

BOARD OF ZONING APPEAL
FOR THE
CITY OF CAMBRIDGE

GENERAL HEARING

THURSDAY, SEPTEMBER 9, 2021

6:00 p.m.

Remote Meeting

via

831 Massachusetts Avenue
Cambridge, Massachusetts 02139

Constantine Alexander, Chair
Brendan Sullivan, Vice Chair
Andrea A. Hickey
Jim Monteverde

City Employees
Sisia Daglian, Assistant Commissioner



Precision, Speed, Reliability

617.547.5690

transcripts@ctran.com

I N D E X

CASE

PAGE

6:00 P.M. BZA-017326-2020 -- 2072 MASS AVENUE

5

Original Hearing Date: 12/10/2020

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

2 * * * * *

3 (6:00 p.m.)

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

6 CONSTANTINE ALEXANDER: Welcome to the September
7 9, 2021 meeting of the Cambridge Board of Zoning Appeals.
8 My name Gus Alexander and I am the Chair.

9 This meeting is being held remotely, due to
10 statewide emergency orders limiting the size of public
11 gatherings in response to COVID-19, and in accordance with
12 Governor Charles D. Baker's Executive Order of March 12,
13 2020, temporarily amending certain requirements of the Open
14 Meeting Law; as well as the City of Cambridge temporary
15 emergency restrictions on city public meetings, city events,
16 and city permitted events, due to COVID-19, dated May 27,
17 2020.

18 This meeting is being video and audio recorded,
19 and is broadcast on cable television Channel 22 within
20 Cambridge. In due course, there will a transcript of
21 tonight's proceedings.

22 All Board members, applicants, and members of the

1 public will state their name before speaking. All votes
2 will be taken by roll call.

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

7 Generally, you will have up to three minutes to
8 speak.

9 I'll start by asking the Staff to take Board
10 member attendance and verify that we have -- at least four
11 members of the Board are on the call.

12 SISIA DAGLIAN: Jim Monteverde?

13 JIM MONTEVERDE: Jim Monteverde is here.

14 SISIA DAGLIAN: Andrea Hickey?

15 ANDREA HICKEY: Andrea Hickey present.

16 SISIA DAGLIAN: Laura Wernick?

17 [Pause]

18 SISIA DAGLIAN: Oops, Laura's not here.

19 Brendan Sullivan?

20 BRENDAN SULLIVAN: Brendan Sullivan present and
21 audible.

22 SISIA DAGLIAN: And Gus?

1 CONSTANTINE ALEXANDER: Although we're missing one
2 member, we still have four -- at least four, and therefore a
3 quorum. So we're going to proceed. And we only have one
4 case tonight. It's a continued case, and is a case
5 involving 2072 Massachusetts Avenue, Case #017326.

6 Anyone on behalf of the petitioner wishes to speak
7 at this point at this point?

8 JENNIFER SCHULTZ: Yes. Hello, Chairman. My name
9 is Jennifer Schultz, and I am Permitting and Land Use
10 counsel for the petitioner. I'm a partner at the law firm
11 of Sullivan & Worcester, and I lead our Permitting crew.

12 We submitted a letter of withdrawal for this
13 application on August 27 of this year, so a little over a
14 week and a half ago. And we stand by that withdrawal
15 without any alteration.

16 We're happy for the letter to be read into the
17 record, if you desire, but we have no further comment in
18 addition to our letter of withdrawal.

19 CONSTANTINE ALEXANDER: Thank you. We do have,
20 obviously, a copy of your letter, and I'll just refer to the
21 opening sentence of the letter, which says what you just
22 said; that you were writing to formally withdraw the

1 applicant's comprehensive permit application submitted to
2 this Board on November 10, 2020.

3 Since you have confirmed that you're still -- that
4 is still the position of your client, the Chair will move
5 that we'll accept the application to withdraw the permit;
6 the application before us.

7 Brendan, how do you vote?

8 BRENDAN SULLIVAN: Brendan Sullivan yes to accept
9 the withdrawal.

10 CONSTANTINE ALEXANDER: Jim?

11 JIM MONTEVERDE: Jim Monteverde yes to accept the
12 withdrawal.

13 CONSTANTINE ALEXANDER: Andrea Hickey?

14 ANDREA HICKEY: Andrea Hickey yes to accepting the
15 withdrawal.

16 CONSTANTINE ALEXANDER: Laura, are you on? She's
17 not on?

18 SISIA DAGLIAN: No.

19 CONSTANTINE ALEXANDER: Okay. And the Chair will
20 vote -- the Chair votes yes to withdraw.

21 [All vote YES]

22 CONSTANTINE ALEXANDER: Four votes in favor of

1 withdrawing. The case is withdrawn. Thank you very much.

2 With that, that's the only case on our agenda for
3 tonight. So I'm going to now terminate the meeting and move
4 on to better things than having a zoning meeting tonight.
5 The meeting is over.

6 COLLECTIVE: Thank you.

7 JIM MONTEVERDE: All righty. Thank you all.

8 CONSTANTINE ALEXANDER: Bye-bye.

9 [06:08 p.m. End of Proceedings]

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CERTIFICATE

Commonwealth of Massachusetts
Middlesex, ss.

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

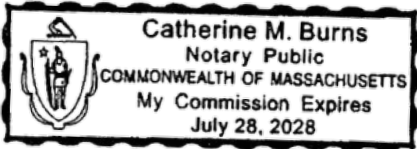
I further certify that I am neither related to nor employed by any of the parties in or counsel to this action, nor am I financially interested in the outcome of this action.

In witness whereof, I have hereunto set my hand this 22nd day of September, 2021.



Notary Public

My commission expires:
July 28, 2028



<p style="text-align: center;">A</p> <p>ability 8:7 accept 6:5,8,11 accepting 6:14 action 8:9,11 addition 5:18 agenda 7:2 ago 5:14 Alexander 1:7 3:4,6,8 5:1,19 6:10,13,16,19 6:22 7:8 alteration 5:15 amending 3:13 Andrea 1:8 3:5 4:14,15,15 6:13,14,14 APPEAL 1:1 Appeals 3:7 applicant's 6:1 applicants 3:22 application 5:13 6:1,5,6 asking 4:9 Assistant 1:11 attendance 4:10 audible 4:21 audio 3:18 August 5:13 Avenue 1:6 2:5 5:5</p> <hr/> <p style="text-align: center;">B</p> <p>Baker's 3:12 behalf 5:6 best 8:6 better 7:4 Board 1:1 3:7 3:22 4:9,11 6:2 Brendan 1:8 3:4 4:18,20,20 6:7 6:8,8 broadcast 3:19 Burns 8:4 Bye-bye 7:8 BZA 4:6 BZA-017326-...</p>	<p>2:5</p> <hr/> <p style="text-align: center;">C</p> <p>C 3:1 cable 3:19 call 4:2,11 Cambridge 1:2 1:6 3:7,14,20 case 2:3 5:4,4,4 5:5 7:1,2 Catherine 8:4 certain 3:13 CERTIFICA... 8:1 certify 8:5,8 Chair 1:7,8 3:8 6:4,19,20 Chairman 5:8 Channel 3:19 Charles 3:12 city 1:2,11 3:14 3:15,15,16 city's 4:6 client 6:4 COLLECTIVE 7:6 comment 4:4,5 5:17 commission 8:17 Commissioner 1:11 Commonwealth 8:2,5 comprehensive 6:1 confirmed 6:3 Constantine 1:7 3:4,6 5:1,19 6:10,13,16,19 6:22 7:8 continued 5:4 copy 5:20 counsel 5:10 8:9 course 3:20 COVID-19 3:11 3:16 crew 5:11</p>	<p style="text-align: center;">D</p> <p>D 2:1 3:1,12 Daglian 1:11 4:12,14,16,18 4:22 6:18 Date 2:6 dated 3:16 day 8:13 desire 5:17 due 3:9,16,20</p> <hr/> <p style="text-align: center;">E</p> <p>E 2:1 3:1,1 emergency 3:10 3:15 employed 8:9 Employees 1:11 events 3:15,16 Executive 3:12 expires 8:17</p> <hr/> <p style="text-align: center;">F</p> <p>favor 6:22 financially 8:10 find 4:5 firm 5:10 formally 5:22 four 4:10 5:2,2 6:22 further 5:17 8:8</p> <hr/> <p style="text-align: center;">G</p> <p>G 3:1 gatherings 3:11 GENERAL 1:3 Generally 4:7 give 4:4 going 5:3 7:3 Governor 3:12 Gus 3:8 4:22</p> <hr/> <p style="text-align: center;">H</p> <p>half 5:14 hand 8:12 happy 5:16 Hearing 1:3 2:6 held 3:9 Hello 5:8 hereunto 8:12</p>	<p>Hickey 1:8 3:5 4:14,15,15 6:13,14,14</p> <hr/> <p style="text-align: center;">I</p> <p>instructions 4:4 4:6 interested 8:10 involving 5:5</p> <hr/> <p style="text-align: center;">J</p> <p>Jennifer 5:8,9 Jim 1:9 3:5 4:12 4:13,13 6:10 6:11,11 7:7 July 8:18</p> <hr/> <p style="text-align: center;">K</p> <p>kept 4:3</p> <hr/> <p style="text-align: center;">L</p> <p>Land 5:9 Laura 4:16 6:16 Laura's 4:18 law 3:14 5:10 lead 5:11 letter 5:12,16,18 5:20,21 limiting 3:10 little 5:13</p> <hr/> <p style="text-align: center;">M</p> <p>March 3:12 MASS 2:5 Massachusetts 1:6,6 5:5 8:2,5 meeting 1:5 3:7 3:9,14,18 7:3,4 7:5 meetings 3:15 4:6 member 4:10 5:2 members 3:4,22 3:22 4:3,11 Middlesex 8:3 minutes 4:7 missing 5:1 Monteverde 1:9</p>	<p>3:5 4:12,13,13 6:11,11 7:7 move 6:4 7:3 mute 4:3</p> <hr/> <p style="text-align: center;">N</p> <p>N 2:1 3:1 name 3:8 4:1 5:8 neither 8:8 Notary 8:4,16 November 6:2</p> <hr/> <p style="text-align: center;">O</p> <p>O 3:1 obviously 5:20 Okay 6:19 Oops 4:18 Open 3:13 opening 5:21 Order 3:12 orders 3:10 Original 2:6 outcome 8:10</p> <hr/> <p style="text-align: center;">P</p> <p>P 3:1 p.m 1:4 2:5 3:3 7:9 PAGE 2:3 parties 8:9 partner 5:10 Pause 4:17 permit 6:1,5 permitted 3:16 Permitting 5:9 5:11 petitioner 5:6,10 point 5:7,7 position 6:4 present 4:15,20 proceed 5:3 proceedings 3:21 7:9 8:7 public 3:10,15 4:1,3,4,5 8:4 8:16</p> <hr/> <p style="text-align: center;">Q</p> <p>quorum 5:3</p>
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