

CONSTANTINE ALEXANDER: Now, we've had sort of an analogous situation like this, you know, maybe it was Trowbridge Street where they wanted a Special Permit to relocate windows and they didn't talk -- the petitioner didn't talk to the abutter who was most directly affected by it, and we continued that case and asked

them to come back and report -- to contact the people to the left and give a report as to whether they were in support or in opposition.

ATTORNEY EDWARD GOTTLIEB: We have no objection to doing that and continuing the matter to offer us some time to reach out to those people.

CONSTANTINE ALEXANDER: What's the sense of the other Members of the Board?

BRENDAN SULLIVAN: No, I think that's crucial.

DOUGLAS MYERS: I think that's the minimum to be required before I could vote for it.

CONSTANTINE ALEXANDER: Okay. It would have to be the five of us would have to come back as a case heard because we've gotten into the merits. How long would

you -- the next two weeks? Or you want four weeks?

ATTORNEY EDWARD GOTTLIEB: I'm sorry?

CONSTANTINE ALEXANDER: How much time would you want to do what you got to do?

ATTORNEY EDWARD GOTTLIEB: Provided that those people are --

CONSTANTINE ALEXANDER: You don't know whether they're going to be available.

ATTORNEY EDWARD GOTTLIEB: I will certainly make an effort to reach out to them within the next three to seven days and hope to get to talk to them and see what their position is.

CONSTANTINE ALEXANDER: We have a pretty clean schedule on June 25th? The

second one? What's the second one after this one?

SEAN O'GRADY: June 25th.

CONSTANTINE ALEXANDER: June 25th.

Can everybody make June 25th?

JIM MONTEVERDE: Yes.

DOUGLAS MYERS: Yes.

CONSTANTINE ALEXANDER: I'm going to continue the case to June 25th.

The Chair moves that this case be continued as a case heard until seven p.m. on June 25th for the expressed purpose of allowing you -- or requiring you to contact the abutter to the left as we've described it, as you face into 562 Franklin Street, and to report back to us. Ideally it would be nice if we get something in writing from them, but if not, oral representation.

ATTORNEY EDWARD GOTTLIEB: Sir,  
the people next-door are in 572 Franklin  
Street. 562 --

JIM MONTEVERDE: There's a  
building here. There's 556.

BRENDAN SULLIVAN: A 556 and 560.

JIM MONTEVERDE: 558.

BRENDAN SULLIVAN: And 558.

JIM MONTEVERDE: There's a  
structure above.

CONSTANTINE ALEXANDER: Here is  
562. Here's the street. Here's -- and  
there's one right here.

STEVEN WATT: 560.

JIM MONTEVERDE: 560 and 558  
Franklin.

ATTORNEY EDWARD GOTTLIEB: Right.

CONSTANTINE ALEXANDER: Those are  
the people.

DOUGLAS MYERS: I would like to have contact with the -- if there are two abutting buildings on the left side, then both. Certainly the one in rear is absolutely paramount, but the one in front is also important.

JIM MONTEVERDE: And at least one here. Right? 570 and 572.

DOUGLAS MYERS: No staircase on the right side.

JIM MONTEVERDE: So they should be notified, too.

CONSTANTINE ALEXANDER: You understand who we want you to contact?

ATTORNEY EDWARD GOTTLIEB: Well, I as I'm standing on Franklin Street looking at my client's property, I see a property to my left at 556 -- 556-560.

JIM MONTEVERDE: One, two, three.

BRENDAN SULLIVAN: The Assessor's plot in there --

CONSTANTINE ALEXANDER: It's the same thing.

ATTORNEY EDWARD GOTTLIEB: The two on the either side? Yeah, yeah.

CONSTANTINE ALEXANDER: This is the one we have.

BRENDAN SULLIVAN: Can I see the folder?

CONSTANTINE ALEXANDER: I'll continue with the motion for this will be part of the motion.

Continued on June 25th at seven p.m. on the condition that:

One, you sign a waiver of time for decision.

Two, that the posting sign be modified to reflect the new date, June

25th, and the new time, seven p.m. You can do it just by magic marker, crossing out what's there now and putting the new date and time. And that the sign has modified be maintained for the 14 days required by our Ordinance for all postings.

And lastly, to the extent the continuous results in the change in your plans or in the dimensional form that those changes, if there are any, has to be in our files no later than five p.m. on the Monday before June 25th. Otherwise we won't hear the case.

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

(Aye.)

CONSTANTINE ALEXANDER: Five in favor. Case continued.



(Alexander, Sullivan, Myers, Best,  
Monteverde.)

\* \* \* \* \*

(9:40 p.m.)

(Sitting Members Case #BZA-006699-2015:  
Constantine Alexander, Brendan Sullivan,  
Douglas Myers, George S. Best, Jim  
Monteverde.)

CONSTANTINE ALEXANDER: The Chair  
will call case No. 006699, 29 Gurney  
Street.

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

HERRICK HAWKINS: Good evening.  
Herrick Hawkins, H-e-r-r-i-c-k Hawkins,

H-a-w-k-i-n-s.

We would like to reconstruct our front porch and we're requesting a Variance of 407 inches to the left side of the property looking from the street. And this Variance would allow us to alleviate several design flaws as well as just enhance the look of the house and the character of the neighborhood. I think the pictures that you've seen and the design, that current front porch is not in good condition and is sort of an eyesore for the neighborhood.

CONSTANTINE ALEXANDER: It also blocks some windows, too.

HERRICK HAWKINS: Yes. That's also one of the design flaws is that it blocks the front lower window making it non-functional and then the railing on the

top splits the top windows as well.

We've talked to our neighbors on the left. We have a letter of their support and they fully support it.

CONSTANTINE ALEXANDER: Do we have a letter from Julia Smith at 27 Gurney.

HERRICK HAWKINS: Yes, that's --

CONSTANTINE ALEXANDER: That's the one most affected by the change?

HERRICK HAWKINS: Yes.

CONSTANTINE ALEXANDER: Good.

And there's another letter authorizing you to speak on behalf of a bunch of people. Is this is a condominium?

HERRICK HAWKINS: No, my wife and I own the house with her twin sister and her husband, so the four of us, and they live upstairs.

CONSTANTINE ALEXANDER: Okay.

Questions from Members of the Board?

(No Response.)

CONSTANTINE ALEXANDER: No questions.

I'll open the matter up to public testimony. Is there anyone here wishing to be heard on this matter?

(No Response.)

CONSTANTINE ALEXANDER: There is none.

We are in receipt of a letter from Julia Smith who reside at 27 Gurney Street. (Reading) Our neighbors at 29 Gurney Street, Cambridge, Mass., have shown me their proposed plans for reconstructing their porch and deck closer to their left property line in order to eliminate the obstruction to their

windows. I have no objections.

And then there's a letter in the file authorizing Mr. Hawkins to speak on behalf of all the owners of the building.

And that's all we have.

Anything final you want to say?

HERRICK HAWKINS: No.

CONSTANTINE ALEXANDER: No.

Questions from Members of the Board or ready for a vote?

JIM MONTEVERDE: Ready.

CONSTANTINE ALEXANDER: The Chair moves that we make the following findings with regard to the Variance being sought:

That a literal enforcement of the provisions of the Ordinance would involve a substantial hardship to the petitioner. Such hardship being is that the front porch is in need of renovations, front

porch and deck. It is poorly designed and intrudes over the windows on the front of the house.

That the hardship is owing to the shape of the house and the nature of the construction. And the fact that this house is already a non-conforming structure so, therefore, any addition or modification requires Zoning relief.

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

In this regard the Chair would note that the relief being sought is rather modest in nature and has the support of all of those neighbors directly affected by what is being proposed.

The Chair moves on the basis of these findings we grant the Variance requested on the condition that the work proceed in accordance with the two pages of plans, both of which are initialled by the Chair. These are in the files. These are the final plans.

HERRICK HAWKINS: Okay.

CONSTANTINE ALEXANDER: Where the deck is going to be and the porch?

HERRICK HAWKINS: Yes.

CONSTANTINE ALEXANDER: Is that it?

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

(Aye.)

CONSTANTINE ALEXANDER: All in favor. Good luck.

HERRICK HAWKINS: Thank you.

(Alexander, Sullivan, Myers, Best,  
Monteverde.)

\* \* \* \* \*

(9:45 p.m.)

(Sitting Members Case #BZA-006701-2015:  
Constantine Alexander, Brendan Sullivan,  
Douglas Myers, George S. Best, Jim



Monteverde.)

CONSTANTINE ALEXANDER: The Chair will call case No. 006701, 32-34 Valentine Street.

Is there anyone here wishing to be heard on this matter? The floor is yours.

CAMPBELL ELLSWORTH: Good evening. My name is Campbell Ellsworth, architect. I'm joined on my right by Andrew McAfee owner and client. His partner's to the right Tatiana Webb (phonetic) and Jordan Bissett (phonetic) is with us who is part of -- also part of a design team.

We are before you tonight to request three Variances or three individual Variances and one Special Permit. The -- I want to give you just a bit of history of this property.

Mr. McAfee owned a single townhouse.

There's a -- on your front page there is a site plan. This is a little bit larger enlargement of that 1977 site plan. So this was developed in 1977 as ten individual or ten townhouses. It was shortly thereafter subdivided, subdivision plan was put into effect. That subdivision is at the core of the conversation tonight in terms of the odd configurations that were created.

Mr. McAfee owned this one that was labelled as No. 1. That's No. 32. And then he and his partner decided to purchase -- have the opportunity to purchase the second, No. 2, and then create a larger single-family home.

Because of the configuration and the red lines -- the dashed line is now the one that is between the two. The solid

lines are now the new property lines. And it is because of those configurations of the subdivision that create all of these non-conformities that we're here before you to discuss.

The --

CONSTANTINE ALEXANDER: Which one is 36 Valentine Street?

CAMPBELL ELLSWORTH: 32, 34, 36. And you have a letter in there, I believe. I checked with Maria today. That was the only one that was there as of three o'clock.

CONSTANTINE ALEXANDER: That's right.

CAMPBELL ELLSWORTH: I don't believe anything more has come in.

I can, I'd like to just ask Mr. McAfee to sort of address the sort of

intent and his history in this location.

ANDREW McAFEE: Yep. So good evening, everyone. I bought 32 Valentine in I think it was 1999, and I've lived there very happily ever since. I work at MIT so I can walk to work. Tatiana and I have been together for a few years. The place started to feel a little small to us. We thought about moving somewhere to expand. My neighbors in 34 were retiring and thinking about moving out to the suburbs, so we had this happy opportunity to make both families happy, bought out 34, and as Campbell says, we're in the process of turning it into a single-family residence. And what he's explained to me is that the setbacks brought on by some of these red lines which look strange to me, necessitate us being here tonight.

CONSTANTINE ALEXANDER: Right.

CAMPBELL ELLSWORTH: So --

CONSTANTINE ALEXANDER: And the modifications you're going to make in that plan, where are they going to be? Are they going to be close to 36? Back here?

CAMPBELL ELLSWORTH: No.

So one of the modifications -- and in the plans you've got -- so there is a project that is permitted now and that is as of right permit. And so one of the things is that there is a, there's a sort of ridge here.

CONSTANTINE ALEXANDER: Right.

CAMPBELL ELLSWORTH: And that, the owners wanted to raise, raise that entire ridge to create a little bit more comfortable living space up on that third floor. If you look in the building

sections, right? This is -- the house is, you know, sort of one of these, I think it's Bell and --

ANDREW McAFEE: Bell and Fandetti.

CAMPBELL ELLSWORTH: And Fandetti, they did a lot of townhouses all over Cambridge.

CONSTANTINE ALEXANDER: Yes, they did. We hear a lot of Zoning cases.

ANDREW McAFEE: Right now two of us come close to banging our heads on the roof. We'd like to slope that.

CAMPBELL ELLSWORTH: Just to explain this. This is the existing condition. This is the proposed. There is, under that eave, there is six-foot, four. And so by raising it by 16 inches, 18 inches, something like that, doesn't add FAR, it doesn't add GFA into the

calculations. So there's no change in GFA.

And by the way, you've got the dimensional form. This, this house is conforming. I mean, we're not pushing on the maximums anywhere.

CONSTANTINE ALEXANDER: Just setbacks.

CAMPBELL ELLSWORTH: It's a setback. It's a set of setback issues, correct.

So the first is that we have -- on this plan, we have the right because of the way the setbacks are, to raise that roof approximately in that area. But as this, as this property line gets closer and intersects with the calculated setback in the C-1 Zone, all of a sudden we have a no work zone that is created essentially

here.

CONSTANTINE ALEXANDER: Yes.

CAMPBELL ELLSWORTH: And we also have it because of this very odd jog in the back property line. We also have a no work zone that's created there.

The -- so here in this no work zone we would like to continue the raise, the raised roof, the raised eave, and be able to reconfigure -- the raised eave would be a Variance application, and that's the -- one of the three Variance applications. The other would be the reconfiguration of doors and window openings, again, in that no work zone.

CONSTANTINE ALEXANDER: That's a Special Permit.

CAMPBELL ELLSWORTH: That would be a Special Permit, that's correct.



And then on the back side, this is all Special Permit because it's just window openings within that, quote, rear setback.

The other two Variance applications are very, very modest. The -- all of these houses are slab on grade. They don't have basements. And the first floors are literally four inches above grade. So you step in and you're done. So there's no steps up into this house.

There are -- when there are two townhouses, there were window seats built out symmetrical, I mean mirrored here. And the reconfigure -- the combining of the two units and the reconfiguration, the designers and the owner wanted to do a single window seat and a single fireplace, but now both of those appear to be, again,

inside the required calculated setback. However, we are able to do them if we cantilever them, if they don't touch the ground, but we thought it was just a little bit ridiculous to have to cantilever them, especially when we're slab on grade. It's not like the first floor is three feet above grade and now you cantilever. This would be a cantilever of something like eight inches above the dirt on the outside. So those two Variances are requesting that we be able to bring those two elements of the house, the fireplace and the window seat, which appear to be in that calculated setback, to bring them down to grade which is, again, another -- just by another eight to twelve inches.

So that's --

CONSTANTINE ALEXANDER: That's it?

CAMPBELL ELLSWORTH: That's it.

CONSTANTINE ALEXANDER: Questions  
from Members of the Board?

(No Response.)

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

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

(No Response.)

CONSTANTINE ALEXANDER: Apparently  
there is no one wishing to be heard.

We are in receipt of an e-mail.  
It's from Courtney Grey, G-r-e-y,  
addressed to Maria Pacheco. (Reading)  
Greetings, Ms. Pacheco, hope all is going  
well and that you enjoyed your Memorial  
Day weekend. Friendly guy. I am sending  
this e-mail on behalf of my neighbor

Andrew McAfee. I own the property at 36 Valentine Street in Cambridge, Mass. and am an abutter to his new property formerly 32 and 34 Valentine Street. I'm in full sport of the Variance he's applied for with respect to the changes and renovations he's making to the properties. I worked in the field of architecture and look forward to seeing what I believe to be an elegant design.

His team of contractors and his assistant have been careful and intentional in their efforts to minimize the impact of the project. And then it just -- he says I do not imagine I would be needed for the hearing. But if so, please let me know and I will do my best to make it.

Apparently he didn't come but it's

not necessarily. And that's it.

I'm going to close public testimony unless you have any final comments.

CAMPBELL ELLSWORTH: No. I'm just -- I mean, going to say if there was ever a case that hardship was created by the land, this is an interesting one.

CONSTANTINE ALEXANDER: Yeah, right.

CAMPBELL ELLSWORTH: So....

CONSTANTINE ALEXANDER: Okay, public testimony is closed. Ready for a vote or do you want to discuss?

JIM MONTEVERDE: Ready.

CONSTANTINE ALEXANDER: Ready for a vote. I'll start with the Variance first.

The Chair moves that this Board make the following findings with regard to the

three Variances being sought:

That a literal enforcement of the provisions of the Ordinance would involve a substantial hardship to the petitioner. Such hardship being is that the structure needs to be modified particularly with the ridge line to reflect some additional design flaws in connection with consolidating two separate, or what once was two separate townhouses.

That the hardship is owing to this, to the design of the townhouse configuration in its entirety, and including the subsequent division of this, of this development into individual properties.

And that relief may be granted without substantial detriment to the public good or nullifying or substantially

derogating from the intent and purpose of the Ordinance.

The relief -- in this regard, the relief being sought is very modest in nature. It has no impact on abutting structures or land owners.

And, therefore, the Chair moves that based on these findings we grant the Variance being sought on the condition that the work proceed in accordance with the plans submitted by the petitioner. They've been prepared by Campbell Architects -- Campbell Ellsworth Architects. They are numbered Z-01, Z-02, A-20, A-21, A-40, A-41, and A-42, all of which each page has been initialed by the Chair.

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

(Aye.)

CONSTANTINE ALEXANDER: Variance granted.

(Alexander, Sullivan, Myers, Best, Monteverde.)

CONSTANTINE ALEXANDER: This is Special Permit in regards to restore doors and windows in the setbacks.

With regard to the Special Permit the Chair moves that we make the following findings:

That the requirements of the Ordinance cannot be met without the Special Permit because of the fact that the structure now sits, at least on one side, on the lot line itself.

That traffic generated or patterns of access or egress that will result from what is being proposed will not cause



congestion, hazard, or substantial change in established neighborhood character.

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

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

And that what is being proposed with regard to the Special Permit relief will not impair the integrity of the district or adjoining district or otherwise derogate from the intent and purpose of this Ordinance.

So on the basis of these findings,

the Chair moves that grant the Special Permit being sought on the condition that the work proceed again in accordance with the plans identified with the Variance that we just approved.

All those in favor please say "Aye."

(Aye.)

CONSTANTINE ALEXANDER: Five in favor. Good luck.

(Alexander, Sullivan, Myers, Best, Monteverde.)

CAMPBELL ELLSWORTH: Thank you so much.

\* \* \* \* \*

(10:00 a.m.)

(Sitting Members Case #BZA-006742-2015:

Constantine Alexander, Brendan Sullivan,

Douglas Myers, George S. Best, Jim Monteverde.)

CONSTANTINE ALEXANDER: The Chair will call case No. 006742, 174 Lakeview Avenue.

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

SHIPPEN PAGE: Good evening, Mr. Chairman.

CONSTANTINE ALEXANDER: Good evening.

SHIPPEN PAGE: I'm Shippen Page of 174 Lakeview Avenue.

ANNE ST. GOAR: Anne, A-n-n-e St. Goar, G-o-a-r.

CONSTANTINE ALEXANDER: You live there, too?

SHIPPEN PAGE: I do, Mr. Chairman. I've lived there since 1989. You have

copies of my application. My wife and I are seeking to in-fill a side deck on the south side of the property to put in a greenhouse. My wife's mother was a horticulturist and a doctor, died in July. She lived in Brookline. She in turn had plants from her mother from the early 20th century, and we'd love to have a greenhouse that would keep these plants, begonias, orchids and the rest so we can keep them year round as a legacy project.

The Zoning Ordinance changed from the mid-90s to provide anything over 5,000 square feet be calculated at 0.35. When we originally renovated the building in 1989, we were nearly at 50 percent. It was --

CONSTANTINE ALEXANDER: 0.49, right.

SHIPPEN PAGE: And now with the change, we're going to be in excess of I think 184 square feet. It is an existing deck that is five feet and change and about 14 feet in length. We seek to enclose it with an aluminum and glass structure that would cause us to eliminate the existing glass doors and windows and so that we have a fountain that's to the immediate south of our property and I've got -- I'm sorry, I didn't provide photographs with my application, but I have them on my phone if it would help the Board understand the situation. And we would like to be able to have doors that open up into that so that in the summer we can open it up.

CONSTANTINE ALEXANDER: And you're just filling in a notch, if you will, in

the building itself?

SHIPPEN PAGE: Exactly,  
Mr. Chairman.

ANNE ST. GOAR: The stairs go out  
a little bit more.

CONSTANTINE ALEXANDER: And the  
neighbor who is faces the notch?

SHIPPEN PAGE: Is  
Stefan -- Stefan --

ANNE ST. GOAR: They're new  
neighbors.

SHIPPEN PAGE: And his wife  
Heather Paxson and I have a letter of  
support which is -- which I can submit.

CONSTANTINE ALEXANDER: Please.

SHIPPEN PAGE: And with a copy of  
the plan with their names on that. The  
only person -- the two people I couldn't  
get are my neighbors to the immediate

north, the Lampsons (phonetic), who have been away since I filed this. And they would not be affected in any event because this is entirely on the south side. And a person named Yoko McCarthy (phonetic) who lives to the southwest of the property in a two-family house and the couple that lived below -- actually above her are -- just a second. Are Andrew and Marie Hartness (phonetic), and they're fully in support.

So I have given you the letters, and then I'd like to submit with this the annotated map that shows you where these people live. And then I have an e-mail of -- I wish I'd gotten their signatures, but John O'Connell and Barbara Black who have been mostly cruising in the Caribbean for 15 years, but they were (inaudible)

and I got an e-mail from them yesterday saying they fully support after reviewing the proposal, and but their names are not listed on the --

CONSTANTINE ALEXANDER: Maybe they'll bring some plants to put in your greenhouse.

SHIPPEN PAGE: That's what I'm hoping. As long as they're not invasive species. So that's --

CONSTANTINE ALEXANDER: As you point out, just for the record, the reason you're here before us tonight is that you, with regard to FAR, you're slightly in non-conformance right now. You're 0.49 in a 0.4725 district. And you're going to add 78 feet more so you're going to go slightly higher to a little over 0.5, but still only a slight variation from our



Ordinance in terms of the FAR.

SHIPPEN PAGE: And we're trying to minimize the appearance of mass by having it be aluminum and glass.

CONSTANTINE ALEXANDER: Just the fact that it's in the notch, too, also minimizes it except to the people facing directly towards the notch.

SHIPPEN PAGE: Yeah. You won't see it from the street unless you -- and the only people that can see it are the Helmrichs (phonetic) and the Paxsons and our neighbor immediately to their west. So that's our proposal, Mr. Chairman.

Thank you.

CONSTANTINE ALEXANDER: Questions from Members of the Board?

JIM MONTEVERDE: No.

CONSTANTINE ALEXANDER: I'm going

to open the matter up to public testimony.

Is there anyone wishing to be heard on it matter?

(No Response.)

CONSTANTINE ALEXANDER: No one wishes to be heard.

The chair would report that we are in receipt from the petitioner a petition signed by 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 abutters and/or citizens of the city, and the petition reads: We are neighbors of Shippen Page and Anne St. Goar -- did I get it right? St. Goar?

ANNE ST. GOAR: Yes.

CONSTANTINE ALEXANDER: (Reading)  
They have shared with us their plans to build a greenhouse off their family room on the south side of their house. We have

no objection to their project and fully support them. Thank you for your consideration.

And we have the e-mail that you alluded to in your public testimony from John O'Connell and Barbara Black who reside at 177 Lakeview Avenue. And they are in support. I'm not going to read the e-mail. They are in support as well of what you want to do.

So no opposition from neighbors.  
Full support.

I'm going to close public testimony.  
Ready for a vote?

JIM MONTEVERDE: Yes.

CONSTANTINE ALEXANDER: Okay. The Chair moves that with respect to the Variance being requested that a literal enforcement of the provisions of the

Ordinance would involve a substantial hardship. Such hardship being that the petitioner has been benefitted by inheriting substantial plantings and need a greenhouse to continue them and maybe expand on what they've been -- she has inherited.

That the hardship is owing to the shape of the house right now and its location. It's a non-conforming structure and, therefore, a need for addition, modification requires Zoning relief.

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

In this regard the Chair would note that the relief being sought is rather

modest. It is all but invisible to most people in the neighborhood, and that the project has unanimous neighborhood support.

So on the basis of these findings, the Chair moves that we grant the Variance requested on the condition that the work proceed in accordance with plans submitted by the petitioner in which I have initialled.

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

(Aye.)

CONSTANTINE ALEXANDER: Five in favor.

(Alexander, Sullivan, Myers, Best, Monteverde.)

ANNE ST. GOAR: Thank you.

SHIPPEN PAGE: Thank you, Members

of the Board. Long evening. Thank you.

DOUGLAS MYERS: You're welcome.

\* \* \* \* \*

(10:05 p.m.)

(Sitting Members Case #BZA-006768-2015:

Constantine Alexander, Brendan Sullivan,

Douglas Myers, George S. Best, Jim

Monteverde.)

CONSTANTINE ALEXANDER: The Chair  
will call case No. 006768, 111 Grozier  
Road.

LAURA HARDER: 111 Grozier. Good evening.

CONSTANTINE ALEXANDER: Good evening.

LAURA HARDER: My name is Laura Harder and I'm the soon to be owner of 111 Grozier Road. The house sits at the end of a dead end street, abuts a large open field. One of the things I loved about it. And I'm seeking permission today to add windows to the north facade that's on the field because the house is about two-and-a-half feet into the setback and requires a Special Permit. And then as part of the renovation, there's a covered porch in the back of the house. It was opened up. It was historically closed and opened up by the previous owners when they did some work to the house, and I'd

similarly like to enclose it and put windows in and see the kids.

CONSTANTINE ALEXANDER: No privacy issues being created here?

LAURA HARDER: No privacy issues. The lot line is slanted here, but because there's a portion in this back lot line that is in this back, both the side and the backyard setback, and so that would require a Variance.

CONSTANTINE ALEXANDER: Special Permit.

LAURA HARDER: Okay, great.

CONSTANTINE ALEXANDER: If you need a Variance, we can't give it to you because you didn't advertise for it. It just says Special Permit which is also a standard.

LAURA HARDER: I did contact all



of my neighbors, including the owners of the baseball field next-door, and everyone was in support. I think one of the women sent an e-mail in. But I received e-mails.

DOUGLAS MYERS: Can you show me the colored plan? That one.

CONSTANTINE ALEXANDER: While Doug is looking at that, any questions from Members of the Board?

(No Response.)

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

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

(No Response.)

CONSTANTINE ALEXANDER: Okay, no one wishes to be heard.

We are in receipt of an e-mail from

Joan Blackett, B-l-a-c-k-e-t-t. (Reading)

I am writing in support of a Special Permit of Laura Harder for the changes to her property at 111 Grozier Road, Cambridge. I've been the owner across the street at 112-114 for more than 40 years and have made similar changes to my property back then. These changes will not affect the streetscape and will enhance the function of the home. And that's it.

And you have detailed plans prepared by Boyes-Watson Architects on file. And we will tie the relief, assuming we grant it, to these plans.

LAURA HARDER: Okay.

CONSTANTINE ALEXANDER: Doug, I'll give you a chance.

DOUGLAS MYERS: I'm fine. That's

fine.

Thank you.

CONSTANTINE ALEXANDER: I will  
close public testimony.

Ready for a vote?

JIM MONTEVERDE: Yes.

CONSTANTINE ALEXANDER: The Chair  
moves that with respect to the Special  
Permit being sought to make the following  
findings:

That the requirements of the  
Ordinance cannot be met because of the  
non-conforming setback issues on the area  
where the windows, the windows want to be  
relocated.

That no traffic -- the traffic  
generated or patterns of access or egress  
will not cause congestion, hazard, or  
substantial change in established

neighborhood character.

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

In this regard the Chair would note that the windows that are to be relocated face on a park and do not cause issues of privacy for abutters.

That no nuisance or hazard will be created to the detriment of the health, safety, and/or welfare of the occupant or the citizens of the city. And that the -- what is being proposed will not impair the integrity of the district or adjoining districts or otherwise derogate from the intent and purpose of the Ordinance.

On the basis of these findings, the

Chair moves that we grant the Special Permit being requested on the conditions that the work proceed in accordance with the plans prepared by Boyes-Watson Architects, they're dated 4/27/2015. They are numerous -- they're voluminous, but I've initialed the first page.

These are the plans you have to follow.

LAURA HARDER: Yes.

CONSTANTINE ALEXANDER: All those in favor of granting the Special Permit, please say "Aye."

(Aye.)

CONSTANTINE ALEXANDER: Five in favor. Special Permit granted.

(Alexander, Sullivan, Myers, Best, Monteverde.)

LAURA HARDER: Thank you.

(Whereupon, at 10:10 p.m., the  
Zoning Board of Appeals  
Adjourned.) **ERRATA SHEET AND SIGNATURE**  
**INSTRUCTIONS**

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

**INSTRUCTIONS**

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

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

# C E R T I F I C A T E

COMMONWEALTH OF MASSACHUSETTS  
BRISTOL, SS.

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

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

IN WITNESS WHEREOF, I have  
hereunto set my hand this 10th day of  
June, 2015.

---

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

My Commission Expires:  
April 29, 2022

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