

BOARD OF ZONING APPEAL
FOR THE
CITY OF CAMBRIDGE

GENERAL HEARING

THURSDAY JULY 28, 2022

6:00 p.m.

Remote Meeting

via

831 Massachusetts Avenue
Cambridge, Massachusetts 02139

Brendan Sullivan, Chair
Jim Monteverde, Vice Chair
Andrea A. Hickey
Alison Hammer
Stater W. Anderson

City Employees
Sisia Daglian, Assistant Building Commissioner
Olivia Ratay, Zoning and Building Associate



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I N D E X

CONTINUED CASES:	PAGE
BZA-167013 -- 49 Alpine Street Original Hearing Date: 06/09/22	6
BZA-154221 -- 213 Harvard Street Original Hearing Date: 01/06/22	8
BZA-017219-2019 -- 544 MASSACHUSETTS AVENUE Original Hearing Date: 01/09/20	10
BZA-103314 -- 2615 MASSACHUSETTS AVENUE Original Hearing Dates 2/25/21, 4-8-21, and 5-27-21	13
REGULAR CASES:	
BZA-180689 -- 84 BISHOP ALLEN DRIVE	16
BZA-178804 -- 201 CHARLES STREET	101
BZA-172873 -- 36 HAWTHORN STREET #2	103, 188
BZA-179227 -- 19 LEONARD AVENUE	112, 173
BZA-179416 -- 80 ALPINE STREET	111
BZA-180806 -- 56 PARK AVENUE	126
BZA-181771 -- 11 SACRAMENTO PLACE	138
BZA-179628 -- 131 FIFTH STREET	162

P R O C E E D I N G S

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(6:00 p.m.)

Sitting Members: Brendan Sullivan, Andrea A. Hickey, Jim Monteverde, Alison Hammer, and Slater W. Anderson

BRENDAN SULLIVAN: All right, we're ready to go. Welcome to the July 28, 2022, meeting of the Cambridge Board of Zoning Appeal. My name is Brendan Sullivan, and I am Chair for tonight's meeting.

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

This meeting is being video and audio recorded, and is broadcast on cable television Channel 22 within Cambridge.

1 There will also be a transcript of the
2 proceedings.

3 All Board members, applicants, and members of the
4 public will state their name before speaking. All votes
5 will be taken by roll call.

6 Members of the public will be kept on mute until
7 it is time for public comment. I will give instructions for
8 public comment at that time, and you can also find
9 instructions on the City's webpage for remote BZA meetings.
10 Generally, you will have up to three minutes to speak, but
11 that may change based on the number of speakers, and at the
12 Chair's discretion.

13 I will start by asking the Staff to take Board
14 members attendance and verify that all members are audible.

15 OLIVIA RATAY: Here we go. Jim Monteverde?

16 JIM MONTEVERDE: Here.

17 OLIVIA RATAY: Andrea Hickey?

18 ANDREA HICKEY: Present.

19 OLIVIA RATAY: Slater Anderson?

20 SLATER ANDERSON: Present.

21 OLIVIA RATAY: Alison Hammer?

22 ALISON HAMMER: Present.

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OLIVIA RATAY: Brendan Sullivan?

BRENDAN SULLIVAN: Present and audible.

We'll start with the continued cases.

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2 (6:03 p.m.)

3 Sitting Members: Brendan Sullivan, Andrea A. Hickey, Jim
4 Monteverde, Alison Hammer, and Slater W.
5 Anderson

6 BRENDAN SULLIVAN: The first case we will call,
7 Case No. 167013 -- 49 Alpine Street. Attorney Walsh is
8 present, or shall I read the letter? We are in receipt of
9 a letter to Maria Pacheco.

10 "At this time, we would like to withdraw our case,
11 49 Alpine Street, from the July 28 hearing. We do not feel
12 that we will be ready to proceed at this time." And it's
13 signed, "Alex Yu," Y-u.

14 On the motion, then, to accept the withdrawal from
15 the petitioner at 49 Alpine Street, Jim Monteverde?

16 JIM MONTEVERDE: In favor.

17 BRENDAN SULLIVAN: Slater Anderson?

18 JIM MONTEVERDE: Slater, you're muted. There you
19 go.

20 SLATER ANDERSON: Sorry. Yeah, in favor.

21 BRENDAN SULLIVAN: Alison Hammer?

22 ALISON HAMMER: In favor.

1 BRENDAN SULLIVAN: And Andrea Hickey?

2 ANDREA HICKEY: Voting yes, in favor.

3 BRENDAN SULLIVAN: And Brendan Sullivan yes.

4 [All vote YES]

5 BRENDAN SULLIVAN: Five affirmative votes; the
6 withdrawal of the case is accepted.

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2 (6:04 p.m.)

3 Sitting Members: Brendan Sullivan, Andrea A. Hickey, Jim
4 Monteverde, Alison Hammer, and Slater W.
5 Anderson

6 BRENDAN SULLIVAN: Next case we will hear is BZA
7 Case No. 154221 -- 213 Harvard Street. Anybody here wish to
8 speak on this matter?

9 We would -- we are in receipt of communication
10 from Minkoo, M-i-n-k-o-o Kang, K-a-n-g to Maria Pacheco.

11 "I'd like to request the 213 Harvard Street
12 project, BZA Case No. 154221, be withdrawn from the ZBA
13 (sic) hearing schedule on July 28. We have worked with the
14 ISG to amend the project to be considered as of right and
15 will no longer need a zoning variance for the project.
16 Thank you.

17 "Best, Minkoo Kang."

18 I will make a motion then to accept the request
19 for a withdrawal, and the motion --

20 Jim Monteverde, on the motion.

21 JIM MONTEVERDE: Jim Monteverde in favor of the
22 withdrawal.

1 BRENDAN SULLIVAN: Slater Anderson, on the motion.

2 SLATER ANDERSON: Slater Anderson in favor of the
3 withdrawal.

4 BRENDAN SULLIVAN: Alison Hammer.

5 ALISON HAMMER: Alison Hammer in favor.

6 BRENDAN SULLIVAN: Andrea Hickey.

7 ANDREA HICKEY: Andrea Hickey voting yes, in favor
8 of the withdrawal.

9 BRENDAN SULLIVAN: And Brendan Sullivan yes.

10 [All vote YES]

11 BRENDAN SULLIVAN: Five affirmative votes. The
12 matter is withdrawn per the petitioner's request.

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2 (6:06 p.m.)

3 Sitting Members: Brendan Sullivan, Andrea A. Hickey, Jim
4 Monteverde, Alison Hammer, and Slater W.
5 Anderson

6 BRENDAN SULLIVAN: The next case that we'll hear
7 is BZA No. 017219-2019, 544 Mass. Avenue. Mr. Schorer, are
8 you online? Do you wish to comment at all?

9 We have received communication dated July 22 for
10 Ms. Maria Pacheco.

11 "Dear Maria and members of the Board of Zoning
12 Appeal, thank you for the email regarding the reading's --
13 reschedule. Our next Planning Board meeting to present all
14 of the modifications agreed at staff meeting is on 16
15 August, 2022, so it has been suggested that we request a
16 continuance for the BZA until September in order to give the
17 Planning Board additional time to finalize our process. We
18 sincerely appreciate the Board's consideration and we look
19 forward to returning when the planning process has been
20 completed. Should the process be completed in a shorter
21 time, I will write to request a new date. We appreciate
22 your assistance in this matter.

1 "Sincerely, Cliff Schorer, manager of Central
2 Square Redevelopment, LLC." And the date.

3 Sometime at the end of September?

4 September 22?

5 On the motion, then, to continue this matter until
6 September 22 as a case not hard. Jim Monteverde.

7 JIM MONTEVERDE: Jim Monteverde in favor of the
8 continuance.

9 BRENDAN SULLIVAN: Slater Anderson.

10 SLATER ANDERSON: Slater Anderson in favor of the
11 continuance.

12 BRENDAN SULLIVAN: Alison Hammer.

13 ALISON HAMMER: Alison Hammer in favor of the
14 continuance.

15 BRENDAN SULLIVAN: Andrea Hickey.

16 ANDREA HICKEY: Andrea Hickey, yes, in favor of
17 the continuance.

18 BRENDAN SULLIVAN: And Brendan Sullivan yes.

19 [All vote YES]

20 BRENDAN SULLIVAN: Five affirmative votes. The
21 matter is continued until September 22, 2022, on the
22 condition that the petitioner change the posting sign to

1 reflect the new date of September 22, 2022, and the time of
2 6:00 p.m.

3 That should there be any new submittals different
4 than what is already in the file that they be submitted and
5 in the file by 5:00 p.m. on the Monday prior to September
6 22, 2022.

7 The matter is continued.

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2 (6:08 p.m.)

3 Sitting Members: Brendan Sullivan, Andrea A. Hickey, Jim
4 Monteverde, Alison Hammer, and Slater W.
5 Anderson

6 BRENDAN SULLIVAN: The next matter: Case No.
7 103314, 2615 Massachusetts Avenue. They are requesting a
8 six month extension. Mr. Schomer, are you on the line, or
9 --

10 [Pause]

11 Apparently not. There is a request July 20,2022
12 to the Board of Zoning Appeal.

13 "Dear Board members, I am legal counsel to the
14 applicant in the above referenced case.

15 "This was the mobile gas station up on Alewife
16 Brook Parkway at 2615 Mass Avenue, in which the Board
17 approved a variance for the above-referenced property to
18 authorize the construction of two canopies over the existing
19 fuel pump island at this property.

20 "I write to request a six-month extension of this
21 variance in accordance with Mass. General Law Chapter 40,
22 Section 10. The reason for this request is that my client

1 has been unable to commence construction of the approved
2 canopies, due to the need to obtain other local permits
3 approvals before building permits can issue.

4 "That is a stormwater management permit from the
5 Cambridge Department of Public Works and an order of
6 conditions from the Cambridge Conservation Commission.
7 Applications for these permits are currently in process, and
8 we anticipate securing these permits by the end of calendar
9 year 2022.

10 "The Board is authorized to extend variances for
11 six months, in accordance with Massachusetts General Law
12 Chapter 40A Section 10 to provide an application for such
13 extension is filed prior to the expiration of the variance.

14 "The variance in question is currently in effect
15 until August 25, 2022. Thus, the application for the
16 extension is timely, and the applicant respectfully requests
17 an extension for a period of six months.

18 "Respectfully,

19 Jesse Schomer [S-c-h-o-m-e-r], Esquire."

20 On the motion, then, to continue this matter for
21 six months, Jim Monteverde?

22 JIM MONTEVERDE: In favor of the extension.

1 BRENDAN SULLIVAN: Slater Anderson?

2 SLATER ANDERSON: In favor of the extension.

3 BRENDAN SULLIVAN: Alison Hammer?

4 ALISON HAMMER: In favor.

5 BRENDAN SULLIVAN: Andrea Hickey?

6 ANDREA HICKEY: Andrea Hickey voting yes in favor
7 of the extension.

8 BRENDAN SULLIVAN: And Brendan Sullivan yes.

9 [All vote YES]

10 BRENDAN SULLIVAN: Five affirmative votes, this
11 matter is extended for a period of six months from the -- I
12 guess the question is, the Board unanimously granted the
13 extension for a period of six months starting on August
14 4, 2022 and ending on February 3, 2023. So that's just a
15 little bit of housekeeping there.

16 The matter is extended until starting on August 4,
17 ending on February 3, 2023.

18 And we have to wait now until 6:30. So we have 18
19 minutes.

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2 (6:30 p.m.)

3 Sitting Members: Brendan Sullivan, Andrea A. Hickey, Jim
4 Monteverde, Alison Hammer, and Slater W.
5 Anderson

6 BRENDAN SULLIVAN: First case we're going to call
7 on the regular agenda is BZA No. 180689 -- 84 Bishop Allen
8 Drive. Somebody representing -- Michael?

9 MICHAEL MONESTIME: Good evening, Chair Sullivan.

10 BRENDAN SULLIVAN: Yes.

11 MICHAEL MONESTIME: I'm here. If you are ready to
12 get started --

13 BRENDAN SULLIVAN: Yep. The floor is yours.

14 MICHAEL MONESTIME: Thank you so much. So again,
15 good evening, Chair Sullivan and esteemed members of the
16 Board of Zoning Appeal. My name is Michael Monestime.

17 I'm a resident of Cambridge. I'm also an
18 Executive Board Member for the Central Square Business
19 Improvement District. I'm here with the designer of
20 Starlight Square, Mark Boyes-Watson of Boyes-Watson
21 Architects; Principal Producers Nina Berg and Matthew Boyes-
22 Watson of Flagg Street Studio.

1 In our virtual audience I know we have Luis Cotto,
2 Executive Director of the Central Square BID; Kay Chung, our
3 audio-video manager of Starlight Square; Erik Sarno, our
4 General Manager of Starlight Square; and Matt Nelson,
5 Assistant to City Manager for Community Relations.

6 If the Board would be so kind, if Olivia could
7 bring up our slides, please?

8 Wonderful. Olivia, if you could advance to the
9 next slide, please?

10 We came before you in March seeking zoning relief
11 for Starlight Square, which was conditionally granted for a
12 period expiring on July 31.

13 During that period, in response to the feedback
14 from neighbors and this Board, we've made major adjustments
15 to our program, our operations and infrastructure in an
16 effort to mitigate impact from sound.

17 We are back before you now seeking the same zoning
18 relief to allow Starlight to operate as an outdoor
19 entertainment and recreation facility, which requires a
20 special permit for the remainder of this third season of
21 Starlight, and for a fourth season next year.

22 I want to take a moment to review what Starlight

1 holds, who it serves, and what efforts this team has taken
2 to mitigate the impact on neighbors.

3 Next slide, Olivia?

4 Next slide, please?

5 Next one?

6 Next slide?

7 You can hold it there for me. Since the very
8 height of the pandemic, Starlight has been a safe and cost-
9 free home for out-of-schooltime learning for children, food
10 security initiatives, the Central Square Farmers Market, flu
11 clinics, live performances, and economic development
12 initiatives like Poppportunity.

13 The space has held events that center Cambridge
14 youth, local organizers, community groups, city departments
15 and cultural institutions still wrecked by the pandemic.

16 It is worth restating that the COVID-19 pandemic
17 is still with us, BA.4 and BA.5 being the most contagious of
18 the variants since 2020.

19 Olivia, if you could click to the June calendar,
20 please?

21 I'd like to briefly take you through the first
22 half of the season, so it's clear what Starlight is not.

1 Starlight is not the Middle East night club. It's not a
2 live music venue. It does not operate all day. Starlight
3 is a healthy mix of uses and needed public space that has
4 proven its time and value again and again.

5 I'd like to read for a moment from the list of
6 programs approved by the License Commission to give any
7 Board members who are not familiar with programming at
8 Starlight an idea of what it holds. What follows is the
9 June calendar, and I'll read through the script.

10 Friday, June 3, the Cambridge Rindge and Latin
11 High School's Visual and Performing Art Department
12 performed, A Chorus Line.

13 Saturday, June 4 in the evening, they performed
14 the same show.

15 And Sunday, June 5, they performed a matinee.

16 Wednesday, June 8, the City of Cambridge's Agenda
17 for Children held an outdoor meeting. Later on that
18 evening, the Cambridge Community Foundation hosted a panel
19 discussion about educational equity in our community.

20 On Thursday, June 9, the Boston Book Festival
21 hosted Lit Crawl, an evening of literary programming.

22 On Saturday, June 11 Zaira Meneses presented a

1 cross-disciplinary cultural event celebrating traditional
2 Latin American arts.

3 Sunday, June 12, Albino Mbie performed two albums
4 -- music from two albums, "Mafu" and "Mozambiquan Dance."

5 On Tuesday, June 14, the Cambridge Housing
6 Authority hosted the Workforce Youth Program end-of-the-year
7 celebration for kids and families.

8 On June 16, the Central Square BID screened, The
9 Profit, a family-friendly movie.

10 On Friday, June 17, the Cambridge Public Schools
11 hosted the CRLS Junior Prom.

12 On Saturday, June 18, Cambridge Hip-Hop hosted
13 Bridgeside Cypher.

14 On Sunday, June 19, the Cambridge Families of
15 Color Coalition hosted a Juneteenth Celebration called,
16 "Black Joy."

17 Tuesday, June 21, Marlene Boyette taught,
18 "Breathe, Bend, Be community yoga, class.

19 Thursday, June 23, Dan Jeffs hosted the Dave
20 Arteaga Memorial Jam.

21 Friday, June 24, Secret Queen hosted a Pride Month
22 Drag Show.

1 Saturday, June 25, local DJ Nomadik hosted, "A
2 Silent Disco."

3 Sunday, June 26, Amina Rashid hosted an
4 international fashion show.

5 Wednesday, June 29, the City of Cambridge hosted
6 an outdoor Diversity, Equity and Inclusion training for City
7 Staff.

8 Thursday, June 30, Boston Dance Theater performed.

9 Of these 20 events I just mentioned, five were
10 entirely music. Two included a short set of live music with
11 the short sets. This is still below our two night a week
12 commitment. And I'll get to that in a moment.

13 From July 2 through the eighth, there was no
14 programming for a holiday break. As you see, the type of
15 events varied. We were very intentional in creating a
16 balanced calendar that took our commitments to you
17 seriously. Some events produced no sound at all, like yoga
18 or the Agenda for Children's team meeting.

19 All sound is off by 9:00 p.m., Monday through
20 Saturday, 5:00 p.m. on Sundays. And as stated earlier, all
21 events are reviewed and approved by the License Commission
22 in advance.

1 In your packet, you should see letters of support
2 for our application. Today, we uploaded a letter from our
3 Mayor, Sumbul Siddiqui, and from State Rep Mike Connell. In
4 addition to that, there are 50 plus letters from our first
5 hearing.

6 For this hearing, we also submitted written
7 testimony from the Starlight staff, who were present for the
8 March hearing and who have all worked tirelessly since to
9 put our promise into practice.

10 Olivia, could you advance to the next slide,
11 please? Our mitigation efforts were two-fold. First,
12 programmatically, we limited programming in Starlight to no
13 more than five days per week, with an average of four
14 programs per week for the first half of this season.

15 We limited live music to two nights per week. We
16 reduced the numbers of speakers by half. We invested in
17 drum shields to absorb the most intrusive sound.

18 We invested thousands of dollars in acoustic
19 paneling, which while ordered promptly has been delayed due
20 to supply-chain issues that have become typical during
21 pandemic. But we do expect to receive those in the next two
22 weeks, and we hope that they make a big difference going

1 forward.

2 Next slide, Olivia?

3 This slide shows our team's sound monitoring
4 strategy. Readings are taken from multiple locations
5 multiple times for every event.

6 Our AV Manager, Kay Chung's letter is included in
7 your packet and elaborates on this effort. As promised, we
8 not only reduced the number of speakers, we implemented a
9 drum shield for live performances, and you can see the
10 difference that this makes in the readings.

11 We also treated the sound and stage monitors by
12 detecting certain frequencies that might have caused
13 discomfort and reduced them in the system as a default
14 setting. Kay is with us and available if there are further
15 questions about this.

16 Next slide, please?

17 Pictured here is the drum shield we use, and the
18 acoustic paneling we are anxiously awaiting. As stated, it
19 was ordered shortly after our last hearing. It has been
20 delayed like everything because of supply chain issues.

21 Next slide, please?

22 At the end of our last hearing, we were asked to

1 be in constant communication with neighbors. In addition to
2 our monthly BID e-mails, we sent regular e-mail updates to
3 neighbors and neighborhood groups every time programming was
4 shared with the License Commission and approved. This
5 ensured everyone could see what events were approved for the
6 month as they were approved by the City.

7 This happened four times between May and mid-July.
8 Each approval included a public meeting with time for
9 comment. These communications are included in the Addendum
10 of this presentation.

11 In advance of this meeting, we also sent a letter
12 to all abutters, as provided by ISD. In addition to digital
13 outreach, we also flyered the abutting buildings with the
14 same message. Every piece of dropped literature included
15 contact information for Mr. Cotto, the Executive Director of
16 the Central Square BID; his e-mail and his personal cell
17 phone.

18 On other days, members of our team stood outside
19 of buildings and spoke to residents sharing a feedback form
20 and hearing their thoughts. I've personally called
21 neighbors who have called into our last BZA meeting to check
22 in on how things were going.

1 Next slide, please?

2 There are also other ways to see the schedule
3 and/or communicate feedback, including three QR codes at the
4 entrance to Lot 5 and the community stage, as well as
5 feedback form posted on Bishop Allen and Norfolk Street.
6 The feedback form is monitored by Starlight Staff and any e-
7 mail had been replied to immediately.

8 Next slide?

9 In addition to creating inroads for neighbors to
10 provide feedback to our organization directly, our Staff
11 communicated regularly with Cambridge Police and the License
12 Commission to make sure we weren't missing anyone's
13 comments. They provided a healthy check and balance for our
14 own outreach.

15 Also, all Staff at Starlight wears branded Staff
16 apparel. So if anyone who walks into the space has a
17 question, clearly identified who's in charge and who
18 comments could be made to.

19 As of Tuesday, July 26, there were no complaints
20 filed with the Cambridge Planning Department related to
21 disturbance from Starlight Square.

22 Our Information Request from Licensing yielded

1 three comments, two of which were calls we made on ourselves
2 because of a disruptive anti-vaxers protest at an event, and
3 the third was a neighbor's call about an unwanted person
4 walking around Starlight.

5 This information is also included in the Addendum
6 of this presentation.

7 Next slide, please?

8 The extended BID team has made their best effort
9 to communicate early and often with neighbors. It has been
10 a season-wide team effort that looked for ways to improve
11 Starlight from both a programmatic and communications
12 standpoint, while maintaining a space for the community to
13 enjoy.

14 I will restate what I said in March: Starlight is
15 an essential civic space where all types of things happen.
16 It has buoyed entrepreneurs, artists, students and families.
17 Our estimate is that it has directly helped generate a half
18 a million dollars for Cambridge small business owners and
19 artists, many of whom live in adjacent neighbors too.

20 We are committed to being a responsible steward of
21 this space. We are asking the Board to grant the special
22 permit to allow us to continue our work at Starlight. Thank

1 you for your time.

2 BRENDAN SULLIVAN: Thank you. I'll open it to the
3 Board for their questions and make it back to other people
4 on the panel.

5 Michael, what is your program schedule start
6 month, and when does it end? Or do you have a beginning and
7 an end, I guess?

8 MICHAEL MONESTIME: The program started on May 20,
9 and programming will end towards the end of October.

10 BRENDAN SULLIVAN: And what -- so that's your
11 program, but what happens to Starlight from the end of
12 October to May? In other words, fall, winter and spring?

13 MICHAEL MONESTIME: So in my presentation to the
14 Board, I had asked not only for a grant of a special permit
15 for this season, but for all of next year as well. In that
16 downtime, Starlight goes dark, where there's no sound
17 emitted from the space. No activation.

18 BRENDAN SULLIVAN: Okay. But I mean, obviously,
19 people can still continue to gather, communicate, you know,
20 so on and so forth, but there's no formal sanctioned events
21 that go on from say the end of October to -- again, the
22 following May. Is that correct?

1 MICHAEL MONESTIME: Yeah. One point of
2 clarification, the Central Square Farmers Market does
3 operate until November. But that's not part of tonight's
4 conversation and ask of the Board.

5 BRENDAN SULLIVAN: Right. So that if your request
6 tonight is to grant a special permit that would begin as
7 soon as we can, number 1, and would end October 31, 2023?

8 MICHAEL MONESTIME: Yes.

9 BRENDAN SULLIVAN: Okay. Just trying to get a
10 measurement --

11 MICHAEL MONESTIME: And at that time, Chair, all
12 audio is dismantled and put into storage. So --

13 BRENDAN SULLIVAN: Yeah, okay. That's -- I was
14 just trying to get a date, a beginning and an end date on
15 this. Okay. Let me turn it over.

16 Jim Monteverde, any questions at this time?

17 JIM MONTEVERDE: Just one. Just to confirm what I
18 believe I heard, but I recall from the last hearing one of
19 the comments I believe the Board made was to request the
20 proponent to canvas the neighbors, the abutters, to
21 basically solicit any comments, positive or negative.

22 And I think I heard from the proponent that they

1 did that in a way, basically notifying them that there was
2 -- this meeting was happening tonight. Did I hear that
3 correctly?

4 MICHAEL MONESTIME: Through you, Chair?

5 BRENDAN SULLIVAN: Yes.

6 MICHAEL MONESTIME: Not only for tonight's
7 presentation and conversation, but for each instance for
8 which we went to the License Commission subject to our last
9 meeting where we go in 30-day increments to get programming
10 approved.

11 BRENDAN SULLIVAN: Okay.

12 JIM MONTEVERDE: Okay. Thank you.

13 BRENDAN SULLIVAN: Okay, Alison, any questions at
14 this time?

15 ALISON HAMMER: No questions at this time.

16 BRENDAN SULLIVAN: Okay. Andrea, any questions?

17 ANDREA HICKEY: Yes. If I could just ask Michael,
18 are there any sort of actual sound readings from any of the
19 programs that involved music through the loudspeaker, so
20 that we can have an idea what the actual level of noise at
21 its worst -- or I should say "sound" and not "noise"; I
22 don't mean a negative connotation there.

1 But -- so that we can know just sort of
2 numerically how loud does the loudest program get?

3 MICHAEL MONESTIME: 80 decibels is the loudest
4 that sound has gotten.

5 ANDREA HICKEY: And how often is that testing done
6 to ensure that it doesn't go above that?

7 MICHAEL MONESTIME: Olivia, if you could click on
8 Slide 9, please? So every night, multiple times an event,
9 we are checking the sound levels to make adjustments.

10 ANDREA HICKEY: All right. So what we're looking
11 at, are these sound results from a particular event, or are
12 these sort of parameters that you hope to operate in?

13 MICHAEL MONESTIME: I believe what you see here is
14 an aggregate. The ambient is sort of the starting sound,
15 and as you read to the right, you'll see what a live band
16 with the drum shield sound permits. And we never exceed
17 these targets. These are our targets; we never exceed these
18 numbers.

19 ANDREA HICKEY: And you're doing testing at every
20 event?

21 MICHAEL MONESTIME: Yes. So this year, different
22 from last year, we have hired a dedicated sound staff. Kay,

1 who's our AV Manager, is at every single show. And at every
2 single show this is a main priority for our organization.

3 ANDREA HICKEY: And are records kept of those
4 levels against what event is happening? So if I wanted to
5 ask what were the sound levels at a particular event, do you
6 have that data?

7 MICHAEL MONESTIME: That is a good question. I
8 believe Kay keeps it. I would like to ask her. But we are
9 testing from four places inside and outside the venue, and I
10 would have to circle back with our AV Manager of how she
11 keeps record.

12 ANDREA HICKEY: All right. And I know in Harvard
13 Square in the summer that the City has some sort of a
14 program or a person or people that go around and sort of
15 test the sound levels. I keep saying, "noise" I mean to
16 say, "sound" of various street performers. Is that done by
17 the City in and around this project?

18 MICHAEL MONESTIME: Well, I will say that the
19 License Commission does have inspectors who come down and
20 perform inspections of Starlight. Since we've started, the
21 License Commission has come down and inspected us. They
22 don't give us a heads up that they're coming --

1 ANDREA HICKEY: Right.

2 MICHAEL MONESTIME: -- but they do come down and
3 inspect us, yes.

4 ANDREA HICKEY: And have they ever cited you for
5 sound over the allowable limits?

6 MICHAEL MONESTIME: We do not have one record of
7 going over the sound of the allotted decibels.

8 ANDREA HICKEY: Great. I think that's really
9 important. That's all I have. Thank you for answering my
10 questions.

11 MICHAEL MONESTIME: Thank you.

12 BRENDAN SULLIVAN: Slater, any questions, comments
13 at this time?

14 SLATER ANDERSON: No, other than just one quick
15 question, Michael, what is the Zoning Ordinance limit on
16 noise/sound?

17 MICHAEL MONESTIME: That's a good question, Mr.
18 Anderson. It's 80.

19 SLATER ANDERSON: 80? Okay. All right. That's
20 all. Thank you for your presentation.

21 MICHAEL MONESTIME: Thank you.

22 BRENDAN SULLIVAN: Actually, my understanding is

1 that there is a couple of different noise ordinance
2 requirements and the street performers' noise ordinance is
3 different than say a noise coming from or sound noise --
4 coming from say a condenser or next-door neighbor or
5 something like that, so -- or a piece of equipment on a roof
6 or something. So there are different levels of it.

7 MICHAEL MONESTIME: Chair Sullivan, that's a great
8 point. Thank you for flagging that. 80 is the street
9 performance ordinance number, which is what we use.

10 BRENDAN SULLIVAN: All right. Anything else,
11 Slater, at this time?

12 SLATER ANDERSON: No, nothing else. Thanks.

13 BRENDAN SULLIVAN: Okay. And I have nothing else.
14 We'll open it to public comment. Any member of the public
15 who wishes to speak should now click the button that says,
16 "Participants," and then click the button that says, "Raise
17 hand."

18 If you are calling in by phone, you can raise your
19 hand by pressing *9 and unmute or mute by pressing *6, and
20 you will have up to three minutes in which to comment, at
21 which point I will ask you to wrap up. And should you
22 continue not coming to the end of a sentence, then we will

1 put you on mute.

2 So just being asked that -- being respectful of
3 the Board and the fact that we get it, whatever you're
4 saying. So.

5 OLIVIA RATAY: Aaron King?

6 AARON KING: Hi. My name is Aaron King. I am a
7 longtime resident of Central Square. I currently live at 2
8 Inman Street.

9 I'm also the founder of a non-profit organization
10 called The Cambridge Hip-Hop Collective, which is one of the
11 organizers of events, specifically the Bridgeside Cypher.
12 We've hosted a number of events at Starlight Square over the
13 past over the past year and a half. And it's just been an
14 amazing experience for us. You know, it's been a home for
15 us to kind of grow.

16 I want to speak specifically to kind of working
17 with the sound engineer Kay on site at our last event. You
18 know, she had the decibel meter. She's walking around
19 during sound check talking to us, communicating to us on
20 stage about what the limits are and how close we are getting
21 to them.

22 Also, we're very careful about cutting the event

1 right at 9:00. Not 9:15, not 9:05, but 9:00 p.m. exactly to
2 make sure that there's no projected sound after 9:00.

3 And in addition, you know, after hearing the
4 public comment last session, we immediately kind of went to
5 the Central Square bid in 2021.

6 We had done our cyphers once a month, but we kind
7 of realized, you know, that our events start on Saturday
8 nights. They are -- they do have a live band so, you know,
9 we kind of understood that we're probably one of the louder
10 events.

11 And we -- you know, we kind of said, "Look, like,
12 let's not do our cypher every month, let's just do it once
13 in this season." You know, we're hoping to do one more event
14 in October, but just trying to understand, you know, that --
15 you know, we maybe don't want as much live music every
16 single -- you know, multiple times every single week and
17 kind of just trying to understand that and take a step back.

18 Finally, I just want to say how important
19 Starlight has been to us. You know, we originally just were
20 a street performance event. We would set up in the entrance
21 of the city alleys since 2018, because we weren't allowed to
22 -- a lot of venues were not allowing us to book hip-hop

1 events in the Greater Boston area. They -- you know, had a
2 kind of bias against hip-hop.

3 And we kind of -- Starlight was the first space
4 that kind of gave us an opportunity to put on a real show, a
5 show that we could promote, that we could flyer, that we
6 could take seriously and kind of -- having that opportunity
7 has meant so much to us. It proved to ourselves and to the
8 community that we can do this.

9 You know, since then we've been booked by Harvard
10 and MIT, the Multicultural Arts Center. We've gotten
11 multiple grants around the City of Boston, and it's really
12 all because of the success of the events that we had at
13 Starlight to prove that we can really throw events that are
14 not only for the hip-hop community but also for the greater
15 public and larger community as we kind of have a lot of
16 people.

17 So thank you so much. Appreciate it.

18 BRENDAN SULLIVAN: Thank you.

19 OLIVIA RATAY: Adrian Thompson?

20 ADRIAN THOMPSON: Hello. Hi, Mr. Chair, the
21 Zoning Board. Thank you for giving me the opportunity to
22 talk. I'm a longtime resident at 77 Bishop Allen Drive.

1 I'm one of the neighbors who is disturbed by
2 having Starlight right next to my building. It's basically
3 the question in front of this Board is giving a permit to
4 changing a parking lot that produces zero sound to the place
5 that produces extremely disturbing noises for all abutting
6 neighbors.

7 And I realize that you will hear from many people
8 that organized events in this area -- and I have nothing
9 against them, it's just that people can't sleep, can't go on
10 about their lives around you, and there will be many more
11 people outside that abutting area that you will hear from
12 probably than people that are on this corner of Starlight
13 that are disturbed by this.

14 And, you know, it has been talked about going to
15 -- Starlight going to the Licensing Committee and getting
16 approvals and so on and so forth.

17 Three problems with this is that, one, the
18 meetings for the License Committee are only announced 48
19 hours before. So that gives us no time to actually go
20 there. Like, we have lives. We can't schedule our lives
21 around Starlight. We have work, we have lives.

22 So the meetings are only posted 48 hours, so we

1 can't make the meeting, one. Two, we send them countless
2 meetings and they never respond to the Licensing Committee.
3 And three, the License Committee always approves it, so long
4 as the -- as it's okay with the Zoning Committee.

5 So really, the power is in your hands right now in
6 this setting to change that or -- because the License
7 Committee will agree to whatever you agree, because you're
8 already zoned for that activity.

9 So really, I sincerely ask you as someone who
10 lives on Bishop Allen Drive and is very disturbed by this in
11 everyday life to please stop that from happening. It's just
12 -- it's very hard for people that are living right there.
13 Thank you.

14 BRENDAN SULLIVAN: Thank you for calling in.

15 OLIVIA RATAY: Erik Sarno?

16 ERIK SARNO: Hello, Mr. Chair. My name is Erik
17 Sarno. I am General Manager at Starlight Square. I'm also
18 a resident of the Port neighborhood, just two blocks from
19 Starlight. I began managing the venue back in May 2021. I
20 just thought it would be important for you to hear from me
21 on this as well.

22 You know, during each event, we mentioned that we

1 closely monitored sound levels with two different decibel
2 meters at four different points -- always keeping our
3 amplified sound below the legal limit -- which we mentioned
4 we've never violated the City's Noise Ordinance.

5 We also worked closely with Cambridge Police
6 Department to keep our attendees and performers and
7 neighbors safe as well.

8 This year we mentioned that we made significant
9 improvements to lessen our impact on neighbors. We reduced
10 our schedule to include live music only twice a week, like
11 we mentioned. We reduced overall programming on the
12 weekend. We reduced the number of our speakers we use by 50
13 percent.

14 And we mentioned before that we also hired a full-
15 time AV Manager, Kay Chung, who focuses on our sound
16 mitigation.

17 As a result of these improvements and investments,
18 we've not received any noise complaints to our staff during
19 events this season. We have Staff available during each
20 event wearing branded, you know, Starlight Staff T-shirts.

21 We have feedback forms posted in multiple areas
22 around Starlight, among the other forms of outreach that we

1 mentioned before. So just wanted to reiterate that we have
2 not received any noise complaints to our staff during events
3 this season.

4 That's pretty much it for me. I just ask you to
5 please grant this special permit to continue our work at
6 Starlight. Thank you.

7 BRENDAN SULLIVAN: Thank you for calling in.

8 OLIVIA RATAY: Matthew Nelson?

9 MATTHEW NELSON: Hello. Can you hear me?

10 BRENDAN SULLIVAN: Yes. Would you identify
11 yourself for the record?

12 MATTHEW NELSON: Good evening. Matthew Nelson,
13 Assistant to the City Manager for Community Relations and
14 Strategic Initiatives.

15 I'm here on behalf of Acting City Manager Owen
16 O'Riordan to expand our strong support of Central Square
17 Business Improvement District's application for a special
18 permit to continue their award-winning work at Starlight
19 Square, which was established by the BID the city-owned in
20 Municipal Lot 5 of Bishop Allen Drive.

21 In June 2020, then City Manager DePasquale
22 exercised his executive authority to allow the BID's use of

1 the city-owned Lot 5 for the creation of Starlight Square's
2 outdoor recreation and entertainment program as a safe, open
3 space area during the COVID-19 pandemic.

4 Since then, the City Manager's office has worked
5 in close collaboration with the BID to oversee its uses
6 through license agreements with the City of Cambridge.

7 As you heard earlier, some of the activities that
8 have taken place at Starlight Square are the Cambridge Teen
9 Photography Workshop, Central Square Theater's Youth
10 Underground performances, community yoga classes, the
11 Cambridge LGBTQ+ Pride Month celebration, Juneteenth events,
12 CCTV local music showcase and prior Cambridge Rindge and
13 Latin school performances and senior prom, as well as the
14 Cambridge Public Health Department flu clinics.

15 The special permit extension being requested by
16 the BID will make the Starlight's Recreational and
17 Entertainment programming and other important city events
18 and activities continue outside of the city's Municipal Lot
19 5.

20 This space has continued to prove to be an exist
21 -- an extremely important community space for our local art
22 and cultural organizations, and its continued use for this

1 purpose will assist the City and its public health efforts
2 to remain resilient against potential future COVID-19
3 variants.

4 It has been a valuable resource during the COVID-
5 19 pandemic to have an outside place where people can gather
6 safely for a variety of purposes, including arts and culture
7 purposes.

8 The City even used Starlight for their City
9 Council inauguration during the Omicron surge, when it was
10 not safe to gather inside for the event.

11 There is great value in Starlight's continued
12 existence at the space to serve as an additional asset for
13 the city as a whole to come together as a community for
14 various events and gatherings. Thank you for your
15 consideration of the application for extension.

16 BRENDAN SULLIVAN: Thank you for calling in.

17 OLIVIA RATAY: Yara Liceaga-Rojas?

18 SASHA COSTANZA-CHOCK: Hello. My name is Sasha
19 Costanza-Chock. I apologize the name is my partner's name.
20 And I'm not sure whether I'm allowed to activate the video?
21 I'll just speak?

22 So I am a resident of Cambridge. Me and my family

1 live at 75 Magazine Street. We are frequent visitors --
2 both myself, my partner and our children -- to Starlight. I
3 also -- for 10 years I was a Professor at MIT, where I had
4 appointments in the School of Humanities Arts and Social
5 Sciences, as well as in the Department of Urban Studies and
6 Planning.

7 I'm the author of an award-winning book called,
8 Design Justice, Community-Led Practices to Build the World
9 We Need. And currently I'm an Associate Professor at
10 Northeastern University.

11 So I have a lot of experience in both theory and
12 practice of what it looks like for communities to lead
13 design processes to create healthy cities, healthy
14 communities, healthy spaces for civic participation, for
15 action, and for a sense of belonging.

16 During the time of COVID, I remember Starlight
17 appearing like a beacon as one of the first places at a
18 moment when there was no possibility of participating in the
19 cultural life of the city in ways that we're all used to.
20 Starlight was there, both as a place to visit for planned
21 events with my family and friends and as a place to wander
22 into for a serendipitous encounter with the very rich and

1 diverse cultural life of our city.

2 It felt like nothing else that Cambridge has to
3 offer, frankly. It's a beacon and a blessing for the
4 community life of the city.

5 It's also coming at a time when we're in a moment
6 of crisis not only from COVID, but also Cambridge, which is
7 suffering displacement of Black and Brown working people,
8 new emigrant communities.

9 And in that context, it's a place that really has
10 gone out of its way for the programming to feature the
11 residents of the Port, the residents of all of Cambridge.
12 It's a place for community organizations who can share the
13 stage with established institutions. And there's really no
14 other place like this in our city.

15 I believe that in the future, many of the best
16 practices in how to activate urban space that were
17 innovations in response to the COVID crisis will become
18 standard practice. We see this in, you know, the addition
19 of outdoor seating, we see it in Shared Streets, and we see
20 it in innovations like Starlight.

21 So if future urban planning heads will look at
22 Starlight as a model and that story, don't be the committee

1 that crushed this inspirational innovation. Be the
2 committee that supported it, now and into the future, for
3 the approval of the completion of this season and next
4 season, and hopefully for many, many years to come.

5 Thank you.

6 BRENDAN SULLIVAN: Thank you for calling in.

7 OLIVIA RATAY: Dan Jeffs?

8 DAN JEFFS: Hi. Good evening. My name is Dan
9 Jeffs, and I was hosting the David Arteaga jam session on
10 the calendar that Michael read earlier. And also, I worked
11 with Kay coming up with strategies to help keep this venue
12 alive. I feel very strongly about its importance in our
13 community as a cultural beacon.

14 And a little bit about myself: I live on Eaton
15 Street across from Margaret Fuller House. I've been there
16 15 years. And I am a Berklee graduate. Majored in Music
17 Production and Sound Engineering.

18 So I have some experience with acoustics and
19 acoustics measurement, which we worked very carefully before
20 the season started to make sure that we read through the
21 City's ordinances for noise and followed them to the T; read
22 line by line and figured out exactly what the thresholds

1 were so that we would make sure that we would meet these
2 targets and never exceed them.

3 And before this, I did live sound for about 10
4 years. I was the Manager of the YMCA Theater, worked at the
5 Regatta Bar, Middle East, Ryles, and now I'm at Harvard at
6 the Extension School.

7 But I just want to step back and say that this --
8 this venue is a way of reimagining our city. And I think
9 that this part of Central Square is really the heartbeat of
10 the city. I know that when I walk down Mass Ave, you see so
11 much flavor and so much sights and sounds and smells, and
12 that's all part of living in a city.

13 And when I hear The Dance Complex drummers through
14 the window a block away it makes my heart go up thinking
15 about -- wonder what's going on there, something cool's
16 happening. And I wonder, you know, what kind of exciting
17 performances are coming up.

18 And this -- this place really came at the right
19 time where that heartbeat almost died because of COVID, and
20 we had a complete blackout in the musicians' community of
21 their livelihood, of their incomes. For two years, there
22 was no shows, no places that would be open.

1 And this place provided a way for us to safely
2 have live music in a way that didn't give everyone COVID,
3 and you could still have some sense of community, which was
4 very important for these isolating years.

5 And I think that this -- if Mass Ave is the curb
6 of Central Square, I would imagine that this place, if it
7 stays in some sort of permanence could become the living
8 room of Central Square.

9 And I know that everybody needs space in this
10 town, and having a town hall -- you know, if you think of a
11 classic New England town hall, that's where the community
12 would come together, and this is the spot that is like that
13 in 2022, where the Mayor or the City Council can get sworn
14 in, because you can't do it safely inside.

15 And also, I think it shapes Central Square in a
16 way that really gives -- you know, sort of a very, very
17 authentic definition to what a cultural district is.

18 Because we are a cultural district, and you have that in
19 other parts of Massachusetts, but I think we really own it,
20 and we have become a beacon for what it looks like. You
21 have outdoor seating now; you have nightlife and --

22 BRENDAN SULLIVAN: Okay, if you could wrap it up,

1 please.

2 DAN JEFFS: Okay. So the nightlife in Central
3 Square will always be there. But we at Starlight never go
4 past 9:00 p.m., which is not nightlife.

5 BRENDAN SULLIVAN: Right. Thank you.

6 DAVID JEFFS: Thank you very much.

7 BRENDAN SULLIVAN: Thank you.

8 DAN JEFFS: I appreciate it.

9 BRENDAN SULLIVAN: Yep. Thank you.

10 OLIVIA RATAY: Samara?

11 SAMARA VISE: Hi, can you hear me?

12 BRENDAN SULLIVAN: Yes.

13 SAMARA VISE: Hi. Thank you for the opportunity
14 to speak. My name is Samara. I live on River Street. I'm
15 born in Cambridge, lived on River for the last nine years.
16 Starlight has been a really wonderful place for me to
17 experience with my mom.

18 She wouldn't like me saying, but she's in her
19 seventies, and she's been quite cautious about COVID, and
20 we've been to events there from yoga to -- we went to a
21 storytelling thing the other night.

22 And it's always so lovely.

1 And it's funny, it always happens so early, I feel
2 like often I'm eating dinner after or meeting up with people
3 to go have dinner after, which I think just speaks to how it
4 really does end early in the evening.

5 I've been super impressed by how professional it's
6 grown with all of the sound board. It looks like you're at
7 a show. And they're so attentive and like I said I live on
8 River Street; I wish they would be over here monitoring all
9 the AC compressors and construction and constant road noise
10 that, you know, is just part of living in a city, which
11 someone spoke to the vibrancy of what it's like to be in
12 Central and hear just little wisps of noises from all walks
13 of life.

14 And yeah, the last thing I wanted to say is I
15 think people have pointed this out, but it's called Central
16 Square, but we don't really have a square. And that's
17 really what this has meant for all members of the community.
18 And there's truly no other place like that, which just makes
19 me really sad to think that it might not be with us.

20 Thank you for your time.

21 BRENDAN SULLIVAN: Thank you for calling in.

22 OLIVIA RATAY: Jillian Girardin?

1 JILLIAN GIRARDIN: Hi, can you hear me?

2 BRENDAN SULLIVAN: Yes.

3 JILLIAN GIRARDIN: Hi. So I'm Jillian Girardin.
4 I'm a lifelong resident of Cambridge. I currently live at
5 53 Putnam Ave, over by the river. And I am the colleague of
6 Aaron King, who runs the Cambridge Hip-Hop Collective.

7 And I just wanted to really reiterate everything
8 he said -- that, you know, we've really found a place there.
9 We were originally on Mass Ave. I grew up in Central Square
10 as a kid. I used to live right above where CCTV is now,
11 and, like, you know, I remember when we were hanging out our
12 windows and the World's Fair was going on and, you know, the
13 River Festival.

14 And it's always really been, like, the culture of
15 Central Square, like between The Dance Complex and having
16 all these, you know, memories of Central Square and its art
17 and the culture. And it really is the Board comfortable
18 cultural district of Cambridge. And it's done so much not
19 only for Central Square, but Cambridge as a way of for the
20 high school and for so many businesses.

21 And the pandemic, it was only not like two years
22 ago and it was a huge impact on a lot of, you know, people

1 -- small businesses and the arts community. And that's how
2 a lot of people, you know, get their income. So Starlight
3 Square was just -- made a huge impact and continues to make
4 a huge impact on all of us.

5 And, you know, with all of the developments in
6 Cambridge, it's definitely going -- on a personal level, one
7 of the one developments in Cambridge that I appreciate the
8 most, that I feel like has been very community-driven. I
9 think they've done a fantastic job; the best they can so far
10 when it comes to the abutters in the neighborhood.

11 And I just really support everything they've done
12 so far. And I continue to support them. Like Aaron said,
13 we've only had one event there this half of the season, and
14 Kay is amazing. She's done a --

15 BRENDAN SULLIVAN: Thank you.

16 JILLIAN GIRARDIN: -- great job with keeping
17 everything, you know, intact. And I -- I support them in
18 getting their special permit.

19 BRENDAN SULLIVAN: Great. Thank you.

20 JILLIAN GIRARDIN: Thank you.

21 OLIVIA RATAY: Suzan?

22 BRENDAN SULLIVAN: Right now --

1 OLIVIA RATAY: Oh.

2 BRENDAN SULLIVAN: -- we have over 20 people in
3 line to speak. So I am going to roll this back to a two-
4 minute limit and implore those who want to speak to be
5 concise and have mercy on us, please. Thank you. Two
6 minutes limit.

7 OLIVIA RATAY: Suzan?

8 SUZAN: Hello?

9 BRENDAN SULLIVAN: Yes.

10 SUZAN: I appreciate the being -- having the
11 Starlight. And you don't have to reduce anything. It's
12 really nice activities for people -- not only on COVID, but
13 every time.

14 But the thing is you didn't consider the people
15 who are living around you. Starlight is going to make me
16 hate art. Although my life is about art, as I was working
17 as an architect, I go the best ideas when listening to my
18 favorite music -- when dancing, during, having those
19 evaluations for my ideas.

20 But now Starlight music attacking me -- my
21 elderly, my elder, my elderly life at my time at any time --
22 so it's -- it's attacking me in my house, at my house in any

1 time, with any event, with anything you like but maybe I
2 like but I don't want it at this time.

3 So, if we respect zoning, I did work as an urban
4 planner too, and zoning is to respect people where are --
5 where are they, whenever they are, whatever they are, where
6 are they? So in the housing without respecting zoning, we
7 are not respecting people.

8 So please. Let me listen to my favorite music in
9 my elderly, and also my neighbors. And if you respect those
10 people who doesn't have a chance in COVID to meet each
11 other, respect those people who have COVID around you, who
12 are sick around you. Please.

13 BRENDAN SULLIVAN: All right. Thank you very much
14 for your comments.

15 SUZAN: Thank you.

16 OLIVIA RATAY: Joseph Poirier?

17 JOSEPH POIRIER: Hey, can you hear me?

18 BRENDAN SULLIVAN: Yes.

19 JOSEPH POIRIER: Great. Thanks. I'll be quick.

20 Joe Poirier. I was born in Central Square, grew up in
21 Central Square. I live in North Cambridge now, but my
22 family is still in Central, so I'm back all the time. I

1 love Starlight Square. It's been a great addition to the
2 Square.

3 You know, I work downtown. I travel a lot
4 throughout the country, and there's a lot of places that are
5 kind of struggling to come back from COVID and be vibrant,
6 exciting, urban places.

7 And I think Starlight Square has really helped
8 Central Square not have that problem; it's still a vibrant,
9 urban place. It's a great place to go. We're really lucky
10 to have it. It brings a lot of diverse events, as you heard
11 earlier in the presentation.

12 And I also want to say if we take Central Square
13 for granted that it's got a lot of small businesses and
14 places to go, things to do and you know it's a difficult
15 economic climate right now, and Starlight's a real driver of
16 small purchases in Central Square. People come there; they
17 do other things in the Square.

18 Last time I was in Central to go to an event at
19 Starlight, I went to four other stores. You know, spent a
20 little money at each, and people do that -- you know,
21 countless times per week.

22 And lastly, I just wanted to say that, you know,

1 Central Square is a cultural district and they're -- you
2 know, Starlight is really -- it's the heart of that cultural
3 district now for a lot of people. It's free, it's open to
4 the air, and it's -- the events there are just really,
5 really diverse.

6 So I think it's great. I really hope I can
7 continue going to Central Square, going to Starlight. So I
8 hope the special permit gets --

9 BRENDAN SULLIVAN: Thank you.

10 JOSEPH POIRIER: -- extended. Thanks.

11 OLIVIA RATAY: Chien-Chi Huang?

12 CHIEN-CHI HUANG: Hello?

13 BRENDAN SULLIVAN: Yes.

14 [Pause]

15 Go ahead.

16 [Pause] Go ahead.

17 OLIVIA RATAY: You're muted.

18 BRENDAN SULLIVAN: You're muted. [Go to the next
19 one.]

20 CHIEN-CHI HUANG: Hello. Can you hear me?

21 BRENDAN SULLIVAN: Yes.

22 CHIEN-CHI HUANG: Sorry.

1 BRENDAN SULLIVAN: Yes. Go ahead.

2 CHIEN-CHI HUANG: My name is Chien-Chi Huang. I'm
3 an immigrant from Taiwan, and I live in Somerville. But I
4 recently have the pleasure to go to Starlight, and I was
5 surprised -- pleasantly surprised to find that Starlight had
6 hosted several Asian-focused events.

7 And so, because of this they prompted me to reach
8 out to Erik, the General Manager, to ask if Starlight will
9 be interested to host our annual benefit fashion show, where
10 Asian cancer and trauma survivors will walk the runway and
11 to share their stories.

12 So when I was working with Erik to do the site
13 visit, he is very patient, very accommodating. But I was
14 also very disappointed because he said that he will have to
15 limit the weekend events to -- and the events have to end by
16 6:00.

17 Now I understand why, and I'm -- you know, I
18 understand that the Starlight has tried their best to try to
19 reduce the noise and reduce the activities during the
20 weekend and, you know, and being really trying to be
21 considerate of the people who live in the neighborhood.

22 But also, I think it's really important for us to

1 sustain Starlight as the Cultural District. And I sincerely
2 hope that the Zoning Committee will grant the special
3 permit. And I hope that everybody can come to see us
4 October 2 and share our Asian survivors on the stage.

5 Thank you very much.

6 BRENDAN SULLIVAN: Great. Thank you.

7 OLIVIA RATAY: Ari Epstein.

8 ARI EPSTEIN: Hi. Thank you so much for the
9 opportunity to participate. My name is Ari Epstein. I live
10 at 146 Raymond Street.

11 And I'm here to express great enthusiasm and joy
12 for Starlight Square. Our family needs to be very careful
13 about COVID, and in this time when we really don't know
14 which way the pandemic is going to take us, to have an a
15 safe, professionally staffed venue for activities and live
16 performance is wonderful.

17 I do want to mention a couple of ways in which
18 Starlight Square is making the lives of young people in
19 Cambridge better. We all know that our students are
20 struggling to find any way to have anything like a normal
21 school experience.

22 For students in Cambridge that often includes live

1 performance, particularly musicals. Our graduating seniors
2 and juniors and younger students haven't really had the
3 chance to participate in the musicals that are a main
4 characteristic of the arts experience at CRLS.

5 And this year a number of the students were so
6 frustrated they thought, "Well, can we just make a
7 performance happen?"

8 And with some assistance from the school, they
9 were able to organize A Chorus Line, as you saw in the
10 calendar, and the fact that they had a place to perform
11 that, that gave them memories that -- those high school
12 memories that we all have, they now get to have those high
13 school memories of the fabulous blockbuster show that they
14 were able to produce and participate in. It's really
15 important for them.

16 And then the Junior Prom, which was also mentioned,
17 that's another key part of the high school experience. And
18 just have a place where you can go and be really safe and
19 participate in that is so important to these young people,
20 and I really do hope that Starlight continues to be able to
21 do the wonderful work that it's doing. Thank you so much.

22 BRENDAN SULLIVAN: Thank you.

1 OLIVIA RATAY: Michael James?

2 MICHAEL JAMES: Hi there. My name is Michael
3 James, and I live directly overlooking the Starlight venue
4 on Bishop Allen Drive.

5 I just want to kind of explain, like, how
6 Starlight has felt to me, and my perspective on it. And I
7 think -- I think there's a major disconnect between how loud
8 events are perceived to be and how loud they are in our
9 homes.

10 Our homes are not soundproof. And Starlight's --
11 it's not soundproof, no matter the changes they've
12 implemented. The music floods our homes, and especially
13 with our bay windows, it literally feels like we're sitting
14 on balcony seats participating in every single event that's
15 going on so long as we're home.

16 And the only way to really escape that is to leave
17 our home.

18 This -- this used to be held during the very
19 beginning of Starlight, when events literally lasted until
20 midnight, nonstop, all day every day. It was basically like
21 living in a nightclub. It didn't change much in season 2;
22 all that happened was they tried to end at 9:00.

1 But with this season, I've also basically been
2 putting every single event on my calendar. That's the only
3 useful thing that I've gone out of the License Commission
4 meetings is that I can at least copy down what -- what the
5 times are and -- and escape if I need to escape.

6 And I -- this is not -- this is not always
7 possible, of course. There are sometimes I'm sick or
8 somebody else is, or there's a heat wave and I can't really
9 go outside or want to invite a guest.

10 And just this coming weekend actually there's an event
11 starting at 7:00 p.m., like I think 6:00 p.m. actually until
12 like all the way in the evening. It's going to be all day
13 Sunday, basically -- most all-day Sunday -- Saturday, sorry,
14 as well as going into Sunday. And this is nonstop music for
15 our entire weekend basically after our entire week of work
16 and study.

17 I just really want to stress the fact that this is
18 directly surrounding people's homes. And our homes are
19 directly facing this. And when -- when you're saying that
20 there is 70 to 80 decibels, that's basically what we're
21 hearing at our house. And so, we're basically participating
22 in that live event. And so, I really urge you to kind of

1 protect us as residents from this.

2 And if I may just mention one last thing in just a
3 second. This event, this Board meeting has been the only
4 real public comment chance that I've been able to talk in.
5 And so was the last one. And it was the only thing really
6 putting pressure on Starlight. So I really urge you to
7 continue that.

8 BRENDAN SULLIVAN: Thank you. Thank you very
9 many.

10 OLIVIA RATAY: Mercedes Soto?

11 MERCEDES SOTO: Hi. Good evening. Thank you. My
12 name is Mercedes Soto. I live at 280 Harvard Street. And I
13 first want to express my gratitude to the members of the
14 Zoning Board, and thank you for your service to the
15 community.

16 And also thank the City for making a very wise
17 investment in community spaces and in the arts, especially
18 during a very challenging time, when so many community
19 members have suffered loss and are experiencing grief and
20 social isolation.

21 I first moved to Cambridge in 1986, and since then
22 have lived in several other cities before returning 10 years

1 ago. And like other cities, it's densely populated,
2 expensive, it can be noisy, there's traffic, there's music
3 blasting from cars, there are bus -- there's, you know,
4 people in the apartment above you or next to you. You know,
5 sometimes there's people talking loudly on the street at
6 3:00 a.m.

7 And, you know, again, as a person who's chosen to
8 live in a city, like I have to think about, like, how do I
9 care for self and maybe I'm-a need to get some noise-
10 canceling headphones? You know, things that if I'm
11 disturbed or uncomfortable, like what can help mitigate some
12 of the aspects of living in a city?

13 But I really -- in my opinion, Starlight Theatre
14 is a cultural oasis in Central Square. I live a 10-minute
15 walk and have been an audience member and a co-planner and
16 cohost for community events.

17 I shop at the farmers market and Popportunity shops, and the
18 team's welcoming and professional team at Starlight have
19 created a healing space where members of our community can
20 share their talents in a way that's safe and allows for
21 social distancing.

22 The managers of Starlight are ensuring that

1 presenters follow the City Ordinances, while also bringing
2 much-needed celebrations of joy and culture, and while
3 promoting local artists and entrepreneurs.

4 I feel really fortunate to be raising my son in a
5 vibrant community. And I urge you to balance the individual
6 concerns with the greater common good and the benefits to
7 the community, and to please allow Starlight to continue to
8 provide programs and grant the special permit to Starlight
9 to continue to, you know, provide vibrant, much-needed
10 healing space to the community.

11 Thank you.

12 BRENDAN SULLIVAN: Thank you.

13 OLIVIA RATAY: Emily?

14 EMILY: Hi, yes. Thank you for giving me the
15 chance to speak. I just want to say many individuals voiced
16 their concern about how destructive Starlight can be to
17 their daily lives and families last time you met, and it
18 still was granted a permit for a whole half season.

19 And even though, you know, you can stop thinking
20 about it after that, we have to think about it every single
21 day. We have to plan our life around it every single day.
22 I have to leave my home to eat dinner sometimes because it's

1 just too loud.

2 Like even if you wear noise-canceling headphones,
3 you still hear it. It's -- it's unbelievable. Like, if you
4 want to keep something like this, you have to eliminate live
5 music performances. How can you have a live music
6 performance when people are trying to study or eat or sleep?
7 Like it's ridiculous.

8 And then when Mike says there is, "a few light
9 music performances" or "a few performances" that are a whole
10 day, that doesn't element that there are other performances,
11 or other -- like the yoga classes still have music, even
12 though he said they don't; they do have music. And there
13 are other events that basically have, like, five people
14 sitting and there's still music. Like, why do we have to
15 listen to their music?

16 Yeah. So once you make it permanent, there is no
17 one we can turn to to talk to about this, because this is
18 really the space we can talk to you about this that can make
19 a change. And yeah, they're -- they're gonna, like, the
20 managers, they're definitely going to take advantage once
21 you pass this fully.

22 So I urge you to please, yeah, listen to us. We

1 live there. I love Cambridge. I've lived here all my life,
2 and I've been to school here, I still go to school here.

3 Yeah. Thank you.

4 BRENDAN SULLIVAN: Thank you for calling in.

5 OLIVIA RATAY: Keanu Damon?

6 KEANU DAMON: Hi. Am I coming through okay?

7 BRENDAN SULLIVAN: Yes.

8 KEANU DAMON: All right. Thanks. I'll keep it
9 quick. I just wanted to voice my support for Starlight and
10 the special permit. I've lived and worked in the Cambridge
11 area since 2015. I'm also a musician and performer.

12 And in 2020 I was one of the people who everything
13 sort of shut down for. There was a lot of events, including
14 in Cambridge that I was looking forward to performing at,
15 and it all went away. And I was able to be booked last year
16 at Starlight Square, as well as this year through CCTV, as
17 well as Cambridge Hip-Hop and the Bridgecyph people.

18 And I think it's just a culturally significant
19 place. I think it's extremely special. People are creating
20 opportunities, making connections and socializing in a way
21 that was really impossible and felt impossible for a long
22 time. So I'll just keep it to that. Thank you.

1 BRENDAN SULLIVAN: Thank you.

2 OLIVIA RATAY: Zola Coleman?

3 ZOLA COLEMAN: Hello. My name is Zola Coleman.
4 I, along with my husband and my stepdaughter have grown up
5 in Cambridge and Central Square. I'm currently the Events
6 Director at Bow Market in Somerville.

7 I was the organizer for the Bob Moses memorial
8 service that happened at Starlight Square in addition to
9 being the Events Coordinator the first season of Starlight
10 Square, and I have managed events for going on a decade now
11 of groups up to 2,500, including many of Boston Magazine's
12 premiere events.

13 And I just want to say one of the things that I've
14 enjoyed most about Starlight Square is seeing the kids that
15 I grew up with, who are now adults -- seeing their parents
16 and seeing them with their children all enjoying the space
17 of our community and enjoying these beautiful events.

18 Additionally, Starlight Square holds space for the
19 people who truly make up the fabric of the community of
20 Central Square, including these long-term residents that
21 I've spoken about.

22 And they don't just make up the performers of

1 Central Square and Starlight Square, but Starlight also
2 employs several members of the community, and also employs
3 them as volunteers, and gives them an opportunity to learn
4 and grow and engage with each other.

5 This is high school students; this is folks with
6 mental disabilities -- this is folks who are otherwise
7 disenfranchised. This is folks who are not disenfranchised
8 and just want to be in community with each other.

9 I think it's just crucial that we understand that
10 Starlight Square is the manifestation of a dream of several
11 people who grew up in Cambridge and are so passionate about
12 the spirit of Cambridge, who and what we represent -- not
13 just when we're in Central Square, but when we're out in the
14 world.

15 It is space making. It is important, it is
16 crucial, it's revolutionary, and I hope you let these
17 fabulous people continue to do their great work.

18 Thank you so much.

19 BRENDAN SULLIVAN: Thank you.

20 OLIVIA RATAY: Manny Camargo?

21 MANNY CAMARGO: Good evening, everyone. My name
22 is Manny Camargo, more commonly known as Yavin. I'm a

1 Boston-based artist. I come to you today to advocate for
2 the extension of Starlight Square's programming. I am an
3 event organizer with an event scheduled for September 22,
4 which is LGBTQ-centric, as well as a fundraiser for Trans
5 Resistance, Massachusetts.

6 But beyond that, I also just want to speak as an
7 attendee, like many who have spoken about their experiences
8 at Starlight. I've had many, some of which have been some
9 of the most joyous nights of my life.

10 I am a queer person myself, and like many queer
11 folks, family can be a complicated facet of the queer
12 experience. I am very lucky to have a great relationship
13 with my mother in relation to my queerness, and it was at
14 Starlight that I was able to bring my mom to her first queer
15 event. And that was a night that I'll never forget.

16 With the show that I've put together that will
17 feature so many immensely talented queer artists and
18 performers, I want to be able to regift that feeling and
19 experience that I had with my mom to other queer people.

20 I want to be able to see an audience filled with
21 people who can create memories and share emotions, and if
22 this extension does not pass, I won't be able to achieve

1 this dream, and many will be robbed of their chance to
2 create those moments for themselves.

3 Starlight is a really special place, which I trust
4 that you understand, and it deserves to see its incredible
5 programming followed through. Thank you.

6 BRENDAN SULLIVAN: Thank you.

7 OLIVIA RATAY: Lani Asuncion?

8 LANI ASUNCION: Hello. I'm Lani Asuncion. And I
9 currently a member of Digital Soup and a core member of
10 Cultural Equity Incubator. And I also have had the honor to
11 perform at Starlight to follow through with the Live Arts
12 Boston grant that I got during the pandemic.

13 So it was really hard to not have a space to be
14 able to perform a performance that I constructed from a
15 grant that I got for the first time. That's such a generous
16 offer.

17 And yeah, I was able to perform there with a bunch
18 of wonderful performers and work with a bunch of local
19 professionals and got to showcase my work in a safe
20 environment, where a lot of times -- I'm Filipinx and a lot
21 of time Asian works and API queer folks are not always seen.
22 And I feel like Starlight really offered a space for that.

1 There was even a moment where -- just thinking
2 about sound -- where there's like I got loud in my
3 performance, because I do tend to get loud, but they cut
4 down the volatile. [Laughter] So they manually controlled
5 it to make it lower.

6 And when I listened to it again, I was kind of mad
7 about it, but then I'm like, "Well, I'm really glad they did
8 that, because that's respectful."

9 So I just hope that you know that.

10 BRENDAN SULLIVAN: Great. Great. Thank you for
11 calling in.

12 OLIVIA RATAY: Razan Dareer?

13 RAZAN DAREER: Hello?

14 BRENDAN SULLIVAN: Yes.

15 RAZAN DAREER: Hi. So my name is Razan Dareer. I
16 am a Cambridge resident. So I just want to start by saying
17 that Starlight is a beautiful place. It's where I had my
18 first performance -- I'm a musician, and that was where I've
19 brought many children to enjoy -- I don't know, Cambridge as
20 a whole.

21 You know, I am -- I'm a Black woman, I'm a Queer woman,
22 and there aren't many spaces where I can truly be who I am.

1 You know, Starlight is a space. It's a blank area where you
2 can do what you need to do, you can tell people what you
3 need to say, and they have to listen.

4 I also want to say that this permit would not be
5 used as a license to be as loud and disrespectful as we
6 would want. I know many people who are the organizers of
7 the event at Starlight, and they are nice, respectful people
8 who don't want to cause any problems.

9 So I think it's important to know that we would be
10 willing to compromise. We'd be able to communicate, you
11 know? we just don't want to throw the baby out of the
12 bathwater.

13 Yeah. Thank you so much.

14 BRENDAN SULLIVAN: Thank you.

15 OLIVIA RATAY: Dan Totten?

16 DAN TOTTEN: Yes. Hi. My name is Dan Totten. I
17 live at 54 Bishop Allen Drive, which is just a couple
18 apartments down from Starlight. I just want to say a couple
19 things.

20 You know, I think what's immediately clear tonight
21 is that the folks who run this space have listened above and
22 beyond what they needed to do, listened to this -- you know,

1 the neighbors, and have been so respectful and worked so
2 hard to come up with a way to mitigate the impact of the
3 amazing work that's going on at Starlight.

4 So with that said, I want to ask and ask you that,
5 you know, they've compromised. And so, please do not impose
6 any new restrictions. 50 percent reduction of weekend
7 events was a sacrifice.

8 And I've noticed it, even walking by. I've
9 noticed the reduction, and it makes sense seeing it tonight.
10 And that's a sacrifice. I would ask that you don't impose
11 any new restrictions tonight.

12 I'm so proud of Starlight when I walk through my
13 neighborhood with someone without doesn't live here. I
14 always point it out and talk about what it's meant to our
15 neighborhood.

16 And finally, you know, I think noise is a part of
17 living in Central Square. I've put up with years of
18 jackhammering living next to Mass and Main construction, a
19 and now there's a new project on my corner. You know, it's
20 -- there's noise in the city.

21 And so, I want to end by saying that I personally
22 don't think that this should require a special permit at

1 all, and I think that should be looked at going forward.

2 Thank you.

3 BRENDAN SULLIVAN: Thank you.

4 OLIVIA RATAY: Luis Cotto?

5 LUIS COTTO: Hello. Can you hear me?

6 BRENDAN SULLIVAN: Yes.

7 LUIS COTTO: Hello. My name is Luis Cotto. I'm
8 the Executive Director of the Central Square BID, and I'm
9 not going to repeat the letter that I sent you on July 25.

10 I do want to make one edit in that letter. I
11 stated that there was no -- that there were no, no reports
12 to us. I do want to change that, because yesterday the
13 twenty-seventh, we did get a call because we had our annual
14 meeting, which was originally scheduled from 2:00 to 4:00.
15 We had it in the morning from 9:00 to 10:00. So I do want
16 to make that change.

17 But I also wanted to speak experientially. I came
18 here in February. I was present on Zoom for the March 24
19 meeting. The very first meeting that I attended in February
20 was between Kay, Brian and Nina, and the topic for that
21 meeting was sound mitigation. And we've been talking about
22 sound mitigation from the beginning.

1 And I just want to say that, you know, we made
2 changes not because we were forced to, but because people
3 voiced their concerns.

4 And as much as I want to celebrate the people who
5 came out to support Starlight Square, I am concerned of the
6 -- some people who have voiced concerns. We've identified
7 77 Bishop Allen Drive as the closest one to the stage, so
8 we're constantly measuring over there, 70 similar. But it's
9 a little further than 77.

10 I personally have -- I've attended more than half
11 of the performances. I've done countless -- literally
12 countless measurements. The staff is under -- I don't want
13 to say orders, but they should call me if anyone comes in to
14 complain, so I can personally talk to them.

15 I live on Harvard Street, have lived there for 10
16 years, and we've done an incredible job between Season 2 and
17 Season 3, and I know we can get better.

18 I'm utterly frustrated that those sound shields
19 have not come in. We should have them in July, and I know
20 eventually we'll get them. I think we'll -- you know, that
21 will make a big difference.

22 But I want to keep having these conversations.

1 You granting us this permit does not stop that. So I just
2 want to say I hear the neighbors -- we are all neighbors,
3 right? We all live together, we need to learn how to live
4 communally, and this is not an "us versus them" thing; their
5 concerns are very valid, and I hear that. And I'm not going
6 anywhere.

7 Again, it's Luis, L-u-i-s @centralsq.org.

8 Everyone who I've talked to has my e-mail, has my phone
9 number, my personal phone number, and I'm happy to have
10 these conversations.

11 Thank you for your time.

12 BRENDAN SULLIVAN: Thank you.

13 OLIVIA RATAY: Harmony Witte?

14 HARMONY WITTE: Hello. Can you hear me?

15 BRENDAN SULLIVAN: Yes. Yep. Two minutes.

16 HARMONY WITTE: Hi. I'm Harmony Witte, a
17 Cambridge resident. I live in Porter Square, and I have
18 since 2015. I'm an artist and a community organizer.
19 Starlight's Theatre is a true gem of the community, a
20 groundbreaking space that sets Cambridge apart from other
21 towns.

22 I have organized an event that is scheduled to be

1 held on August 5, called Driftwood, a communal grieving art
2 event that will allow the community to come together in a
3 new way to grieve for all we have lost in the past, long ago
4 and recently in a new, secular context with neighbors
5 through art, speakers and contemplative music.

6 This is meant to happen at Starlight. And without
7 it, that rare chance for collaborative grieving during COVID
8 and perhaps even healing will be missed.

9 Please continue to allow Cambridge to be a
10 community on the vanguard of practicing what it means to be
11 a neighborhood in the special space that is Starlight.

12 Thank you for your time.

13 BRENDAN SULLIVAN: Thank you for calling in.

14 OLIVIA RATAY: Bart Thompson?

15 BART THOMPSON: Hi. Thank you for allowing me to
16 share my thoughts here. I just -- I'm really here to
17 support the management and staff. I produce an the "Now
18 Listen Here" storytelling series, and I've been fortunate
19 because of Starlight to have a safe space to produce these
20 shows over the last three summers.

21 And it feels a little self-serving to share how I
22 feel benefitted. These shows really give people a safe

1 space and an opportunity to share their personal stories
2 about their lives. And I always find that after these shows
3 people spend a lot of time-sharing similarities with
4 strangers, and staying and creating connections.

5 And I'm just -- I'm extremely grateful for the
6 opportunity to have a place to do that. And I tip my hat to
7 the staff and the management of Starlight and the Central
8 Square Business Improvement District. I'm grateful for the
9 opportunity, and I hope they get to continue producing shows
10 there. Thank you very much.

11 BRENDAN SULLIVAN: Thank you for calling in.

12 OLIVIA RATAY: Liz Tokar?

13 LIZ TOKAR: Hi. I just wanted to say something
14 off the cuff. I'm a person who's -- audience member --
15 who's gone to a couple shows at Starlight and was just
16 absolutely blown away and loved spending a quiet evening
17 listening to jazz in a safe space where, you know -- the
18 first performance I saw after COVID -- and it has set a
19 standard that is hard for any other venue to meet because it
20 was one of the most unique and welcoming performance spaces
21 I have ever visited.

22 And just really wanted to say Cambridge -- I've

1 lived here for seven years -- it has wonderfully diverse
2 neighbors. This is the Central District. I love going
3 there, and each time I've gone, I've gone out to dinner, sat
4 outside, had some food, and then sat outside at Starlight
5 and it's just been magical. And I just want to give my
6 support. Thanks.

7 BRENDAN SULLIVAN: Thank you.

8 OLIVIA RATAY: Joan Epstein?

9 JOAN EPSTEIN: Hi. My name is Joan Epstein. I
10 live on Raymond Street. And I had heard about Starlight for
11 a while before I first got to actually experience it in
12 early June when our daughter was part of the CRLS production
13 of, A Chorus Line.

14 And I was completely blown away by the space and
15 by the staff and by the community that we intersected with
16 by going to the show. There were people who came to the
17 show purposefully, there were people who wandered by and
18 wanted to know what was going on and stepped inside.

19 Having been basically removed from community
20 events because of COVID for the previous two years, it was
21 my first foray out into the community again.

22 And repeatedly, I found Starlight to be an

1 incredibly welcoming space and exciting space, and bringing
2 together members of the community that I had not been in
3 touch with for many, many months or perhaps ever. The
4 Popportunity shops and even just the local stores nearby.
5 It was wonderful to get back to being a part of it. And I
6 fully support and hope that you will support Starlight
7 getting an opportunity to continue.

8 BRENDAN SULLIVAN: Thank you.

9 JOAN EPSTEIN: Thank you.

10 OLIVIA RATAY: Beantown Taqueria?

11 HUGO MENDEZ: Hi. How are you doing? Can you
12 hear me?

13 BRENDAN SULLIVAN: Yes.

14 HUGO MENDEZ: Yeah. Mr. Chair and Board, thank
15 you for your time. I'm Hugo Mendez. I'm the General
16 Manager for Beantown Taqueria at 45 Mass Ave and Beantown
17 Taqueria Café at 150 Western Ave in Cambridgeport.

18 I'm here to voice my support for Starlight, for
19 all that they have done since the beginning of the pandemic,
20 when everything seemed done.

21 We know firsthand, as a small local business how
22 hard it has been to keep in business. Through it is and as

1 scary it is (sic) -- it is to know we will be able to go
2 through it, the never-ending hardship.

3 Seeing that people like the Starlight managers and
4 staff in general have the creativity and the energy to open
5 so many doors to so many people -- entrepreneurs that have
6 no idea how to start a new business or where to showcase
7 their talents, to have Starlight as a safe environment and
8 supportive space where they can all go and feel some sort of
9 normalcy, it's just precious. I really have to tip my hat
10 to them.

11 Businesses have been dying, closing down this past
12 two years. People's lives have been forever changed.
13 Starlight gives honor to its name, just by being. They
14 don't only help new businesses pop up, they also help small
15 local businesses like us become engaged by giving us a
16 chance to cater to the community through them and their
17 space.

18 I have to thank Luis Cotto, Erik, Dina (phonetic),
19 Kay and all the staff that work tirelessly to keep Central
20 Square and all the Cantabrigians feeling alive in these
21 uncertain times.

22 Thank you so much for the opportunity. Thank you

1 --

2 BRENDAN SULLIVAN: Thank you.

3 HUGO MENDEZ: -- Central Square.

4 BRENDAN SULLIVAN: Thank you.

5 HUGO MENDEZ: Appreciate it.

6 BRENDAN SULLIVAN: Thank you.

7 OLIVIA RATAY: James Williamson?

8 BRENDAN SULLIVAN: James?

9 [Pause]

10 James Williamson?

11 OLIVIA RATAY: Duong Huynh?

12 JAMES WILLIAMSON: Can you hear me? Can you hear

13 me?

14 BRENDAN SULLIVAN: Yes.

15 JAMES WILLIAMSON: Can you hear me?

16 DUONG HUYNH: Hello?

17 JAMES WILLIAMSON: Can you hear me?

18 BRENDAN SULLIVAN: Yes, James?

19 JAMES WILLIAMSON: Can you hear me?

20 BRENDAN SULLIVAN: We can hear you.

21 JAMES WILLIAMSON: Christ. Hello? Hello?

22 BRENDAN SULLIVAN: Yes, yeah.

1 JAMES WILLIAMSON: Can you hear me?

2 BRENDAN SULLIVAN: Yes, we can hear you.

3 JAMES WILLIAMSON: Such a pain. Thank you,
4 Brendan. Okay. First of all, James Williamson, North
5 Cambridge.

6 BRENDAN SULLIVAN: Two minutes.

7 JAMES WILLIAMSON: Yeah, I got you. [Laughter]
8 Thanks. So obviously this is an impressive -- Starlight is
9 an impressive contribution to Central Square, to the -- as a
10 cultural, you know, contribution to Central Square.
11 Impressive list of mitigation measures that have been
12 retaken, and an impressive body of testimony in support of
13 this.

14 I do want to intro one little thought here, which
15 is if there is a way to make every single neighbor happy,
16 then we should try our best to do that.

17 And I'm not suggesting that that hasn't been the
18 case, but since I've heard some complaints, I wonder if
19 there isn't a way to first of all identify with as much
20 precision as possible exactly what would be an acceptable
21 level -- decibel level?

22 And this would entail -- possibly entail, and I

1 don't mean to extend this process unnecessarily any further,
2 but a kind of mediation facilitated by the City Manager's
3 office, because there was a letter from Matt Nelson -- have
4 people convene a meeting, sit down pending approval of the
5 special permit and say, "Okay, what do you need? Can we do
6 that?"

7 And I have a specific suggestion. I was at Jazz
8 Fest in New Orleans, and sitting at the very back row of the
9 bleachers way out in the outfield of the lead stage.

10 And there was a guy -- there was hardly anybody
11 there -- there was a couple guy sitting next to me, near me,
12 whose name is Klondike. He is famous in the world of sound.
13 He runs to the sound at the New Orleans Jazz and Heritage
14 Festival, he lives in Massachusetts. He now works as a
15 consultant. His name is Klondike.

16 And he said to me, "I'm here to make sure the
17 sound is perfect at every single seat at Jazz Fest." And
18 what he was monitoring was bleed -- sound bleed from another
19 stage. I offer that as an example of his skill and
20 experience in modulating sound impacts.

21 So the City of Cambridge could step in here, hire
22 Klondike if he's available, and have somebody like that

1 come, work with neighbors, work with the people who are
2 trying their best to make this happen in an acceptable way,
3 and come up with --

4 BRENDAN SULLIVAN: Right.

5 JAMES WILLIAMSON: -- a solution that works for
6 everybody. Thank you.

7 BRENDAN SULLIVAN: Thank you, James.

8 OLIVIA RATAY: Duong Huynh?

9 DUONG HUYNH: Hi. This is Duong Huynh speaking.

10 I am a 12-year resident of Cambridge, also co-owner of
11 Cicada Coffee Bar on Prospect Street. Just to show that if
12 we all met each other at Starlight, my name would be better
13 known and pronounced. It's pronounced, "Yun Win" (phonetic)
14 but thank you very much.

15 That's one of the many benefits of Starlight,
16 because it brings neighbors together and creates casual
17 conversations. But that's not my main point.

18 My main point is I have a question for our city.
19 Why is there no other venue that serves, that has no barrier
20 to entry for artists, that is a coming together place for
21 our community like Starlight? Isn't this our collective
22 failure as a community?

1 And if I, as a resident and as a small business
2 owner, can admit this failure and do something about it by
3 supporting Starlight, so can the leadership of this city by
4 stepping up and granting this permit.

5 And Starlight has proven again and again that they
6 can be respectful neighbors who are thoughtful, who give out
7 their personal cell phone numbers to receive neighbors'
8 complaints. That's kindness incorporated with all the work
9 they're already doing to serve the community.

10 So please grant them this special permit so that
11 their kindness and compassion for all the underrepresented
12 artists and communities can continue.

13 BRENDAN SULLIVAN: Thank you.

14 DUONG HUYNH: Thank you.

15 OLIVIA RATAY: Nada A?

16 NADA A: Hello. Hi. I live on Bishop Allen
17 Drive, and I have a 2-year-old and I'm actually -- we are
18 expecting in the fall. And I -- so because I'm a resident
19 of this area right above Starlight, this existence of this
20 program, however beautiful and supportive of small
21 businesses and community, is a disturbance, a hardship for
22 me and my family.

1 And I am asking this to not be renewed, this
2 license because it's really great to hear everyone's
3 comments about how great Starlight is, but you do not live
4 -- are not actually living in this environment and hearing
5 this noise.

6 My children can't sleep properly. I can't have
7 conversations with my family members. I can't invite people
8 over and -- I don't know what silence looks like.

9 I -- I just feel like this is a conversation for
10 residents and the area that Starlight has taken was a
11 parking lot. And the -- the -- that's what it is for. It's
12 for cars. It's not supposed to be right near residents.

13 And yes, of course, we live in Boston. We
14 understand there's some noise and sacrifice that will be
15 around that. But this is just a different type of hardship.
16 And I really urge people to understand that.

17 It's great that you're going for this as an
18 entertainment, as a source of income. But if it was your
19 life, your home life, you would have a very different
20 perspective on this, most likely.

21 And as a young mother, this is just unbearable.
22 So please do not renew this. Please think about where you

1 live, how you live and how this noise could possibly disrupt
2 your life and your loved one's life and think about it in
3 that way, because that's the truth. That's all it is. This
4 is the conversation for those people.

5 And like I said, there might be lots of benefits
6 to other families that live far away, congratulations. But
7 if it was right in your back yard, you would have a very
8 different perspective. And that's what this conversation
9 needs to be about. Thank you very much.

10 BRENDAN SULLIVAN: Thank you. Thank you.

11 OLIVIA RATAY: Roselin Julce?

12 BRENDAN SULLIVAN: We're down to the last caller.

13 ROSELIN JULCE: Hi. Can you hear me?

14 BRENDAN SULLIVAN: Yes. Two minutes.

15 ROSELIN JULCE: Yes. I was just trying to say
16 that I'm very thankful for Starlight and what it provides to
17 the community. And I have to mention that thanks to
18 Poppportunity, myself and my 11-year-old have a Pop Shop
19 there, where we serve the community and we get to learn
20 about different cultures and learning how to be an
21 entrepreneur.

22 So just for all the people that are trying to be

1 entrepreneurs and trying to come to a place, a safe place to
2 commute -- communicate and be together, I think it's worth
3 giving it another shot. Thank you so much.

4 BRENDAN SULLIVAN: Thank you. That is the sum and
5 substance of anybody calling in. I will call a halt to the
6 call-ins. We are in receipt of communication from the
7 Mayor, or Michael Connolly, State Representative; City
8 Councillors; Michael James, who wrote in in opposition and
9 he spoke; don't need to read that letter into the file, the
10 Board is familiar with all of the correspondence.

11 Also, from Cambridge Rindge and Latin School in
12 support, and a number of other -- quite a number of other
13 interested people who have voted to comment.

14 I will close the public comment part of the
15 meeting. I will send it back to Michael, who will briefly
16 sum up any other words, and then I'll turn it back over to
17 the Board.

18 MICHAEL MONESTIME: Through you, Chair, thank you.
19 And thank you for everyone being patient through all that
20 public comment. All I want to end with and add is we are
21 here before you seeking the same zoning relief for outdoor
22 entertainment and recreation facility, and happy to have

1 conversation with the Board.

2 BRENDAN SULLIVAN: Thank you. I will end the
3 presentation part, turn it back over to the Board. I don't
4 have any questions; I think I've heard it all and left
5 nothing to be desired.

6 I have spent a tremendous amount of time reading
7 all of the correspondence, not only for this current
8 meeting, but also for the one back in March, and mostly your
9 presentation tonight, and I think the steps and the efforts
10 that you have taken to be responsive to the neighbors, to
11 the concerns of the neighbors, to running as well a program
12 as could possibly run, given the varied parts of that
13 program, and I think that you have really done a remarkable
14 job -- you and your staff, Mr. Cotto, from the Business
15 Square Improvement District and all of the other team
16 members that are involved in this.

17 And so, I would enthusiastically support granting
18 a special permit that runs from the tonight until October
19 31, 2023. So I'll turn it back over to the Board for
20 questions and comments. Jim Monteverde?

21 JIM MONTEVERDE: The list of mitigations, the
22 presentation that was given, I don't find in the online, in

1 the City's website for this meeting. So the list of
2 mitigation measures that you -- the one slide that I saw --

3 MICHAEL MONESTIME: Yes, sir.

4 JIM MONTEVERDE: -- Mr. Chair, I'd like to have
5 that as an attachment to basically say that the proponent
6 has got to continue with at least those mitigating measures.

7 BRENDAN SULLIVAN: Very good point, Jim. Absolutely a very
8 good point. If we could -- is that the one you're referring
9 to?

10 JIM MONTEVERDE: Yeah.

11 BRENDAN SULLIVAN: Okay. So the programmatic --

12 JIM MONTEVERDE: Yeah, I mean --

13 BRENDAN SULLIVAN: -- changes --

14 JIM MONTEVERDE: Yeah.

15 BRENDAN SULLIVAN: -- and that would be -- can we
16 identify that by a slide, Michael at all or Olivia?

17 MICHAEL MONESTIME: Ready, Chairman?

18 BRENDAN SULLIVAN: Number 8?

19 MICHAEL MONESTIME: Yes, sir.

20 JIM MONTEVERDE: Yeah, again, none of that
21 presentation is on the website. But that aside, so if this
22 would be a condition that the proponent at least do this

1 much if not more, and then I'm still concerned.

2 Because with the comments we have heard from the
3 residents, the neighbors who actually live adjacent to the
4 site, and the concerns they express -- so given what they're
5 doing and hoping that the acoustic panels arrive sometime in
6 the very near future -- I'd be willing to look at an
7 extension for this year.

8 But I would actually like them to come back, and I
9 would really like to hear more from the residents
10 immediately adjacent to the site before this gets extended
11 to the 2023 year.

12 BRENDAN SULLIVAN: Okay.

13 JIM MONTEVERDE: So that's my comment and concern.

14 BRENDAN SULLIVAN: All right. Allison, any
15 comments?

16 ALISON HAMMER: I think my only concern based on
17 what I heard from the residents that I wanted to address is
18 about music being played at events that are supposed to be
19 nonmusical, and if that's kind of a blurring of the line, I
20 don't know if there's something you could do to help the
21 neighbors out with that?

22 BRENDAN SULLIVAN: Okay. We'll have Michael maybe

1 respond to that. Slater, any comments?

2 SLATER ANDERSON: I was going to say what Jim
3 said, which was I want to be clear that, you know,
4 mitigation steps that have been taken would continue and be
5 part and parcel of, you know, any extension given to the
6 program.

7 BRENDAN SULLIVAN: Okay. Andrea, any comments?

8 ANDREA HICKEY: Yes. So the slide that is before
9 us now -- this is slide 8 I believe -- that makes a note
10 that these acoustic panels have been ordered, could I ask
11 Michael did you indicate that these panels are now being
12 delivered on a date certain?

13 MICHAEL MONESTIME: Through you, Chair, we don't
14 have a date just yet, but I can promise the follow-up with
15 this body as soon as our vendor provides that to us. We
16 have been charged for said sound panels, but we're still
17 waiting on an exact shipment date.

18 ANDREA HICKEY: So where are they exactly right
19 now?

20 MICHAEL MONESTIME: Still in a warehouse.

21 ANDREA HICKEY: In the U.S., someplace?

22 MICHAEL MONESTIME: In the U.S., we believe.

1 ANDREA HICKEY: And then how long will they take
2 to install once you've received them?

3 MICHAEL MONESTIME: We'll work immediately, it
4 will only take us one day. It's a very fast process to get
5 these installed.

6 ANDREA HICKEY: All right. I'd like for us to
7 consider a date by which that mitigation has to occur. The
8 fact that they've been ordered is great, but that doesn't
9 help the neighbors. So I'll ask my fellow Board members to
10 think about that.

11 I'm also in complete agreement with Mr. Monteverde
12 that I'm not prepared to extend this request for into the
13 2023 season. I would be willing to extend to the end of
14 2022, but I think we need to see what the result of
15 installing those acoustic panels will be, whether that
16 mitigates the direct neighbors' complaints.

17 And I'd like to see you come back once that work
18 is done. And I would consider perhaps an extension -- a
19 further extension into 2023 at that point. But I'm not
20 prepared to just issue a blanket extension for the full 2023
21 year as requested.

22 Thank you, Mr. Chair.

1 BRENDAN SULLIVAN: All right. I guess, Michael, I
2 don't mean to answer for you, but I think that potentially
3 you may be planning next year's events this year, is that an
4 accurate statement, or --

5 MICHAEL MONESTIME: Yes, Chair. A lot of
6 preplanning goes into a season at Starlight. I'll note that
7 due to the only half of the season permitted, we weren't
8 able to get as much sponsorship to help afford an
9 underwrite, so that's a hard line for the Business
10 Improvement District to cover those costs. So as much time
11 as we have gives us more time to prepare and to do the work
12 as we've promised.

13 BRENDAN SULLIVAN: Okay. I don't know if it's
14 worthwhile to respond to some of the comments you had from
15 members of the Board or maybe you -- maybe you just did.
16 Very, very briefly, if you'd like to just respond to, you
17 know, Mr. -- well, the Board members' request possibly for
18 granting a permit for this year, but not next, is that
19 doable, or is it problematic?

20 MICHAEL MONESTIME: Well, we employ a team.
21 There's a lot of uncertainty in these challenging times. So
22 as much guidance and direction that we can give them would

1 be greatly appreciated.

2 There was a comment one of the members had made
3 around yoga being a sounded event, and are we producing
4 sound when we're unlicensed?

5 We heard you loud and clear on our last meeting,
6 and we came and submitted 30-day intervals of detailed
7 programming to the License Commission, and any event that we
8 have scheduled we -- that comes with sound, that's what we
9 get permitted by the License Commission.

10 BRENDAN SULLIVAN: Okay. Thank you. Is it still
11 the sense of the Board, then that -- and Michael, if it were
12 to be through the end of this year, would October 31, 2022,
13 be an end date?

14 MICHAEL MONESTIME: Through you, Chair, yes, and
15 that is fine. Yes.

16 BRENDAN SULLIVAN: Okay.

17 MICHAEL MONESTIME: And then that time, if that's
18 the way the outcome is for this meeting, we would ask if we
19 could come back to this body. There are carrying costs, as
20 you can imagine, for such a space. The scaffolding that
21 holds the structure up is something we pay for monthly.

22 So we would appreciate if we could have better

1 clarity at the end of the season in the middle of the fall,
2 how we are moving forward, so we can plan accordingly or not
3 to incur expenses if the outcome is not there.

4 BRENDAN SULLIVAN: Okay. Is it the sense of the
5 Board, then, if I make a motion to grant the special permit,
6 including the programmatic changes as a condition, a
7 continuing condition to their operation, and that this
8 special permit will expire on October 31, 2022? Is it the
9 sense of the Board that you would be favorable?

10 Jim?

11 JIM MONTEVERDE: Yes.

12 BRENDAN SULLIVAN: Slater?

13 SLATER ANDERSON: Yes.

14 BRENDAN SULLIVAN: Alison?

15 ALISON HAMMER: Yes.

16 BRENDAN SULLIVAN: And Andrea?

17 ANDREA HICKEY: Yes.

18 BRENDAN SULLIVAN: Okay. Let me make a motion,
19 then, to grant the special permit to the City of Cambridge
20 for the Starlight -- what is the official name of it,
21 Michael?

22 MICHAEL MONESTIME: Starlight Square, Chair.

1 BRENDAN SULLIVAN: Starlight Square -- also known
2 as Starlight Square.

3 Let me make a motion, then, to grant the special
4 permit on the condition that the programmatic changes, which
5 are Slide number 8, be incorporated as a condition that the
6 petitioner be bound by those limits and those parameters,
7 and special emphasis on the installation of the sound
8 shields.

9 It appears that the requirements of the ordinance
10 can be met. That traffic generated or patterns of access or
11 egress would not cause congestion, hazard, or substantial
12 change in the established neighborhood character. The Board
13 finds that the Starlight Theatre had operated for two years,
14 and the traffic generated and patterns of access or egress
15 have not caused congestion, hazard, or substantial change in
16 the established neighborhood character.

17 Continued operation of or development of adjacent
18 uses, as permitted in the Zoning Ordinance, would not be
19 adversely affected by the nature of the proposed use.

20 And that the Board finds that the governing body
21 of Starlight has gone to great lengths to try to ameliorate
22 any issues, adverse issues coming from operations at

1 Starlight, that they will continue to do so and that the
2 programmatic changes will be in place and be continued, and
3 that they were acting in a good faith manner.

4 The Board finds that nuisance or hazard would not
5 be created to the detriment of the health, safety and/or
6 welfare of the occupants of the proposed use, or to the
7 citizens of the city.

8 The Board finds that a number of callers and also
9 letters in support have attributed great health and safety
10 benefits by the operation of Starlight.

11 The Board finds that the proposed use would not
12 impair the integrity of the district or adjoining districts.
13 The Board notes the sanctioning of the space on city
14 property and by the City Council, and funding also by --
15 Arts funding by the City.

16 And that the continued use would not derogate from
17 the intent and purpose of the ordinance to provide a truly
18 unique and public space for residents to congregate, also to
19 have popup stores, and also to provide entertainment by a
20 vast variety of the population.

21 On the motion, then, to grant the special permit
22 with that one condition, Jim Monteverde?

1 JIM MONTEVERDE: In favor.

2 BRENDAN SULLIVAN: Slater Anderson?

3 SLATER ANDERSON: In favor.

4 BRENDAN SULLIVAN: Alison Hammer?

5 ALISON HAMMER: In favor.

6 BRENDAN SULLIVAN: Andrea Hickey?

7 ANDREA HICKEY: Yes, in favor.

8 BRENDAN SULLIVAN: And Brendan Sullivan yes, in
9 favor.

10 [All vote YES]

11 BRENDAN SULLIVAN: The five affirmative votes, the
12 special permit is granted until October 31, 2022.

13 SLATER ANDERSON: Mr. Chair, can I just make one
14 final comment?

15 BRENDAN SULLIVAN: Yes.

16 SLATER ANDERSON: I haven't heard this come up,
17 but I'm aware, you know, in more extreme noise proximate
18 areas like Winthrop by the airport there has been, you know,
19 mitigation applied to residences in the area.

20 And I just might suggest that the City look into
21 if this is going to be an event space, that maybe there is
22 mitigation that can be applied to the residential units that

1 directly face the property, so might be something worth
2 looking into -- you know, insulated windows, insulation of
3 houses on the direct side facing the Square.

4 BRENDAN SULLIVAN: Excellent point. Thank you.
5 Okay. Goodnight. Thank you.

6 MICHAEL MONESTIME: Thank you.

7 BRENDAN SULLIVAN: Yep.

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2 (8:15 p.m.)

3 Sitting Members: Brendan Sullivan, Andrea A. Hickey, Jim
4 Monteverde, Alison Hammer, and Slater W.
5 Anderson

6 BRENDAN SULLIVAN: The Board will now hear Case
7 No. 178804 -- 201 Charles Street. Edrick, are you hanging
8 on the line? Possibly no. We are in receipt of
9 correspondence from Edrick VanBeuzekom.

10 "To Maria and Olivia,

11 "My clients and I would like to request a
12 postponement of our July 28 hearing date for Case No. 178804
13 -- 201 Charles Street to the next available date. We have
14 been negotiating with neighbors and need a little more time
15 to complete revised plans.

16 "Let me know if we need to submit a more formal
17 request. I can stop in to sign the waiver if needed."

18 On the motion to continue this matter until
19 September 8, 2022, at 6:00 p.m., on the condition that the
20 petitioner change the posting sign to reflect the new date
21 of September 6, 2022 and the new time of 6:00 p.m.

22 Any new submittals be in the file by 5:00 p.m. on

1 the Monday prior to September 8. The waiver has been signed
2 and submitted so they're good there.

3 On the motion, then, to continue this matter to
4 September 8, Jim Monteverde?

5 JIM MONTEVERDE: In favor.

6 BRENDAN SULLIVAN: Slater Anderson?

7 SLATER ANDERSON: In favor.

8 BRENDAN SULLIVAN: Alison Hammer?

9 ALISON HAMMER: In favor.

10 BRENDAN SULLIVAN: Andrea Hickey?

11 ANDREA HICKEY: Yes, in favor. And just
12 clarifying that it would be continued as a case not heard.

13 BRENDAN SULLIVAN: It's a case not heard. And
14 Brendan Sullivan yes.

15 [All vote YES]

16 On five affirmative votes, the matter is continued
17 until September 8 at 6:00 p.m.

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2 (8:17 p.m.)

3 Sitting Members: Brendan Sullivan, Andrea A. Hickey, Jim
4 Monteverde, Alison Hammer, and Slater W.
5 Anderson

6 BRENDAN SULLIVAN: Moving along, Case No. 172873
7 -- 36 Hawthorn Street #2. Michael?

8 MICHAEL GERVAIS: Yes. Thank you for the time
9 this evening. We are in the process of converting an open-
10 air back porch into a badly needed home office.

11 During our permitting process, we learned that we
12 needed a variance to install a window in the back wall of
13 the building. Our project is done, except of course for the
14 window.

15 We believe the window is an architectural upgrade
16 to what was there before. The window will actually be
17 screened by trees along the property line and will have
18 little impact on our neighbors.

19 We ask that you approve our application.

20 BRENDAN SULLIVAN: Okay. Going through the
21 drawings was a little bit -- or the application was a little
22 bit challenging at times.

1 Also, if I can turn your attention -- and normally
2 we would probably kick this back and have you resubmit;
3 however, and I'll leave it up to the Board to decide, but --
4 on the dimensional form, the line 3, which is a ratio of
5 gross floor area to lot area, that actually is -- has to be
6 a decimal number, not a repeat of the gross floor area.
7 It's ratio.

8 So it's going to be 0. something or other or
9 1. something or whatever. And the ordinance requires if
10 it's a Residence B zone, the ordinance requires 0.50.

11 So I would at the very least ask that the
12 dimensional form be changed to reflect that, only because
13 this is a legal document, and it may be fine for tonight's
14 case, but going forward this has to be handed on to future
15 owners and the Building Department and so on and so forth.

16 So we just need to make sure that all of that, and
17 if you would go through line by line, if you have any
18 problem with it, you can always ask the Commissioner to go
19 over the numbers with you. But that one stood out to me
20 that the ratio has to be a decimal number.

21 Jim, any questions that you have on the petition?

22 JIM MONTEVERDE: No, thank you.

1 BRENDAN SULLIVAN: Slater?

2 SLATER ANDERSON: Well, I was just looking at the
3 dimensional form as you were saying that, and there's also
4 the ratio of usable open space. It's not as the ratio in
5 there.

6 BRENDAN SULLIVAN: That's right. So there's two
7 ratios, which are two -- that's correct, too. The ratio of
8 usable open space to lot area is not a whole number, it's a
9 decimal number. So you have to do some math there.

10 Anything else, Slater? No?

11 SLATER ANDERSON: No.

12 BRENDAN SULLIVAN: No. All right. Alison, any
13 questions or comments?

14 ALISON HAMMER: No questions or comments.

15 BRENDAN SULLIVAN: Andrea?

16 ANDREA HICKEY: Mr. Chair, I do think we need the
17 dimensional form to be completely filled out before we can
18 properly act on this application. I also think it's
19 important for members of the public to be able to review a
20 completed dimensional form.

21 I would want to withhold voting on this until I
22 hear whether there's any opposition in the neighborhood, and

1 I'm interested to know whether the petitioner could provide
2 those numbers now before we vote.

3 BRENDAN SULLIVAN: Okay.

4 MICHAEL GERVAIS: I would have to -- I'd have to
5 compute those. The way we view them in the town that I'm in
6 -- the two towns that I do most of my business -- we do it
7 the way I presented it. That's what -- and I thought that
8 it was fine the way I presented it.

9 It's -- we do -- if you can see from the plot
10 plan, if you go down, can you scroll down? Yeah. You can
11 -- excuse me, thank you. You may see that there is a lot of
12 livable space around that entire property. There is a lot
13 of open space.

14 We're not planning on changing any of the open
15 space on the property. This is something where the existing
16 porch was, and the other two units in the building have
17 actually -- from the pictures you can see I've already
18 changed -- I've already enclosed the other porches.

19 So we're not really changing any of the outside
20 space on this property at all.

21 BRENDAN SULLIVAN: Well, no, but what we're
22 looking for is what the existing conditions are. The

1 requested conditions may be the same, but it has to be a
2 decimal equivalent, and the requirements of the ordinance
3 have to reflect that. So it's -- I think it's a misread of
4 what they're asking for, Michael, on your part.

5 MICHAEL GERVAIS: Sure.

6 BRENDAN SULLIVAN: And the certified plot plan is
7 -- how far back is it? I mean, I can't -- to be honest with
8 you, I a little bit surprised that they would even accept
9 it, because it's dated 1987?

10 MICHAEL GERVAIS: Correct.

11 BRENDAN SULLIVAN: Yeah. I don't believe they
12 would accept anything more than what, five years old or
13 something? But I guess it was accepted, but my experience
14 is that they need sort of an up to date one. But apparently
15 -- yeah Andrea, I guess what I was trying to avoid was a
16 continued case.

17 ANDREA HICKEY: Right. I was trying to give the
18 petitioner the opportunity to do some -- I guess --

19 BRENDAN SULLIVAN: I know.

20 ANDREA HICKEY: -- fancy footwork and --

21 BRENDAN SULLIVAN: Can you do the quick math?

22 BLAIR TRIPPE: Can I explain it? It's Blair

1 Trippe, and I'm the owner of the unit. I'm wondering if we
2 could just submit this to you tomorrow. I would
3 respectfully ask --

4 BRENDAN SULLIVAN: Well, I'll tell you what.

5 BLAIR TRIPPE: -- that we can get this approved --
6 so that we --

7 BRENDAN SULLIVAN: We probably have another hour
8 and a half here; I could suspend this and have you do the
9 math between now and until the end of the night and come
10 back to us with the numbers. Would you be --

11 BLAIR TRIPPE: All right. We will try to get that
12 done. Because honestly, we really feel that this is
13 actually an architectural improvement. It's screened by
14 trees. It's -- there's one house that can even begin to see
15 through the trees to this window, and they have said they're
16 absolutely fine with this plan.

17 BRENDAN SULLIVAN: No, that may be fine.

18 BLAIR TRIPPE: So --

19 BRENDAN SULLIVAN: But again, this is a legal --

20 BLAIR TRIPPE: -- if we could get this --

21 BRENDAN SULLIVAN: Yeah. I think that you're
22 missing the point. This is a legal document. So the

1 numbers on it have to be --

2 BLAIR TRIPPE: Absolutely.

3 BRENDAN SULLIVAN: -- has to be correct, because
4 we have to then pass this on to future owners, and also to
5 Inspectional Services --

6 BLAIR TRIPPE: Yes.

7 BRENDAN SULLIVAN: -- and the Building Department.

8 MICHAEL GERVAIS: We understand.

9 BRENDAN SULLIVAN: Andrea, I don't know --

10 MICHAEL GERVAIS: We want to fix the document,
11 okay?

12 BRENDAN SULLIVAN: -- in response that there is --
13 it's a condominium and the other owners have approved of it.
14 But anyhow. Let me then - Andrea, you're okay if we suspend
15 this and have the petitioner work on the numbers and then
16 come back later this evening?

17 ANDREA HICKEY: Yes. That would work for me, as
18 long as we're giving the public also time to comment, if
19 there happens to be anyone there.

20 BRENDAN SULLIVAN: Okay. All right. So let me do
21 that. And we have one, two, three, four, five. We may be
22 here for another hour, hour and a half. Stay tuned, we will

1 -- if you don't call us back, we will call you to see where
2 you are.

3 MICHAEL GERVAIS: And where would I contact -- how
4 would I contact you?

5 BLAIR TRIPPE: Okay.

6 BRENDAN SULLIVAN: I'm sorry?

7 MICHAEL GERVAIS: How would I contact to see when
8 we're done with our decimal numbers, with our numbers?

9 BRENDAN SULLIVAN: You will -- yeah, if you
10 provide the numbers, then I can write them in.

11 BLAIR TRIPPE: And so, we'll just sign back onto
12 this Zoom, I think, is what you're suggesting?

13 ANDREA HICKEY: Right. And I think we'll take you
14 at the very end. Mr. Chair, is that what you're suggesting?
15 This is Andrea Hickey.

16 BRENDAN SULLIVAN: Correct. Yes. At the end of
17 the meeting.

18 MICHAEL GERVAIS: All right.

19 BRENDAN SULLIVAN: Yep.

20 MICHAEL GERVAIS: Thank you.

21 BLAIR TRIPPE: All right.

22 BRENDAN SULLIVAN: Thank you.

1 BLAIR TRIPPE: We will see you later. Thank you
2 very much.

3 BRENDAN SULLIVAN: All right.

4 BLAIR TRIPPE: All right.

5 MICHAEL GERVAIS: See to you later. Bye-bye.

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(8:25 p.m.)

Sitting Members: Brendan Sullivan, Andrea A. Hickey, Jim Monteverde, Alison Hammer, and Slater W. Anderson

BRENDAN SULLIVAN: The next case is 179227 -- 19 Leonard Avenue.

19 Leonard Ave?

JIM MONTEVERDE: They're on mute.

BRENDAN SULLIVAN: You -- 19 Leonard, you have to unmute yourself.

SID GEHLOT: Yeah, this is Siddarth Gehlot. I'm the petitioner here, but my architect, Sisia Daglian, she should be on Zoom to present the special permit application, because she has done all the details.

BRENDAN SULLIVAN: You're somewhat breaking up here. Who's going to present the case?

SID GEHLOT: Sisia Daglian.

BRENDAN SULLIVAN: Okay.

SID GEHLOT: My architect.

BRENDAN SULLIVAN: Okay. Is she on or not?

SID GEHLOT: I can't see myself if she is.

1 JIM MONTEVERDE: They're not on. That's the
2 problem.

3 ANDREA HICKEY: Shall we move on to the next case
4 and give her a chance to sign in?

5 SID GEHLOT: Yes. I'm going to call her now.

6 ANDREA HICKEY: Well, let me ask the Chair if
7 that's appropriate. Mr. Chair?

8 BRENDAN SULLIVAN: Yep. All right. All right.
9 We will get back to you. We're going to go to Alpine
10 Street.

11 SID GEHLOT: Thank you.

12 BRENDAN SULLIVAN: See if we can get ourselves
13 through the agenda here tonight.

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2 (8:25 p.m.)

3 Sitting Members: Brendan Sullivan, Andrea A. Hickey, Jim
4 Monteverde, Alison Hammer, and Slater W.
5 Anderson

6 BRENDAN SULLIVAN: I'm going to call Case No.
7 179416 -- 80 Alpine Street.

8 TALANOA LESATELE: Hello, can you hear me?

9 BRENDAN SULLIVAN: Yes. All right. Go ahead.

10 TALANOA LESATELE: Mr. Chairman, members of the
11 Board, good evening. My name is Talanoa Lesatele. I'm the
12 owner of 80 Alpine Street renovation project. This is a
13 full gut renovation.

14 We are here today just to kindly ask for relief to
15 raise the height of the existing roof by two feet maximum.
16 Part of the roof is within the building setback -- or this
17 part of the roof is in the building setback, and it's on the
18 north side of the property.

19 The existing plate height is around six feet five
20 inches, and we would like to just raise it up to seven feet
21 six inches. This increase in height will still keep the
22 building height below the maximum height of 35 feet.

1 We're making other minor alterations to improve
2 the steadiness of the building form, and these are
3 conforming, as per our zoning analysis as well as multiple
4 consultations with the staff of the Cambridge Inspection
5 Department.

6 The net change in the existing building volume
7 after all the alterations will be less than 5 percent.

8 Lastly, we have heard from some of the abutters we
9 were able to reach out to, and they are all in support of
10 our renovation. The correspondence that we received has
11 been uploaded to the City portal for your records. Thank
12 you.

13 BRENDAN SULLIVAN: Okay. Any questions by members
14 of the Board? Jim Monteverde, any questions?

15 JIM MONTEVERDE: No questions.

16 BRENDAN SULLIVAN: Slater Anderson, any questions?

17 SLATER ANDERSON: No questions.

18 BRENDAN SULLIVAN: Alison Hammer?

19 ALISON HAMMER: No questions.

20 BRENDAN SULLIVAN: And Andrea, any questions?

21 ANDREA HICKEY: No questions.

22 BRENDAN SULLIVAN: All right. Let me open it to

1 the public comment. Any members of the public who wishes to
2 speak should now click the button that says, "Participants,"
3 and then click the button that says, "Raise hand."

4 If you are calling in by phone, you can raise your
5 hand by pressing *9 and unmute or mute by pressing *6, and
6 you will have up to three minutes to which to comment.

7 OLIVIA RATAY: Jenna Bingham?

8 JENNA BINGHAM: Can you hear me?

9 BRENDAN SULLIVAN: Yes. Yep.

10 JENNA BINGHAM: Okay. I am alone in long resident
11 of Cambridge, Mass, and I live and own directly across the
12 street from 80 Alpine. I don't have a problem with having
13 their -- you know, the roof, you know, raised. But the
14 format and the look of the house, personally it's
15 disgusting. I don't like it; I don't want to look at it.
16 I'm going to have a problem with it, and I want to know
17 who's going to be living there.

18 This -- this Cambridge Street, Alpine Street, look
19 and style of the house doesn't even fit in this -- this
20 community. And I completely am against it. I don't want to
21 look at it.

22 I mean, I'm literally sitting in my bedroom

1 looking out the window at the house. It was owned by Alicia
2 Sinclair, who is a dear friend of ours, for years. In
3 fairness, I took care of Alicia. And she would be
4 devastated to know that her house is going to be, you know,
5 ripped down and built up to look the way -- it looks like a
6 dental office.

7 I'm not happy with it. And, you know, and I come
8 from a multiracial family, and quite frankly, you know,
9 there have been some Asian families in this neighborhood who
10 have left because they have treated a lot of us, you know,
11 poorly.

12 I'm not happy with it. I don't like it. I think
13 the -- like I said the architectural design is absolutely
14 disgusting, and I'm going to have a real problem with it.
15 Thank you.

16 BRENDAN SULLIVAN: Thank you.

17 OLIVIA RATAY: Robin Downs?

18 ROBIN DOWNS: Yes. My wife and I are the owners
19 of 72 Alpine Street. We --

20 TRACY: Right next door to 80 Alpine Street.

21 ROBIN DOWNS: And we just wanted to chime in and
22 express our approval for allowing our new neighboring to

1 raise his roof with his property. He came to us after
2 acquiring the property and explained what he was trying to
3 do. He was respectful and polite, and we just wanted to
4 voice our support.

5 BRENDAN SULLIVAN: Thank you. That's the sum and
6 substance of any call-ins. There is one more.

7 OLIVIA RATAY: Zoom user?

8 TRACY: Hello?

9 BRENDAN SULLIVAN: Yes.

10 TRACY: Yes, can you hear me?

11 BRENDAN SULLIVAN: Yes.

12 TRACY: Yes, hi. My name is Tracy, and I also
13 live directly across the street from 80 Alpine. The new
14 neighbors who just moved in, not too long ago, who were
15 living at the Black Hair Care Salon -- which had a lot of
16 issues and water damage, and a lot of fights and hate and
17 crime, and maybe deaths, I don't know, in that same house --
18 well, they put up a big fence.

19 I don't know if they're trying to change the look
20 of the neighborhood, but we're the fore founders of the
21 street; my uncle down the street a few houses down and our
22 friends who are on the -- diagonally across from us, I don't

1 -- we saw the AutoCAD picture of this house and it just does
2 not fit in the neighborhood.

3 Don't like it, we'll never like it. I hear
4 they're cutting down trees that have been there forever.
5 Fine, you buy a house, you do what you want with it, but I
6 don't know how tall they're trying to go. I don't approve
7 of this -- you know, new design of this home, this street.

8 Everyone's pretty much close-knit on it, and
9 there's a lot of gossip, a lot of history that a lot of
10 people who've just moved in have no idea about, which if
11 they did, they probably wouldn't live here.

12 But I just don't -- I don't like the design of the
13 home, I don't like the height of the home. I don't like --
14 again, this woman Alicia who used to own the house -- we
15 used to take care of her, we were at that house every day
16 caring for her, I actually hang out with the kids who live
17 downstairs on the first floor. I don't approve. I don't
18 approve of the look, I don't approve of the height, I don't
19 approve of the request, and I just don't agree with it and
20 probably will have a problem.

21 And the neighborhood's just -- it's just --
22 they're just rude. It's just -- I don't -- we're not happy

1 about it at all.

2 BRENDAN SULLIVAN: Thank you.

3 TRACY: And I know a lot of people behind the
4 house aren't happy about it, and on the other side of the
5 house. The house in the corner looks like an airport.

6 BRENDAN SULLIVAN: Thank you.

7 TRACY: We're not happy.

8 BRENDAN SULLIVAN: Thank you for calling in.
9 That's the sum and substance of the call-ins. We are in
10 receipt of correspondence from Gabriel O'Malley.

11 "Talanoa, I am truly sorry for the delay. We do
12 not object to the proposed raise in roof height. Please
13 feel free to send this e-mail to the City."

14 It's from Gabriel O'Malley who lives at 84 Alpine
15 Street.

16 The other correspondence was from Mr. Robin Downs,
17 who previously spoke. That is the sum and substance of any
18 correspondence. I will close that portion.

19 In response to two callers regarding the height,
20 the height limit in the district is 35 feet. They are going
21 from 31 feet 5 to 33.5, so they're going up two feet. But
22 they are still within the allowable minimum height. The

1 design of the house is another matter, and it's -- whether
2 or not they, it's aesthetically pleasing or not is another
3 issue. We are really not a Design Review Board, but if they
4 meet the other criteria, they can be granted the special
5 permit.

6 Let me turn it back to the petitioner. Any
7 comments at all before I send it over to the Board?

8 TALANOA LESATELE: I just want to thank those who
9 have commented. I understand that some people are opposing
10 to the look. And, you know, and everybody has their own
11 aesthetic perception. And so, it's kind of hard to please
12 everyone. But I'm thankful to those who have supported it.

13 Basically, in fact, actually, we're not asking for
14 any additional area. We're actually reducing the area a
15 little bit to kind of clarify the massing a little bit. You
16 know, I'm an architect too.

17 So -- and also this building has, I don't know if
18 you're familiar with the history of this building is all --
19 the -- most of the buildings in the neighborhood were
20 designed by one architect. This one is one of the only ones
21 that was not designed by the same architect.

22 So anyway, I thank those who have supported the

1 increase of the height, which I feel is a pretty short ask.
2 We're not adding any additional area, because the existing
3 roof height is already six -- the plate height is already
4 six-feet-five and five inches. And that area is already
5 counted towards GFA. So we are just asking to just increase
6 it by maximum two feet. Thank you.

7 BRENDAN SULLIVAN: Okay. And you're not creating
8 any new non-conformities?

9 TALANOA LESATELE: Correct.

10 BRENDAN SULLIVAN: All right. Jim Monteverde, any
11 comments? Questions?

12 JIM MONTEVERDE: Nope. No comments or questions.
13 Thank you.

14 BRENDAN SULLIVAN: Slater?

15 SLATER ANDERSON: No comments or questions.

16 BRENDAN SULLIVAN: Alison?

17 ALISON HAMMER: No comments or questions.

18 BRENDAN SULLIVAN: Andrea?

19 ANDREA HICKEY: I have no questions. My only
20 comment, Mr. Chair, would be to reiterate what you said.
21 And that is that we are not even permitted to review from a
22 design perspective. We can strictly look at the specific

1 request here and the dimensional forms and we cannot base
2 our decision in any way on whether the new design fits in
3 with the neighborhood, or whether the neighbors like it or
4 not.

5 So unfortunately, those issues are not before us.
6 Thank you.

7 BRENDAN SULLIVAN: Thank you, Andrea. Let me make
8 a motion, then, to grant the relief requested, which is a
9 special permit as per the application, the drawings that are
10 submitted and initialed by the Chair, and the dimensional
11 form.

12 The Board grants the special permit on the
13 condition that the work be in accordance with the drawings
14 submitted and initialed by the Chair.

15 The Board finds that in all districts, the Board
16 may grant a special permit for the alteration or enlargement
17 of a preexisting dimensionally non-conforming, detached
18 single-family dwelling or two-family dwelling not otherwise
19 permitted in Section 8.22.1, but not the alteration or
20 enlargement of a preexisting, non-conforming use.

21 Provided that there is no change in use, and that
22 any enlargement or alteration of such preexisting, non-

1 conforming detached single-family dwelling or two-family
2 dwelling may only increase a preexisting dimensional non-
3 conformity, but does not create a new deformity -- new
4 dimensional non-conformity.

5 In order to grant the special permit, the Board of
6 Zoning Appeal is required to find -- and does find -- that
7 the alteration or enlargement shall not be substantially
8 more detrimental than the existing non-conforming structure
9 to the neighborhood, and that the alteration or enlargement
10 satisfies the criteria in 10.43.

11 Under 10.43, the Board has to find that it appears
12 that the requirements of the ordinance can be met. Traffic
13 generated or patterns of access or egress would not cause
14 congestion, hazard, or substantial change in the established
15 neighborhood character.

16 The Board finds that the continued operation of or
17 development of adjacent uses, as permitted in the Zoning
18 Ordinance, would not be adversely affected by the nature of
19 the proposed use.

20 There would not be any nuisance or hazard created
21 to the detriment of the health, safety and/or welfare of the
22 occupants of the proposed use, or to the citizens of the

1 city.

2 And that the proposed use would not impair the
3 integrity of the district or adjoining districts, or
4 otherwise derogate from the intent and purpose of the
5 ordinance.

6 On the motion, then, to grant the special permit,
7 Jim Monteverde?

8 JIM MONTEVERDE: In favor of the special permit.

9 BRENDAN SULLIVAN: Slater Anderson?

10 SLATER ANDERSON: In favor of the special permit.

11 BRENDAN SULLIVAN: Alison Hammer?

12 ALISON HAMMER: In favor of the special permit.

13 BRENDAN SULLIVAN: Andrea Hickey?

14 ANDREA HICKEY: Yes, in favor.

15 BRENDAN SULLIVAN: And Brendan Sullivan yes.

16 [All vote YES]

17 BRENDAN SULLIVAN: On the votes, five affirmative
18 votes and members of the Board, the special permit for 80
19 Alpine Street is granted.

20 Thank you, goodnight.

21 TALANOVA LESATELE: Thank you.

22

1 * * * * *

2 (8:41 p.m.)

3 Sitting Members: Brendan Sullivan, Andrea A. Hickey, Jim
4 Monteverde, Alison Hammer, and Slater W.
5 Anderson

6 BRENDAN SULLIVAN: The next case we'll hear is
7 180806 -- 56 Park Avenue. Christopher and Victoria Tolles,
8 56 Park Ave.

9 SISIA DAGLIAN: Yes.

10 BRENDAN SULLIVAN: Oh!

11 SISIA DAGLIAN: Hello, members of the Board.

12 BRENDAN SULLIVAN: Sisia?

13 SISIA DAGLIAN: Yes. I apologize for -- first of
14 all, for 19 Leonard. I just -- the first case took so long
15 I stepped away to go to the bathroom and not thinking you'd
16 get through the other two cases so quickly. Would it be --

17 BRENDAN SULLIVAN: It has the same effect on us,
18 too.

19 SISIA DAGLIAN: Would it be possible to hear it
20 later at the end?

21 BRENDAN SULLIVAN: Well, we have two other cases
22 at the end. Who are you waiting for?

1 ANDREA HICKEY: We were waiting for Ms. Daglian,
2 Mr. Chair.

3 JIM MONTEVERDE: Yeah.

4 ANDREA HICKEY: Yes. So we should be able to hear
5 it at the end, I believe.

6 JIM MONTEVERDE: Yeah.

7 SISIA DAGLIAN: Thank you.

8 JIM MONTEVERDE: We've already agreed to that, I
9 believe.

10 ANDREA HICKEY: Yes.

11 SISIA DAGLIAN: So I -- the owners Chris and Tori
12 Tolles of 56 Park Avenue should be joining us momentarily,
13 but in their absence I will start.

14 This is a home that the Tolles have owned for
15 approximately eight years. They -- it's a two-family home.
16 It's been largely, you know, unrenovated. It's in fairly
17 good condition, but they have a family of going on four
18 children now, and they live in the upper unit. Actually,
19 sorry, they live in the lower unit.

20 Actually, I'm seeing Chris on right now. Chris,
21 do you want to unmute and introduce yourself and --

22 CHRIS TOLLES: Yes.

1 SISIA DAGLIAN: -- and your family?

2 CHRIS TOLLES: I do. Hello. My name is Chris
3 Tolles. I live with my wife, Tori, and kids Owen
4 (phonetic), Brady and Emeris (phonetic), at 58 Park Ave,
5 which is the bottom unit of 56-58. We have lived here for a
6 little over eight years now, and probably another five or
7 six more than that in the neighborhood before we bought.
8 Thanks for hearing our plan tonight.

9 SISIA DAGLIAN: Okay, I -- Olivia, if you could
10 start the PF deck? So this sheet summarizes the relief
11 sought. It's a special permit. The house is in District B.

12 The -- and in summary, what we're doing is
13 removing the roof of the house and raising it by about four-
14 and-a-half feet to the allowable height in the district,
15 which is 35 feet. It's about four-and-a-half feet below
16 that right now. It will extend the side yard and the rear
17 yard non-conformity, but create no new non-conformities.

18 In addition, on the left side of the house, as you
19 can see on the top, there are new windows being -- windows
20 being moved on the second floor, and then a dormer and new
21 windows in the setback on the third floor.

22 Actually, if we could go to the third sheet? I

1 just want to show the context. This is a -- part of a row
2 of houses that are largely in the same format. Some of them
3 have different roof configurations.

4 But because this is a hip roof on the top, the
5 attic has about seven and a half feet clear in the center,
6 and doesn't really allow for a very good use of it. I think
7 some of these other houses that actually have a gable might
8 get better use.

9 But in any case, the Tolles wish to have more
10 bedrooms, because they do have four children, and we briefly
11 thought about trying to make something of the attic, but
12 it's just really not very adequate.

13 If we could go to the second page -- actually,
14 sorry, back to the first page, Olivia?

15 So you can see in the red the roof that's being
16 demolished and in blue the new roof, as well as the existing
17 side yard non-conformities. In the back, there is -- the
18 porch roof is being demolished and being replaced with the
19 higher deck that comes off the master bedroom.

20 So, again, the FAR is already non-conforming,
21 0.73, and it's going to 0.88. And the additional walls are
22 stacked right on top of the existing wall, so that there's

1 no -- it's just extending an already non-conforming
2 condition.

3 We can go to the second page. Here, you can see
4 the upper floor that's shaded and the setbacks in beds
5 (sic). So on the left side in the rear yard, the rear yard
6 the deck is going to further encroach on the rear yard
7 setback, which actually looks on the bike path. It doesn't
8 directly face other neighbors.

9 And then on the left side, it encroaches that
10 setback. The Tolles have spoken to all their neighbors.
11 There's letters of support in the file. They're -- you
12 know, it's a street on which there are -- a number of houses
13 are existing, but several have also been renovated in recent
14 years.

15 So if you can go to the next page?

16 Here you can see the existing view on the right
17 and the proposed on the left. We're also proposing to take
18 down this -- remove some FAR, actually, by taking down the
19 second-floor porch on the front. It's just aesthetically
20 not very pleasing. So we think it cleans up the house a
21 little bit to remove that portion.

22 And then the next page, please?

1 And here on the rear, so the rear second-floor
2 porch roof is very low at the outer edge. It's about six-
3 foot-three. And that's being replaced by a flat deck that
4 -- as I mentioned before -- extends off the master bedroom
5 with railing.

6 Next page, please?

7 And this is a summary of the dormers, the dormer
8 conditions that they meet the requirements. There are two
9 dormers, one on each side of the gable, that meet -- each
10 independently meet the requirements of the Dormer Ordinance
11 -- not more than 15 feet wide, set back from the front plane
12 of the house, set down from the roof peak.

13 One condition of it is you can see on the right-
14 hand side dormer, because that is being created in order to
15 have a bedroom, the windowsill is restricted to 44 inches.
16 So it causes a section of the roof to be kind of suppressed,
17 so that we can get a low-enough sill on that window. I'll
18 show you again in the elevations.

19 So next page, please?

20 SISIA DAGLIAN: That's the new front elevation --
21 bedroom on the front and back and one in the middle.

22 Next page, please?

1 This is a side that's conforming to setback, but
2 you can see the dormer that I mentioned has that sort of
3 lower roof -- lower roof area in order to get the adequate
4 egress windows.

5 Next page, please? And then this is the rear
6 yard. The deck off the master bedroom there is six-foot
7 deep by about 15 feet long. As this is a, you know, family
8 with young children, we don't anticipate that turning into a
9 party deck.

10 Next page, please?

11 And this, again, is the non-conforming left side.
12 The red shows the existing windows, and then the modified
13 windows, with four on the lower plane and then four up in
14 the dormer. The windows are not in a setback, and all the
15 other windows are remaining on this elevation.

16 Next page?

17 This is a new second-floor plan. One of the hopes
18 of the project was to allow the living area to open more to
19 the back yard and improve the headroom of the deck so that
20 it could get better used by the family. And there's -- you
21 know, generally a reconfiguration of the floor.

22 Next page, please?

1 And then this is the new third floor created.

2 It's not particularly extravagant, it's just three bedrooms
3 and two bathrooms and a mechanical area, laundry area.

4 And then you can see the deck off the master
5 bedroom. And I think that's it. If there are any
6 questions. I'd be happy to answer them.

7 BRENDAN SULLIVAN: Okay. Jim, any questions at
8 all? Jim Monteverde?

9 JIM MONTEVERDE: No questions, thank you.

10 BRENDAN SULLIVAN: And Slater, any questions?

11 SLATER ANDERSON: No questions.

12 BRENDAN SULLIVAN: Alison?

13 ALISON HAMMER: No questions.

14 BRENDAN SULLIVAN: Andrea?

15 ANDREA HICKEY: No questions.

16 BRENDAN SULLIVAN: I don't have any either. Let
17 me open it to public comment. Any member of the public who
18 wishes to speak should now click the button that says,
19 "Participants," and then click the button that says, "Raise
20 hand."

21 If you are calling in by phone, you can raise your
22 hand by pressing *9 and unmute or mute by pressing *6, and

1 you will have up to three minutes in which to speak. There
2 appears to be nobody calling in.

3 We are in receipt of communication from Rothfuchs
4 Development, 17 Thoreau Road, a letter of support for the
5 renovation at 56-58 Park Avenue. They are the owners of 52-
6 54 Park Avenue.

7 We are in receipt of communication from Karlene,
8 K-a-r-l-e-n-e and Mike Salguero, S-a-l-g-u-e-r-o, who live
9 at 55 Park Avenue. They are in support. Jesse Winch and
10 Cindy Carpenter, 70 Park Avenue: Letter of support. Ramesh
11 Kumar at 68 Park Avenue: Letter of support for the
12 renovation, and Kimberly Starbuck, #60 Park Avenue, also
13 letter of support for the proposed renovation.

14 Sum and substance of the communication. Close
15 public comment. Back to Sisia. Anything else to add,
16 delete, change? No?

17 SISIA DAGLIAN: No, I think that's it.

18 BRENDAN SULLIVAN: Okay. All right. Ready for a
19 motion by the Board?

20 JIM MONTEVERDE: Ready.

21 BRENDAN SULLIVAN: Okay. Seeking relief for -- or
22 seeking a special permit, 8.222c, 8.222d. Under 8.222d, the

1 Board of Zoning Appeal may grant a special permit for the
2 alteration or enlargement of a preexisting dimensionally
3 non-conforming, detached single-family dwelling or two-
4 family dwelling not otherwise permitted in 8.22.1 above, but
5 not the alteration or enlargement of a preexisting non-
6 conforming use.

7 Provided that there is no change in use, and that
8 any enlargement or alteration of such preexisting, non-
9 conforming detached single-family dwelling or two-family
10 dwelling may only increase a preexisting dimensional non-
11 conformity, but does not create a new dimensional non-
12 conformity.

13 In order to grant the special permit, the BZA is
14 required to find -- and does find -- that the alteration or
15 enlargement shall not be substantially more detrimental than
16 the existing non-conforming structure to the neighborhood,
17 and that the alteration or enlargement satisfies the
18 criteria in 10.43.

19 In 10.43, the Board finds that the requirements of
20 the Ordinance can be met. Section 8.222d allows for the
21 construction of the proposed expansion upon the issuance of
22 a special permit, where in this case the existing structure

1 does not presently comply with yard setback, rear setback,
2 and allowable floor area ratio. Similarly, 8.22.2c allows
3 for the modification of openings within the setback upon the
4 issuance of a special permit.

5 The Board finds that traffic generated or patterns
6 of access or egress would not cause congestion, hazard, or
7 substantial change in the established neighborhood
8 character.

9 The Board finds that continued operation of or
10 development of adjacent uses, as permitted in the Zoning
11 Ordinance, would not be adversely affected by the nature of
12 the proposed use.

13 The Board finds that there would not be any
14 nuisance or hazard created to the detriment of the health,
15 safety and/or welfare of the occupants of the proposed use,
16 in fact the reconstruction, rebuilding of the house would
17 with modern amenities and utilities -- would greatly impact
18 and be of benefit to the occupants of the structure, and
19 would not be a detriment to any citizens of the city.

20 The proposed alteration would be constructed with
21 all the required State Building Codes.

22 The Board finds that it would not impair the

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

3 And the Board notes the letters of support.

4 On the motion, then, on the condition -- the
5 granting of the special permit on the condition that the
6 work comply with the drawings submitted, dimensional form
7 and supporting statement -- on the motion to grant the
8 special permit, Jim Monteverde?

9 JIM MONTEVERDE: In favor of the special permit.

10 BRENDAN SULLIVAN: Slater Anderson?

11 SLATER ANDERSON: In favor of the special permit.

12 BRENDAN SULLIVAN: Alison Hammer?

13 ALISON HAMMER: In favor.

14 BRENDAN SULLIVAN: Andrea Hickey?

15 ANDREA HICKEY: Yes, in favor.

16 BRENDAN SULLIVAN: Yes.

17 [All vote YES].

18 BRENDAN SULLIVAN: On the five affirmative votes,
19 the special permit as per the application is granted.

20 SISIA DAGLIAN: Thank you very much.

21 BRENDAN SULLIVAN: Yep. Goodnight. Thank you.

22 COLLECTIVE: Thank you.

1 * * * * *

2 (8:57 p.m.)

3 Sitting Members: Brendan Sullivan, Andrea A. Hickey, Jim
4 Monteverde, and Slater W. Anderson

5 BRENDAN SULLIVAN: The Board will hear Case No.
6 181771 -- 11 Sacramento Place. Sarah?

7 ALISON HAMMER: And Brendan, I'm not going to sit
8 on this case.

9 BRENDAN SULLIVAN: Oh, all right. Yeah. Okay.
10 Sarah --

11 SARAH RHATIGAN: Good evening.

12 BRENDAN SULLIVAN: -- Rhatigan? Hi. Sarah --

13 SARAH RHATIGAN: I'm just getting into the system.
14 Can you hear me okay?

15 BRENDAN SULLIVAN: Yes. Before you begin, Alison
16 Hammer has recused herself from sitting on this case, so
17 there will be four members sitting on the case. You can be
18 heard by four members. You will need four affirmative
19 votes, or if you wish we will give you the courtesy of
20 continuing this matter. We'd be into September where you
21 could have a five-member Board.

22 SARAH RHATIGAN: Mr. Chairman, I'm just confirming

1 with my clients by text. But I believe we are going to
2 proceed. If you don't mind just wait for a moment for my
3 text to go through.

4 BRENDAN SULLIVAN: Yeah, that's fine.

5 SARAH RHATIGAN: That's the downside of our
6 virtual hearings. I can't kick people under the table.

7 BRENDAN SULLIVAN: Yeah.

8 SARAH RHATIGAN: Okay I have a green light to
9 proceed.

10 BRENDAN SULLIVAN: Okay.

11 SARAH RHATIGAN: Thank you.

12 BRENDAN SULLIVAN: Good.

13 SARAH RHATIGAN: Thank you, Mr. Chairman.

14 BRENDAN SULLIVAN: Yep.

15 SARAH RHATIGAN: My name is -- oh, I'm sorry.
16 Just introducing myself, Sarah Rhatigan from Trilogy Law
17 LLC, and I am here representing the petitioners, the owner
18 of the property, 11 Sacramento, LLC.

19 And the Principals of that LLC are with me on the
20 call as well. David and Brett, if you are on the screen, if
21 you can just wave to folks? I actually can't see you, but
22 they'll see if you are here.

1 Also with us is our architect from SKA, who is
2 here as well. Axel, do you want to say hello, just make
3 sure your system is working here?

4 AXEL RAMIREZ-PALACIO: I'm here.

5 SARAH RHATIGAN: There he is.

6 AXEL RAMIREZ-PALACIO: Here.

7 SARAH RHATIGAN: Okay, great. So this is Axel
8 Ramirez-Palacio --

9 AXEL RAMIREZ-PALACIO: Yep.

10 SARAH RHATIGAN: -- from SKA, and other folks from
11 that group. Thanks very much for hearing us tonight. I'm
12 going to keep the presentation as streamlined as I can,
13 because I realize you guys have been here for a long time.
14 But obviously you know that we are here to answer any
15 questions if we've gone too quickly.

16 This is a project involving an aged, two-family
17 home, mid-19th-century home on 11 Sacramento Place, which is
18 a dead end road off of Sacramento Street in the
19 neighborhood, just north of Lesley University's campus off
20 of Mass Ave in Cambridge.

21 Olivia, would you mind putting up the slides of
22 the plan presentation, just to give you a view of the

1 existing and the proposed home?

2 So this is a project involving a preexisting, non-
3 conforming two-family home, and the project involves a
4 really substantial renovation of the existing home, which is
5 in need of great repair. And an effort to essentially bring
6 the home back from the street line.

7 And I'm going to ask you if you could jump forward
8 to page 6. I want to just show some visuals as I'm
9 describing the project. So our house is the blue house.

10 And next page please? Number 7? Thank you.

11 If you see the top left photo, this is from the
12 sidewalk of Sacramento Place. It's a little hard to give
13 you a sense of this, but this is a really narrow road. And
14 our house is the one that's a little bit in the distance
15 that's kind of jutting out towards the sidewalk. The
16 existing home is really right on the lot line. And the
17 effort here is to bring the front face of that house back
18 from the street line.

19 And then there's going to be a loss of, you know,
20 square footage at the front of the house, and then the
21 addition is going to be located in the rear of the house.
22 And the real improvements we're trying to create are to sort

1 of open up the street and then improve the streetscape and
2 obviously modernize and make the home suitable for modern
3 living.

4 Axel's going to go through the plan details, but
5 the relief in terms of the special permit relief I'll
6 summarize again at the end. But there's essentially three
7 elements of relief, although two under the Article 8. It's
8 a preexisting, non-conforming two-family. We're using the
9 8.22.2d, which allows for extensions of already non-
10 conforming elements of the property, provided that the Board
11 finds that it's not substantially more detrimental to the
12 neighborhood than the existing non-conformity.

13 And so, the elements that we're increasing in non-
14 conformity are FAR. Because we are increasing FAR. And the
15 extension of the right setback, which is close to the --
16 closer to the lot line than required. And then the last
17 element is height.

18 The height of the building is not changing at all.
19 But because of the way the height is calculated with the
20 height of the building above average grade, there are some
21 new window wells that are being dug for egress windows, and
22 that therefore changes the calculation of the height. But

1 again, the building is not being extended up at all in that
2 plane.

3 Let's see, is there any other images I wanted to
4 see? Olivia, do you mind scrolling down. I was just going
5 to see if there's another photo. That's okay. I'll wrap up
6 quickly and then Axel will take the plans from the top.

7 The other element of this is on the right side of
8 the building, there are some window modifications that are
9 called out in the plans -- Axel will describe those to you
10 -- that require relief.

11 And then the third thing is that the driveway
12 configuration, if the Board finds that there's a chance of
13 parking that might occur next to the building, we are
14 requesting as a -- and an abundance of caution, as people
15 would say -- relief from that provision of the ordinance
16 that requires a five-foot distance to a building wall that
17 has windows on it.

18 So I'm going to have Axel put this up again.
19 Sorry, Olivia, for making you jump around here. I think
20 from page 3?

21 AXEL RAMIREZ-PALACIO: Page number 8, please? Hi.

22 SARAH RHATIGAN: Is it not this page, Axel? No?

1 AXEL RAMIREZ-PALACIO: It's number 8, yes.

2 SARAH RHATIGAN: Okay. 8. Perfect.

3 AXEL RAMIREZ-PALACIO: So yes, yeah. Good
4 evening, members of the Board. So this is our proposed
5 Level 0. You can see in the top left existing condition of
6 that level here. In the center we have the proposed Level
7 0, where you can see the dark gray area that is the non-
8 conforming area -- existing non-conforming area of the
9 existing house.

10 On the right side, we can have an addition with
11 the setbacks on the light blue. Right below that, we have a
12 projection of dark blue dashed line at the existing house
13 projection. And that allows, you see, in the front of house
14 that is the bottom of the sheet, where is the existing
15 house. And we want to move the front of the house five feet
16 to help it be similar to the average front setback in the
17 neighborhood. They go from eight to nine feet.

18 On the back of the house, we see in red as well it
19 is a relief that is, you know, part of the increase in the
20 FAR. On the -- that's all for this.

21 Next sheet, please?

22 This is Level 1 -- pretty much the same layout of

1 the zero. This shows, you know, we can see new -- it is a
2 relief on the right side, with new windows within setback
3 lines.

4 Next, please?

5 Again, same layout. This is Level 2. More
6 windows within setback lines.

7 Next, please?

8 This is Level 3. We have a few areas of relief
9 with new dormers. The dormers are between the Design
10 Guides, less than 15 feet wide, 50 percent fenestration on
11 the wall, and more than three and a half feet from the
12 corner of the house.

13 Next, please?

14 This is the roof line. We can see it. It's
15 relief on the part of the dormers, supported within the
16 setback lines.

17 Next, please?

18 This is Elevation E, so it's different elevations.
19 You can see on top are existing condition on drawings and
20 pictures, and the bottom are proposed. On the left, or on
21 the right bottom we can see, you know, the vertical setback
22 lines, areas of relief. We worked within the setback lines.

1 Next, please?

2 This is our north elevation, where we can see it's
3 a relief, that new addition of windows and within setback
4 lines, all -- and inside the red areas.

5 Next, please?

6 This is the rear elevation of the house, where we
7 can see it has relief on the right side on the bottom. We
8 worked within setback lines.

9 Next, please?

10 And this is our south elevation. This is the only
11 elevation pretty much that is with the setback lines. So
12 you can see just in the bottom right the projection of the
13 house on the -- the existing house on the bottom right. And
14 we can show that we're pushing that five feet back.

15 The next are documentations requested for the City
16 -- you know, existing condition, proposed renders. The next
17 one is a QR Code, page 19 a QR Code that you can go with
18 your smartphone and have a quick video of the proposed
19 exteriors, and that it's following with more requested
20 information, certified plot plans.

21 That's all. Any questions?

22 BRENDAN SULLIVAN: No. No, I'm all set. Any

1 questions by members?

2 SARAH RHATIGAN: I'm sorry. I'm sorry, Mr.
3 Chairman. I just wanted to just summarize really briefly,
4 we did a lot of -- or I shouldn't say, "we," I didn't -- my
5 clients did a lot of public outreach in the neighborhood.

6 And I think you'll -- you should see there were a
7 number of letters of support. They were all submitted after
8 Monday, but I believe you have them in the file. And I can
9 read out those addresses.

10 But the gist of this is that the -- they were able
11 to outreach to neighbors personally and with plans in hand,
12 and were able to get letters of support from abutters on
13 both the right and left of the property, sort of catty-
14 corner to the rear of the property, probably the most
15 impacted neighbors, as well as neighbors across the street
16 and other folks across the garden area. There's a garden --
17 fields right behind this house.

18 So we're really pleased with the neighborhood
19 support, and hope that the Board is supportive of the
20 proposal as well.

21 BRENDAN SULLIVAN: Great. Thank you.

22 SARAH RHATIGAN: Thank you.

1 BRENDAN SULLIVAN: Jim, any questions at this
2 time?

3 JIM MONTEVERDE: Yeah. The only question I have
4 is not about the house -- I kind of get that and the areas
5 of relief -- you're also adding a garage that, a new garage,
6 that sits in the --

7 AXEL RAMIREZ-PALACIO: Oh.

8 JIM MONTEVERDE: -- side yard?

9 SARAH RHATIGAN: Correction.

10 JIM MONTEVERDE: The back yard?

11 SARAH RHATIGAN: Yeah.

12 JIM MONTEVERDE: Is that correct?

13 SARAH RHATIGAN: I'm sorry for that. That's
14 actually not correct. The original plan set that was filed
15 has been supplanted by another plan set. There is no garage
16 proposed.

17 JIM MONTEVERDE: Oh, okay.

18 SARAH RHATIGAN: So the revised plans from I
19 believe the final filing date -- we should double check this
20 for a vote, but -- I believe it's July 26?

21 AXEL RAMIREZ-PALACIO: July 22, last Friday was
22 submitted.

1 SARAH RHATIGAN: July 22. Those plans show no
2 garage.

3 JIM MONTEVERDE: There's no garage, no greenhouse?

4 SARAH RHATIGAN: No garage.

5 JIM MONTEVERDE: Whatever else was there?

6 SARAH RHATIGAN: Exactly.

7 JIM MONTEVERDE: Okay.

8 SARAH RHATIGAN: Yep.

9 JIM MONTEVERDE: Yep. Thank you.

10 SARAH RHATIGAN: Thank you.

11 BRENDAN SULLIVAN: Slater, any questions at this
12 time?

13 SLATER ANDERSON: Well, I -- I don't know. I
14 mean, I -- it's a 40 percent increase in the size of the
15 house that was there. I mean, I -- it seems like a lot.
16 It's a reduction in the open space. I'm glad to hear the
17 garage is an additional, you know, few hundred square feet.
18 And that doesn't include the lower level. I mean, you're
19 going to basically 5000 square-foot house.

20 So I don't know. I'll reserve further comment
21 until we hear from the public on this.

22 BRENDAN SULLIVAN: Alison, any questions,

1 comments?

2 ALISON HAMMER: I'm not --

3 JIM MONTEVERDE: She's not on.

4 BRENDAN SULLIVAN: Oh, I'm sorry.

5 JIM MONTEVERDE: Andrea.

6 BRENDAN SULLIVAN: I'm --

7 ALISON HAMMER: I will make --

8 BRENDAN SULLIVAN: Yeah.

9 ALISON HAMMER: -- one comment not related to the
10 content particularly. Just I believe there may be a little
11 misreading of the section about the parking in Article 6.
12 The -- that actually, perhaps it was a typo in the Zoning
13 Code, but the Zoning Code actually permits parking within
14 five feet of a one- and two-family.

15 BRENDAN SULLIVAN: Correct.

16 ALISON HAMMER: So that is not -- just not
17 required relief?

18 BRENDAN SULLIVAN: By way of a special permit,
19 it's --

20 ALISON HAMMER: It does not require relief? It
21 does not require any relief to park within -- it does not
22 require relief to park within five feet of a window for a

1 one and two-family house?

2 BRENDAN SULLIVAN: Well, you have to get -- you
3 have -- it requires a special permit. I'll read -- yeah.

4 ALISON HAMMER: Yeah.

5 BRENDAN SULLIVAN: Yeah.

6 ALISON HAMMER: I have it -- I do have it out in
7 front of me here. It says, "However, an on-grade open
8 parking space serving a one-, two-, or three-family may be
9 located within five feet of that portion of such building
10 from the wall."

11 BRENDAN SULLIVAN: Right. Yeah. And then it --
12 under 4. -- under 6.44.g, the Board of Zoning Appeal may
13 grant a special permit to allow for modifications of the
14 requirements of 6.44.1a., which is that previous section.

15 ALISON HAMMER: Correct. But the point is that in
16 a, it says that it actually is allowed.

17 BRENDAN SULLIVAN: Yeah. Okay. All right.

18 ALISON HAMMER: But it's just -- it's just a minor
19 point. I do -- I use that all the time in as of right
20 parking layouts.

21 BRENDAN SULLIVAN: Okay. Andrea, any questions,
22 comments at this time?

1 ANDREA HICKEY: Well, I'm sort of sitting where
2 Slater is sitting. I think a lot is being asked here. And
3 I am eager to hear from the community as to their take on
4 this ask. Thank you.

5 BRENDAN SULLIVAN: Okay. Let me open it to public
6 comment. Any member of the public who wishes to speak
7 should now click the button that says, "Participants," and
8 then click the button that says, "Raise hand."

9 If you are calling in by phone, you can raise your
10 hand by pressing *9 and unmute or mute by pressing *6, and
11 you will have up to three minutes in which to comment.

12 OLIVIA RATAY: Brett Sigworth.

13 BRETT SIGWORTH: Hello?

14 BRENDAN SULLIVAN: Yes.

15 BRETT SIGWORTH: I'm actually one of the owners.
16 I was trying to just participate in the beginning, and I
17 wasn't in, so that's all.

18 BRENDAN SULLIVAN: Okay. All right.

19 OLIVIA RATAY: Phone number ending in 8311?

20 HEATHER HOFFMAN: Hi. This is Heather Hoffman,
21 213 Hurley Street. And I would just like to comment on the
22 point about parking within five feet. I've encountered that

1 section before, and I -- I have wondered if I speak the same
2 English language for -- as I understand it, and I will
3 absolutely agree that this is not how ISD interprets this --
4 but my understanding of the meaning of the English sentences
5 is you have to be 10 feet away, but if you have a one- or
6 two-family, you can be as little as five feet away -- in
7 other words, within five feet of the house.

8 Because otherwise, it would mean nothing, because
9 it would have exactly the same meaning as being within 85
10 feet of the house, 10 miles. It's a sore point. The Board
11 gets to do whatever it wants to do, but I just needed to
12 make that point, because it's been driving me nuts for
13 probably 20 years. Thanks.

14 BRENDAN SULLIVAN: Thank you, Heather.

15 OLIVIA RATAY: That's it.

16 BRENDAN SULLIVAN: That's it. The sum and
17 substance of anybody calling in. There is a plethora of
18 communication, petitions signed by a number of people.
19 There was also a map of the area where they have solicited
20 letters in support, and/or people have said, "no problem."
21 And basically, the petition,

22 "I think moving the house back off the street is a

1 great idea and will make the street feel more welcoming.
2 Please accept this letter of support." And the others are
3 all -- quite a few, there's probably 15 letters in support.
4 I'll close the public comment part, send it back to Sarah
5 for any comments.

6 SARAH RHATIGAN: I would just comment to two
7 points on -- to respond to Mr. Anderson and Ms. Hickey in
8 terms of concerns of the scope of request. If you read the
9 language of 8.22.2d and the case law that allows for these
10 types of cases to be heard as special permits, with the new
11 -- with what I think it should be a new frame of mind on
12 reviewing these things, I think that our application shows
13 pretty clearly that we're not showing any substantial
14 detriment that is in excess of the existing use.

15 And just in terms of the size of the project once
16 built, I was just doing a canvassing of FARs for the other
17 homes on the block. So beginning at the corner with the two
18 houses that straddle the place on Sacramento Street, and
19 then calculating FARs, again, up to block to the end of the
20 dead-end road.

21 And what I found -- and I don't think anybody will
22 be surprised by this, but what I found -- was that on

1 average the FAR levels were -- there was a literal average
2 of 0.99 for the whole area existing. So that's with the
3 home in its existing FAR.

4 And then if you were to allow our special permit,
5 the average on the block would go up to 1.02. Now, I know
6 this is not how -- you know, technically we usually think of
7 these things, but the point is that there's quite a lot of
8 density on the block.

9 And again, I know that that's not the basis for
10 your decision, but I hope that it makes you feel a little
11 bit more comfortable with granting the relief today.

12 BRENDAN SULLIVAN: Okay. Thank you.

13 BRETT SIGWORTH: This is Brett Sigworth, the
14 owner. Am I allowed to comment now too?

15 BRENDAN SULLIVAN: Yes.

16 BRETT SIGWORTH: I just wanted to say first of
17 all, I appreciate everyone's time and their comments as
18 well.

19 In our canvassing the neighborhood and speaking to
20 neighbors, the burden to take this property off the front of
21 the street, if you happen to walk the street it's -- you
22 know, right on the city block; you can actually scrape your

1 shoulder walking on the block of the house.

2 And so, there was -- that's why we had so much
3 support from the neighborhood was because people really want
4 to see that happen. But there is an expense to doing that,
5 and a pretty substantial one. And that's why we did have
6 to, you know, build a fairly reasonably sizeable addition to
7 make up for the expense of pushing that back. And I just
8 wanted to sort of say that we believe that that benefit
9 outweighs the any negative of increase in FAR. Thank you.

10 BRENDAN SULLIVAN: Great. Thank you. All right.
11 Let me close the presentation part, let the Board discuss
12 among themselves.

13 I guess my feeling on it is that yeah, it's a big
14 number and it's a big increase in the amount of house there.
15 But I think somehow that the site and the way the proposed
16 is designed can handle it. It seems to be sensitive to the
17 streetscape. It is coming off the -- coming back a bit. It
18 seems to be backloaded a lot.

19 From the back it seems, you know, quite large.
20 But I think it's tastefully one. That was my feeling.
21 Yeah, it's a lot of house, but again, walking around the
22 neighborhood, there is a lot of big houses there. And their

1 FAR is greater than what this will be.

2 And I think that the way this was designed, I --
3 personally, myself, I think it was tastefully designed, and
4 I think that site can handle it. And from the streetscape,
5 I think it's aesthetically pleasing. That's sort of my
6 thought on it. So Jim, what are your thoughts?

7 JIM MONTEVERDE: I'm comfortable with it.

8 BRENDAN SULLIVAN: Slater and Andrea? Anybody
9 want to chime in on your --

10 SLATER ANDERSON: Yeah, I mean, I -- you know, not
11 hearing any opposition and in recognizing that it has the
12 benefit of no rear abutter, because there's a park behind it
13 or a field that probably, you know, makes a difference, you
14 know, the neighbors are fine with it. It sounds like
15 they've -- you know, canvassed the neighborhood. I get --
16 you know, we're talking about a special permit here, not a
17 variance. You know, I'm not going to go to the mat on this
18 one, I'm fine with it.

19 BRENDAN SULLIVAN: Okay. Andrea?

20 ANDREA HICKEY: I have nothing to add. Thank you.

21 BRENDAN SULLIVAN: Okay. Should we take it to a
22 vote?

1 ANDREA HICKEY: Yes.

2 BRENDAN SULLIVAN: Okay. Let me make a motion,
3 then, to grant the special permit and relief from Section
4 6.41.1a,g, which is the driveway setback; 8.22.2.d, which is
5 the special permit. Make this motion to grant the special
6 permit on the condition that the work comply with the
7 drawings that are submitted dated 07/22/22 initialed by the
8 Chair, along with the supporting statements and dimensional
9 form.

10 The Board finds that the Board of Zoning Appeal
11 may grant special permits for the alteration or enlargement
12 of a preexisting dimensionally non-conforming, detached
13 single-family dwelling or two-family dwelling not otherwise
14 permitted in Section 8.22.1 above, but not the alteration or
15 enlargement of a preexisting, non-conforming use.

16 Provided that there is no change in use, and that
17 any enlargement or alteration of such preexisting, non-
18 conforming detached single-family dwelling or two-family
19 dwelling may only increase a preexisting dimensional non-
20 conformity, but does not create a new dimensional non-
21 conformity.

22 In order to grant the special permit, the Board of

1 Zoning Appeal is required to find that the alteration or
2 enlargement shall not be substantially more detrimental --
3 and does find -- so that the existing -- than the existing
4 non-conforming structure to the neighborhood, and that the
5 alteration or enlargement satisfies the criteria in 10.43.

6 Under 10.43, it appears that the requirements of
7 the Ordinance can be met. Traffic generated or patterns of
8 access or egress would not cause congestion, hazard, or
9 substantial change in the established neighborhood
10 character.

11 Continued operation of or development of adjacent
12 uses, as permitted in the Zoning Ordinance, would not be
13 adversely affected by the nature of the proposed use. The
14 Board notes the amount of letters in support from abutters
15 and people in the immediate neighborhood in support of the
16 proposal.

17 There would not be any nuisance or hazard created
18 to the detriment of the health, safety and/or welfare of the
19 occupants of the proposed use, in fact it would be enhanced
20 by a totally rebuilt structure that currently has gone into
21 disrepair and that's bringing up to code and with new
22 amenities, and mechanicals would be a great benefit to any

1 occupant of the structure.

2 The Board finds that the proposed use would not
3 impair the integrity of the district or adjoining district,
4 or otherwise derogate from the intent and purpose of the
5 ordinance to allow people to expand, improve and bring up to
6 date existing or proposed structures.

7 Under 6.44.1, seeking relief, no on-grade open
8 parking space shall be located within 10 feet of a portion
9 of a building wall containing windows or habitable or
10 occupiable rooms at basement or first story. However, on-
11 grade open parking spaces serving one-, two-, or three-
12 family may be located within five feet of that portion of
13 such a building wall.

14 The Board of Zoning Appeal may grant a special
15 permit to allow for the modifications of the requirements in
16 6.44.a or g, if site-specific factors favor such
17 modification, and the Board cites the narrowness of the lot,
18 which requires that parking be within five feet of that
19 portion of the building wall.

20 On the motion, then, to grant the special permit,
21 Jim Monteverde?

22 JIM MONTEVERDE: In favor of the special permit.

1 BRENDAN SULLIVAN: Slater Anderson?

2 SLATER ANDERSON: In favor of the special permit.

3 BRENDAN SULLIVAN: Andrea Hickey?

4 ANDREA HICKEY: Yes, in favor.

5 BRENDAN SULLIVAN: And Brendan Sullivan yes.

6 [All vote YES]

7 BRENDAN SULLIVAN: Four affirmative votes, the
8 special permit as per the application is granted.

9 SARAH RHATIGAN: Thank you very much.

10 BRETT SIGWORTH: Thank you. Thank you, members of
11 the Board. Thank you.

12 BRENDAN SULLIVAN: Yep.

13 ANDREW ROBERTSON: Thank you very much.

14 BRENDAN SULLIVAN: You're welcome. We're going to
15 back to -- well, no, we're not going back, we're going to go
16 forward.

17

18

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* * * * *

(9:26 p.m.)

Sitting Members: Brendan Sullivan, Andrea A. Hickey, Alison Hammer, Jim Monteverde, and Slater W. Anderson

BRENDAN SULLIVAN: Case No. 179628 -- 131 Fifth Street.

ADAM DASH: Good evening, Mr. Chair.

BRENDAN SULLIVAN: Yes.

ADAM DASH: Yes, hi. This is Attorney Adam Dash, 48 Grove Street in Somerville, representing the petitioner in this matter, Treetop Investments, LLC with Sid Gehlot from Treetop and Yael Getz, the architect. And this is regarding 131 Fifth Street, which is also known as 131-133 Fifth Street. And in light of the hour, I will be brief.

The applicant is seeking to add a first-floor rear patio door and alter the windows and all sides of the property in the existing setback, which requires special permit relief.

The structure is an existing six-unit dwelling. There will be no change to the number of units or the building footprint. The condition of the structure is poor

1 and the repairs are required. A lot of repair is required,
2 as can be seen from the photos submitted in the plan set.

3 The petitioner also seeks to finish the basement
4 to increase the size of some of these very small units to
5 make them more family sized. And the changes proposed will
6 not be substantially more detrimental than what there is
7 now. There will be no impact on traffic or nuisance or
8 congestion. The number of units will remain the same.

9 Restoring this building will enhance the
10 neighborhood and make the building safer. And as a result,
11 the petitioner requests this Board allow the building to be
12 restored and enhanced for the good of all by granting the
13 requested special permit.

14 If there are any detailed questions, we're here to
15 answer them, but it's fairly straightforward.

16 BRENDAN SULLIVAN: A well written-out
17 presentation.

18 ADAM DASH: Yeah. I'm trying to be. I recognize
19 the hour, so --

20 BRENDAN SULLIVAN: Well, you had all night to do
21 it.

22 ADAM DASH: [Laughter] This is true.

1 BRENDAN SULLIVAN: Jim Monteverde, any questions?

2 JIM MONTEVERDE: Two. I think the dimensional form has
3 a miscalculation on it. I think that the gross -- under the
4 requested conditions, the gross floor area is understated.
5 That number should actually be 6111. That would allow the
6 FAR to be 2.91, which I believe is what it is.

7 In other words, you're adding a basement, and the
8 basement square footage is going to count, so it has to be
9 higher than the existing condition, right? I think there's
10 just a dimensional faux pas there.

11 DAN ANDERSON: Yael, you want to weigh in on this?

12 Yael GETZ SCHOEN: Yes, I think in the original
13 plans that we had the idea not calculate the basement as
14 part of FAR, and that's why we assumed we're -- you know,
15 part of what we're asking for is raising the FAR.

16 But then we clarified it at some point over the
17 phone with one of the people -- and I'm not sure exactly who
18 I talked to, but based on the height of the existing
19 basement, they determined that I had to count the basement
20 as part of the original FAR sweat. So yes, we're not
21 changing the FAR.

22 JIM MONTEVERDE: So which number is incorrect on

1 the -- is any -- notation there?

2 Yael Getz Schoen: The number that I think we're
3 at is the 2.22.

4 Jim Monteverde: Yeah. It's not 2.91, it's 2.22?

5 Yael Getz Schoen: No, it's 2.91.

6 Jim Monteverde: It's 2. -- it is --

7 Yael Getz Schoen: Both of those. Yeah.

8 Jim Monteverde: That's the existing, and it will
9 remain that?

10 Yael Getz Schoen: Yes.

11 Jim Monteverde: Okay.

12 Yael Getz Schoen: Yeah.

13 Jim Monteverde: That's one. And my second
14 question is, and if I did my count correctly, although the
15 unit count remains the same --

16 Yael Getz Schoen: Yes.

17 Jim Monteverde: -- it appears that there are
18 eight existing bedrooms, and in the new scheme there will
19 now be 13, is that correct?

20 Yael Getz Schoen: I didn't count. But each
21 existing unit has only one bedroom and one office, if I'm
22 correct. So I have --

1 JIM MONTEVERDE: No, I think the third floor had
2 two bedrooms on each unit?

3 YAEL GETZ SCHOEN: Oh, yes. Yeah, you're right.

4 JIM MONTEVERDE: I just --

5 YAEL GETZ SCHOEN: The third floor had the extra
6 one --

7 JIM MONTEVERDE: Yeah.

8 YAEL GETZ SCHOEN: -- in -- yeah, let's go back to
9 the plans --

10 JIM MONTEVERDE: Yep.

11 YAEL GETZ SCHOEN: -- and just confirm this.

12 ADAM DASH: The units are fairly small. The
13 building, it's kind of surprising, has six units in it. But
14 they're very small units.

15 YAEL GETZ SCHOEN: Not only are they units, but
16 the bedrooms are not really legal bedrooms, because they
17 don't even have a window and they're very small. And the
18 little office that has the window toward the back is not
19 enough in square footage, you know, to be a code-compliant
20 bedroom.

21 But let's look at the third floor. So yes, the
22 third floor has the extra one. So yeah, the third floor

1 will have two bedrooms.

2 JIM MONTEVERDE: Yep.

3 YAEL GETZ SCHOEN: The existing has two bedrooms,
4 and then the other floors have one bedroom.

5 JIM MONTEVERDE: Existing, correct.

6 YAEL GETZ SCHOEN: Yes, existing, yeah.

7 JIM MONTEVERDE: Yeah. So there are eight
8 bedrooms now and do I understand your plans that there would
9 be 13 after you're done with the renovation?

10 YAEL GETZ SCHOEN: So I'm going to have two
11 bedrooms in each floor, in each unit, right? So that's
12 going to be four, and then there's one extra one in the
13 basement off the right side --

14 JIM MONTEVERDE: Yeah.

15 YAEL GETZ SCHOEN: -- lower unit. So yes.

16 JIM MONTEVERDE: Yeah. It just -- it seems to
17 make that a bit denser of a use. Much denser of a use to go
18 from 8 to 13 bedrooms. But that's my -- thanks for
19 confirming that. That was my question.

20 BRENDAN SULLIVAN: Okay. Slater, any questions?

21 SLATER ANDERSON: No questions.

22 BRENDAN SULLIVAN: Alison, any questions at this

1 time?

2 ALISON HAMMER: No questions.

3 BRENDAN SULLIVAN: Andrea?

4 ANDREA HICKEY: No questions, Mr. Chair.

5 BRENDAN SULLIVAN: And I don't have any either.

6 So let me open it to public comment. Any member of the
7 public who wishes to speak right now, click the button that
8 says, "Participants," and then click the button that says,
9 "Raise hand."

10 If you are calling in by phone, you can raise your
11 hand by pressing *9 and unmute or mute by pressing *6, and
12 you'll have up to three minutes to speak.

13 There's nobody calling in, and there is no
14 correspondence in the file. I will close public comment
15 part of it.

16 Counsel Dash, any comments before we send it over
17 to the Board?

18 ADAM DASH: No, sir. As I said, just to
19 reiterate, this is all staying with inside the box that's
20 existing. The number of units aren't increasing, and we are
21 by finishing the basement enlarging some of these units,
22 because some of them are 670 something square feet. They're

1 very, very, very small.

2 So allowing them to be more bedrooms where people
3 can have kids is -- we think is a good thing, without
4 actually making the building larger. It's kind of clever.
5 That's all.

6 BRENDAN SULLIVAN: You're seeking relief under
7 8.22.2.c?

8 ADAM DASH: Yep.

9 BRENDAN SULLIVAN: Alteration of a non-conforming
10 structure. Can you just run through that?

11 ADAM DASH: Yes, with the non -- we have
12 preexisting non-conformities for building height and for the
13 FAR. We already talked about the FAR. The building height
14 increases nine inches. I believe it's because the ground
15 level is being lowered to match the lowered slab for the
16 basement work. I could give you more detail if you were --
17 if you wanted it.

18 But that's the general gist. But the building's
19 not getting taller, the ground is getting lower.

20 BRENDAN SULLIVAN: Okay. So under 8.22.2.c, in a
21 Residential District, the Board of Zoning Appeal may grant a
22 special permit for the alteration or enlargement of a non-

1 conforming structure not otherwise permitted in Section
2 8.22.1, but not the alteration or enlargement of non-
3 conforming use.

4 Provided any enlargement or alteration is not
5 further in violation of the dimensional requirements of
6 Article 5 for the off-street parking and loading requirement
7 in Article 6 for the district, which this is not.

8 And provided such non-conformity will not be
9 increased in area or volume by more than 25 percent since it
10 first became non-conforming.

11 ADAM DASH: And it is not being increased by --

12 BRENDAN SULLIVAN: And it is not being increased.
13 Okay. All right. Any other comments by the Board or are we
14 ready for a vote?

15 JIM MONTEVERDE: Ready.

16 BRENDAN SULLIVAN: Okay. Let me make a motion,
17 then, to grant the relief requested, a special permit for
18 relief under Section 8.22.2.c, which is the alteration of a
19 non-conforming structure, on the condition that the work be
20 in accordance with the drawings as submitted and initialed
21 by the Chair. The drawings are dated May 18, 2022, Treetop
22 -- and entitled, "Treetop Investments 131-133 Fifth Street,

1 Cambridge."

2 Also incorporated would be the supporting
3 statements and the dimensional form.

4 The Board finds that it may grant a special
5 permit. The Board finds that it appears that the
6 requirements of the ordinance can be met. Traffic generated
7 or patterns of access or egress would not cause congestion,
8 hazard, or substantial change in the established
9 neighborhood character.

10 The Board finds that continued operation of or
11 development of adjacent uses, as permitted in the Zoning
12 Ordinance, would not be adversely affected by the nature of
13 the proposed use.

14 There would not be any nuisance or hazard created
15 to the detriment of the health, safety and/or welfare of the
16 occupants of the proposed use, in fact it would be greatly
17 -- would be of great benefit of any occupant to have a new
18 structure totally rehabbed with new amenities, new
19 mechanical systems and code compliant.

20 And that the proposed use would not impair the
21 integrity of the district or adjoining district, or
22 otherwise derogate from the intent and purpose of the

1 ordinance to allow the repurposing, the rehabilitation of
2 existing housing stock, which has through age fallen into
3 great disrepair and will provide quality housing for members
4 of the citizenry.

5 On the motion to grant the special permit, Jim
6 Monteverde?

7 JIM MONTEVERDE: In favor of the special permit.

8 BRENDAN SULLIVAN: Slater Anderson?

9 SLATER ANDERSON: In favor of the special permit.

10 BRENDAN SULLIVAN: Alison Hammer?

11 ALISON HAMMER: In favor of the special permit.

12 BRENDAN SULLIVAN: And Andrea Hickey?

13 ANDREA HICKEY: Yes, in favor.

14 BRENDAN SULLIVAN: And Brendan Sullivan yes.

15 [All vote YES]

16 BRENDAN SULLIVAN: Five affirmative votes, the
17 special permit is granted. Thank you, Adam.

18 COLLECTIVE: Thank you.

19 ADAM DASH: Thank you, Mr. Chair. Have a good and
20 hopefully brief evening.

21 BRENDAN SULLIVAN: Thank you. All right. We are
22 back to where? 10 (sic) Leonard Avenue?

1 * * * * *

2 (9:37 p.m.)

3 Sitting Members: Brendan Sullivan, Andrea A. Hickey, Alison
4 Hammer, Jim Monteverde, and Slater W.
5 Anderson

6 BRENDAN SULLIVAN: Mr. 19 Leonard Avenue?

7 SISIA DAGLIAN: Hello, members of the Board. My
8 name is Sisia Daglian, and I'll be presenting this case.

9 Olivia, if we could have the presentation, please?

10 BRENDAN SULLIVAN: I think where we got hung up on
11 Leonard Avenue -- no, we did not. Okay. Okay. Go ahead,
12 Sisia. I'm sorry.

13 SISIA DAGLIAN: Yes. Let's start on the second
14 page, actually, just to show the house. So this is a house
15 that was built in 1893. It's been substantially unaltered
16 since that time period, and it's a two-family.

17 The unit -- the second unit, particularly on the
18 second and third floor is in quite a bit of disrepair, as
19 you can see on the bottom photographs there. Much of the
20 plaster is kind of falling apart. It's pretty much
21 unlivable. So it's being substantially renovated as a two-
22 family.

1 One of the concerns with the unit also is that
2 these interior stairs that you see to the third floor are
3 substantially less than three feet wide.

4 So some of the work has been prompted by
5 rebuilding all the stairwells in the house to make them
6 code-compliant and also the middle photograph is the stair
7 to the third floor -- one of the stairs to the third floor
8 is also kind of positioned in the middle of the floor plan,
9 creating a third floor that not very usable because of the -
10 - all the slopes in the ceiling.

11 So let's go back to the first floor, or the first
12 page. So on the right-hand side you can see a summary of
13 the relief that we are seeking. The first one under
14 8.22.2.c are a number of windows in the left side setback.

15 The left side of this building is about a foot off
16 the property line. So where there are currently nine
17 windows, we'd be proposing to do I think it has 13 there
18 that are shown in pink, because of the reshuffling of spaces
19 around inside. So that portion is pretty straightforward.

20 And then below that, 8.22.2d the project is adding
21 about 61 square feet on first-floor level. You see in
22 orange there we're infilling the back portion of the house,

1 so it would be a first-floor useable space with a second-
2 floor deck above it.

3 And in addition to that, there are stairs right
4 outside the interior second means of egress is being rebuilt
5 on the exterior of the building. And it's coming off an
6 existing deck that is to remain.

7 So in terms of extending existing non-
8 conformities, the walls of the addition align with the
9 existing walls of the house. And then the stairwell does
10 not really violate the rear yard or the side yard setback.
11 It's set back from those -- the existing planes of the deck
12 and the house that you can see in blue there. So no new
13 non-conformities are created.

14 There are area wells being created between the two
15 decks in the back yard there. Those are not in the setback.
16 And because the house is already over the existing height
17 limit, the -- you know, the change, the minor change in that
18 height of the building is not -- is also not creating a new
19 non-conformity.

20 We can go to page 3, please? Here you can see on
21 the left side the proposed changes, the lower left in blue,
22 this is a one-story addition with a porch. And then a

1 switchback stair coming off the existing second-floor porch.

2 The front of the house, there isn't that much that
3 really changes its substantial. There's some windows added
4 on the right-hand side of the house, but those are not
5 within the setback.

6 Next page?

7 Here again is the architectural floor plan in a
8 little bit more detail. You can kind of see the strategy
9 here. The left-hand side of the building is largely where
10 bedrooms are on the right-hand side. I mean, currently it's
11 a dining, living and kitchen, except the other -- you can
12 see the plan on the right-hand side, the house is a common
13 stair and a pantry in the back.

14 So if you're in the house, you can't really --
15 you're kind of disconnected from the rear yard, which is
16 actually quite a lovely space.

17 And the rear, you know, corner faces southeast,
18 and it sort of deprives the house of having some better
19 light quality than it would have. So the idea is to create
20 a more open floor plan and let it -- on both floors let it
21 open up to a deck and then a rear yard outside.

22 And next page, please?

1 These dimensions show the sizes of the windows
2 that are going in the -- that we are seeking relief for on
3 the first and second floor, as well as the basement.

4 And then you can see the rear deck. And there's
5 also a screen at the stair landing. That's to provide
6 privacy for the neighbor, the neighboring property as well
7 as the first-floor neighbors for the second-floor people
8 coming downstairs.

9 Next page?

10 This is a view of the rear yard with the new
11 stairs off the existing deck. The existing deck will have
12 the railings and the decking replaced, but really nothing
13 else about it needs to change. And then there is sort of a
14 matching, second-floor deck off the bedroom there -- not
15 very large.

16 Next page?

17 This is just for informational purposes. This
18 elevation is conforming.

19 Next page?

20 That's -- again, the front elevation.

21 Next page?

22 This is the first-floor unit. It will be

1 extending into the basement.

2 Next page?

3 Yeah, there's the basement and the egress window
4 well in the back that kind of sits between the stairwell and
5 the porch for the first floor. Now on the left-hand side,
6 you can see the new stairwells that are being created to
7 internally have code compliant stairs from the third floor
8 all the way down to the first.

9 Next page?

10 And here's the second-floor plan, kind of similar
11 to the first, where the right-hand side is living space,
12 opens up to the deck, and then the second means of egress
13 outside.

14 And the last page?

15 There the -- yes, this is the third floor in the
16 middle here. The -- you can see on the right-hand side the
17 two stairs that are there, the existing stairs. One's in
18 the middle of the space, and because of the -- as I
19 mentioned, the sloping walls, it just doesn't really give
20 good use of the space on the third floor.

21 And then the other stair is in the back corner,
22 and that's very narrow and hard to get down. So we've kind

1 of repositioned the stairs on the front to create two
2 reasonable-sized bedrooms on the third floor and the
3 bathroom.

4 And the dormers are existing there to remain, and
5 the skylights are not within the setback.

6 And that's the summary of the house. We went in
7 front of Mid Cambridge Conservation, and that was approved
8 at the first hearing. They made some minor civic requests,
9 which we've incorporated.

10 And we've also had meetings at the site, with both
11 adjoining properties on either side, the owners -- the condo
12 owners. And those meetings went well. There were no
13 concerns. In fact, neighbors were looking forward to some
14 improvements in the property. And really most of our
15 discussions centered around improvements to the rear yard
16 and the plantings, which will be part of this project as
17 well.

18 So that is -- that is everything I have to
19 present.

20 BRENDAN SULLIVAN: Great. Thank you. Jim, any
21 questions? Comments?

22 JIM MONTEVERDE: No questions, thank you.

1 BRENDAN SULLIVAN: Slater?

2 SLATER ANDERSON: No questions.

3 JIM MONTEVERDE: Alison?

4 ALISON HAMMER: No questions.

5 BRENDAN SULLIVAN: Andrea?

6 ANDREA HICKEY: No questions.

7 BRENDAN SULLIVAN: And I have none either. Let me
8 open it to public comment. Any members of the public who
9 wish to speak should now click the button that says,
10 "Participants," and then click the button that says, "Raise
11 hand."

12 If you are calling in by phone, you can raise your
13 hand by pressing *9 and unmute or mute by pressing *6, and
14 you'll have up to three minutes in which to speak. There's
15 nobody calling in. We are in receipt of communication from
16 the Mid Cambridge Neighborhood Conservation District
17 Commission.

18 "The Mid Cambridge Neighborhood Conservation
19 District hereby certifies, pursuant to Title 2, Chapter
20 2.78, Section and the Code of the City of Cambridge order
21 establishing the Commission, that the construction described
22 below is not incongruous to the historic aspects or

1 architectural character of the building or district:

2 "One-story rear addition with the deck, exterior
3 egress stairs; replace and add new decks; alter
4 fenestration, doors and front porch.

5 "Approval was granted with the following
6 recommendations:

7 For the proposed double-hung windows, use 2-over-1
8 with simulated divided lights.

9 Replace the front entry doors with wood doors.

10 Use wood for the first-floor entry decking.

11 Reconsider raising the height of the windows since
12 additional windows are being installed.

13 "All work is to be carried out as indicated in the
14 plans and elevation titled "2-Family Renovation, 19 Leonard
15 Avenue," by Evergreen Architecture, LLC, dated April 22,
16 2022, except as amended with above recommendations.

17 "The plans and specifications referenced above are
18 incorporated into their certificate, which is non binding on
19 the applicant."

20 And the date of certificate is May 10, 2022; sum
21 and substance of any communication. I will close the public
22 comment part.

1 And Sisia, regarding their recommendations,
2 comments on those?

3 SISIA DAGLIAN: Yes. What we did was we're
4 incorporating the -- the double-hung --

5 BRENDAN SULLIVAN: Yeah, double-hung?

6 SISIA DAGLIAN: -- 2-over-1, yeah, that -- we're
7 doing that. The --

8 BRENDAN SULLIVAN: Front entry?

9 SISIA DAGLIAN: -- window height, it was lowering
10 -- the round turret in the front, the first-floor windows we
11 raised all the heights to be eight feet, because it's really
12 high headroom. And just the turret on the front, they want
13 it to be lower, to match the house next to it, because they
14 look very similar, and they wanted to keep that pattern down
15 on that street. So we're doing that.

16 In terms of the wood on the first-floor doors and
17 the deck, that's going to be -- you know, a little bit of a
18 pricing exercise. And we'll see if they are affordable. I
19 think the deck might be affordable. I'm not sure about wood
20 doors, wood entry doors. So that -- those we're going to
21 look at during construction and --

22 BRENDAN SULLIVAN: Okay.

1 SISIA DAGLIAN: -- via the project.

2 BRENDAN SULLIVAN: As far as the entry deck, what
3 was proposed? Or what are you looking at? Are you looking
4 at, like, an AZEK, or are you --

5 SISIA DAGLIAN: We were -- I think we were looking
6 at Trex. There's wood there now, and it's -- it's not a
7 large area. So we could conceivable do that with something
8 like --

9 BRENDAN SULLIVAN: Could use -- yeah, yeah, you
10 could go --

11 SISIA DAGLIAN: Right.

12 BRETT SIGWORTH: -- mahogany or something like
13 that or --

14 SISIA DAGLIAN: Yeah.

15 BRENDAN SULLIVAN: Yeah, the -- the front entry
16 doors, they're nice to look at, but they're difficult to
17 control with the weather, wood doors --

18 SISIA DAGLIAN: Yeah.

19 BRENDAN SULLIVAN: -- as opposed to --

20 SISIA DAGLIAN: Even though they're covered. And
21 also, wood doors tend to be very expensive. So --

22 BRENDAN SULLIVAN: Okay. Well, you're looking at

1 it and again it's non --

2 SISIA DAGLIAN: Yeah. I think the decking we
3 could -- I think we could do.

4 BRENDAN SULLIVAN: All right. It's nonbinding
5 anyhow. Okay.

6 SISIA DAGLIAN: Yeah.

7 BRENDAN SULLIVAN: Anything else to add before we
8 send it back to the Board?

9 SISIA DAGLIAN: No.

10 BRENDAN SULLIVAN: No? Okay.

11 SISIA DAGLIAN: I have nothing.

12 BRENDAN SULLIVAN: Jim? Any further questions,
13 Joe comments?

14 JIM MONTEVERDE: No, thank you.

15 BRENDAN SULLIVAN: Slater, Alison, Andrea, any
16 further?

17 SLATER ANDERSON: No.

18 ALISON HAMMER: No.

19 BRENDAN SULLIVAN: Ready for a motion?

20 ANDREA HICKEY: Ready.

21 JIM MONTEVERDE: Yep.

22 BRENDAN SULLIVAN: Seeking relief under 8.22.2.c

1 and 8.22.2.d, c is to allow for windows within a setback,
2 and that can be incorporated into the granting of a general
3 special permit for all of the work involved.

4 So under 8.22.2.d in all districts, the Board may
5 grant a special permit for the alteration or enlargement of
6 a preexisting, dimensionally non-conforming, detached
7 single-family dwelling or two-family dwelling not otherwise
8 permitted in 8.22.1 above, but not the alteration or
9 enlargement of a preexisting, non-conforming use.

10 Provided that there is no change in use, and that
11 any enlargement or alteration of such preexisting, non-
12 conforming detached single-family dwelling or two-family
13 dwelling may only increase a preexisting dimensional non-
14 conformity, but does not create a new dimensional non-
15 conformity.

16 In order to grant the special permit, the Board of
17 Zoning Appeal is required to find and does find that the
18 alteration or enlargement shall not be substantially more
19 detrimental than the existing non-conforming structure to
20 the neighborhood, and that the alteration or enlargement
21 satisfies the criteria in Section 10.43.

22 Under 10.43, it appears that the requirements of

1 the ordinance can be met. Traffic generated or patterns of
2 access or egress would not cause congestion, hazard, or
3 substantial change in the established neighborhood
4 character.

5 Continued operation of or development of adjacent
6 uses, as permitted in the Zoning Ordinance, would not be
7 adversely affected by the nature of the proposed use. In
8 fact, there would be no nuisance or hazard created to the
9 detriment of the health, safety and/or welfare of the
10 occupants of the proposed use, in fact it would be greatly
11 enhanced by a total renovation, realignment of the windows,
12 new mechanical systems, and upgrading and bringing the
13 building up to code.

14 The proposed use would not impair the integrity of
15 the district or adjoining district, or otherwise derogate
16 from the intent and purpose of the ordinance to allow people
17 to upgrade their homes to more modern standards, modern
18 facilities, amenities -- and to enhance the livability and
19 safety of the structure.

20 On the motion, then, to grant the special permit
21 and for relief under 8.22.2.c and 8.22.2.d, Jim Monteverde?

22 JIM MONTEVERDE: In favor of the special permit.

1 BRENDAN SULLIVAN: Slater Anderson?

2 SLATER ANDERSON: In favor of the special permit.

3 BRENDAN SULLIVAN: Alison Hammer?

4 ALISON HAMMER: In favor.

5 BRENDAN SULLIVAN: Andrea Hickey?

6 ANDREA HICKEY: Yes, in favor.

7 BRENDAN SULLIVAN: And Brendan Sullivan yes.

8 [All vote YES]

9 BRENDAN SULLIVAN: On the vote of five members of
10 the Board, five affirmative votes, the special permit is
11 granted. Thank you.

12 SISIA DAGLIAN: Thank you very much.

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* * * * *

(9:54 p.m.)

Sitting Members: Brendan Sullivan, Andrea A. Hickey, Alison Hammer, Jim Monteverde, and Slater W. Anderson

BRENDAN SULLIVAN: We're back to 36 Hawthorn Street. Case No. 7--

TRACY: Yes, thank you.

BRENDAN SULLIVAN: -- 172873 -- okay. What have we come up with?

MICHAEL GERVAIS: Good evening. Yes. First off, Mr. Chair and the Board, thank you very much for your forbearance this evening.

BRENDAN SULLIVAN: Go ahead, sir.

MICHAEL GERVAIS: We know it's late. We have been doing our homework. The ratio of gross footage to lot is 1.08.

BRENDAN SULLIVAN: 1.08?

MICHAEL GERVAIS: Mm-hm.

BRENDAN SULLIVAN: Is the existing?

MICHAEL GERVAIS: 1.0 -- yes, and there's no change to the footprint. So it's the same before and after.

1 BRENDAN SULLIVAN: And 1.08. And in the district,
2 it's 0.50, I believe, Residence B? Yes, okay. What else
3 did we have? We had a ratio of useable open space to lot
4 area. Were you able to --

5 MICHAEL GERVAIS: Correct. We had 0.5 -- yes,
6 0.54.

7 BRENDAN SULLIVAN: 0.54 is existing. 0.4 will be
8 proposed and 0. --

9 MICHAEL GERVAIS: Correct.

10 BRENDAN SULLIVAN: -- what is the district, 0.30?
11 We can fill that number in the Ordinance requirement. Okay.
12 All right. I don't know if we ever got through the
13 presentation, if you wanted to just recap, tell us very
14 briefly what you would like to do?

15 MICHAEL GERVAIS: Yes. So we enclosed a rear
16 porch and in the process of doing that realized that we had
17 to get a special permit in order to put a window in on the
18 back of the house. And so, we are here tonight to give
19 permission to put the window in.

20 BRENDAN SULLIVAN: Okay. Okay. Jim, any
21 questions at all?

22 JIM MONTEVERDE: No.

1 BRENDAN SULLIVAN: Slater?

2 SLATER ANDERSON: No question.

3 BRENDAN SULLIVAN: Alison?

4 ALISON HAMMER: No questions.

5 BRENDAN SULLIVAN: And Andrea?

6 ANDREA HICKEY: No questions.

7 BRENDAN SULLIVAN: All right. And I have no
8 questions either. We are in -- let me open it to public
9 comment. Any member of the public who wishes to speak
10 should now click the button that says, "Participants," and
11 then click the button that says, "Raise hand."

12 If you are calling in by phone, you can raise your
13 hand by pressing *9 and unmute or mute by pressing *6, and
14 you'll have up to three minutes in which to speak. There is
15 nobody calling in. We are in receipt of communication from
16 the other members of the Condo Association.

17 "To the owners and trustees of the condominium
18 building at 36 Hawthorn Street:

19 "As I believe you are aware, Unit 2 plans to
20 enclose some of its rear balcony. Unlike Units 1 and 3,
21 Unit 2 intends to leave a small 8x8 ft. open balcony on the
22 corner of the building.

1 "Per the condominium documents, as I am
2 supervising this project, I am requesting that you all sign
3 to indicate that you approve of this alteration, which will
4 adhere to all permitting and regulations of both the Town of
5 Cambridge and the 36 Hawthorn Master Deed throughout the
6 renovations.

7 "I think that this process will be rather
8 seamless, but rest assured that I will be keeping an eye on
9 the whole project (as I have in the past with Unit 3,
10 repairs on Unit 1, and minor repairs on the building
11 itself).

12 "Please sign and return.

13 "With many thanks,

14 "Michael Gervais"

15 And signed by Margaret Bruzelius, Unit 1; Mary
16 Sarotte and Mark Schiefsky, Unit 3; Blair Trippe and David
17 Harding in Unit 2. They have written their support.

18 BRENDAN SULLIVAN: Okay. Anything else to add, or
19 pretty straightforward?

20 MICHAEL GERVAIS: Nothing to add.

21 TRACY: Nothing to add.

22 BRENDAN SULLIVAN: All right, ready for --

1 TRACY: Thank you.

2 BRENDAN SULLIVAN: Ready for a motion?

3 JIM MONTEVERDE: Ready.

4 BRENDAN SULLIVAN: Special permit add windows in
5 the rear of the property and the old open porch area,
6 requesting relief from the setback requirement under 8.22.
7 In a residence district, the Board may grant a special
8 permit for the alteration or enlargement of a non-conforming
9 structure not otherwise permitted in Section 8.22.1, but not
10 the alteration or enlargement of a preexisting, non-
11 conforming use.

12 Provided any enlargement or alteration of such
13 non-conforming structure is not further in violation of the
14 dimensional requirements of Article 5 or the off-street
15 parking and loading requirement in Article 6 for the
16 district, in which such structure is located.

17 And provided such non-conforming structure will
18 not be increased in the area or volume by more than 25
19 percent since it first became non-conforming.

20 We have to then find under 10.43 granting the
21 special permit it appears that the requirements of the
22 Ordinance can be met. Traffic generated or patterns of

1 access or egress would not cause congestion, hazard, or
2 substantial change in the established neighborhood
3 character. The continued operation of or development of
4 adjacent uses, as permitted in the Zoning Ordinance, would
5 not be adversely affected by the nature of the proposed use.
6 There would not be any nuisance or hazard created to the
7 detriment of the health, safety and/or welfare of the
8 occupants of the proposed use, in fact it would be enhanced,
9 and the proposed use would not impair the integrity of the
10 district or adjoining district, or otherwise derogate from
11 the intent and purpose of the ordinance to allow by way of a
12 special permit homeowners to alter -- in this case add
13 windows to an open porch area.

14 And we note the approval of the other condominium
15 owners.

16 On the motion to grant the special permit that the
17 work comply with the drawings submitted, the dimensional
18 form and the supporting statements, Jim Monteverde?

19 JIM MONTEVERDE: In favor of the special permit.

20 BRENDAN SULLIVAN: Slater Anderson?

21 SLATER ANDERSON: In favor of the special permit.

22 BRENDAN SULLIVAN: Alison Hammer?

1 ALISON HAMMER: In favor of the special permit.

2 BRENDAN SULLIVAN: Andrea Hickey?

3 ANDREA HICKEY: Yes, in favor of the special
4 permit.

5 BRENDAN SULLIVAN: Brendan Sullivan yes.

6 [All vote YES]

7 BRENDAN SULLIVAN: On the affirmative vote of five
8 members of the Board. The special permit is granted. Good
9 luck and thank you.

10 COLLECTIVE: Thank you very much.

11 ANDREA HICKEY: Thank you.

12 BRENDAN SULLIVAN: Okay. And that concludes our
13 evening, Board.

14 JIM MONTEVERDE: All right.

15 BRENDAN SULLIVAN: You were wonderful. Thank you.
16 Thank you, thank you. We got through it.

17 JIM MONTEVERDE: All right. Goodnight.

18 COLLECTIVE: Thank you, Mr. Chair.

19 BRENDAN SULLIVAN: You're free.

20 JIM MONTEVERDE: Take care.

21 [10:02 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.

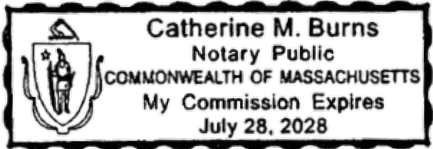
In witness whereof, I have hereunto set my hand this
third day of August, 2022.



Notary Public

My commission expires:

July 28, 2028



A				
a.m 62:6	acoustics 45:18 45:19	address 91:17	113:13	172:11 173:3
Aaron 34:5,6,6 50:6 51:12	acquiring 118:2	addresses 147:9	aggregate 30:14	180:3,4 184:15
ability 195:7	act 105:18	adequate 129:12 132:3	ago 50:22 62:1 76:3 118:14	184:18 187:3,4 188:3 190:3,4 193:22 194:1
able 58:9,14,20 61:4 65:15 68:14,18,20,22 69:14,17 71:10 80:1 94:8 105:19 115:9 127:4 147:10 147:12 189:4	acting 40:15 98:3	adhere 191:4	agree 38:7,7 119:19 153:3	alive 45:12 80:20
above-referen... 13:17	action 43:15 195:9,11	adjacent 26:19 91:3,10 97:17 124:17 136:10 159:11 171:11 186:5 193:4	agreed 10:14 127:8	all-day 60:13
absence 127:13	activate 42:20 44:16	adjoining 98:12 125:3 137:1 160:3 171:21 179:11 186:15 193:10	agreement 93:11	Allen 2:10 16:7 25:5 36:22 38:10 40:20 59:4 71:17 74:7 85:16
absolutely 77:16 90:7 108:16 109:2 117:13 153:3	activation 27:17	adjustments 17:14 30:9	agreements 41:6	alleys 35:21
absorb 22:17	activities 41:7 41:18 52:12 56:19 57:15	admit 85:2	ahead 55:15,16 56:1 114:9 173:11 188:14	Allison 91:14
abundance 143:14	activity 38:8	Adrian 36:19,20	air 55:4 103:10	allotted 32:7
abutter 157:12	actual 29:18,20	adults 66:15	airport 99:18 120:5	allow 17:18 26:22 40:22 63:7 76:2,9 129:6 132:18 151:13 155:4 160:5,15 163:11 164:5 172:1 185:1 186:16 193:11
abutters 24:12 28:20 51:10 115:8 147:12 159:14	Adam 162:8,10 162:10 163:18 163:22 166:12 168:18 169:8 169:11 170:11 172:17,19	advance 17:8 21:22 22:10 24:11	Albino 20:3	allowable 32:5 120:22 128:14 136:2
abutting 24:13 37:5,11	add 88:20 134:15 157:20 162:16 181:3 184:7 191:18 191:20,21 192:4 193:12	advantage 64:20	albums 20:3,4	allowed 35:21 42:20 151:16 155:14
AC 49:9	added 176:3	adversely 97:19 124:18 136:11 159:13 171:12 186:7 193:5	Alewife 13:15	allowing 35:22 76:15 117:22 169:2
accept 6:14 8:18 107:8,12 154:2	Addendum 24:9 26:5	advocate 68:1	Alex 6:13	allows 62:20 135:20 136:2 142:9 144:13 154:9
acceptable 82:20 84:2	adding 122:2 148:5 164:7 174:20	aesthetic 121:11	Alicia 117:1,3 119:14	Alpine 2:2,14 6:7,11,15 113:9 114:7,12 116:12,18 117:19,20 118:13 120:14 125:19
accepted 7:6 107:13	addition 22:4 24:1,12 25:9 35:3 44:18 54:1 66:8 128:18 141:21 144:10 146:3 156:6 175:3,8 175:22 181:2	aesthetically 121:2 130:19 157:5	align 175:8	alter 162:17 181:3 193:12
access 97:10,14 124:13 136:6 159:8 171:7 186:2 193:1	Additional 66:18	affirmative 7:5 9:11 11:20 15:10 99:11 102:16 125:17 137:18 138:18 161:7 172:16 187:10 194:7	Alison 1:8 3:5 4:21,22 6:4,21 6:22 8:4 9:4,5 9:5 10:4 11:12 11:13,13 13:4 15:3,4 16:4 29:13,15 91:16 96:14,15 99:4 99:5 101:4 102:8,9 103:4 105:12,14 112:4 114:4 115:18,19 122:16,17 125:11,12 126:4 133:12 133:13 137:12 137:13 138:7 138:15 149:22 150:2,7,9,16 150:20 151:4,6 151:15,18 162:3 167:22 168:2 172:10	alteration
accommodating 56:13	additional 10:17 42:12 121:14 122:2 129:21 149:17 181:12	afford 94:8		
accurate 94:4		affordable 182:18,19		
achieve 68:22		age 172:2		
acoustic 22:18 23:18 91:5 92:10 93:15		aged 140:16		
		agenda 16:7 19:16 21:18		

123:16,19,22 124:7,9 135:2 135:5,8,14,17 136:20 158:11 158:14,17 159:1,5 169:9 169:22 170:2,4 170:18 185:5,8 185:11,18,20 191:3 192:8,10 192:12 alterations 115:1,7 amazing 34:14 51:14 72:3 ambient 30:14 ameliorate 97:21 amend 8:14 amended 181:16 amending 3:15 amenities 136:17 159:22 171:18 186:18 American 20:2 Amina 21:3 amount 89:6 156:14 159:14 amplified 39:3 analysis 115:3 and-a-half 128:14 and/or 25:3 98:5 124:21 136:15 153:20 159:18 171:15 186:9 193:7 Anderson 1:8 3:6 4:19,20 6:5 6:17,20 8:5 9:1 9:2,2 10:5 11:9 11:10,10 13:5 15:1,2 16:5 32:14,18,19 33:12 92:2 96:13 99:2,3 99:13,16 101:5 102:6,7 103:5	105:2,11 112:5 114:5 115:16 115:17 122:15 125:9,10 126:5 133:11 137:10 137:11 138:4 149:13 154:7 157:10 161:1,2 162:5 164:11 167:21 172:8,9 173:5 180:2 184:17 187:1,2 188:5 190:2 193:20,21 Andrea 1:7 3:4 4:17,18 6:3 7:1 7:2 8:3 9:6,7,7 10:3 11:15,16 11:16 13:3 15:5,6,6 16:3 29:16,17 30:5 30:10,19 31:3 31:12 32:1,4,8 92:7,8,18,21 93:1,6 96:16 96:17 99:6,7 101:3 102:10 102:11 103:3 105:15,16 107:15,17,20 109:9,14,17 110:13,15 112:3 113:3,6 114:3 115:20 115:21 122:18 122:19 123:7 125:13,14 126:3 127:1,4 127:10 133:14 133:15 137:14 137:15 138:3 150:5 151:21 152:1 157:8,19 157:20 158:1 161:3,4 162:3 168:3,4 172:12 172:13 173:3 180:5,6 184:15	184:20 187:5,6 188:3 190:5,6 194:2,3,11 ANDREW 161:13 announced 37:18 annual 56:9 73:13 answer 94:2 133:6 140:14 163:15 answering 32:9 anti-vaxers 26:2 anticipate 14:8 132:8 anxiously 23:18 anybody 8:7 83:10 88:5 153:17 154:21 157:8 anyone's 25:12 anyway 121:22 apart 75:20 173:20 apartment 62:4 apartments 71:18 API 69:21 apologize 42:19 126:13 apparel 25:16 apparently 13:11 107:14 Appeal 1:1 3:9 10:12 13:12 16:16 124:6 135:1 151:12 158:10 159:1 160:14 169:21 185:17 appearing 43:17 appears 97:9 124:11 134:2 159:6 165:17 171:5 185:22 192:21 applicant 13:14	14:16 162:16 181:19 applicants 4:3 application 14:12,15 22:2 40:17 42:15 103:19,21 105:18 112:14 123:9 137:19 154:12 161:8 Applications 14:7 applied 99:19,22 appointments 43:4 appreciate 10:18,21 36:17 48:8 51:7 52:10 81:5 95:22 155:17 appreciated 95:1 appropriate 113:7 approval 24:8 45:3 83:4 117:22 181:5 193:14 approvals 37:16 approve 103:19 119:6,17,18,18 119:19 191:3 approved 13:17 14:1 19:6 21:21 24:4,5,6 29:10 108:5 109:13 179:7 approvements 14:3 approves 38:3 approximately 127:15 April 181:15 architect 52:17 112:13,20 121:16,20,21 140:1 162:13 Architects 16:21	architectural 103:15 108:13 117:13 176:7 181:1 Architecture 181:15 area 36:1 37:8 37:11 41:3 65:11 71:1 85:19 86:10 99:19 104:5,5 104:6 105:8 121:14,14 122:2,4 132:3 132:18 133:3,3 136:2 144:7,8 144:8 147:16 153:19 155:2 164:4 170:9 175:14 183:7 189:4 192:5,18 193:13 areas 39:21 99:18 145:8,22 146:4 148:4 aren't 168:20 Ari 57:7,8,9 arrive 91:5 art 19:11 41:21 50:16 52:16,16 76:1,5 Arteaga 20:20 45:9 Article 142:7 150:11 170:6,7 192:14,15 artist 68:1 75:18 artists 26:16,19 63:3 68:17 84:20 85:12 arts 20:2 36:10 42:6 43:4 51:1 58:4 61:17 69:11 98:15 Asian 56:10 57:4 69:21 117:9 Asian-focused
---	--	---	--	--

aside 90:21	authentic 47:17	baby 71:11	168:21 169:16	147:8 148:19
asked 23:22	author 43:7	back 17:17 27:3	177:3 178:1,3	148:20 150:10
27:14 34:2	authority 20:6	31:10 35:17	basically 28:21	156:8 164:6
152:2	40:22	38:19 46:7	29:1 37:2	169:14 189:2
asking 4:13	authorize 13:18	52:3 53:22	59:20 60:1,13	190:19
26:21 86:1	authorized	54:5 79:5 83:8	60:15,20,21	belonging 43:15
107:4 121:13	14:10	87:7 88:15,16	64:13 78:19	Bend 20:18
122:5 164:15	AutoCAD 119:1	89:3,8,19 91:8	90:5 121:13	benefit 56:9
aspects 62:12	AV 23:6 31:1,10	93:17 95:19	149:19 153:21	136:18 156:8
180:22	39:15	103:10,12	basis 155:9	157:12 159:22
asset 42:12	available 23:14	104:2 107:7	bathroom	171:17
assist 42:1	39:19 83:22	108:10 109:16	126:15 179:3	benefits 63:6
assistance 10:22	101:13	110:1,11 113:9	bathrooms	84:15 87:5
58:8	Ave 46:10 47:5	121:6 129:14	133:3	98:10
Assistant 1:10	50:5,9 79:16	129:17 131:11	bathwater 71:12	benefitted 76:22
17:5 40:13	79:17 112:8	131:21 132:19	bay 59:13	Berg 16:21
Associate 1:10	126:8 128:4	134:15 141:6	beacon 43:17	Berklee 45:16
43:9	140:20	141:17 144:18	44:3 45:13	best 8:17 26:8
Association	Avenue 1:5 2:5	146:14 148:10	47:20	44:15 51:9
190:16	2:7,13,15 10:7	153:22 154:4	Beantown 79:10	52:17 56:18
assumed 164:14	13:7,16 112:7	156:7,17,19	79:16,16	82:16 84:2
assured 191:8	126:7 127:12	161:15,15	beautiful 66:17	195:6
Asuncion 69:7,8	134:5,6,9,10	166:8,18	70:17 85:20	better 57:19
69:8	134:11,12	172:22 174:11	bedroom 116:22	74:17 84:12
attachment 90:5	172:22 173:6	174:22 175:11	129:19 131:4	95:22 129:8
attacking 52:20	173:11 181:15	175:15 176:13	131:15,21	132:20 176:18
52:22	average 22:13	178:4,21 184:8	132:6 133:5	beyond 68:6
attendance 4:14	142:20 144:16	188:6 189:18	165:21 166:20	71:22
attended 73:19	155:1,1,5	backloaded	167:4 177:14	bias 36:2
74:10	avoid 107:15	156:18	bedrooms	bid 17:2 20:8
attendee 68:7	awaiting 23:18	badly 103:10	129:10 133:2	24:2,16 26:8
attendees 39:6	award-winning	Baker's 3:14	165:18 166:2	35:5 40:19
attention 104:1	40:18 43:7	balance 25:13	166:16,16	41:5,16 73:8
attentive 49:7	aware 99:17	63:5	167:1,3,8,11	BID's 40:22
attic 129:5,11	190:19	balanced 21:16	167:18 169:2	big 22:22 74:21
Attorney 6:7	Axel 140:2,4,6,7	balcony 59:14	176:10 179:2	118:18 156:13
162:10	140:9 143:6,9	190:20,21	beds 130:4	156:14,22
attributed 98:9	143:18,21,22	band 30:15 35:8	began 38:19	bike 130:7
audible 4:14 5:2	144:1,3 148:7	Bar 46:5 84:11	beginning 27:6	binding 181:18
audience 17:1	148:21	barrier 84:19	28:14 59:19	Bingham 116:7
62:15 68:20	Axel's 142:4	Bart 76:14,15	73:22 79:19	116:8,10
77:14	AZEK 183:4	base 123:1	152:16 154:17	Bishop 2:10
audio 3:20 28:12		based 4:11	behalf 40:15	16:7 25:5
audio-video	B	91:16 164:18	believe 28:18,19	36:22 38:10
17:3	B 104:10 128:11	basement	30:13 31:8	40:20 59:4
August 10:15	189:2	160:10 163:3	44:15 92:9,22	71:17 74:7
14:15 15:13,16	BA.4 18:17	164:7,8,13,19	103:15 107:11	85:16
76:1	BA.5 18:17	164:19 167:13	127:5,9 139:1	bit 15:15 45:14

103:21,22	89:3,19 93:9	146:12,13	81:6,8,14,18	146:22 147:21
107:8 121:15	94:15,17 95:11	173:19	81:20,22 82:2	148:1 149:11
121:15 130:21	96:5,9 97:12	bought 128:7	82:4,6 84:4,7	149:22 150:4,6
141:14 155:11	97:20 98:4,8	bound 97:6	85:13 87:10,12	150:8,15,18
156:17 167:17	98:11,13 101:6	Bow 66:6	87:14 88:4	151:2,5,11,17
173:18 176:8	104:3 114:11	box 168:19	89:2 90:7,11	151:21 152:5
182:17	115:14 121:3,7	Boyes- 16:21	90:13,15,18	152:14,18
Black 20:16	123:12,15,15	Boyes-Watson	91:12,14,22	153:14,16
44:7 70:21	124:5,11,16	16:20,20	92:7 94:1,13	155:12,15
118:15	125:18 126:11	Boyette 20:17	95:10,16 96:4	156:10 157:8
blackout 46:20	134:19 135:1	Brady 128:4	96:12,14,16,18	157:19,21
Blair 107:22,22	135:19 136:5,9	branded 25:15	97:1 99:2,4,6,8	158:2 161:1,3
108:5,11,18,20	136:13,22	39:20	99:8,11,15	161:5,5,7,12
109:2,6 110:5	137:3 138:5,21	break 21:14	100:4,7 101:3	161:14 162:3,6
110:11,21	142:10 143:12	breaking 112:16	101:6 102:6,8	162:9 163:16
111:1,4 191:16	144:4 147:19	Breathe 20:18	102:10,13,14	163:20 164:1
blank 71:1	151:12 153:10	Brendan 1:6 3:4	103:3,6,20	167:20,22
blanket 93:20	156:11 158:10	3:7,9 5:1,2 6:3	105:1,6,12,15	168:3,5 169:6
blasting 62:3	158:10,22	6:6,17,21 7:1,3	106:3,21 107:6	169:9,20
bleachers 83:9	159:14 160:2	7:3,5 8:3,6 9:1	107:11,19,21	170:12,16
bleed 83:18,18	160:14,17	9:4,6,9,9,11	108:4,7,17,19	172:8,10,12,14
blessing 44:3	161:11 163:11	10:3,6 11:9,12	108:21 109:3,7	172:14,16,21
block 46:14	168:17 169:21	11:15,18,18,20	109:9,12,20	173:3,6,10
154:17,19	170:13 171:4,5	13:3,6 15:1,3,5	110:6,9,16,19	179:20 180:1,5
155:5,8,22	171:10 173:7	15:8,8,10 16:3	110:22 111:3	180:7 182:5,8
156:1	184:8 185:4,16	16:6,10,13	112:3,6,10,16	182:22 183:2,9
blockbuster	187:10 188:12	27:2,10,18	112:19,21	183:15,19,22
58:13	192:7 194:8,13	28:5,9,13 29:5	113:8,12 114:3	184:4,7,10,12
blocks 38:18	Board's 10:18	29:11,13,16	114:6,9 115:13	184:15,19,22
blown 77:16	Bob 66:7	32:12,22 33:10	115:16,18,20	187:1,3,5,7,7,9
78:14	body 82:12	33:13 36:18	115:22 116:9	188:3,6,9,14
blue 129:16	92:15 95:19	38:14 40:7,10	117:16 118:5,9	188:18,20
141:9 144:11	97:20	42:16 45:6	118:11 120:2,6	189:1,7,10,20
144:12 175:12	book 19:20	47:22 48:5,7,9	120:8 122:7,10	190:1,3,5,7
175:21	35:22 43:7	48:12 49:21	122:14,16,18	191:18,22
blurring 91:19	booked 36:9	50:2 51:15,19	123:7 125:9,11	192:2,4 193:20
board 1:1 3:8	65:15	51:22 52:2,9	125:13,15,15	193:22 194:2,5
4:3,13 10:11	born 48:15	53:13,18 55:9	125:17 126:3,6	194:5,7,12,15
10:13,17 13:12	53:20	55:13,18,21	126:10,12,17	194:19
13:13,16 14:10	Boston 19:20	56:1 57:6	126:21 133:7	Brett 139:20
15:12 16:16,18	21:8 36:1,11	58:22 61:8	133:10,12,14	152:12,13,15
17:6,14 19:7	66:11 69:12	63:12 65:4,7	133:16 134:18	155:13,13,16
26:21 27:3,14	86:13	66:1 67:19	134:21 137:10	161:10 183:12
28:4,19 34:3	Boston-based	69:6 70:10,14	137:12,14,16	Brian 73:20
36:21 37:3	68:1	71:14 73:3,6	137:18,21	Bridgecyp
49:6 50:17	bottom 128:5	75:12,15 76:13	138:3,5,7,9,12	65:17
61:3,14 79:14	144:14 145:20	77:11 78:7	138:15 139:4,7	Bridgeside
88:10,17 89:1	145:21 146:7	79:8,13 81:2,4	139:10,12,14	20:13 34:11

brief 162:15 172:20	Burns 195:4	Café 79:17	39:5 41:6,8,11	8:6,7,12 10:6
briefly 18:21	bus 62:3	calculate 164:13	41:12,14 42:22	11:6 13:6,14
88:15 94:16	business 16:18	calculated	44:2,6,11	16:6 82:18
129:10 147:3	26:18 40:17	142:19	48:15 50:4,6	101:6,12
189:14	77:8 79:21,22	calculating	50:18,19 51:6	102:12,13
bring 17:7 68:14	80:6 85:1	154:19	51:7 53:21	103:6 104:14
141:5,17 160:5	89:14 94:9	calculation	57:19,22 61:21	107:16 112:6
bringing 63:1	106:6	142:22	65:1,10,14,17	112:17 113:3
79:1 159:21	businesses 50:20	calendar 14:8	66:5 67:11,12	114:6 126:6,14
186:12	51:1 54:13	18:19 19:9	70:16,19 75:17	129:9 135:22
brings 54:10	80:11,14,15	21:16 45:10	75:20 76:9	138:5,8,16,17
84:16	85:21	58:10 60:2	77:22 82:5	154:9 162:6
broadcast 3:21	button 33:15,16	call 4:5 6:6 16:6	83:21 84:10	173:8 188:7
Brook 13:16	116:2,3 133:18	26:3 73:13	88:11 96:19	193:12
brought 70:19	133:19 152:7,8	74:13 88:5	115:4 116:11	cases 2:2,9 5:3
Brown 44:7	168:7,8 180:9	110:1,1 113:5	116:18 140:20	126:16,21
Bruzelius	180:10 190:10	114:6 139:20	171:1 179:7	154:10
191:15	190:11	call-ins 88:6	180:16,18,20	casual 84:16
build 43:8 156:6	buy 119:5	118:6 120:9	191:5	cater 80:16
building 1:10,10	Bye-bye 111:5	called 20:15	Cambridge's	Catherine 195:4
14:3 37:2	BZA 4:9 8:6,12	24:20,21 34:10	19:16	catty- 147:13
103:13 104:15	10:7,16 16:7	43:7 49:15	Cambridgeport	cause 71:8 97:11
106:16 109:7	24:21 135:13	76:1 143:9	79:17	124:13 136:6
114:16,17,22	BZA-017219-...	caller 87:12	campus 140:19	159:8 171:7
115:2,6 121:17	2:5	callers 98:8	canceling 62:10	186:2 193:1
121:18 136:21	BZA-103314 2:7	120:19	cancer 56:10	caused 23:12
142:18,20	BZA-154221 2:4	calling 33:18	canopies 13:18	97:15
143:1,8,13,16	BZA-167013 2:2	38:14 40:7	14:2	causes 131:16
151:9 160:9,13	BZA-172873	42:16 45:6	Cantabrigians	caution 143:14
160:19 162:22	2:12	49:21 65:4	80:20	cautious 48:19
163:9,10,11	BZA-178804	70:11 76:13	canvas 28:20	CCTV 41:12
166:13 169:4	2:11	77:11 88:5	canvassed	50:10 65:16
169:12,13	BZA-179227	116:4 120:8	157:15	ceiling 174:10
174:15 175:5	2:13	133:21 134:2	canvassing	154:16 155:19
175:18 176:9	BZA-179416	152:9 153:17	154:16 155:19	celebrate 74:4
181:1 186:13	2:14	168:10,13	care 62:9 117:3	celebrating 20:1
190:18,22	BZA-179628	180:12,15	118:15 119:15	celebration 20:7
191:10	2:17	190:12,15	194:20	20:15 41:11
building's	BZA-180689	calls 26:1	careful 34:22	celebrations
169:18	2:10	Camargo 67:20	57:12	63:2
buildings 24:13	BZA-180806	67:21,22	carefully 45:19	cell 24:16 85:7
24:19 121:19	2:15	Cambridge 1:2	caring 119:16	center 18:13
built 117:5	BZA-181771	1:6 3:8,16,22	Carpenter	36:10 129:5
154:16 173:15	2:16	14:5,6 16:17	134:10	144:6
bunch 69:17,18	<hr/>	18:13 19:10,18	carried 181:13	centered 179:15
buoyed 26:16	C	20:5,10,12,14	carrying 95:19	Central 11:1
burden 155:20	<hr/>	21:5 25:11,20	cars 62:3 86:12	16:18 17:2
	c 3:1 185:1	26:18 34:10	case 6:6,7,10 7:6	18:10 20:8
	cable 3:21			24:16 28:2

<p>34:7 35:5 40:16 41:9 46:9 47:6,8,15 48:2 49:12,15 50:9,15,16,19 53:20,21,22 54:8,12,16,18 55:1,7 62:14 66:5,20 67:1 67:13 72:17 73:8 77:7 78:2 80:19 81:3 82:9,10 centralsq.org 75:7 certain 3:15 23:12 92:12 certificate 181:18,20 195:1 certified 107:6 146:20 certifies 180:19 certify 195:5,8 chain 23:20 Chair 1:6,7 3:10 16:9,15 28:11 29:4 33:7 36:20 38:16 79:14 88:18 90:4 92:13 93:22 94:5 95:14 96:22 99:13 105:16 110:14 113:6,7 122:20 123:10 123:14 127:2 158:8 162:8 168:4 170:21 172:19 188:12 194:18 Chair's 4:12 Chairman 90:17 114:10 138:22 139:13 147:3 challenging 61:18 94:21 103:22</p>	<p>chance 53:10 58:3 61:4 63:15 69:1 76:7 80:16 113:4 143:12 change 4:11 11:22 38:6 59:21 64:19 73:12,16 97:12 97:15 101:20 115:6 118:19 123:21 124:14 134:16 135:7 136:7 158:16 159:9 162:21 171:8 175:17 175:17 177:13 185:10 186:3 188:22 193:2 changed 80:12 104:12 106:18 changes 59:11 74:2 90:13 96:6 97:4 98:2 142:22 163:5 175:21 176:3 changing 37:4 106:14,19 142:18 164:21 Channel 3:21 Chapter 13:21 14:12 180:19 character 97:12 97:16 124:15 136:8 159:10 171:9 181:1 186:4 193:3 characteristic 58:4 charge 25:17 charged 92:16 Charles 2:11 3:14 101:7,13 check 24:21 25:13 34:19 148:19 checking 30:9 Chien-Chi</p>	<p>55:11,12,20,22 56:2,2 children 18:9 19:17 43:2 66:16 70:19 86:6 127:18 129:10 132:8 Children's 21:18 chime 117:21 157:9 Chorus 19:12 58:9 78:13 chosen 62:7 Chris 127:11,20 127:20,22 128:2,2 Christ 81:21 Christopher 126:7 Chung 17:2 39:15 Chung's 23:6 Cicada 84:11 Cindy 134:10 circle 31:10 cited 32:4 cites 160:17 cities 43:13 61:22 62:1 citizenry 172:4 citizens 98:7 124:22 136:19 city 1:2,9 3:16 3:17,17,18 17:5 18:14 19:16 21:5,6 24:6 31:13,17 35:21 36:11 40:13,15,21 41:4,6,17 42:1 42:8,8,13 43:19 44:1,4 44:14 46:8,10 46:12 47:13 49:10 61:16 62:8,12 63:1 72:20 83:2,21</p>	<p>84:18 85:3 88:7 96:19 98:7,13,14,15 99:20 115:11 120:13 125:1 136:19 146:15 155:22 180:20 city's 4:9 39:4 41:18 45:21 90:1 city-owned 40:19 41:1 civic 26:15 43:14 179:8 clarification 28:2 clarified 164:16 clarify 121:15 clarifying 102:12 clarity 96:1 class 20:18 classes 41:10 64:11 classic 47:11 cleans 130:20 clear 18:22 71:20 92:3 95:5 129:5 clearly 25:17 154:13 clever 169:4 click 18:19 30:7 33:15,16 116:2 116:3 133:18 133:19 152:7,8 168:7,8 180:9 180:10 190:10 190:11 client 13:22 clients 101:11 139:1 147:5 Cliff 11:1 climate 54:15 clinics 18:11 41:14 close 34:20 41:5 88:14 120:18</p>	<p>134:14 142:15 154:4 156:11 168:14 181:21 close-knit 119:8 closely 39:1,5 closer 142:16 closest 74:7 closing 80:11 club 19:1 co-owner 84:10 co-planner 62:15 Coalition 20:15 code 146:17,17 150:13,13 159:21 171:19 178:7 180:20 186:13 code-compliant 166:19 174:6 codes 25:3 136:21 Coffee 84:11 cohost 62:16 Coleman 66:2,3 66:3 collaboration 41:5 collaborative 76:7 colleague 50:5 collective 34:10 50:6 84:21 137:22 172:18 194:10,18 Color 20:15 come 31:19,21 32:2 42:13 45:4 47:12 54:5,16 57:3 68:1 72:2 74:19 76:2 84:1,3 88:1 91:8 93:17 95:19 99:16 108:9 109:16 117:7 188:10 comes 51:10</p>
---	--	---	---	---

74:13 95:8 129:19 comfortable 50:17 155:11 157:7 coming 31:22 33:3,4,22 44:5 45:11 46:17 60:10 65:6 84:20 97:22 156:17,17 175:5 176:1 177:8 commence 14:1 comment 4:7,8 10:8 24:9 33:14,20 35:4 61:4 88:13,14 88:20 91:13 95:2 99:14 109:18 116:1,6 122:20 133:17 134:15 149:20 150:9 152:6,11 152:21 154:4,6 155:14 168:6 168:14 180:8 181:22 190:9 commented 121:9 comments 25:13 25:18 26:1 28:19,21 32:12 53:14 86:3 89:20 91:2,15 92:1,7 94:14 105:13,14 121:7 122:11 122:12,15,17 150:1 151:22 154:5 155:17 168:16 170:13 179:21 182:2 184:13 commission 14:6 19:6 21:21 24:4 25:12 29:8	31:19,21 60:3 95:7,9 180:17 180:21 195:18 Commissioner 1:10 104:18 commitment 21:12 commitments 21:16 committed 26:20 committee 37:15,18 38:2 38:3,4,7 44:22 45:2 57:2 common 63:6 176:12 commonly 67:22 Commonwealth 195:2,5 communal 76:1 communally 75:4 communicate 25:3 26:9 27:19 71:10 88:2 communicated 25:11 communicating 34:19 communication 8:9 10:9 24:1 88:6 134:3,7 134:14 153:18 180:15 181:21 190:15 communicatio... 24:9 26:11 communities 43:12,14 44:8 85:12 community 17:5 18:14 19:18,19 20:18 25:4 26:12 36:8,14 36:15 40:13	41:10,21 42:13 44:4,12 45:13 46:20 47:3,11 49:17 51:1 61:15,17,18 62:16,19 63:5 63:7,10 66:17 66:19 67:2,8 75:18,19 76:2 76:10 78:15,19 78:21 79:2 80:16 84:21,22 85:9,21 87:17 87:19 116:20 152:3 community-d... 51:8 Community-L... 43:8 commute 88:2 compassion 85:11 complain 74:14 complaints 25:19 39:18 40:2 82:18 85:8 93:16 complete 46:20 93:11 101:15 completed 10:20 10:20 105:20 completely 78:14 105:17 116:20 completion 45:3 Complex 46:13 50:15 compliant 171:19 178:7 complicated 68:11 comply 136:1 137:6 158:6 193:17 compressors 49:9 compromise 71:10	compromised 72:5 compute 106:5 conceivable 183:7 concern 63:16 91:13,16 concerned 74:5 91:1 concerns 63:6 74:3,6 75:5 89:11 91:4 154:8 174:1 179:13 concise 52:5 concludes 194:12 condenser 33:4 condition 11:22 90:22 96:6,7 97:4,5 98:22 101:19 123:13 127:17 130:2 131:13 137:4,5 144:5 145:19 146:16 158:6 162:22 164:9 170:19 conditionally 17:11 conditions 14:6 106:22 107:1 131:8 164:4 condo 179:11 190:16 condominium 109:13 190:17 191:1 193:14 configuration 143:12 configurations 129:3 confirm 28:17 166:11 confirming 138:22 167:19 conforming 115:3 124:1	132:1 135:6,9 141:3 142:10 144:8 158:18 170:1,3 177:18 185:12 192:11 conformities 175:8 conformity 124:3 135:11 135:12 142:14 158:20,21 185:14,15 congestion 97:11,15 124:14 136:6 159:8 163:8 171:7 186:2 193:1 congratulations 87:6 congregate 98:18 connections 65:20 77:4 Connell 22:3 Connolly 88:7 connotation 29:22 Conservation 14:6 179:7 180:16,18 consider 52:14 93:7,18 considerate 56:21 consideration 10:18 42:15 considered 8:14 constant 24:1 49:9 constantly 74:8 constructed 69:14 136:20 construction 13:18 14:1 49:9 72:18 135:21 180:21 182:21
--	---	--	---	--

consultant 83:15	28:4 29:7 86:9 87:4,8 89:1	count 164:8,19 165:14,15,20	criteria 121:4 124:10 135:18 159:5 185:21	187:12
consultations 115:4	conversations 74:22 75:10 84:17 86:7	counted 122:5	CRLS 20:11 58:4 78:12	daily 63:17
contact 24:15 110:3,4,7	converting 103:9	countless 38:1 54:21 74:11,12	cross-disciplin... 20:1	damage 118:16
contagious 18:17	cool's 46:15	country 54:4	crucial 67:9,16	Damon 65:5,6,8
containing 160:9	Coordinator 66:9	couple 33:1 57:17 71:17,18 77:15 83:11	crushed 45:1	Dan 20:19 45:7 45:8,8 48:2,8 71:15,16,16 164:11
contemplative 76:5	copy 60:4	course 60:7 86:13 103:13	cuff 77:14	Dance 20:4 21:8 46:13 50:15
content 150:10	core 69:9	courtesy 138:19	cultural 18:15 20:1 41:22 43:19 44:1 45:13 47:17,18 50:18 55:1,2 57:1 62:14 69:10 82:10	dancing 52:18
context 44:9 76:4 129:1	corner 37:12 72:19 120:5 145:12 147:14 154:17 176:17 178:21 190:22	cover 94:10	culturally 65:18	Dareer 70:12,13 70:15,15
continuance 10:16 11:8,11 11:14,17	correct 27:22 105:7 107:10 109:3 110:16 122:9 148:12 148:14 150:15 151:15 165:19 165:22 167:5 189:5,9	covered 183:20	culture 42:6 50:14,17 63:2	dark 27:16 144:7,12
continue 11:5 14:20 26:22 27:19 33:22 40:5,18 41:18 51:12 55:7 61:7 63:7,9 67:17 76:9 77:9 79:7 85:12 90:6 92:4 98:1 101:18 102:3	COVID 43:16 44:6,17 46:19 47:2 48:19 52:12 53:10,11 54:5 57:13 76:7 77:18 78:20	COVID-19 3:13 3:18 18:16 41:3 42:2	cultures 87:20	Dash 162:8,10 162:10 163:18 163:22 166:12 168:16,18 169:8,11 170:11 172:19
continued 2:2 5:3 11:21 12:7 41:20,22 42:11 97:17 98:2,16 102:12,16 107:16 124:16 136:9 159:11 171:10 186:5 193:3	COVID- 42:4	Crawl 19:21	curb 47:5	dashed 144:12
continues 51:3 58:20	COVID-19 3:13 3:18 18:16 41:3 42:2	create 43:13 68:21 69:2 124:3 128:17 135:11 141:22 158:20 176:19 179:1 185:14	current 89:7	data 31:6
continuing 96:7 138:20	Correction 148:9	creates 84:16	currently 14:7 14:14 34:7 43:9 50:4 66:5 69:9 159:20 174:16 176:10	date 2:3,4,6 10:21 11:2 12:1 28:14,14 92:12,14,17 93:7 95:13 101:12,13,20 107:14 148:19 160:6 181:20
contribution 82:9,10	correctly 29:3 165:14	creating 21:15 25:9 65:19 77:4 122:7 174:9 175:18	cut 70:3	dated 3:18 10:9 107:9 158:7 170:21 181:15
control 183:17	correspondence 88:10 89:7 101:9 115:10 120:10,16,18 168:14	creation 41:1	cutting 34:22 119:4	Dates 2:7
controlled 70:4	cost- 18:8	creativity 80:4	cypher 20:13 34:11 35:12	daughter 78:12
convene 83:4	Costanza-Cho... 42:18,19	crime 118:17	cyphers 35:6	Dave 20:19
conversation	costs 94:10 95:19	crisis 44:6,17	<hr/> D <hr/>	David 45:9 48:6 139:20 191:16

154:20	dental 117:6	124:21 136:14	177:1	47:17,18 50:18
dear 10:11	Department	136:19 154:14	Dina 80:18	55:1,3 57:1
13:13 117:2	14:5 19:11	159:18 171:15	dining 176:11	77:8 78:2
deaths 118:17	25:20 39:6	186:9 193:7	dinner 49:2,3	89:15 94:10
decade 66:10	41:14 43:5	detrimental	63:22 78:3	98:12 120:20
decibel 34:18	104:15 109:7	124:8 135:15	direct 93:16	125:3 128:11
39:1 82:21	115:5	142:11 159:2	100:3	128:14 137:1,1
decibels 30:3	departments	163:6 185:19	direction 94:22	160:3,3 169:21
32:7 60:20	18:14	devastated	directly 25:10	170:7 171:21
decide 104:3	DePasquale	117:4	26:17 59:3	171:21 180:16
decimal 104:6	40:21	development	60:18,19 100:1	180:19 181:1
104:20 105:9	deprives 176:18	18:11 97:17	116:11 118:13	186:15,15
107:2 110:8	derogate 98:16	124:17 134:4	130:8	189:1,10 192:7
decision 123:2	125:4 137:2	136:10 159:11	Director 17:2	192:16 193:10
155:10	160:4 171:22	171:11 186:5	24:15 66:6	193:10
deck 128:10	186:15 193:10	193:3	73:8	District's 40:17
129:19 130:6	describe 143:9	developments	disabilities 67:6	districts 98:12
131:3 132:6,9	described	51:5,7	disappointed	123:15 125:3
132:19 133:4	180:21	diagonally	56:14	185:4
175:2,6,11	describing	118:22	Disco 21:2	disturbance
176:21 177:4	141:9	died 46:19	discomfort	25:21 85:21
177:11,11,14	deserves 69:4	difference 22:22	23:13	disturbed 37:1
178:12 181:2	design 43:8,13	23:10 74:21	disconnect 59:7	37:13 38:10
182:17,19	117:13 119:7	157:13	disconnected	62:11
183:2	119:12 121:1,3	different 12:3	176:15	disturbing 37:5
decking 177:12	122:22 123:2	30:21 33:1,3,6	discretion 4:12	diverse 44:1
181:10 184:2	145:9	39:1,2 86:15	discuss 156:11	54:10 55:5
decks 175:15	designed 121:20	86:19 87:8,20	discussion 19:19	78:1
181:3	121:21 156:16	129:3 145:18	discussions	Diversity 21:6
dedicated 30:22	157:2,3	difficult 54:14	179:15	divided 181:8
Deed 191:5	designer 16:19	183:16	disenfranchised	DJ 21:1
deep 132:7	desired 89:5	digital 24:12	67:7,7	doable 94:19
default 23:13	destructive	69:9	disgusting	document
definitely 51:6	63:16	dimensional	116:15 117:14	104:13 108:22
64:20	detached 123:17	104:4,12 105:3	dismantled	109:10
definition 47:17	124:1 135:3,9	105:17,20	28:12	documentations
deformity 124:3	158:12,18	123:1,10 124:2	displacement	146:15
delay 120:11	185:6,12	124:4 135:10	44:7	documents
delayed 22:19	detail 169:16	135:11 137:6	disrepair 159:21	191:1
23:20	176:8	158:8,19,20	172:3 173:18	doesn't 130:7
delete 134:16	detailed 95:6	164:2,10 170:5	disrespectful	doing 30:19
delivered 92:12	163:14	171:3 185:13	71:5	58:21 79:11
demolished	details 112:15	185:14 192:14	disrupt 87:1	85:9 91:5
129:16,18	142:4	193:17	disruptive 26:2	128:12 154:16
densely 62:1	detecting 23:12	dimensionally	distance 141:14	156:4 182:7,15
denser 167:17	determined	123:17 135:2	143:16	188:16 189:16
167:17	164:19	158:12 185:6	distancing 62:21	dollars 22:18
density 155:8	detriment 98:5	dimensions	district 16:19	26:18

door 117:20 162:17	22:19 94:7	175:4 178:3,12 181:3 186:2 193:1	130:9	entrance 25:4 35:20
doors 80:5 181:4 181:9,9 182:16 182:20,20 183:16,17,21	dug 142:21	eight 127:15 128:6 144:17 165:18 167:7 182:11	end-of-the-year 20:6	entrepreneur 87:21
dormer 128:20 131:7,10,14 132:2,14	Duong 81:11,16 84:8,9,9 85:14	either 133:16 168:5 179:11 180:7 190:8	energy 80:4	entrepreneurs 26:16 63:3 80:5 88:1
dormers 131:7,9 145:9,9,15 179:4	dwelling 123:18 123:18 124:1,2 135:3,4,9,10 158:13,13,18 158:19 162:20 185:7,7,12,13	eighth 21:13	engage 67:4	entry 84:20 181:9,10 182:8 182:20 183:2 183:15
double 148:19	dying 80:11	elaborates 23:7	engaged 80:15	environment 69:20 80:7 86:4
double-hung 181:7 182:4,5	E	elder 52:21	engineer 34:17	Epstein 57:7,8,9 78:8,9,9 79:9
Downs 117:17 117:18,21 120:16	E 2:1 3:1,1 145:18	elderly 52:21,21 53:9	Engineering 45:17	equipment 33:5
downside 139:5	e- 25:6	element 64:10 142:17 143:7	enhance 163:9 186:18	equity 19:19 21:6 69:10
downstairs 119:17 177:8	e-mail 24:2,16 75:8 120:13	elements 142:7 142:10,13	enhanced 159:19 163:12 186:11 193:8	equivalent 107:2
downtime 27:16	e-mails 24:2	elevation 131:20 132:15 145:18 146:2,6,10,11 177:18,20 181:14	enjoy 26:13 70:19	Erik 17:3 38:15 38:16,16 56:8 56:12 80:18
downtown 54:3	eager 152:3	elevations 131:18 145:18	enjoyed 66:14	escape 59:16 60:5,5
Drag 20:22	earlier 21:20 41:7 45:10 54:11	eliminate 64:4	enjoying 66:16 66:17	especially 59:12 61:17
drawings 103:21 123:9 123:13 137:6 145:19 158:7 170:20,21 193:17	early 26:9 49:1 49:4 78:12	email 10:12	enlargement 123:16,20,22 124:7,9 135:2 135:5,8,15,17 158:11,15,17 159:2,5 169:22 170:2,4 185:5 185:9,11,18,20 192:8,10,12	Esquire 14:19
dream 67:10 69:1	East 19:1 46:5	emergency 3:12 3:17	enlarging 168:21	essential 26:15
Driftwood 76:1	eat 63:22 64:6	Emeris 128:4	ensured 24:5	essentially 141:5 142:6
Drive 2:10 16:8 36:22 38:10 40:20 59:4 71:17 74:7 85:17	eating 49:2	emigrant 44:8	ensuring 62:22	established 40:19 44:13 97:12,16 124:14 136:7 159:9 171:8 186:3 193:2
driver 54:15	Eaton 45:14	Emily 63:13,14	entail 82:22,22	establishing 180:21
driveway 143:11 158:4	economic 18:11 54:15	emitted 27:17	entertainment 17:19 41:2,17 86:18 88:22 98:19	esteemed 16:15
driving 153:12	edge 131:2	emotions 68:21	entire 60:15,15 106:12	estimate 26:17
dropped 24:14	edit 73:10	emphasis 97:7	entirely 21:10	evaluations 52:19
drum 22:17 23:9 23:17 30:16	Edrick 101:7,9	employ 94:20	entitled 170:22	evening 16:9,15 19:13,18,21 40:12 45:8 49:4 60:12
drummers 46:13	educational 19:19	employed 195:9		
due 3:11,18 14:2	effect 14:14 126:17	Employees 1:9		
	effort 17:16 23:7 26:8,10 141:5 141:17	employs 67:2,2		
	efforts 18:1 22:11 42:1 89:9	enclose 190:20		
	egress 97:11,14 124:13 132:4 136:6 142:21 159:8 171:7	enclosed 106:18 189:15		
		encounter 43:22		
		encountered 152:22		
		encroach 130:6		
		encroaches		

61:11 67:21 77:16 103:9 109:16 114:11 138:11 144:4 162:8 172:20 188:11,13 194:13 event 20:1 23:5 26:2 30:8,11 30:20 31:4,5 34:17,22 35:13 35:20 38:22 39:20 42:10 51:13 53:1 54:18 59:14 60:2,10,22 61:3 68:3,3,15 71:7 75:22 76:2 95:3,7 99:21 events 3:17,18 18:13 21:9,15 21:17,21 24:5 27:20 34:11,12 35:7,10 36:1 36:12,13 37:8 39:19 40:2 41:11,17 42:14 43:21 48:20 54:10 55:4 56:6,15,15 59:8,19 62:16 64:13 65:13 66:5,9,10,12 66:17 72:7 78:20 91:18 94:3 eventually 74:20 Evergreen 181:15 everybody 47:9 57:3 84:6 121:10 everyday 38:11 everyone's 86:2 119:8 155:17 exact 92:17 exactly 35:1	45:22 82:20 92:18 149:6 153:9 164:17 example 83:19 exceed 30:16,17 46:2 Excellent 100:4 excess 154:14 exciting 46:16 54:6 79:1 excuse 106:11 executive 3:14 16:18 17:2 24:15 40:22 73:8 exercise 182:18 exercised 40:22 exist 41:20 existence 42:12 85:19 existing 13:18 106:15,22 114:15,19 115:6 122:2 124:8 129:16 129:22 130:13 130:16 132:12 135:16,22 141:1,4,16 142:12 144:5,8 144:9,12,14 145:19 146:13 146:16 154:14 155:2,3 159:3 159:3 160:6 162:18,20 164:9,18 165:8 165:18,21 167:3,5,6 168:20 172:2 175:6,7,9,11 175:16 176:1 177:11,11 178:17 179:4 185:19 188:20 189:7 expand 40:16 160:5	expansion 135:21 expect 22:21 expecting 85:18 expense 156:4,7 expenses 96:3 expensive 62:2 183:21 experience 34:14 43:11 45:18 48:17 57:21 58:4,17 68:12,19 78:11 83:20 107:13 experiences 68:7 experiencing 61:19 experientially 73:17 expiration 14:13 expire 96:8 expires 195:18 expiring 17:12 explain 59:5 107:22 explained 118:2 express 57:11 61:13 91:4 117:22 extend 14:10 83:1 93:12,13 128:16 extended 15:11 15:16 26:8 55:10 91:10 143:1 extending 130:1 175:7 178:1 extends 131:4 extension 13:8 13:20 14:13,16 14:17,22 15:2 15:7,13 41:15 42:15 46:6 68:2,22 91:7 92:5 93:18,19 93:20 142:15	extensions 142:9 exterior 175:5 181:2 exteriors 146:19 extra 166:5,22 167:12 extravagant 133:2 extreme 99:17 extremely 37:5 41:21 65:19 77:5 eye 191:8 <hr/> F <hr/> fabric 66:19 fabulous 58:13 67:17 face 100:1 130:8 141:17 faces 176:17 facet 68:11 facilitated 83:2 facilities 186:18 facility 17:19 88:22 facing 60:19 100:3 fact 34:3 58:10 60:17 93:8 121:13 136:16 159:19 171:16 179:13 186:8 186:10 193:8 factors 160:16 failure 84:22 85:2 Fair 50:12 fairly 127:16 156:6 163:15 166:12 fairness 117:3 faith 98:3 fall 27:12 85:18 96:1 fallen 172:2 falling 173:20 familiar 19:7	88:10 121:18 families 20:7,14 26:16 63:17 87:6 117:9 family 42:22 43:21 53:22 57:12 68:11 85:22 86:7 117:8 127:17 128:1 132:7,20 135:4 160:12 163:5 173:22 family-friendly 20:9 famous 83:12 fancy 107:20 fantastic 51:9 far 51:9,12 87:6 107:7 129:20 130:18 142:14 142:14 144:20 155:1,3 156:9 157:1 164:6,14 164:15,20,21 169:13,13 183:2 farmers 18:10 28:2 62:17 FARs 154:16,19 fashion 21:4 56:9 fast 93:4 faux 164:10 favor 6:16,20,22 7:2 8:21 9:2,5 9:7 11:7,10,13 11:16 14:22 15:2,4,6 99:1,3 99:5,7,9 102:5 102:7,9,11 125:8,10,12,14 137:9,11,13,15 160:16,22 161:2,4 172:7 172:9,11,13 186:22 187:2,4 187:6 193:19 193:21 194:1,3
--	---	--	--	--

favorable 96:9	Fifth 2:17 162:6	66:9 68:14	164:4 166:1,5	164:2 171:3
favorite 52:18	162:14,15	69:15 70:18	166:21,22,22	193:18
53:8	170:22	73:19 77:18	167:11 173:18	formal 27:20
feature 44:10	fight 118:16	78:11,21 82:4	174:2,7,7,8,9	101:16
68:17	figured 45:22	82:19 119:17	174:11 175:2	format 116:14
February 15:14	file 12:4,5 88:9	126:13,14	176:7,20 177:3	129:2
15:17 73:18,19	101:22 130:11	129:14 155:16	178:5,7,15,20	forms 39:21,22
feedback 17:13	147:8 168:14	160:10 170:10	179:2	123:1
24:19 25:3,5,6	filed 14:13 25:20	174:11,11,13	floors 167:4	forth 27:20
25:10 39:21	148:14	177:3 178:5,8	176:20	37:16 104:15
feel 6:11 45:12	filing 148:19	178:11 179:8	flu 18:10 41:14	fortunate 63:4
49:1 51:8 63:4	Filipinx 69:20	188:11 192:19	flyer 36:5	76:18
69:22 76:22	fill 189:11	first-floor	flyered 24:13	forward 10:19
80:8 86:9	filled 68:20	162:16 174:21	focuses 39:15	23:1 65:14
108:12 120:13	105:17	175:1 177:7,22	folks 67:5,6,7	73:1 96:2
122:1 154:1	final 99:14	181:10 182:10	68:11 69:21	104:14 141:7
155:10	148:19	182:16	71:21 139:21	161:16 179:13
feeling 68:18	finalize 10:17	firsthand 79:21	140:10 147:16	found 50:8
80:20 156:13	finally 35:18	fit 116:19 119:2	follow 63:1	78:22 154:21
156:20	72:16	fits 123:2	69:11	154:22
feels 59:13 76:21	financially	five 7:5 9:11	follow-up 92:14	Foundation
feet 114:15,19	195:10	11:20 15:10	followed 45:21	19:18
114:20,22	find 4:8 56:5	21:9 22:13	69:5	founder 34:9
120:20,21,21	57:20 77:2	64:13 99:11	following 27:22	founders 118:20
122:6 128:14	89:22 124:6,6	102:16 107:12	146:19 181:5	four 22:13 24:7
128:15,15	124:11 135:14	109:21 114:19	follows 19:8	31:9 39:2
129:5 131:11	135:14 159:1,3	122:4 125:17	food 18:9 78:4	54:19 109:21
132:7 144:15	185:17,17	128:6 137:18	foot 174:15	127:17 129:10
144:17 145:10	192:20	144:15 146:14	foot-three 131:3	132:13,13
145:11 146:14	finds 97:13,20	150:14,22	footage 141:20	138:17,18,18
149:17 150:14	98:4,8,11	151:9 152:22	164:8 166:19	161:7 167:12
150:22 151:9	123:15 124:16	153:6,7 160:12	188:16	four- 128:13
152:22 153:5,6	135:19 136:5,9	160:18 172:16	footprint 162:22	four-and-a-half
153:7,10 160:8	136:13,22	187:9,10 194:7	188:22	128:15
160:12,18	142:11 143:12	five-foot 143:16	footwork 107:20	fourth 17:21
168:22 174:3	158:10 160:2	five-member	foray 78:21	frame 154:11
174:21 182:11	171:4,5,10	138:21	forbearance	frankly 44:3
fellow 93:9	fine 95:15	fix 109:10	188:13	117:8
felt 44:2 59:6	104:13 106:8	Flagg 16:22	forced 74:2	free 18:9 55:3
65:21	108:16,17	flagging 33:8	fore 118:20	120:13 194:19
fence 118:18	119:5 139:4	flat 131:3	forever 80:12	frequencies
fenestration	157:14,18	flavor 46:11	119:4	23:12
145:10 181:4	finish 163:3	floods 59:12	forget 68:15	frequent 43:1
Fest 83:8,17	finishing 168:21	floor 16:13	form 24:19 25:5	Friday 19:10
Festival 19:20	first 6:6 16:6	104:5,6 119:17	25:6 104:4,12	20:10,21
50:13 83:14	18:21 22:4,11	128:20,21	105:3,17,20	148:21
field 157:13	22:14 36:3	130:4 132:21	115:2 123:11	friend 117:2
fields 147:17	43:17 61:13,21	133:1 136:2	137:6 158:9	friends 43:21

118:22 front 37:3 130:19 131:11 131:20,21 141:17,20 144:13,15,16 151:7 155:20 176:2 177:20 179:1,7 181:4 181:9 182:8,10 182:12 183:15 frustrated 58:6 74:18 ft 190:21 fuel 13:19 full 93:20 114:13 full- 39:14 Fuller 45:15 fully 64:21 79:6 funding 98:14 98:15 fundraiser 68:4 funny 49:1 further 23:14 74:9 83:1 93:19 130:6 149:20 170:5 184:12,16 192:13 195:8 future 42:2 44:15,21 45:2 91:6 104:14 109:4	42:5,10 gatherings 3:13 42:14 Gehlot 112:12 112:12,18,20 112:22 113:5 113:11 162:12 gem 75:19 general 1:3 13:21 14:11 17:4 38:17 56:8 79:15 80:4 169:18 185:2 generally 4:10 132:21 generate 26:17 generated 97:10 97:14 124:13 136:5 159:7 171:6 186:1 192:22 generous 69:15 Gervais 103:8 106:4 107:5,10 109:8,10 110:3 110:7,18,20 111:5 188:11 188:15,19,21 189:5,9,15 191:14,20 getting 34:20 37:15 51:18 79:7 138:13 169:19,19 Getz 162:13 164:12 165:2,5 165:7,10,12,16 165:20 166:3,5 166:8,11,15 167:3,6,10,15 GFA 122:5 Girardin 49:22 50:1,3,3 51:16 51:20 gist 147:10 169:18 give 4:7 10:16	19:6 31:22 47:2 76:22 78:5 85:6 94:22 107:17 113:4 138:19 140:22 141:12 169:16 178:19 189:18 given 89:12,22 91:4 92:5 gives 37:19 47:16 67:3 80:13 94:11 giving 36:21 37:3 63:14 80:15 88:3 109:18 glad 70:7 149:16 go 3:7 4:15 6:19 27:21 29:9 30:6 31:14 37:9,19 46:14 48:3 49:3 52:17 54:9,14 54:18 55:15,16 55:18 56:1,4 58:18 60:9 65:2 80:1,8 104:17,18 106:10 113:9 114:9 119:6 126:15 128:22 129:13 130:3 130:15 139:3 142:4 144:17 146:17 155:5 157:17 161:15 166:8 167:17 173:11 174:11 175:20 183:10 188:14 goes 27:16 94:6 going 16:6 22:22 24:22 32:7 37:14,15 46:15 50:12 51:6 52:3,15 55:7,7 57:14 59:15	60:12,14 64:20 66:10 72:3 73:1,9 75:5 78:2,16,18 86:17 92:2 99:21 103:20 104:8,14 112:17 113:5,9 114:6 116:16 116:17 117:4 117:14 120:20 120:21 127:17 129:21 130:6 138:7 139:1 140:12 141:7 141:19,21 142:4 143:4,18 149:19 157:17 161:14,15,15 164:8 167:10 167:12 177:2 182:17,20 gonna 64:19 good 16:9,15 31:7 32:17 40:12 45:8 61:11 63:6 67:21 90:7,8 98:3 102:2 114:11 127:17 129:6 138:11 139:12 144:3 162:8 163:12 169:3 172:19 178:20 188:11 194:8 goodnight 100:5 125:20 137:21 194:17 gossip 119:9 gotten 30:4 36:10 governing 97:20 Governor 3:14 grade 142:20 160:11 graduate 45:16 graduating 58:1	grant 26:21 27:14 28:6 40:5 57:2 63:8 69:12,15 85:10 96:5,19 97:3 98:21 123:8,16 124:5 125:6 135:1,13 137:7 151:13 158:3,5 158:11,22 160:14,20 169:21 170:17 171:4 172:5 185:5,16 186:20 192:7 193:16 granted 15:12 17:11 54:13 63:18 99:12 121:4 125:19 137:19 161:8 172:17 181:5 187:11 194:8 granting 75:1 85:4 89:17 94:18 137:5 155:11 163:12 185:2 192:20 grants 36:11 123:12 grateful 77:5,8 gratitude 61:13 gray 144:7 great 32:8 33:7 42:11 51:16,19 53:19 54:1,9 55:6 57:6,11 67:17 68:12 70:10,10 86:2 86:3,17 93:8 97:21 98:9 140:7 141:5 147:21 154:1 156:10 159:22 171:17 172:3 179:20 greater 36:1,14 63:6 157:1
G				
g 3:1 160:16 gable 129:7 131:9 Gabriel 120:10 120:14 garage 148:5,5 148:15 149:2,3 149:4,17 garden 147:16 147:16 gas 13:15 gather 27:19				

greatly 95:1 136:17 171:16 186:10	9:5 10:4 11:12 11:13,13 13:4 15:3,4 16:4 29:15 91:16 96:15 99:4,5 101:4 102:8,9 103:4 105:14 112:4 114:4 115:18,19 122:17 125:11 125:12 126:4 133:13 137:12 137:13 138:7 138:16 150:2,7 150:9,16,20 151:4,6,15,18 162:4 168:2 172:10,11 173:4 180:4 184:18 187:3,4 188:4 190:4 193:22 194:1	82:15 88:22 117:7,12 119:22 120:4,7 133:6 hard 11:6 38:12 69:13 72:2 77:19 79:22 94:9 121:11 141:12 178:22 Harding 191:17 hardship 80:2 85:21 86:15 Harmony 75:13 75:14,16,16 Harvard 2:4 8:7 8:11 31:12 36:9 46:5 61:12 74:15 hat 77:6 80:9 hate 52:16 118:16 Hawthorn 2:12 103:7 188:6 190:18 191:5 hazard 97:11,15 98:4 124:14,20 136:6,14 159:8 159:17 171:8 171:14 186:2,8 193:1,6 headphones 62:10 64:2 headroom 132:19 182:12 heads 31:22 44:21 healing 62:19 63:10 76:8 health 41:14 42:1 98:5,9 124:21 136:14 159:18 171:15 186:9 193:7 healthy 19:3 25:13 43:13,13 43:14 hear 8:6 10:6 29:2 37:7,11	38:20 40:9 46:13 48:11 49:12 50:1 53:17 55:20 64:3 73:5 75:2 75:5,14 79:12 81:12,12,15,17 81:19,20 82:1 82:2 86:2 87:13 91:9 101:6 105:22 114:8 116:8 118:10 119:3 126:6,19 127:4 138:5,14 149:16,21 152:3 heard 28:18,22 41:7 54:10 78:10 82:18 89:4 91:2,17 95:5 99:16 102:12,13 115:8 138:18 154:10 hearing 1:3 2:3 2:4,6,7 6:11 8:13 22:5,6,8 23:19,22 24:20 28:18 35:3 60:21 86:4 101:12 128:8 140:11 157:11 179:8 hearings 139:6 heart 46:14 55:2 heartbeat 46:9 46:19 heat 60:8 Heather 152:20 152:20 153:14 heigh 18:8 height 114:15,19 114:21,22,22 119:13,18 120:12,19,20 120:22 122:1,3 122:3 128:14	142:17,18,19 142:20,22 164:18 169:12 169:13 175:16 175:18 181:11 182:9 heights 182:11 held 3:11 18:13 19:17 59:18 76:1 hello 36:20 38:16 40:9 42:18 52:8 55:12,20 66:3 69:8 70:13 73:5,7 75:14 81:16,21,21 85:16 114:8 118:8 126:11 128:2 140:2 152:13 173:7 help 45:11 62:11 80:14,14 91:20 93:9 94:8 144:16 helped 26:17 54:7 hereunto 195:12 Heritage 83:13 Hey 53:17 hi 34:6 36:20 45:8 48:11,13 50:1,3 57:8 59:2 61:11 63:14 65:6 70:15 71:16 75:16 76:15 77:13 78:9 79:11 84:9 85:16 87:13 118:12 138:12 143:21 152:20 162:10 Hickey 1:7 3:4 4:17,18 6:3 7:1 7:2 8:3 9:6,7,7 10:3 11:15,16 11:16 13:3
<hr/> H <hr/>				
habitable 160:9 Hair 118:15 half 18:22 22:14 22:16 26:17 34:13 51:13 63:18 74:10 94:7 108:8 109:22 129:5 145:11 hall 47:10,11 halt 88:5 Hammer 1:8 3:5 4:21,22 6:4,21 6:22 8:4 9:4,5	hand 33:17,19 116:3,5 131:14 133:20,22 147:11 152:8 152:10 168:9 168:11 180:11 180:13 190:11 190:13 195:12 handed 104:14 handle 156:16 157:4 hands 38:5 hang 119:16 hanging 50:11 101:7 happen 26:15 58:7 76:6 84:2 155:21 156:4 happened 24:7 59:22 66:8 happening 29:2 31:4 38:11 46:16 happens 27:11 49:1 109:19 happy 75:9			

15:5,6,6 16:3 29:17 30:5,10 30:19 31:3,12 32:1,4,8 92:8 92:18,21 93:1 93:6 96:17 99:6,7 101:3 102:10,11 103:3 105:16 107:17,20 109:17 110:13 110:15 112:3 113:3,6 114:3 115:21 122:19 125:13,14 126:3 127:1,4 127:10 133:15 137:14,15 138:3 152:1 154:7 157:20 158:1 161:3,4 162:3 168:4 172:12,13 173:3 180:6 184:20 187:5,6 188:3 190:6 194:2,3,11 high 19:11 50:20 58:11,12,17 67:5 182:12 higher 129:19 164:9 hip 129:4 hip-hop 20:12 34:10 35:22 36:2,14 50:6 65:17 hire 83:21 hired 30:22 39:14 historic 180:22 history 119:9 121:18 Hoffman 152:20 152:20 hold 18:7 holds 18:1 19:8 66:18 95:21	holiday 21:14 home 18:9 34:14 59:15,17 63:22 86:19 103:10 119:7,13,13 127:14,15 140:17,17 141:1,3,4,6,16 142:2 155:3 homeowners 193:12 homes 59:9,10 59:12 60:18,18 154:17 186:17 homework 188:16 honest 107:7 honestly 108:12 honor 69:10 80:13 hope 22:22 30:12 55:6,8 57:2,3 58:20 67:16 70:9 77:9 79:6 147:19 155:10 hopefully 45:4 172:20 hopes 132:17 hoping 35:13 91:5 host 56:9 hosted 19:18,21 20:6,11,12,15 20:19,21 21:1 21:3,5 34:12 56:6 hosting 45:9 hour 108:7 109:22,22 162:15 163:19 hours 37:19,22 house 45:15 52:22,22 60:21 108:14 116:14 116:19 117:1,4 118:17 119:1,5 119:14,15	120:4,5,5 121:1 128:11 128:13,18 130:20 131:12 136:16 141:9,9 141:14,17,20 141:21 144:9 144:12,13,15 144:15,18 145:12 146:6 146:13,13 147:17 148:4 149:15,19 151:1 153:7,10 153:22 156:1 156:14,21 173:14,14 174:5,22 175:9 175:12,16 176:2,4,12,14 176:18 179:6 182:13 189:18 housekeeping 15:15 houses 100:3 118:21 129:2,7 130:12 154:18 156:22 housing 20:5 53:6 172:2,3 Huang 55:11,12 55:20,22 56:2 56:2 huge 50:22 51:3 51:4 Hugo 79:11,14 79:15 81:3,5 Humanities 43:4 hundred 149:17 hung 173:10 Hurley 152:21 husband 66:4 Huynh 81:11,16 84:8,9,9 85:14 <hr/> I <hr/> I'm-a 62:9	idea 19:8 29:20 80:6 119:10 154:1 164:13 176:19 ideas 52:17,19 identified 25:17 74:6 identify 40:10 82:19 90:16 images 143:3 imagine 47:6 95:20 immediate 159:15 immediately 25:7 35:4 71:20 91:10 93:3 immensely 68:17 immigrant 56:3 impact 17:16 18:2 39:9 50:22 51:3,4 72:2 103:18 136:17 163:7 impacted 147:15 impacts 83:20 impair 98:12 125:2 136:22 160:3 171:20 186:14 193:9 implemented 23:8 59:12 implore 52:4 importance 45:12 important 32:9 35:18 38:20 41:17,21 47:4 56:22 58:15,19 67:15 71:9 105:19 impose 72:5,10 impossible 65:21,21 impressed 49:5	impressive 82:8 82:9,11,12 improve 26:10 115:1 132:19 142:1 160:5 improvement 16:19 40:17 77:8 89:15 94:10 108:13 improvements 39:9,17 141:22 179:14,15 inauguration 42:9 inches 114:20,21 122:4 131:15 169:14 include 39:10 149:18 included 21:10 23:6 24:8,9,14 26:5 includes 57:22 including 25:3 42:6 65:13 66:11,20 96:6 Inclusion 21:6 income 51:2 86:18 incomes 46:21 incongruous 180:22 incorporated 85:8 97:5 171:2 179:9 181:18 185:2 incorporating 182:4 incorrect 164:22 increase 114:21 122:1,5 124:2 135:10 144:19 149:14 156:9 156:14 158:19 163:4 185:13 increased 170:9 170:11,12 192:18
--	--	--	--	---

increases 169:14	31:20	22:18	6:18 8:3,20,21	Joseph 53:16,17
increasing 142:13,14 168:20	inspectors 31:19	investment 61:17	8:21 10:3 11:6 11:7,7 13:3	53:19 55:10
incredible 69:4 74:16	inspirational 45:1	investments 39:17 162:12 170:22	14:21,22 16:3 28:16,17 29:12 89:20,21 90:4 90:7,10,12,14 90:20 91:13 92:2 96:10,11 98:22 99:1 101:3 102:4,5 103:3 104:21 104:22 112:3,9 113:1 114:3 115:14,15 122:10,12 125:7,8 126:3 127:3,6,8 133:7,8,9 134:20 137:8,9 138:3 148:1,3 148:8,10,12,17 149:3,5,7,9 150:3,5 157:6 157:7 160:21 160:22 162:4 164:1,2,22 165:4,6,8,11 165:13,17 166:1,4,7,10 167:2,5,7,14 167:16 170:15 172:5,7 173:4 179:20,22 180:3 184:12 184:14,21 186:21,22 188:4 189:20 189:22 192:3 193:18,19 194:14,17,20	joy 20:16 57:11 63:2
incredibly 79:1	install 93:2 103:12	invite 60:9 86:7	89:20,21 90:4 90:7,10,12,14 90:20 91:13 92:2 96:10,11 98:22 99:1 101:3 102:4,5 103:3 104:21 104:22 112:3,9 113:1 114:3 115:14,15 122:10,12 125:7,8 126:3 127:3,6,8 133:7,8,9 134:20 137:8,9 138:3 148:1,3 148:8,10,12,17 149:3,5,7,9 150:3,5 157:6 157:7 160:21 160:22 162:4 164:1,2,22 165:4,6,8,11 165:13,17 166:1,4,7,10 167:2,5,7,14 167:16 170:15 172:5,7 173:4 179:20,22 180:3 184:12 184:14,21 186:21,22 188:4 189:20 189:22 192:3 193:18,19 194:14,17,20	joyous 68:9
increments 29:9	installation 97:7	involved 29:19 89:16 185:3	90:7,10,12,14 90:20 91:13 92:2 96:10,11 98:22 99:1 101:3 102:4,5 103:3 104:21 104:22 112:3,9 113:1 114:3 115:14,15 122:10,12 125:7,8 126:3 127:3,6,8 133:7,8,9 134:20 137:8,9 138:3 148:1,3 148:8,10,12,17 149:3,5,7,9 150:3,5 157:6 157:7 160:21 160:22 162:4 164:1,2,22 165:4,6,8,11 165:13,17 166:1,4,7,10 167:2,5,7,14 167:16 170:15 172:5,7 173:4 179:20,22 180:3 184:12 184:14,21 186:21,22 188:4 189:20 189:22 192:3 193:18,19 194:14,17,20	Julce 87:11,13 87:15
Incubator 69:10	installed 93:5 181:12	involves 141:3	90:7,10,12,14 90:20 91:13 92:2 96:10,11 98:22 99:1 101:3 102:4,5 103:3 104:21 104:22 112:3,9 113:1 114:3 115:14,15 122:10,12 125:7,8 126:3 127:3,6,8 133:7,8,9 134:20 137:8,9 138:3 148:1,3 148:8,10,12,17 149:3,5,7,9 150:3,5 157:6 157:7 160:21 160:22 162:4 164:1,2,22 165:4,6,8,11 165:13,17 166:1,4,7,10 167:2,5,7,14 167:16 170:15 172:5,7 173:4 179:20,22 180:3 184:12 184:14,21 186:21,22 188:4 189:20 189:22 192:3 193:18,19 194:14,17,20	July 1:3 3:8 6:11 8:13 10:9 13:11 17:12 21:13 25:19 73:9 74:19 101:12 148:20 148:21 149:1 195:19
incur 96:3	installing 93:15	involving 140:16 141:2	98:22 99:1 101:3 102:4,5 103:3 104:21 104:22 112:3,9 113:1 114:3 115:14,15 122:10,12 125:7,8 126:3 127:3,6,8 133:7,8,9 134:20 137:8,9 138:3 148:1,3 148:8,10,12,17 149:3,5,7,9 150:3,5 157:6 157:7 160:21 160:22 162:4 164:1,2,22 165:4,6,8,11 165:13,17 166:1,4,7,10 167:2,5,7,14 167:16 170:15 172:5,7 173:4 179:20,22 180:3 184:12 184:14,21 186:21,22 188:4 189:20 189:22 192:3 193:18,19 194:14,17,20	jump 141:7 143:19
independently 131:10	instance 29:7	ISSD 24:12 153:3	98:22 99:1 101:3 102:4,5 103:3 104:21 104:22 112:3,9 113:1 114:3 115:14,15 122:10,12 125:7,8 126:3 127:3,6,8 133:7,8,9 134:20 137:8,9 138:3 148:1,3 148:8,10,12,17 149:3,5,7,9 150:3,5 157:6 157:7 160:21 160:22 162:4 164:1,2,22 165:4,6,8,11 165:13,17 166:1,4,7,10 167:2,5,7,14 167:16 170:15 172:5,7 173:4 179:20,22 180:3 184:12 184:14,21 186:21,22 188:4 189:20 189:22 192:3 193:18,19 194:14,17,20	June 18:19 19:9 19:10,13,15,16 19:20,22 20:3 20:5,8,10,12 20:14,17,19,21 21:1,3,5,8 40:21 78:12
indicate 92:11 191:3	institutions 18:15 44:13	ISG 8:14	98:22 99:1 101:3 102:4,5 103:3 104:21 104:22 112:3,9 113:1 114:3 115:14,15 122:10,12 125:7,8 126:3 127:3,6,8 133:7,8,9 134:20 137:8,9 138:3 148:1,3 148:8,10,12,17 149:3,5,7,9 150:3,5 157:6 157:7 160:21 160:22 162:4 164:1,2,22 165:4,6,8,11 165:13,17 166:1,4,7,10 167:2,5,7,14 167:16 170:15 172:5,7 173:4 179:20,22 180:3 184:12 184:14,21 186:21,22 188:4 189:20 189:22 192:3 193:18,19 194:14,17,20	Juneteenth 20:15 41:11
indicated 181:13	instructions 4:7 4:9	island 13:19	98:22 99:1 101:3 102:4,5 103:3 104:21 104:22 112:3,9 113:1 114:3 115:14,15 122:10,12 125:7,8 126:3 127:3,6,8 133:7,8,9 134:20 137:8,9 138:3 148:1,3 148:8,10,12,17 149:3,5,7,9 150:3,5 157:6 157:7 160:21 160:22 162:4 164:1,2,22 165:4,6,8,11 165:13,17 166:1,4,7,10 167:2,5,7,14 167:16 170:15 172:5,7 173:4 179:20,22 180:3 184:12 184:14,21 186:21,22 188:4 189:20 189:22 192:3 193:18,19 194:14,17,20	Junior 20:11 58:16
individual 63:5	insulated 100:2	isolating 47:4	98:22 99:1 101:3 102:4,5 103:3 104:21 104:22 112:3,9 113:1 114:3 115:14,15 122:10,12 125:7,8 126:3 127:3,6,8 133:7,8,9 134:20 137:8,9 138:3 148:1,3 148:8,10,12,17 149:3,5,7,9 150:3,5 157:6 157:7 160:21 160:22 162:4 164:1,2,22 165:4,6,8,11 165:13,17 166:1,4,7,10 167:2,5,7,14 167:16 170:15 172:5,7 173:4 179:20,22 180:3 184:12 184:14,21 186:21,22 188:4 189:20 189:22 192:3 193:18,19 194:14,17,20	juniors 58:2
individuals 63:15	insulation 100:2	isolation 61:20	98:22 99:1 101:3 102:4,5 103:3 104:21 104:22 112:3,9 113:1 114:3 115:14,15 122:10,12 125:7,8 126:3 127:3,6,8 133:7,8,9 134:20 137:8,9 138:3 148:1,3 148:8,10,12,17 149:3,5,7,9 150:3,5 157:6 157:7 160:21 160:22 162:4 164:1,2,22 165:4,6,8,11 165:13,17 166:1,4,7,10 167:2,5,7,14 167:16 170:15 172:5,7 173:4 179:20,22 180:3 184:12 184:14,21 186:21,22 188:4 189:20 189:22 192:3 193:18,19 194:14,17,20	Justice 43:8
infilling 174:22	intact 51:17	issuance 135:21 136:4	98:22 99:1 101:3 102:4,5 103:3 104:21 104:22 112:3,9 113:1 114:3 115:14,15 122:10,12 125:7,8 126:3 127:3,6,8 133:7,8,9 134:20 137:8,9 138:3 148:1,3 148:8,10,12,17 149:3,5,7,9 150:3,5 157:6 157:7 160:21 160:22 162:4 164:1,2,22 165:4,6,8,11 165:13,17 166:1,4,7,10 167:2,5,7,14 167:16 170:15 172:5,7 173:4 179:20,22 180:3 184:12 184:14,21 186:21,22 188:4 189:20 189:22 192:3 193:18,19 194:14,17,20	jutting 141:15
information 24:15 25:22 26:5 146:20	integrity 98:12 125:3 137:1 160:3 171:21 186:14 193:9	issues 22:20 23:20 97:22,22 118:16 123:5	98:22 99:1 101:3 102:4,5 103:3 104:21 104:22 112:3,9 113:1 114:3 115:14,15 122:10,12 125:7,8 126:3 127:3,6,8 133:7,8,9 134:20 137:8,9 138:3 148:1,3 148:8,10,12,17 149:3,5,7,9 150:3,5 157:6 157:7 160:21 160:22 162:4 164:1,2,22 165:4,6,8,11 165:13,17 166:1,4,7,10 167:2,5,7,14 167:16 170:15 172:5,7 173:4 179:20,22 180:3 184:12 184:14,21 186:21,22 188:4 189:20 189:22 192:3 193:18,19 194:14,17,20	
informational 177:17	intends 190:21		98:22 99:1 101:3 102:4,5 103:3 104:21 104:22 112:3,9 113:1 114:3 115:14,15 122:10,12 125:7,8 126:3 127:3,6,8 133:7,8,9 134:20 137:8,9 138:3 148:1,3 148:8,10,12,17 149:3,5,7,9 150:3,5 157:6 157:7 160:21 160:22 162:4 164:1,2,22 165:4,6,8,11 165:13,17 166:1,4,7,10 167:2,5,7,14 167:16 170:15 172:5,7 173:4 179:20,22 180:3 184:12 184:14,21 186:21,22 188:4 189:20 189:22 192:3 193:18,19 194:14,17,20	
infrastructure 17:15	intent 98:17 125:4 137:2 160:4 171:22 186:16 193:11	<hr/> J <hr/>	98:22 99:1 101:3 102:4,5 103:3 104:21 104:22 112:3,9 113:1 114:3 115:14,15 122:10,12 125:7,8 126:3 127:3,6,8 133:7,8,9 134:20 137:8,9 138:3 148:1,3 148:8,10,12,17 149:3,5,7,9 150:3,5 157:6 157:7 160:21 160:22 162:4 164:1,2,22 165:4,6,8,11 165:13,17 166:1,4,7,10 167:2,5,7,14 167:16 170:15 172:5,7 173:4 179:20,22 180:3 184:12 184:14,21 186:21,22 188:4 189:20 189:22 192:3 193:18,19 194:14,17,20	
initialed 123:10 123:14 158:7 170:20	intentional 21:15	jackhammering 72:18	98:22 99:1 101:3 102:4,5 103:3 104:21 104:22 112:3,9 113:1 114:3 115:14,15 122:10,12 125:7,8 126:3 127:3,6,8 133:7,8,9 134:20 137:8,9 138:3 148:1,3 148:8,10,12,17 149:3,5,7,9 150:3,5 157:6 157:7 160:21 160:22 162:4 164:1,2,22 165:4,6,8,11 165:13,17 166:1,4,7,10 167:2,5,7,14 167:16 170:15 172:5,7 173:4 179:20,22 180:3 184:12 184:14,21 186:21,22 188:4 189:20 189:22 192:3 193:18,19 194:14,17,20	
initiatives 18:10 18:12 40:14	interested 56:9 88:13 106:1 195:10	jam 20:20 45:9	98:22 99:1 101:3 102:4,5 103:3 104:21 104:22 112:3,9 113:1 114:3 115:14,15 122:10,12 125:7,8 126:3 127:3,6,8 133:7,8,9 134:20 137:8,9 138:3 148:1,3 148:8,10,12,17 149:3,5,7,9 150:3,5 157:6 157:7 160:21 160:22 162:4 164:1,2,22 165:4,6,8,11 165:13,17 166:1,4,7,10 167:2,5,7,14 167:16 170:15 172:5,7 173:4 179:20,22 180:3 184:12 184:14,21 186:21,22 188:4 189:20 189:22 192:3 193:18,19 194:14,17,20	
Inman 34:8	interior 174:2 175:4	James 59:1,2,3 81:7,8,10,12 81:15,17,18,19 81:21 82:1,3,4 82:7 84:5,7 88:8	98:22 99:1 101:3 102:4,5 103:3 104:21 104:22 112:3,9 113:1 114:3 115:14,15 122:10,12 125:7,8 126:3 127:3,6,8 133:7,8,9 134:20 137:8,9 138:3 148:1,3 148:8,10,12,17 149:3,5,7,9 150:3,5 157:6 157:7 160:21 160:22 162:4 164:1,2,22 165:4,6,8,11 165:13,17 166:1,4,7,10 167:2,5,7,14 167:16 170:15 172:5,7 173:4 179:20,22 180:3 184:12 184:14,21 186:21,22 188:4 189:20 189:22 192:3 193:18,19 194:14,17,20	
innovation 45:1	internally 178:7	jazz 77:17 83:7 83:13,17	98:22 99:1 101:3 102:4,5 103:3 104:21 104:22 112:3,9 113:1 114:3 115:14,15 122:10,12 125:7,8 126:3 127:3,6,8 133:7,8,9 134:20 137:8,9 138:3 148:1,3 148:8,10,12,17 149:3,5,7,9 150:3,5 157:6 157:7 160:21 160:22 162:4 164:1,2,22 165:4,6,8,11 165:13,17 166:1,4,7,10 167:2,5,7,14 167:16 170:15 172:5,7 173:4 179:20,22 180:3 184:12 184:14,21 186:21,22 188:4 189:20 189:22 192:3 193:18,19 194:14,17,20	
innovations 44:17,20	international 21:4	Jeffs 20:19 45:7 45:8,9 48:2,6,8	98:22 99:1 101:3 102:4,5 103:3 104:21 104:22 112:3,9 113:1 114:3 115:14,15 122:10,12 125:7,8 126:3 127:3,6,8 133:7,8,9 134:20 137:8,9 138:3 148:1,3 148:8,10,12,17 149:3,5,7,9 150:3,5 157:6 157:7 160:21 160:22 162:4 164:1,2,22 165:4,6,8,11 165:13,17 166:1,4,7,10 167:2,5,7,14 167:16 170:15 172:5,7 173:4 179:20,22 180:3 184:12 184:14,21 186:21,22 188:4 189:20 189:22 192:3 193:18,19 194:14,17,20	
inroads 25:9	interprets 153:3	Jenna 116:7,8 116:10	98:22 99:1 101:3 102:4,5 103:3 104:21 104:22 112:3,9 113:1 114:3 115:14,15 122:10,12 125:7,8 126:3 127:3,6,8 133:7,8,9 134:20 137:8,9 138:3 148:1,3 148:8,10,12,17 149:3,5,7,9 150:3,5 157:6 157:7 160:21 160:22 162:4 164:1,2,22 165:4,6,8,11 165:13,17 166:1,4,7,10 167:2,5,7,14 167:16 170:15 172:5,7 173:4 179:20,22 180:3 184:12 184:14,21 186:21,22 188:4 189:20 189:22 192:3 193:18,19 194:14,17,20	
inside 31:9 42:10 47:14 78:18 146:4 168:19 174:19	intersected 78:15	Jesse 14:19 134:9	98:22 99:1 101:3 102:4,5 103:3 104:21 104:22 112:3,9 113:1 114:3 115:14,15 122:10,12 125:7,8 126:3 127:3,6,8 133:7,8,9 134:20 137:8,9 138:3 148:1,3 148:8,10,12,17 149:3,5,7,9 150:3,5 157:6 157:7 160:21 160:22 162:4 164:1,2,22 165:4,6,8,11 165:13,17 166:1,4,7,10 167:2,5,7,14 167:16 170:15 172:5,7 173:4 179:20,22 180:3 184:12 184:14,21 186:21,22 188:4 189:20 189:22 192:3 193:18,19 194:14,17,20	
inspect 32:3	intervals 95:6	Jillian 49:22 50:1,3,3 51:16 51:20	98:22 99:1 101:3 102:4,5 103:3 104:21 104:22 112:3,9 113:1 114:3 115:14,15 122:10,12 125:7,8 126:3 127:3,6,8 133:7,8,9 134:20 137:8,9 138:3 148:1,3 148:8,10,12,17 149:3,5,7,9 150:3,5 157:6 157:7 160:21 160:22 162:4 164:1,2,22 165:4,6,8,11 165:13,17 166:1,4,7,10 167:2,5,7,14 167:16 170:15 172:5,7 173:4 179:20,22 180:3 184:12 184:14,21 186:21,22 188:4 189:20 189:22 192:3 193:18,19 194:14,1	

79:22 80:19 114:21 140:12 182:14 keeping 39:2 51:16 191:8 keeps 31:8,11 kept 4:6 31:3 key 58:17 kick 104:2 139:6 kid 50:10 kids 20:7 66:14 119:16 128:3 169:3 Kimberly 134:12 kind 17:6 34:15 34:16 35:4,6,9 35:11,17 36:2 36:3,4,6,15 46:16 54:5 59:5 60:22 70:6 83:2 91:19 121:11 121:15 131:16 141:15 148:4 166:13 169:4 173:20 174:8 176:8,15 178:4 178:10,22 kindly 114:14 kindness 85:8 85:11 King 34:5,6,6 50:6 kitchen 176:11 Klondike 83:12 83:15,22 know 17:1 27:19 30:1 31:12 34:14,18 35:3 35:7,8,11,13 35:14,15,16,19 36:1,9 37:14 38:22 39:20 44:18 46:10,16 47:9,10,16 49:10 50:8,11 50:12,16,22	51:2,5,17 54:3 54:14,19,20,22 55:2 56:17,20 57:13,19 62:3 62:4,7,10 63:9 63:19 70:9,19 70:21 71:1,6,9 71:11,20,22 72:5,16,19 74:1,17,19,20 77:17 78:18 79:21 80:1 82:10 86:8 91:20 92:3,5 94:13,17 99:17 99:18 100:2 101:16 106:1 107:19 109:9 116:13,13,16 117:4,4,7,8,10 118:17,19 119:6,7 120:3 121:10,16,17 127:16 130:12 132:7,21 140:14 141:19 144:19 145:1 145:21 146:16 149:13,17,20 155:5,6,9,22 156:6,19 157:10,13,14 157:15,16,17 164:14 166:19 175:17 176:17 182:17 188:15 189:12 known 67:22 84:13 97:1 162:14 Kumar 134:11 <hr/> L <hr/> L-u-i-s 75:7 landing 177:5 language 153:2 154:9 Lani 69:7,8,8	large 156:19 177:15 183:7 largely 127:16 129:2 176:9 larger 36:15 169:4 lasted 59:19 lastly 54:22 115:8 late 188:15 Latin 19:10 20:2 41:13 88:11 Laughter 70:4 82:7 163:22 laundry 133:3 law 3:16 13:21 14:11 139:16 154:9 layout 144:22 145:5 layouts 151:20 lead 43:12 83:9 leadership 85:3 learn 67:3 75:3 87:19 learned 103:11 learning 18:9 87:20 leave 59:16 63:22 104:3 190:21 left 89:4 117:10 128:18 130:5,9 130:17 132:11 141:11 144:5 145:20 147:13 174:14,15 175:21,21 left-hand 176:9 178:5 legal 13:13 39:3 104:13 108:19 108:22 166:16 lengths 97:21 Leonard 2:13 112:7,8,10 126:14 172:22 173:6,11	181:14 Lesatele 114:8 114:10,11 121:8 122:9 125:21 Lesley 140:19 lessen 39:9 let's 35:12,12 143:3 166:8,21 173:13 174:11 letter 6:8,9 22:2 23:6 24:11 73:9,10 83:3 88:9 134:4,10 134:11,13 154:2 letters 22:1,4 98:9 130:11 137:3 147:7,12 153:20 154:3 159:14 level 29:20 51:6 82:21,21 144:5 144:6,6,22 145:5,8 149:18 169:15 174:21 levels 30:9 31:4 31:5,15 33:6 39:1 155:1 LGBTQ 41:11 LGBTQ-centric 68:4 Liceaga-Rojas 42:17 license 19:6 21:21 24:4 25:11 29:8 31:19,21 37:18 38:3,6 41:6 60:3 71:5 86:2 95:7,9 Licensing 25:22 37:15 38:2 life 38:11 43:19 44:1,4 49:13 52:16,21 63:21 65:1 68:9 86:19,19 87:2	87:2 lifelong 50:4 light 64:8 139:8 144:11 162:15 176:19 lights 181:8 limit 32:15 39:3 52:4,6 56:15 120:20 175:17 limited 22:12,15 limiting 3:12 limits 32:5 34:20 97:6 line 13:8 19:12 45:22,22 52:3 58:9 78:13 91:19 94:9 101:8 103:17 104:4,17,17 141:6,16,18 142:16 144:12 145:14 174:16 lines 145:3,6,16 145:22,22 146:4,8,11 list 19:5 82:11 89:21 90:1 listen 53:8 64:15 64:22 71:3 76:18 listened 70:6 71:21,22 listening 52:17 77:17 Lit 19:21 literal 155:1 literally 59:13 59:19 74:11 116:22 literary 19:21 literature 24:14 little 15:15 45:14 49:12 54:20 74:9 76:21 82:14 101:14 103:18 103:21,21 107:8 121:15
---	--	--	---	---

121:15 128:6 130:21 141:12 141:14 150:10 153:6 155:10 166:18 176:8 182:17 livability 186:18 livable 106:12 live 18:11 19:2 21:10 22:15 23:9 26:19 30:15 34:7 35:8,15 39:10 43:1 45:14 46:3 47:2 48:14 49:7 50:4,10 53:21 56:3,21 57:9 57:15,22 59:3 60:22 61:12 62:8,14 64:4,5 65:1 69:11 71:17 72:13 74:15 75:3,3 75:17 78:10 85:16 86:3,13 87:1,1,6 91:3 116:11 118:13 119:11,16 127:18,19 128:3 134:8 lived 48:15 61:22 65:1,10 74:15 78:1 128:5 livelihood 46:21 lives 37:10,20,20 37:21 38:10 57:18 63:17 77:2 80:12 83:14 120:14 living 38:12 46:12 47:7 49:10 52:15 59:21 62:12 72:17,18 86:4 116:17 118:15 132:18 142:3	176:11 178:11 Liz 77:12,13 LLC 11:2 139:17,18,19 162:12 181:15 loading 170:6 192:15 local 14:2 18:14 21:1 41:12,21 63:3 69:18 79:4,21 80:15 located 141:21 151:9 160:8,12 192:16 locations 23:4 long 38:3 59:15 65:21 76:3 93:1 109:18 116:10 118:14 126:14 132:7 140:13 long-term 66:20 longer 8:15 longtime 34:7 36:22 look 10:18 35:11 44:21 91:6 99:20 116:14 116:15,18,21 117:5 118:19 119:18 121:10 122:22 166:21 182:14,21 183:16 looked 26:10 73:1 looking 30:10 65:14 100:2 105:2 106:22 117:1 179:13 183:3,3,5,22 looks 43:12 47:20 49:6 86:8 117:5 120:5 130:7 loss 61:19 141:19 lost 76:3	lot 25:4 35:22 36:15 37:4 40:20 41:1,18 43:11 50:22 51:2 54:3,4,10 54:13 55:3 65:13 69:20,20 77:3 86:11 94:5,21 104:5 105:8 106:11 106:12 117:10 118:15,16 119:9,9,9 120:3 141:16 142:16 147:4,5 149:15 152:2 155:7 156:18 156:21,22 160:17 163:1 188:16 189:3 lots 87:5 loud 30:2 59:7,8 64:1 70:2,3 71:5 95:5 louder 35:9 loudest 30:2,3 loudly 62:5 loudspeaker 29:19 love 54:1 65:1 78:2 loved 77:16 87:2 lovely 48:22 176:16 low 131:2 low-enough 131:17 lower 70:5 127:19 132:3,3 132:13 149:18 167:15 169:19 175:21 182:13 lowered 169:15 169:15 lowering 182:9 luck 194:9 lucky 54:9 68:12 Luis 17:1 73:4,5	73:7,7 75:7 80:18 <hr/> M <hr/> M-i-n-k-o-o 8:10 mad 70:6 Mafu 20:4 Magazine 43:1 Magazine's 66:11 magical 78:5 mahogany 183:12 mail 25:7 main 31:2 58:3 72:18 84:17,18 maintaining 26:12 major 17:14 59:7 Majored 45:16 making 57:18 61:16 65:20 67:15 115:1 143:19 169:4 managed 66:10 management 14:4 76:17 77:7 manager 11:1 17:3,4,5 23:6 31:1,10 38:17 39:15 40:13,15 40:21 46:4 56:8 79:16 Manager's 41:4 83:2 managers 62:22 64:20 80:3 managing 38:19 manifestation 67:10 manner 98:3 Manny 67:20,21 67:22 manually 70:4 map 153:19	March 3:14 17:10 22:8 26:14 73:18 89:8 Margaret 45:15 191:15 Maria 6:9 8:10 10:10,11 101:10 Mark 16:20 191:16 market 18:10 28:2 62:17 66:6 Marlene 20:17 Mary 191:15 Mass 10:7 13:16 13:21 46:10 47:5 50:9 72:18 79:16 116:11 140:20 Massachusetts 1:5,6 2:5,7 13:7 14:11 47:19 68:5 83:14 195:2,5 massing 121:15 master 129:19 131:4 132:6 133:4 191:5 mat 157:17 match 169:15 182:13 matching 177:14 math 105:9 107:21 108:9 matinee 19:15 Matt 17:4 83:3 matter 8:8 9:12 10:22 11:5,21 12:7 13:6 14:20 15:11,16 59:11 101:18 102:3,16 121:1 138:20 162:12 Matthew 16:21 40:8,9,12,12
---	--	--	--	---

<p>maximum 114:15,22 122:6 Mayor 22:3 47:13 88:7 Mbie 20:3 mean 27:18 29:22 31:15 83:1 90:12 94:2 107:7 116:22 149:14 149:15,18 153:8 157:10 176:10 meaning 153:4,9 means 76:10 175:4 178:12 meant 36:7 49:17 72:14 76:6 measurement 28:10 45:19 measurements 74:12 measures 82:11 90:2,6 measuring 74:8 mechanical 133:3 171:19 186:12 mechanicals 159:22 mediation 83:2 meet 46:1 53:10 77:19 121:4 131:8,9,10 meeting 1:4 3:8 3:10,11,16,20 10:13,14 19:17 21:18 24:8,11 24:21 29:2,9 38:1 49:2 61:3 73:14,19,19,21 83:4 88:15 89:8 90:1 95:5 95:18 110:17 meetings 3:17 4:9 37:18,22</p>	<p>38:2 60:4 179:10,12 member 16:18 33:14 62:15 69:9,9 77:14 133:17 152:6 168:6 190:9 members 3:4 4:3,3,6,14,14 6:3 8:3 10:3,11 13:3,13 16:3 16:15 19:7 24:18 49:17 61:13,19 62:19 67:2 79:2 86:7 89:16 93:9 94:15 95:2 101:3 103:3 105:19 112:3 114:3,10 115:13 116:1 125:18 126:3 126:11 138:3 138:17,18 144:4 147:1 161:10 162:3 172:3 173:3,7 180:8 187:9 188:3 190:16 194:8 members' 94:17 memorial 20:20 66:7 memories 50:16 58:11,12,13 68:21 Mendez 79:11 79:14,15 81:3 81:5 Meneses 19:22 mental 67:6 mention 57:17 61:2 87:17 mentioned 21:9 38:22 39:3,8 39:11,14 40:1 58:16 131:4 132:2 178:19</p>	<p>Mercedes 61:10 61:11,12 mercy 52:5 message 24:14 met 63:17 84:12 97:10 124:12 135:20 159:7 171:6 186:1 192:22 meter 34:18 meters 39:2 Michael 16:8,9 16:11,14,16 27:5,8,13 28:1 28:8,11 29:4,6 29:17 30:3,7 30:13,21 31:7 31:18 32:2,6 32:11,15,17,21 33:7 45:10 59:1,2,2 88:7,8 88:15,18 90:3 90:16,17,19 91:22 92:11,13 92:20,22 93:3 94:1,5,20 95:11,14,17 96:21,22 100:6 103:7,8 106:4 107:4,5,10 109:8,10 110:3 110:7,18,20 111:5 188:11 188:15,19,21 189:5,9,15 191:14,20 Mid 179:7 180:16,18 mid-19th-cent... 140:17 mid-July 24:7 middle 19:1 46:5 96:1 131:21 174:6,8 178:16,18 Middlesex 195:3 midnight 59:20 Mike 22:3 64:8</p>	<p>134:8 miles 153:10 million 26:18 mind 139:2 140:21 143:4 154:11 minimum 120:22 Minkoo 8:10,17 minor 115:1 151:18 175:17 179:8 191:10 minute 52:4 minutes 4:10 15:19 33:20 52:6 75:15 82:6 87:14 116:6 134:1 152:11 168:12 180:14 190:14 miscalculation 164:3 misread 107:3 misreading 150:11 missed 76:8 missing 25:12 108:22 MIT 36:10 43:3 mitigate 17:16 18:2 62:11 72:2 mitigates 93:16 mitigating 90:6 mitigation 22:11 39:16 73:21,22 82:11 90:2 92:4 93:7 99:19,22 mitigations 89:21 mix 19:3 Mm-hm 188:19 mobile 13:15 model 44:22 modern 136:17 142:2 186:17 186:17</p>	<p>modernize 142:2 modification 136:3 160:17 modifications 10:14 143:8 151:13 160:15 modified 132:12 modulating 83:20 mom 48:17 68:14,19 moment 17:22 19:5 21:12 43:18 44:5 70:1 139:2 momentarily 127:12 moments 69:2 Monday 12:5 21:19 102:1 147:8 Monestime 16:9 16:11,14,16 27:8,13 28:1,8 28:11 29:4,6 30:3,7,13,21 31:7,18 32:2,6 32:11,17,21 33:7 88:18 90:3,17,19 92:13,20,22 93:3 94:5,20 95:14,17 96:22 100:6 money 54:20 monitored 25:6 39:1 monitoring 23:3 49:8 83:18 monitors 23:11 Monteverde 1:7 3:5 4:15,16 6:4 6:15,16,18 8:4 8:20,21,21 10:4 11:6,7,7 13:4 14:21,22 16:4 28:16,17</p>
---	--	---	---	--

29:12 89:20,21 90:4,10,12,14 90:20 91:13 93:11 96:11 98:22 99:1 101:4 102:4,5 103:4 104:22 112:4,9 113:1 114:4 115:14 115:15 122:10 122:12 125:7,8 126:4 127:3,6 127:8 133:8,9 134:20 137:8,9 138:4 148:3,8 148:10,12,17 149:3,5,7,9 150:3,5 157:7 160:21,22 162:4 164:1,2 164:22 165:4,6 165:8,11,13,17 166:1,4,7,10 167:2,5,7,14 167:16 170:15 172:6,7 173:4 179:22 180:3 184:14,21 186:21,22 188:4 189:22 192:3 193:18 193:19 194:14 194:17,20 month 13:8 20:21 24:6 27:6 35:6,12 41:11 monthly 24:2 95:21 months 14:11,17 14:21 15:11,13 79:3 morning 73:15 Moses 66:7 mother 68:13 86:21 motion 6:14 8:18,19,20 9:1	11:5 14:20 96:5,18 97:3 98:21 101:18 102:3 123:8 125:6 134:19 137:4,7 158:2 158:5 160:20 170:16 172:5 184:19 186:20 192:2 193:16 move 113:3 144:15 moved 61:21 118:14 119:10 128:20 movie 20:9 moving 96:2 103:6 153:22 Mozambiquan 20:4 much-needed 63:2,9 Multicultural 36:10 multiple 23:4,5 30:8 35:16 36:11 39:21 115:3 multiracial 117:8 Municipal 40:20 41:18 music 19:2 20:4 21:10,10 22:15 29:19 35:15 39:10 41:12 45:16 47:2 52:18,20 53:8 59:12 60:14 62:2 64:5,5,9 64:11,12,14,15 76:5 91:18 musicals 58:1,3 musician 65:11 70:18 musicians' 46:20 mute 4:6 33:19	34:1 112:9 116:5 133:22 152:10 168:11 180:13 190:13 muted 6:18 55:17,18 <hr/> N N 2:1 3:1 Nada 85:15,16 name 3:9 4:4 16:16 34:6 38:16 42:18,19 42:19 45:8 48:14 56:2 57:9 59:2 61:12 66:3 67:21 70:15 71:16 73:7 78:9 80:13 83:12,15 84:12 96:20 114:11 118:12 128:2 139:15 173:8 narrow 141:13 178:22 narrowness 160:17 nature 97:19 124:18 136:11 159:13 171:12 186:7 193:5 near 83:11 86:12 91:6 nearby 79:4 need 8:15 14:2 43:9 60:5 62:9 71:2,3 75:3 83:5 88:9 93:14 101:14 101:16 104:16 105:16 107:14 138:18 141:5 needed 19:3 71:22 101:17 103:10,12 153:11 needs 47:9 57:12	87:9 177:13 negative 28:21 29:22 156:9 negotiating 101:14 neighbor 33:4 82:15 177:6 neighbor's 26:3 neighborhood 24:3 38:18 51:10 56:21 72:13,15 76:11 97:12,16 105:22 117:9 118:20 119:2 121:19 123:3 124:9,15 128:7 135:16 136:7 140:19 142:12 144:17 147:5 147:18 155:19 156:3,22 157:15 159:4,9 159:15 163:10 171:9 180:16 180:18 185:20 186:3 193:2 neighborhood's 119:21 neighboring 117:22 177:6 neighbors 17:14 18:2 24:1,3,21 25:9 26:9,19 28:20 37:1,6 39:7,9 53:9 72:1 75:2,2 76:4 78:2 84:1 84:16 85:6 89:10,11 91:3 91:21 93:9 101:14 103:18 118:14 123:3 130:8,10 147:11,15,15 155:20 157:14 177:7 179:13 neighbors' 85:7	93:16 neither 195:8 Nelson 17:4 40:8 40:9,12,12 83:3 net 115:6 never 30:16,17 38:2 39:4 46:2 48:3 68:15 119:3 never-ending 80:2 new 10:21 12:1 12:3 44:8 47:11 72:6,11 72:19 76:3,4 80:6,14 83:8 83:13 101:20 101:21,22 117:22 118:13 119:7 122:8 123:2 124:3,3 128:17,19,20 129:16 131:20 132:17 133:1 135:11 142:21 145:1,2,9 146:3 148:5 154:10,11 158:20 159:21 165:18 171:17 171:18,18 175:12,18 177:10 178:6 181:3 185:14 186:12 next-door 33:4 nice 52:12 71:7 183:16 night 19:1 21:11 30:8 48:21 68:15 108:9 163:20 nightclub 59:21 nightlife 47:21 48:2,4 nights 22:15 35:8 68:9
--	---	---	---	--

<p>Nina 16:21 73:20 nine 48:15 144:17 169:14 174:16 noise 29:20,21 31:15 33:1,2,3 33:3 39:4,18 40:2 45:21 49:9 56:19 72:16,20 86:5 86:14 87:1 99:17 noise- 62:9 noise-canceling 64:2 noise/sound 32:16 noises 37:5 49:12 noisy 62:2 Nomadik 21:1 non 169:11 181:18 184:1 non- 123:22 124:2 135:5,8 135:10,11 141:2 142:9,13 144:7 158:17 158:19,20 169:22 170:2 175:7 185:11 185:13,14 192:10 non-conforming 123:17,20 124:8 129:20 130:1 132:11 135:3,16 142:8 144:8 158:12 158:15 159:4 169:9 170:10 170:19 185:6,9 185:19 192:8 192:13,17,19 non-conformi... 122:8 128:17 129:17 169:12</p>	<p>175:13 non-conformity 124:4 128:17 142:12 170:8 175:19 non-profit 34:9 nonbinding 184:4 nonmusical 91:19 nonstop 59:20 60:14 Nope 122:12 Norfolk 25:5 normal 57:20 normalcy 80:9 normally 104:1 north 53:21 82:4 114:18 140:19 146:2 Northeastern 43:10 Notary 195:4,17 notation 165:1 note 92:9 94:6 193:14 notes 98:13 137:3 159:14 noticed 72:8,9 notifying 29:1 November 28:3 nuisance 98:4 124:20 136:14 159:17 163:7 171:14 186:8 193:6 number 4:11 23:8 28:7 33:9 34:12 39:12 58:5 75:9,9 88:12,12 90:18 97:5 98:8 104:6,20 105:8 105:9 130:12 141:10 143:21 144:1 147:7 152:19 153:18 156:14 162:21</p>	<p>163:8 164:5,22 165:2 168:20 174:14 189:11 numbers 22:16 30:18 85:7 104:19 106:2 108:10 109:1 109:15 110:8,8 110:10 numerically 30:2 nuts 153:12</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>O 3:1 O'Malley 120:10,14 O'Riordan 40:16 oasis 62:14 object 120:12 obtain 14:2 obviously 27:18 82:8 140:14 142:2 occupant 160:1 171:17 occupants 98:6 124:22 136:15 136:18 159:19 171:16 186:10 193:8 occupiable 160:10 occur 93:7 143:13 October 27:9,12 27:21 28:7 35:14 57:4 89:18 95:12 96:8 99:12 off-street 170:6 192:14 offer 44:3 69:16 83:19 offered 69:22 office 41:4 83:3 103:10 117:6</p>	<p>165:21 166:18 official 96:20 oh 52:1 126:10 138:9 139:15 148:7,17 150:4 166:3 okay 27:18 28:9 28:13,15 29:11 29:12,13,16 32:19 33:13 38:4 47:22 48:2 65:6 82:4 83:5 90:11 91:12,22 92:7 94:13 95:10,16 96:4,18 100:5 103:20 106:3 109:11,14,20 110:5 112:19 112:21 115:13 116:10 122:7 128:9 133:7 134:18,21 138:9,14 139:8 139:10 140:7 143:5 144:2 148:17 149:7 151:17,21 152:5,18 155:12 157:19 157:21 158:2 165:11 167:20 169:20 170:13 170:16 173:11 173:11 182:22 183:22 184:5 184:10 188:9 189:2,11,20,20 191:18 194:12 old 107:12 192:5 Olivia 1:10 4:15 4:17,19,21 5:1 17:6,8 18:3,19 22:10 23:2 30:7 34:5 36:19 38:15 40:8 42:17 45:7 48:10</p>	<p>49:22 51:21 52:1,7 53:16 55:11,17 57:7 59:1 61:10 63:13 65:5 66:2 67:20 69:7 70:12 71:15 73:4 75:13 76:14 77:12 78:8 79:10 81:7,11 84:8 85:15 87:11 90:16 101:10 116:7 117:17 118:7 128:9 129:14 140:21 143:4 143:19 152:12 152:19 153:15 173:9 Omicron 42:9 on- 160:10 on-grade 151:7 160:7 once 35:6,12 64:16,20 93:2 93:17 154:15 one's 87:2 178:17 one- 150:14 151:8 153:5 160:11 one-story 175:22 181:2 ones 121:20 online 10:8 89:22 open 3:15 27:2 33:14 41:2 46:22 55:3 80:4 105:4,8 106:13,14 115:22 132:18 133:17 142:1 149:16 151:7 152:5 160:7,11 168:6 176:20 176:21 180:8</p>
---	---	--	---	--

<p>189:3 190:8,21 192:5 193:13 open- 103:9 openings 136:3 opens 178:12 operate 17:18 19:2 28:3 30:12 operated 97:13 operation 96:7 97:17 98:10 124:16 136:9 159:11 171:10 186:5 193:3 operations 17:15 97:22 opinion 62:13 opportunities 65:20 opportunity 36:4,6,21 48:13 57:9 67:3 77:1,6,9 79:7 80:22 107:18 opposed 183:19 opposing 121:9 opposition 88:8 105:22 157:11 orange 174:22 order 3:14 10:16 14:5 124:5 131:14 132:3 135:13 158:22 180:20 185:16 189:17 ordered 22:19 23:19 92:10 93:8 orders 3:12 74:13 ordinance 32:15 33:1,2,9 39:4 97:9,18 98:17 104:9,10 107:2 124:12,18 125:5 131:10 135:20 136:11</p>	<p>137:2 143:15 159:7,12 160:5 171:6,12 172:1 186:1,6,16 189:11 192:22 193:4,11 ordinances 45:21 63:1 organization 25:10 31:2 34:9 organizations 41:22 44:12 organize 58:9 organized 37:8 75:22 organizer 66:7 68:3 75:18 organizers 18:14 34:11 71:6 original 2:3,4,6 2:7 148:14 164:12,20 originally 35:19 50:9 73:14 Orleans 83:8,13 out-of-schoolt... 18:9 outcome 95:18 96:3 195:10 outdoor 17:18 19:17 21:6 41:2 44:19 47:21 88:21 outer 131:2 outfield 83:9 outreach 24:13 25:14 39:22 147:5,11 outside 24:18 31:9 37:11 41:18 42:5 60:9 78:4,4 106:19 175:4 176:21 178:13 outweighs 156:9 overall 39:11</p>	<p>overlooking 59:3 oversee 41:5 Owen 40:15 128:3 owned 117:1 127:14 owner 85:2 108:1 114:12 139:17 155:14 owners 26:18 104:15 109:4 109:13 117:18 127:11 134:5 152:15 179:11 179:12 190:17 193:15</p> <hr/> <p style="text-align: center;">P</p> <hr/> <p>P 3:1 p.m 1:4 3:3 6:2 8:2 10:2 12:2,5 13:2 16:2 21:19,20 35:1 48:4 60:11,11 101:2,19,21,22 102:17 103:2 112:2 114:2 126:2 138:2 162:2 173:2 188:2 194:21 Pacheco 6:9 8:10 10:10 packet 22:1 23:7 page 2:2 129:13 129:14 130:3 130:15,22 131:6,19,22 132:5,10,16,22 141:8,10 143:20,21,22 146:17 173:14 174:12 175:20 176:6,22 177:9 177:16,19,21 178:2,9,14 pain 82:3 pandemic 18:8</p>	<p>18:15,16 22:21 41:3 42:5 50:21 57:14 69:12 79:19 panel 19:18 27:4 paneling 22:19 23:18 panels 91:5 92:10,11,16 93:15 pantry 176:13 parameters 30:12 97:6 parcel 92:5 parents 66:15 park 2:15 126:7 126:8 127:12 128:4 134:5,6 134:9,10,11,12 150:21,22 157:12 parking 37:4 86:11 143:13 150:11,13 151:8,20 152:22 160:8 160:11,18 170:6 192:15 Parkway 13:16 part 28:3 46:9 46:12 49:10 58:17 72:16 78:12 79:5 88:14 89:3 92:5 107:4 114:16,17 129:1 144:19 145:15 154:4 156:11 164:14 164:15,20 168:15 179:16 181:22 Participants 33:16 116:2 133:19 152:7 168:8 180:10 190:10 participate 57:9</p>	<p>58:3,14,19 152:16 participating 43:18 59:14 60:21 participation 43:14 particular 30:11 31:5 particularly 58:1 133:2 150:10 173:17 parties 195:9 partner 43:2 partner's 42:19 parts 47:19 89:12 party 132:9 pas 164:10 pass 64:21 68:22 109:4 passionate 67:11 path 130:7 patient 56:13 88:19 patio 162:17 pattern 182:14 patterns 97:10 97:14 124:13 136:5 159:7 171:7 186:1 192:22 Pause 13:10 55:14,16 81:9 pay 95:21 peak 131:12 pending 83:4 people 27:3,19 31:14 36:16 37:7,9,11,12 38:12 42:5 44:7 49:2,15 50:22 51:2 52:2,12,14 53:4,7,10,11 54:16,20 55:3 56:21 57:18</p>
--	--	--	--	--

<p>58:19 62:4,5 64:6,13 65:12 65:17,19 66:19 67:11,17 68:19 68:21 71:2,6,7 74:2,4,6 76:22 77:3 78:16,17 80:3,5 83:4 84:1 86:7,16 87:4,22 88:13 119:10 120:3 121:9 139:6 143:14 153:18 153:20 156:3 159:15 160:5 164:17 169:2 177:7 186:16 people's 60:18 80:12 perceived 59:8 percent 39:13 72:6 115:7 145:10 149:14 170:9 192:19 perception 121:11 perfect 83:17 144:2 perform 31:20 58:10 69:11,14 69:17 performance 33:9 35:20 57:16 58:1,7 64:6 69:14 70:3,18 77:18 77:20 performances 18:11 23:9 41:10,13 46:17 64:5,9,9,10 74:11 performed 19:12,13,15 20:3 21:8 performer 65:11 performers</p>	<p>31:16 39:6 66:22 68:18 69:18 performers' 33:2 performing 19:11 65:14 period 14:17 15:11,13 17:12 17:13 173:16 permanence 47:7 permanent 64:16 permission 189:19 permit 14:4 17:20 26:22 27:14 28:6 37:3 40:5,18 41:15 51:18 55:8 57:3 63:8 63:18 65:10 71:4 72:22 75:1 83:5 85:4 85:10 89:18 94:18 96:5,8 96:19 97:4 98:21 99:12 112:14 121:5 123:9,12,16 124:5 125:6,8 125:10,12,18 128:11 134:22 135:1,13,22 136:4 137:5,8 137:9,11,19 142:5 150:18 151:3,13 155:4 157:16 158:3,5 158:6,22 160:15,20,22 161:2,8 162:19 163:13 169:22 170:17 171:5 172:5,7,9,11 172:17 185:3,5 185:16 186:20</p>	<p>186:22 187:2 187:10 189:17 192:4,8,21 193:12,16,19 193:21 194:1,4 194:8 permits 14:2,3,7 14:8 30:16 150:13 154:10 158:11 permitted 3:18 94:7 95:9 97:18 122:21 123:19 124:17 135:4 136:10 158:14 159:12 170:1 171:11 185:8 186:6 192:9 193:4 permitting 103:11 191:4 person 26:3 31:14 62:7 68:10 77:14 personal 24:16 51:6 75:9 77:1 85:7 personally 24:20 72:21 74:10,14 116:14 147:11 157:3 perspective 59:6 86:20 87:8 122:22 petition 104:21 153:21 petitioner 6:15 11:22 97:6 101:20 106:1 107:18 109:15 112:13 121:6 162:11 163:3 163:11 petitioner's 9:12 petitioners 139:17 petitions 153:18</p>	<p>PF 128:10 phone 24:17 33:18 75:8,9 85:7 116:4 133:21 152:9 152:19 164:17 168:10 180:12 190:12 phonetic 80:18 84:13 128:4,4 photo 141:11 143:5 photograph 174:6 photographs 173:19 Photography 41:9 photos 163:2 picture 119:1 Pictured 23:17 pictures 106:17 145:20 piece 24:14 33:5 pink 174:18 place 2:16 37:4 41:8 42:5 43:20,21 44:9 44:12,14 46:18 47:1,6 48:16 49:18 50:8 54:9,9 58:10 58:18 65:19 69:3 70:17 77:6 84:20 88:1,1 98:2 138:6 140:17 141:12 154:18 places 31:9 43:17 46:22 54:4,6,14 plan 63:21 96:2 106:10 107:6 108:16 128:8 132:17 140:22 142:4 148:14 148:15 163:2 174:8 176:7,12</p>	<p>176:20 178:10 plane 131:11 132:13 143:2 planes 175:11 planned 43:20 planner 53:4 planning 10:13 10:17,19 25:20 43:6 44:21 94:3 106:14 plans 101:15 143:6,9 146:20 147:11 148:18 149:1 164:13 166:9 167:8 181:14,17 190:19 plantings 179:16 plaster 173:20 plate 114:19 122:3 played 91:18 pleasantly 56:5 please 17:7,9 18:4,20 22:11 23:16,21 25:1 26:7 30:8 38:11 40:5 48:1 52:5 53:8 53:12 63:7 64:22 72:5 76:9 85:10 86:22,22 120:12 121:11 130:22 131:6 131:19,22 132:5,10,22 141:10 143:21 144:21 145:4,7 145:13,17 146:1,5,9 154:2 173:9 175:20 176:22 191:12 pleased 147:18 pleasing 121:2 130:20 157:5</p>
--	---	--	---	--

<p>pleasure 56:4 plethora 153:17 plot 106:9 107:6 146:20 plus 22:4 point 28:1 33:8 33:21 72:14 84:17,18 90:7 90:8 93:19 100:4 108:22 151:15,19 152:22 153:10 153:12 155:7 164:16 pointed 49:15 points 39:2 154:7 Poirier 53:16,17 53:19,20 55:10 Police 25:11 39:5 polite 118:3 poor 162:22 poorly 117:11 pop 80:14 87:18 Poppportunity 18:12 62:17 79:4 87:18 populated 62:1 population 98:20 popup 98:19 porch 103:10 106:16 129:18 130:19 131:2 175:22 176:1 178:5 181:4 189:16 192:5 193:13 porches 106:18 Port 38:18 44:11 portal 115:11 Porter 75:17 portion 120:18 130:21 151:9 160:8,12,19 174:19,22 positioned 174:8</p>	<p>positive 28:21 possibility 43:18 possible 60:7 82:20 126:19 possibly 82:22 87:1 89:12 94:17 101:8 posted 25:5 37:22 39:21 posting 11:22 101:20 postponement 101:12 potential 42:2 potentially 94:2 power 38:5 practice 22:9 43:12 44:18 practices 43:8 44:16 practicing 76:10 precious 80:9 precision 82:20 preexisting 123:17,20,22 124:2 135:2,5 135:8,10 141:2 142:8 158:12 158:15,17,19 169:12 185:6,9 185:11,13 192:10 premiere 66:12 prepare 94:11 prepared 93:12 93:20 preplanning 94:6 present 4:18,20 4:22 5:2 6:8 10:13 22:7 73:18 112:14 112:17 179:19 presentation 24:10 26:6 27:13 29:7 32:20 54:11 89:3,9,22</p>	<p>90:21 140:12 140:22 156:11 163:17 173:9 189:13 presented 19:22 106:7,8 presenters 63:1 presenting 173:8 presently 136:1 pressing 33:19 33:19 116:5,5 133:22,22 152:10,10 168:11,11 180:13,13 190:13,13 pressure 61:6 pretty 40:4 119:8 122:1 144:22 146:11 154:13 156:5 173:20 174:19 191:19 previous 78:20 151:14 previously 120:17 pricing 182:18 Pride 20:21 41:11 Principal 16:21 Principals 139:19 prior 12:5 14:13 41:12 102:1 priority 31:2 privacy 177:6 probably 35:9 37:12 104:2 108:7 119:11 119:20 128:6 147:14 153:13 154:3 157:13 problem 54:8 104:18 113:2 116:12,16 117:14 119:20</p>	<p>153:20 problematic 94:19 problems 37:17 71:8 proceed 6:12 139:2,9 proceedings 4:2 194:21 195:7 process 10:17,19 10:20 14:7 83:1 93:4 103:9,11 189:16 191:7 processes 43:13 produce 58:14 76:17,19 produced 21:17 Producers 16:21 produces 37:4,5 producing 77:9 95:3 production 45:17 78:12 professional 49:5 62:18 professionally 57:15 professionals 69:19 Professor 43:3,9 Profit 20:9 program 17:15 20:6 27:5,8,11 30:2 31:14 41:2 85:20 89:11,13 92:6 programmatic 26:11 90:11 96:6 97:4 98:2 programmati... 22:12 programming 19:7,21 21:14 22:12 24:3 27:9 29:9 39:11 41:17 44:10 68:2</p>	<p>69:5 95:7 programs 19:6 22:14 29:19 63:8 project 8:12,14 8:15 31:17 72:19 103:13 114:12 132:18 140:16 141:2,3 141:9 154:15 174:20 179:16 183:1 191:2,9 projected 35:2 projection 144:12,13 146:12 prom 20:11 41:13 58:16 promise 22:9 92:14 promised 23:7 94:12 promote 36:5 promoting 63:3 prompted 56:7 174:4 promptly 22:19 pronounced 84:13,13 properly 86:6 105:18 properties 179:11 property 13:17 13:19 98:14 100:1 103:17 106:12,15,20 114:18 118:1,2 139:18 142:10 147:13,14 155:20 162:18 174:16 177:6 179:14 192:5 proponent 28:20,22 90:5 90:22 proposal 147:20 159:16</p>
--	--	---	--	---

<p>proposed 97:19 98:6,11 120:12 124:19,22 125:2 130:17 134:13 135:21 136:12,15,20 141:1 144:4,6 145:20 146:16 146:18 148:16 156:15 159:13 159:19 160:2,6 163:5 171:13 171:16,20 175:21 181:7 183:3 186:7,10 186:14 189:8 193:5,8,9</p> <p>proposing 130:17 174:17</p> <p>Prospect 84:11</p> <p>protect 61:1</p> <p>protest 26:2</p> <p>proud 72:12</p> <p>prove 36:13 41:20</p> <p>proved 36:7</p> <p>proven 19:4 85:5</p> <p>provide 14:12 25:10 63:8,9 98:17,19 106:1 110:10 172:3 177:5</p> <p>provided 24:12 25:13 47:1 123:21 135:7 142:10 158:16 170:4,8 185:10 192:12,17</p> <p>provides 87:16 92:15</p> <p>provision 143:15</p> <p>proximate 99:17</p> <p>public 3:12,17 4:4,6,7,8 14:5 19:3 20:10 24:8 33:14,14</p>	<p>35:4 36:15 41:14 42:1 61:4 88:14,20 98:18 105:19 109:18 116:1,1 133:17,17 134:15 147:5 149:21 152:5,6 154:4 168:6,7 168:14 180:8,8 181:21 190:8,9 195:4,17</p> <p>pump 13:19</p> <p>purchases 54:16</p> <p>purpose 42:1 98:17 125:4 137:2 160:4 171:22 186:16 193:11</p> <p>purposefully 78:17</p> <p>purposes 42:6,7 177:17</p> <p>pursuant 180:19</p> <p>pushing 146:14 156:7</p> <p>put 22:9 28:12 34:1 36:4 68:16 72:17 118:18 143:18 189:17,19</p> <p>Putnam 50:5</p> <p>putting 60:2 61:6 140:21</p> <hr/> <p style="text-align: center;">Q</p> <hr/> <p>QR 25:3 146:17 146:17</p> <p>quality 172:3 176:19</p> <p>Queen 20:21</p> <p>queer 68:10,10 68:11,14,17,19 69:21 70:21</p> <p>queerness 68:13</p> <p>question 14:14 15:12 25:17 31:7 32:15,17</p>	<p>37:3 84:18 148:3 165:14 167:19 190:2</p> <p>questions 23:15 27:3 28:16 29:13,15,16 32:10,12 89:4 89:20 104:21 105:13,14 115:13,14,15 115:16,17,19 115:20,21 122:11,12,15 122:17,19 133:6,7,9,10 133:11,13,15 140:15 146:21 147:1 148:1 149:11,22 151:21 163:14 164:1 167:20 167:21,22 168:2,4 179:21 179:22 180:2,4 180:6 184:12 189:21 190:4,6 190:8</p> <p>quick 32:14 53:19 65:9 107:21 146:18</p> <p>quickly 126:16 140:15 143:6</p> <p>quiet 77:16</p> <p>quite 48:19 88:12 117:8 154:3 155:7 156:19 173:18 176:16</p> <hr/> <p style="text-align: center;">R</p> <hr/> <p>R 3:1</p> <p>railing 131:5</p> <p>railings 177:12</p> <p>raise 33:16,18 114:15,20 116:3,4 118:1 120:12 133:19 133:21 152:8,9</p>	<p>168:9,10 180:10,12 190:11,12</p> <p>raised 116:13 182:11</p> <p>raising 63:4 128:13 164:15 181:11</p> <p>Ramesh 134:10</p> <p>Ramirez-Pala... 140:4,6,8,9 143:21 144:1,3 148:7,21</p> <p>rare 76:7</p> <p>Rashid 21:3</p> <p>Ratay 1:10 4:15 4:17,19,21 5:1 34:5 36:19 38:15 40:8 42:17 45:7 48:10 49:22 51:21 52:1,7 53:16 55:11,17 57:7 59:1 61:10 63:13 65:5 66:2 67:20 69:7 70:12 71:15 73:4 75:13 76:14 77:12 78:8 79:10 81:7,11 84:8 85:15 87:11 116:7 117:17 118:7 152:12 152:19 153:15</p> <p>ratio 104:4,7,20 105:4,4,7 136:2 188:16 189:3</p> <p>ratios 105:7</p> <p>Raymond 57:10 78:10</p> <p>Razan 70:12,13 70:15,15</p> <p>reach 56:7 115:9</p> <p>read 6:8 19:5,9 30:15 45:10,20</p>	<p>45:21 88:9 147:9 151:3 154:8</p> <p>reading 89:6</p> <p>reading's 10:12</p> <p>readings 23:4,10 29:18</p> <p>ready 3:7 6:12 16:11 90:17 134:18,20 170:14,15 184:19,20 191:22 192:2,3</p> <p>real 36:4 54:15 61:4 117:14 141:22</p> <p>realignment 186:11</p> <p>realize 37:7 140:13</p> <p>realized 35:7 189:16</p> <p>really 32:8 36:11,13 38:5 38:9 44:9,13 46:9,18 47:16 47:19 48:16 49:4,16,17,19 50:7,8,14,17 51:11 52:12 54:7,9 55:2,4,5 55:6 56:20,22 57:13 58:2,14 58:18,20 59:16 60:8,17,22 61:5,6 62:13 63:4 64:18 65:21 69:3,13 69:22 70:7 76:16,22 77:22 80:9 86:2,16 89:13 91:9 106:19 108:12 121:3 129:6,12 141:4,13,16 147:3,18 156:3 166:16 175:10 176:3,14</p>
--	---	---	---	---

<p>177:12 178:19 179:14 182:11 rear 128:16 130:5,5,6 131:1,1 132:5 136:1 141:21 146:6 147:14 157:12 162:16 175:10 176:15 176:17,21 177:4,10 179:15 181:2 189:15 190:20 192:5 reason 13:22 reasonable-siz... 179:2 reasonably 156:6 rebuilding 136:16 174:5 rebuilt 159:20 175:4 recall 28:18 recap 189:13 receipt 6:8 8:9 88:6 101:8 120:10 134:3,7 180:15 190:15 receive 22:21 85:7 received 10:9 39:18 40:2 93:2 115:10 recognize 163:18 recognizing 157:11 recommenda... 181:6,16 182:1 reconfiguration 132:21 Reconsider 181:11 reconstruction 136:16 record 31:11 32:6 40:11</p>	<p>195:6 recorded 3:20 records 31:3 115:11 recreation 17:19 41:2 88:22 Recreational 41:16 recused 138:16 red 129:15 132:12 144:18 146:4 Redevelopment 11:2 reduce 52:11 56:19,19 reduced 22:16 23:8,13 39:9 39:11,12 reducing 121:14 reduction 72:6,9 149:16 referenced 13:14 181:17 referring 90:8 reflect 12:1 101:20 104:12 107:3 regarding 10:12 120:19 162:14 182:1 Regatta 46:5 regift 68:18 regular 2:9 16:7 24:2 regularly 25:11 regulations 191:4 rehabbed 171:18 rehabilitation 172:1 reimagining 46:8 reiterate 40:1 50:7 122:20 168:19 related 25:20</p>	<p>150:9 195:8 relation 68:13 Relations 17:5 40:13 relationship 68:12 relief 17:10,18 88:21 114:14 123:8 128:10 134:21 142:5,5 142:7 143:10 143:15 144:19 145:2,8,15,22 146:3,7 148:5 150:17,20,21 150:22 155:11 158:3 160:7 162:19 169:6 170:17,18 174:13 177:2 184:22 186:21 192:6 remain 42:2 163:8 165:9 175:6 179:4 remainder 17:20 remaining 132:15 remains 165:15 remarkable 89:13 remember 43:16 50:11 remote 1:4 4:9 remotely 3:11 remove 130:18 130:21 removed 78:19 removing 128:13 renders 146:16 renew 86:22 renewed 86:1 renovated 130:13 173:21 renovation 114:12,13</p>	<p>115:10 134:5 134:12,13 141:4 167:9 181:14 186:11 renovations 191:6 Rep 22:3 repair 141:5 163:1 repairs 163:1 191:10,10 repeat 73:9 104:6 repeatedly 78:22 replace 181:3,9 replaced 129:18 131:3 177:12 replied 25:7 reports 73:11 repositioned 179:1 represent 67:12 Representative 88:7 representing 16:8 139:17 162:11 repurposing 172:1 request 8:11,18 9:12 10:15,21 13:11,20,22 25:22 28:5,19 93:12 94:17 101:11,17 119:19 123:1 154:8 requested 41:15 93:21 107:1 123:8 146:15 146:19 163:13 164:4 170:17 requesting 13:7 143:14 191:2 192:6 requests 14:16 163:11 179:8</p>	<p>require 72:22 143:10 150:20 150:21,22 required 124:6 135:14 136:21 142:16 150:17 159:1 163:1,1 185:17 requirement 170:6 189:11 192:6,15 requirements 3:15 33:2 97:9 107:2 124:12 131:8,10 135:19 151:14 159:6 160:15 170:5 171:6 185:22 192:14 192:21 requires 17:19 104:9,10 143:16 151:3 160:18 162:18 reschedule 10:13 reserve 149:20 reshuffling 174:18 residence 104:10 189:2 192:7 residences 99:19 resident 16:17 34:7 36:22 38:18 42:22 50:4 70:16 75:17 84:10 85:1,18 116:10 residential 99:22 169:21 residents 24:19 44:11,11 61:1 66:20 86:10,12 91:3,9,17 98:18 resilient 42:2 Resistance 68:5</p>
---	---	---	--	--

<p>resource 42:4 respect 53:3,4,9 53:11 respectful 34:2 70:8 71:7 72:1 85:6 118:3 respectfully 14:16,18 108:3 respecting 53:6 53:7 respond 38:2 92:1 94:14,16 154:7 response 3:13 17:13 44:17 109:12 120:19 responsible 26:20 responsive 89:10 rest 191:8 restate 26:14 restating 18:16 restored 163:12 Restoring 163:9 restricted 131:15 restrictions 3:17 72:6,11 resubmit 104:2 result 39:17 93:14 163:10 results 30:11 retaken 82:12 return 191:12 returning 10:19 61:22 review 17:22 105:19 121:3 122:21 reviewed 21:21 reviewing 154:12 revised 101:15 148:18 revolutionary 67:16 Rhatigan</p>	<p>138:11,12,13 138:22 139:5,8 139:11,13,15 139:16 140:5,7 140:10 143:22 144:2 147:2,22 148:9,11,13,18 149:1,4,6,8,10 154:6 161:9 rich 43:22 ridiculous 64:7 right 3:7 8:14 28:5 30:10,15 31:12 32:1,19 33:10 35:1 37:2 38:5,12 46:18 48:5 50:10 51:22 53:13 54:15 65:8 75:3 84:4 85:19 86:12 87:7 91:14 92:18 93:6 94:1 105:6,12 107:17 108:11 109:20 110:13 110:18,21 111:3,4 113:8 113:8 114:9 115:22 117:20 122:10 127:20 128:16 129:22 130:16 134:18 138:9 141:16 142:15 143:7 144:10,11 145:2,21 146:7 146:12,13 147:13,17 151:11,17,19 152:18 155:22 156:10 164:9 166:3 167:11 167:13 168:7 170:13 172:21 175:3 183:11 184:4 189:12 190:7 191:22</p>	<p>194:14,17 right- 131:13 right-hand 174:12 176:4 176:10,12 178:11,16 Rindge 19:10 41:12 88:11 ripped 117:5 river 48:14,15 49:8 50:5,13 road 49:9 134:4 140:18 141:13 154:20 robbed 69:1 ROBERTSON 161:13 Robin 117:17,18 117:21 120:16 roll 4:5 52:3 roof 33:5 114:15 114:16,17 116:13 118:1 120:12 122:3 128:13 129:3,4 129:15,16,18 131:2,12,16 132:3,3 145:14 room 47:8 rooms 160:10 Roselin 87:11,13 87:15 Rothfuchs 134:3 round 182:10 row 83:8 129:1 rude 119:22 run 71:21 89:12 169:10 running 89:11 runs 50:6 83:13 89:18 runway 56:10 Ryles 46:5</p>	<p>S-c-h-o-m-e-r 14:19 Sacramento 2:16 138:6 139:18 140:17 140:18 141:12 154:18 sacrifice 72:7,10 86:14 sad 49:19 safe 18:8 39:7 41:2 42:10 57:15 58:18 62:20 69:19 76:19,22 77:17 80:7 88:1 safely 42:6 47:1 47:14 safer 163:10 safety 98:5,9 124:21 136:15 159:18 171:15 186:9,19 193:7 Salguero 134:8 Salon 118:15 Samara 48:10 48:11,13,14 sanctioned 27:20 sanctioning 98:13 Sarah 138:6,10 138:11,12,13 138:22 139:5,8 139:11,13,15 139:16 140:5,7 140:10 143:22 144:2 147:2,22 148:9,11,13,18 149:1,4,6,8,10 154:4,6 161:9 Sarno 17:3 38:15,16,17 Sarotte 191:16 Sasha 42:18,18 sat 78:3,4 satisfies 124:10 135:17 159:5</p>	<p>185:21 Saturday 19:13 19:22 20:12 21:1,20 35:7 60:13 saw 58:9 77:18 90:2 119:1 saying 31:15 34:4 48:18 60:19 70:16 72:21 105:3 says 33:15,16 64:8 116:2,3 133:18,19 151:7,16 152:7 152:8 168:8,8 180:9,10 190:10,11 scaffolding 95:20 scary 80:1 schedule 8:13 25:2 27:5 37:20 39:10 scheduled 68:3 73:14 75:22 95:8 scheme 165:18 Schiefsky 191:16 SCHOEN 164:12 165:2,5 165:7,10,12,16 165:20 166:3,5 166:8,11,15 167:3,6,10,15 Schomer 13:8 14:19 school 41:13 43:4 46:6 50:20 57:21 58:8,11,13,17 65:2,2 67:5 88:11 School's 19:11 Schools 20:10 Schorer 10:7 11:1</p>
<hr/> <p>S</p> <hr/>				
<p>S 3:1 S-a-l-g-u-e-r-o 134:8</p>				

<p>Sciences 43:5 scope 154:8 scrape 155:22 screen 139:20 177:5 screened 20:8 103:17 108:13 script 19:9 scroll 106:10 scrolling 143:4 seamless 191:8 season 17:20,21 18:22 22:14 27:15 35:13 39:19 40:3 45:3,4,20 51:13 59:21 60:1 63:18 66:9 74:16,17 93:13 94:6,7 96:1 season-wide 26:10 seat 83:17 seating 44:19 47:21 seats 59:14 second 61:3 128:20 129:13 130:3 165:13 173:13,17,18 175:4 177:3 178:12 second- 175:1 second-floor 130:19 131:1 132:17 176:1 177:7,14 178:10 Secret 20:21 section 13:22 14:12 123:19 131:16 135:20 150:11 151:14 153:1 158:3,14 170:1,18 180:20 185:21 192:9</p>	<p>secular 76:4 securing 14:8 security 18:10 see 21:14 22:1 23:9 24:5 25:2 30:13,15 44:18 44:19,19 46:10 57:3 68:20 69:4 93:14,17 106:9,11,17 108:14 110:1,7 111:1,5 112:22 113:12 128:19 129:15 130:3 130:16 131:13 132:2 133:4 139:21,22 141:11 143:3,4 143:5 144:5,7 144:13,18 145:1,14,19,21 146:2,7,12 147:6 156:4 173:19 174:2 174:12,21 175:12,20 176:8,12 177:4 178:6,16 182:18 seeing 66:14,15 66:16 72:9 80:3 127:20 seeking 17:10,17 88:21 134:21 134:22 160:7 162:16 169:6 174:13 177:2 184:22 seeks 163:3 seen 69:21 163:2 self 62:9 self-serving 76:21 send 38:1 88:15 120:13 121:7 154:4 168:16 184:8 senior 41:13</p>	<p>seniors 58:1 sense 43:15 47:3 72:9 95:11 96:4,9 141:13 sensitive 156:16 sent 24:2,11 73:9 sentence 33:22 sentences 153:4 September 10:16 11:3,4,6 11:21 12:1,5 68:3 101:19,21 102:1,4,17 138:20 serendipitous 43:22 series 76:18 seriously 21:17 36:6 serve 42:12 85:9 87:19 serves 18:1 84:19 service 61:14 66:8 Services 109:5 servicing 151:8 160:11 session 35:4 45:9 set 21:10 35:20 77:18 131:11 131:12 146:22 148:14,15 163:2 175:11 195:12 setback 114:16 114:17 128:21 130:7,10 132:1 132:14 136:1,1 136:3 142:15 144:16 145:2,6 145:16,21,22 146:3,8,11 158:4 162:18 174:14 175:10 175:15 176:5</p>	<p>179:5 185:1 192:6 setbacks 130:4 144:11 sets 21:11 75:20 setting 23:14 38:6 seven 78:1 114:20 129:5 seventies 48:19 shaded 130:4 shapes 47:15 share 44:12 56:11 57:4 62:20 68:21 76:16,21 77:1 shared 24:4 44:19 sharing 24:19 sheet 128:10,22 144:14,21 shield 23:9,17 30:16 shields 22:17 74:18 97:8 shipment 92:17 shop 62:17 87:18 shops 62:17 79:4 short 21:10,11 122:1 shorter 10:20 shortly 23:19 shot 88:3 shoulder 156:1 show 19:14 20:22 21:4 31:1,2 36:4,5 49:7 56:9 58:13 68:16 78:16,17 84:11 129:1 131:18 141:8 146:14 149:1 173:14 177:1 showcase 41:12 69:19 80:6 showing 154:13</p>	<p>shown 174:18 shows 23:3 46:22 76:20,22 77:2,9,15 132:12 145:1 154:12 shut 65:13 sic 8:13 80:1 130:5 172:22 sick 53:12 60:7 Sid 112:12,18,20 112:22 113:5 113:11 162:12 Siddarth 112:12 Siddiqui 22:3 side 100:3 114:18 120:4 128:16,18 129:17 130:5,9 131:9,14 132:1 132:11 143:7 144:10 145:2 146:7 148:8 167:13 174:12 174:14,15 175:10,21 176:4,9,10,12 178:5,11,16 179:11 sides 162:17 sidewalk 141:12 141:15 sights 46:11 sign 11:22 101:17,20 110:11 113:4 191:2,12 signed 6:13 102:1 153:18 191:15 significant 39:8 65:18 Sigworth 152:12 152:13,15 155:13,13,16 161:10 183:12 silence 86:8 Silent 21:2</p>
--	--	---	--	--

sill 131:17	138:3,16,17	180:1,2 184:15	173:12	77:17 78:14
similar 74:8	152:1,2 162:3	184:17 187:1,2	sort 29:18 30:1	79:1,1 80:8,17
144:16 178:10	173:3 188:3	188:4 190:1,2	30:12,14 31:13	95:20 98:13,18
182:14	six 13:8 14:11	193:20,21	31:14 47:7,16	99:21 105:4,8
similarities 77:3	14:17,21 15:11	sleep 37:9 64:6	65:13 80:8	106:12,13,15
Similarly 136:2	15:13 114:19	86:6	107:14 132:2	106:20 149:16
simulated 181:8	114:21 122:3	slide 17:9 18:3,4	141:22 147:13	151:8 160:8
sincerely 10:18	128:7 166:13	18:6 22:10	152:1 156:8	175:1 176:16
11:1 38:9 57:1	six- 131:2	23:2,3,16,21	157:5 176:18	178:11,18,20
Sinclair 117:2	six-feet-five	25:1,8 26:7	177:13	189:3
single 31:1,2	122:4	30:8 90:2,16	Soto 61:10,11,12	spaces 43:14
35:16,16 59:14	six-foot 132:6	92:8,9 97:5	sought 128:11	61:17 70:22
60:2 63:20,21	six-month 13:20	slides 17:7	sound 17:16	77:20 160:11
82:15 83:17	six-unit 162:20	140:21	21:17,19 22:17	174:18
single-family	size 3:12 149:14	slopes 174:10	23:3,11 27:16	speak 4:10 8:8
123:18 124:1	154:15 163:4	sloping 178:19	29:18,21 30:4	33:15 34:16
135:3,9 158:13	sizeable 156:6	small 26:18 51:1	30:9,11,14,16	42:21 48:14
158:18 185:7	sized 163:5	54:13,16 79:21	30:22 31:5,15	52:3,4 63:15
185:12	sizes 177:1	80:14 85:1,20	31:16 32:5,7	68:6 73:17
sir 90:3,19	SKA 140:1,10	163:4 166:12	33:3 34:17,19	116:2 133:18
168:18 188:14	skill 83:19	166:14,17	35:2 37:4 39:1	134:1 152:6
Sisia 1:10	skylights 179:5	169:1 190:21	39:3,15 45:17	153:1 168:7,12
112:13,18	slab 169:15	smartphone	46:3 49:6 70:2	180:9,14 190:9
126:9,11,12,13	Slater 1:8 3:5	146:18	73:21,22 74:18	190:14
126:19 127:7	4:19,20 6:4,17	smells 46:11	83:12,13,17,18	speakers 4:11
127:11 128:1,9	6:18,20 8:4 9:1	social 43:4 61:20	83:20 92:16	22:16 23:8
131:20 134:15	9:2,2 10:4 11:9	62:21	95:4,8 97:7	39:12 76:5
134:17 137:20	11:10,10 13:4	socializing	sounded 95:3	speaking 4:4
173:7,8,12,13	15:1,2 16:4	65:20	soundproof	84:9 155:19
182:1,3,6,9	32:12,14,19	solicit 28:21	59:10,11	speaks 49:3
183:1,5,11,14	33:11,12 92:1	solicited 153:19	sounds 46:11	special 17:20
183:18,20	92:2 96:12,13	solution 84:5	157:14	26:21 27:14
184:2,6,9,11	99:2,3,13,16	somebody 16:8	Soup 69:9	28:6 40:5,17
187:12	101:4 102:6,7	60:8 83:22	source 86:18	41:15 51:18
sit 83:4 138:7	103:4 105:1,2	someplace 92:21	south 146:10	55:8 57:2 63:8
site 34:17 56:12	105:10,11	Somerville 56:3	southeast	65:10,19 69:3
91:4,10 156:15	112:4 114:4	66:6 162:11	176:17	72:22 76:11
157:4 179:10	115:16,17	somewhat	space 18:13 19:3	83:5 85:10
site-specific	122:14,15	112:16	25:16 26:12,15	89:18 96:5,8
160:16	125:9,10 126:4	son 63:4	26:21 27:17	96:19 97:3,7
sits 148:6 178:4	133:10,11	soon 28:7 92:15	36:3 41:3,20	98:21 99:12
sitting 3:4 6:3	137:10,11	sore 153:10	41:21 42:12	112:14 121:4
8:3 10:3 13:3	138:4 149:11	sorry 6:20 55:22	44:16 47:9	123:9,12,16
16:3 59:13	149:13 152:2	60:13 110:6	62:19 63:10	124:5 125:6,8
64:14 83:8,11	157:8,10 161:1	120:11 127:19	64:18 66:16,18	125:10,12,18
101:3 103:3	161:2 162:4	129:14 139:15	67:15 69:13,22	128:11 134:22
112:3 114:3	167:20,21	143:19 147:2,2	71:1,21 75:20	135:1,13,22
116:22 126:3	172:8,9 173:4	148:13 150:4	76:11,19 77:1	136:4 137:5,8

137:9,11,19 142:5 150:18 151:3,13 154:10 155:4 157:16 158:3,5 158:5,11,22 160:14,20,22 161:2,8 162:18 163:13 169:22 170:17 171:4 172:5,7,9,11 172:17 185:3,5 185:16 186:20 186:22 187:2 187:10 189:17 192:4,7,21 193:12,16,19 193:21 194:1,3 194:8 specific 83:7 122:22 specifically 34:11,16 specifications 181:17 spend 77:3 spending 77:16 spent 54:19 89:6 spirit 67:12 spoke 24:19 49:11 88:9 120:17 spoken 66:21 68:7 130:10 sponsorship 94:8 spot 47:12 spring 27:12 square 11:2 16:18,20 17:2 17:3,4,11 18:10 20:8 24:16 25:21 28:2 31:13 34:7,12 35:5 38:17 40:16,19 41:8,9 46:9 47:6,8,15 48:3	49:16,16 50:9 50:15,16,19 51:3 53:20,21 54:1,2,7,8,12 54:16,17 55:1 55:7 57:12,18 62:14 65:16 66:5,8,10,14 66:18,20 67:1 67:1,10,13 72:17 73:8 74:5 75:17 77:8 80:20 81:3 82:9,10 89:15 96:22 97:1,2 100:3 141:20 149:17 164:8 166:19 168:22 174:21 Square's 41:1 68:2 square-foot 149:19 ss 195:3 stacked 129:22 staff 4:13 10:14 21:7 22:7 25:6 25:10,15,15 30:22 39:18,19 39:20 40:2 74:12 76:17 77:7 78:15 80:4,19 89:14 115:4 staffed 57:15 stage 23:11 25:4 34:20 44:13 57:4 74:7 83:9 83:19 stair 174:6 176:1,13 177:5 178:21 stairs 174:2,7 175:3 177:11 178:7,17,17 179:1 181:3 stairwell 175:9 178:4	stairwells 174:5 178:6 standard 44:18 77:19 standards 186:17 standpoint 26:12 Starbuck 134:12 Starlight 16:20 17:3,4,11,18 17:21,22 18:8 18:22 19:1,2,8 22:7,12 25:6 25:15,21 26:4 26:11,14,22 27:11,16 31:20 34:12 35:19 36:3,13 37:2 37:12,15,21 38:17,19 39:20 39:22 40:6,18 41:1,8 42:8 43:2,16,20 44:20,22 48:3 48:16 51:2 52:11,15,20 54:1,7,19 55:2 55:7 56:4,5,8 56:18 57:1,12 57:18 58:20 59:3,6,19 61:6 62:13,18,22 63:7,8,16 65:9 65:16 66:8,9 66:14,18 67:1 67:1,10 68:2,8 68:14 69:3,11 69:22 70:17 71:1,7,18 72:3 72:12 74:5 76:6,11,19 77:7,15 78:4 78:10,22 79:6 79:18 80:3,7 80:13 82:8 84:12,15,21	85:3,5,19 86:3 86:10 87:16 94:6 96:20,22 97:1,2,13,21 98:1,10 Starlight's 41:16 42:11 54:15 59:10 75:19 start 4:13 5:3 27:5 35:7 70:16 80:6 127:13 128:10 173:13 started 16:12 27:8 31:20 45:20 starting 15:13 15:16 30:14 60:11 state 4:4 22:3 88:7 136:21 stated 21:20 23:18 73:11 statement 94:4 137:7 statements 158:8 171:3 193:18 statewide 3:12 station 13:15 Stay 109:22 staying 77:4 168:19 stays 47:7 steadiness 115:2 step 35:17 46:7 83:21 stepdaughter 66:4 stepped 78:18 126:15 stepping 85:4 steps 89:9 92:4 steward 26:20 stock 172:2 stood 24:18 104:19	stop 38:11 63:19 75:1 101:17 storage 28:12 stores 54:19 79:4 98:19 stories 56:11 77:1 stormwater 14:4 story 44:22 160:10 storytelling 48:21 76:18 straddle 154:18 straightforward 163:15 174:19 191:19 strangers 77:4 Strategic 40:14 strategies 45:11 strategy 23:4 176:8 streamlined 140:12 street 2:2,4,11 2:12,14,17 6:7 6:11,15 8:7,11 16:22 25:5 31:16 33:2,8 34:8 35:20 43:1 45:15 48:14 49:8 57:10 61:12 62:5 74:15 78:10 84:11 101:7,13 103:7 113:10 114:7 114:12 116:12 116:18,18 117:19,20 118:13,21,21 119:7 120:15 125:19 130:12 140:18 141:6 141:18 142:1 147:15 152:21 153:22 154:1 154:18 155:21
--	---	---	---	--

155:21 162:7 162:11,14,15 170:22 182:15 188:7 190:18 Streets 44:19 streetscape 142:1 156:17 157:4 stress 60:17 strictly 122:22 strong 40:16 strongly 45:12 structure 95:21 124:8 135:16 135:22 136:18 159:4,20 160:1 162:20,22 169:10 170:1 170:19 171:18 185:19 186:19 192:9,13,16,17 structures 160:6 struggling 54:5 57:20 students 26:16 57:19,22 58:2 58:5 67:5 Studies 43:5 Studio 16:22 study 60:16 64:6 style 116:19 subject 29:8 submit 101:16 108:2 submittals 12:3 101:22 submitted 12:4 22:6 95:6 102:2 123:10 123:14 137:6 147:7 148:22 158:7 163:2 170:20 193:17 substance 88:5 118:6 120:9,17 134:14 153:17 181:21 substantial	97:11,15 124:14 136:7 141:4 154:13 156:5 159:9 171:8 176:3 186:3 193:2 substantially 124:7 135:15 142:11 159:2 163:6 173:15 173:21 174:3 185:18 success 36:12 suffered 61:19 suffering 44:7 suggest 99:20 suggested 10:15 suggesting 82:17 110:12 110:14 suggestion 83:7 suitable 142:2 Sullivan 1:6 3:4 3:7,9 5:1,2 6:3 6:6,17,21 7:1,3 7:3,5 8:3,6 9:1 9:4,6,9,11 10:3,6 11:9,12 11:15,18,18,20 13:3,6 15:1,3,5 15:8,8,10 16:3 16:6,9,10,13 16:15 27:2,10 27:18 28:5,9 28:13 29:5,11 29:13,16 32:12 32:22 33:7,10 33:13 36:18 38:14 40:7,10 42:16 45:6 47:22 48:5,7,9 48:12 49:21 50:2 51:15,19 51:22 52:2,9 53:13,18 55:9 55:13,18,21 56:1 57:6 58:22 61:8	63:12 65:4,7 66:1 67:19 69:6 70:10,14 71:14 73:3,6 75:12,15 76:13 77:11 78:7 79:8,13 81:2,4 81:6,8,14,18 81:20,22 82:2 82:6 84:4,7 85:13 87:10,12 87:14 88:4 89:2 90:7,11 90:13,15,18 91:12,14,22 92:7 94:1,13 95:10,16 96:4 96:12,14,16,18 97:1 99:2,4,6,8 99:8,11,15 100:4,7 101:3 101:6 102:6,8 102:10,13,14 103:3,6,20 105:1,6,12,15 106:3,21 107:6 107:11,19,21 108:4,7,17,19 108:21 109:3,7 109:9,12,20 110:6,9,16,19 110:22 111:3 112:3,6,10,16 112:19,21 113:8,12 114:3 114:6,9 115:13 115:16,18,20 115:22 116:9 117:16 118:5,9 118:11 120:2,6 120:8 122:7,10 122:14,16,18 123:7 125:9,11 125:13,15,15 125:17 126:3,6 126:10,12,17 126:21 133:7 133:10,12,14	133:16 134:18 134:21 137:10 137:12,14,16 137:18,21 138:3,5,9,12 138:15 139:4,7 139:10,12,14 146:22 147:21 148:1 149:11 149:22 150:4,6 150:8,15,18 151:2,5,11,17 151:21 152:5 152:14,18 153:14,16 155:12,15 156:10 157:8 157:19,21 158:2 161:1,3 161:5,5,7,12 161:14 162:3,6 162:9 163:16 163:20 164:1 167:20,22 168:3,5 169:6 169:9,20 170:12,16 172:8,10,12,14 172:14,16,21 173:3,6,10 179:20 180:1,5 180:7 182:5,8 182:22 183:2,9 183:15,19,22 184:4,7,10,12 184:15,19,22 187:1,3,5,7,7,9 188:3,6,9,14 188:18,20 189:1,7,10,20 190:1,3,5,7 191:18,22 192:2,4 193:20 193:22 194:2,5 194:5,7,12,15 194:19 sum 88:4,16 118:5 120:9,17	134:14 153:16 181:20 Sumbul 22:3 summarize 142:6 147:3 summarizes 128:10 summary 128:12 131:7 174:12 179:6 summer 31:13 summers 76:20 Sunday 19:15 20:3,14 21:3 60:13,13,14 Sundays 21:20 super 49:5 supervising 191:2 supplanted 148:15 supply 23:20 supply-chain 22:20 support 22:1 40:16 51:11,12 51:17 65:9 74:5 76:17 78:6 79:6,6,18 82:12 88:12 89:17 98:9 115:9 118:4 130:11 134:4,9 134:10,11,13 137:3 147:7,12 147:19 153:20 154:2,3 156:3 159:14,15 191:17 supported 45:2 121:12,22 145:15 supporting 85:3 137:7 158:8 171:2 193:18 supportive 80:8 85:20 147:19 supposed 86:12
--	--	---	--	--

<p>91:18 suppressed 131:16 sure 25:12 35:2 42:20 45:20 46:1 83:16 104:16 107:5 140:3 164:17 182:19 surge 42:9 surprised 56:5,5 107:8 154:22 surprising 166:13 surrounding 60:18 survivors 56:10 57:4 suspend 108:8 109:14 sustain 57:1 Suzan 51:21 52:7,8,10 53:15 sweat 164:20 switchback 176:1 sworn 47:13 system 23:13 138:13 140:3 systems 171:19 186:12</p> <hr/> <p style="text-align: center;">T</p> <p>T 45:21 T-shirts 39:20 table 139:6 Taiwan 56:3 take 4:13 17:22 18:21 35:17 36:6 54:12 57:14 64:20 93:1,4 110:13 119:15 130:17 143:6 152:3 155:20 157:21 194:20 taken 4:5 18:1</p>	<p>23:4 41:8 86:10 89:10 92:4 Talanoa 114:8 114:10,11 120:11 121:8 122:9 125:21 talented 68:17 talents 62:20 80:7 talk 36:22 61:4 64:17,18 72:14 74:14 talked 37:14 75:8 164:18 169:13 talking 34:19 62:5 73:21 157:16 tall 119:6 taller 169:19 Taqueria 79:10 79:16,17 targets 30:17,17 46:2 tastefully 156:20 157:3 taught 20:17 team 18:1 21:18 24:18 26:8,10 62:18 89:15 94:20 team's 23:3 62:18 technically 155:6 Teen 41:8 television 3:21 tell 71:2 108:4 189:13 temporarily 3:15 temporary 3:16 tend 70:3 183:21 terms 142:5 154:8,15 175:7 182:16 test 31:15</p>	<p>testimony 22:7 82:12 testing 30:5,19 31:9 text 139:1,3 thank 8:16 10:12 16:14 26:22 27:2 29:12 32:9,11 32:20,21 33:8 36:17,18,21 38:13,14 40:6 40:7 42:14,16 45:5,6 48:5,6,7 48:9,13 49:20 49:21 51:15,19 51:20 52:5 53:13,15 55:9 57:5,6,8 58:21 58:22 61:8,8 61:11,14,16 63:11,12,14 65:3,4,22 66:1 67:18,19 69:5 69:6 70:10 71:13,14 73:2 73:3 75:11,12 76:12,13,15 77:10,11 78:7 79:8,9,14 80:18,22,22 81:2,4,6 82:3 84:6,7,14 85:13,14 87:9 87:10,10 88:3 88:4,18,19 89:2 93:22 95:10 100:4,5 100:6 103:8 104:22 106:11 110:20,22 111:1 113:11 115:11 117:15 117:16 118:5 120:2,6,8 121:8,22 122:6 122:13 123:6,7 125:20,21</p>	<p>127:7 133:9 137:20,21,22 139:11,13 141:10 147:21 147:22 149:9 149:10 152:4 153:14 155:12 156:9,10 157:20 161:9 161:10,10,11 161:13 172:17 172:18,19,21 179:20,22 184:14 187:11 187:12 188:8 188:12 192:1 194:9,10,11,15 194:16,16,18 thankful 87:16 121:12 thanks 33:12 53:19 55:10 65:8 78:6 82:8 87:17 128:8 140:11 153:13 167:18 191:13 that's 168:19 179:6 Theater 21:8 46:4 Theater's 41:9 Theatre 62:13 75:19 97:13 theory 43:11 thing 48:21 49:14 52:14 60:3 61:2,5 75:4 143:11 169:3 things 24:22 26:15 54:14,17 62:10 66:13 71:19 154:12 155:7 think 28:22 32:8 46:8 47:5,10 47:15,19 49:3 49:15,19 51:9</p>	<p>54:7 55:6 56:22 59:7,7 60:11 62:8 63:20 65:18,19 67:9 71:9,20 72:16,22 73:1 74:20 86:22 87:2 88:2 89:4 89:9,13 91:16 93:10,14 94:2 105:16,18 107:3 108:21 110:12,13 117:12 129:6 130:20 133:5 134:17 143:19 147:6 152:2 153:22 154:11 154:12,21 155:6 156:15 156:20 157:2,3 157:4,5 164:2 164:3,9,12 165:2 166:1 169:3 173:10 174:17 182:19 183:5 184:2,3 191:7 thinking 46:14 63:19 70:1 126:15 third 17:20 26:3 128:21,22 133:1 143:11 166:1,5,21,22 166:22 173:18 174:2,7,7,9 178:7,15,20 179:2 Thompson 36:19,20 76:14 76:15 Thoreau 134:4 thought 38:20 58:6 82:14 106:7 129:11 157:6 thoughtful 85:6</p>
--	---	--	---	--

thoughts 24:20 76:16 157:6	timely 14:16	120:3,7 188:8	107:15,17	types 26:15
thousands 22:18	times 23:5 24:7	191:21 192:1	118:2,19 119:6	154:10
three 4:10 25:3	30:8 35:16	traditional 20:1	129:11 141:22	typical 22:20
26:1 33:20	54:21 60:5	traffic 62:2	152:16 163:18	typo 150:12
37:17 38:3	69:20 80:21	97:10,14	Tuesday 20:5,17	
76:20 109:21	94:21 103:22	124:12 136:5	25:19	<hr/> U <hr/>
116:6 133:2	tip 77:6 80:9	159:7 163:7	tuned 109:22	U.S 92:21,22
134:1 142:6	tirelessly 22:8	171:6 186:1	turn 28:15 64:17	unable 14:1
145:11 152:11	80:19	192:22	88:16 89:3,19	unaltered
168:12 174:3	Title 180:19	training 21:6	104:1 121:6	173:15
180:14 190:14	titled 181:14	Trans 68:4	turning 132:8	unanimously
three- 160:11	today 22:2 68:1	transcript 4:1	turret 182:10,12	15:12
three-family	114:14 155:11	195:6	twenty-seventh	unbearable
151:8	Tokar 77:12,13	trauma 56:10	73:13	86:21
thresholds	Tolles 126:7	travel 54:3	twice 39:10	unbelievable
45:22	127:12,14,22	treated 23:11	two 13:18 20:3,4	64:3
throw 36:13	128:2,3 129:9	117:10	21:10,11 22:15	uncertain 80:21
71:11	130:10	trees 103:17	22:21 26:1	uncertainty
Thursday 1:3	tomorrow 108:2	108:14,15	38:1,18 39:1	94:21
19:20 20:19	tonight 28:6	119:4	46:21 50:21	uncle 118:21
21:8	29:2 71:20	Treetop 162:12	52:5 75:15	uncomfortable
time 4:7,8 6:10	72:9,11 89:9	162:13 170:21	78:20 80:12	62:11
6:12 10:17,21	89:18 113:13	170:22	82:6 87:14	Underground
12:1 19:4 24:3	128:8 140:11	tremendous	97:13 105:6,7	41:10
24:8 27:1	189:18	89:6	106:6,16	underreprese...
28:11,16 29:14	tonight's 3:10	Trex 183:6	109:21 114:15	85:11
29:15 32:13	28:3 29:6	tried 56:18	120:19,21	understand
33:11 37:19	104:13	59:22	122:6 126:16	35:14,17 56:17
39:15 43:16	top 128:19 129:4	Trilogy 139:16	126:21 131:8	56:18 67:9
44:5 46:19	129:22 141:11	Trippe 107:22	133:3 142:7	69:4 86:14,16
49:20 52:13,21	143:6 144:5	108:1,5,11,18	154:6,17 164:2	109:8 121:9
52:21 53:1,2	145:19	108:20 109:2,6	166:2 167:1,3	153:2 167:8
53:22 54:18	topic 73:20	110:5,11,21	167:10 175:14	understanding
57:13 61:18	Tori 127:11	111:1,4 191:16	178:17 179:1	32:22 153:4
63:17 65:22	128:3	true 75:19	two- 52:3 135:3	understated
69:15,21 75:11	total 186:11	163:22 195:6	151:8 160:11	164:4
76:12 78:3	totally 159:20	truly 49:18	173:21	understood 35:9
79:15 89:6	171:18	66:19 70:22	two-family	underwrite 94:9
94:10,11 95:17	Totten 71:15,16	98:17 120:11	123:18 124:1	unfortunately
101:14,21	71:16	trust 69:3	127:15 135:9	123:5
103:8 109:18	touch 79:3	trustees 190:17	140:16 141:3	unique 77:20
140:13 148:2	town 47:10,10	truth 87:3	142:8 150:14	98:18
149:12 151:19	47:11 106:5	try 56:18 82:16	151:1 153:6	unit 108:1
151:22 155:17	191:4	97:21 108:11	158:13,18	127:18,19
168:1 173:16	towns 75:21	trying 28:9,14	173:16 185:7	128:5 165:15
time-sharing	106:6	35:14,17 56:20	185:12	165:21 166:2
77:3	Tracy 117:20	64:6 84:2	two-fold 22:11	167:11,15
	118:8,10,12,12	87:15,22 88:1	type 21:14 86:15	173:17,17

174:1 177:22	123:20,21	various 31:16	157:22 161:6	54:12 57:17
190:19,21	124:19,22	42:14	170:14 172:15	59:5 60:9,17
191:9,10,15,16	125:2 129:6,8	vast 98:20	187:8,9 194:6	61:13 63:15
191:17	135:6,7 136:12	vendor 92:15	194:7	64:4 66:13
units 99:22	136:15 151:19	venue 19:2 31:9	voted 88:13	67:8 68:6,18
106:16 162:21	154:14 158:15	38:19 45:11	votes 4:4 7:5	68:20 70:16
163:4,8 166:12	158:16 159:13	46:8 57:15	9:11 11:20	71:4,6,8,11,18
166:13,14,15	159:19 160:2	59:3 77:19	15:10 99:11	72:4,21 73:10
168:20,21	167:17,17	84:19	102:16 125:17	73:12,15 74:1
190:20	170:3 171:13	venues 35:22	125:18 137:18	74:4,12,22
University	171:16,20	verify 4:14	138:19 161:7	75:2 78:5
43:10	178:20 181:7	versus 75:4	172:16 187:10	82:14 88:20
University's	181:10 183:9	vertical 145:21	voting 7:2 9:7	92:3 105:21
140:19	185:9,10 186:7	vibrancy 49:11	15:6 105:21	109:10 116:15
unlicensed 95:4	186:10,14	vibrant 54:5,8		116:16,20
unlivable	192:11 193:5,8	63:5,9	W	119:5 121:8
173:21	193:9	Vice 1:7	W 1:8 3:5 6:4	127:21 129:1
unmute 33:19	useable 175:1	Victoria 126:7	8:4 10:4 13:4	140:2 141:8
112:11 116:5	189:3	video 3:20 42:20	16:4 101:4	144:15 156:3
127:21 133:22	useful 60:3	146:18	103:4 112:4	157:9 164:11
152:10 168:11	user 118:7	view 106:5	114:4 126:4	182:12
180:13 190:13	uses 19:3 41:5	130:16 140:22	138:4 162:4	wanted 31:4
unnecessarily	97:18 124:17	177:10	173:4 188:4	40:1 49:14
83:1	136:10 159:12	violate 175:10	wait 15:18 139:2	50:7 54:22
unrenovated	171:11 186:6	violated 39:4	waiting 92:17	65:9 73:17
127:16	193:4	violation 170:5	126:22 127:1	77:13,22 78:18
unwanted 26:3	usually 155:6	192:13	waiver 101:17	91:17 117:21
updates 24:2	utilities 136:17	virtual 17:1	102:1	118:3 143:3
upgrade 103:15	utterly 74:18	139:6	walk 46:10	147:3 155:16
186:17		VISE 48:11,13	56:10 62:15	156:8 169:17
upgrading	V	visit 43:20 56:13	72:12 155:21	182:14 189:13
186:12	valid 75:5	visited 77:21	walking 26:4	wants 153:11
uploaded 22:2	valuable 42:4	visitors 43:1	34:18 72:8	warehouse
115:11	value 19:4 42:11	Visual 19:11	156:1,21	92:20
upper 127:18	VanBeuzekom	visuals 141:8	walks 25:16	wasn't 152:17
130:4	101:9	voice 65:9 79:18	49:12	water 118:16
urban 43:5	vanguard 76:10	118:4	wall 103:12	Watson 16:22
44:16,21 53:3	variance 8:15	voiced 63:15	129:22 143:16	wave 60:8
54:6,9	13:17,21 14:13	74:3,6	145:11 151:10	139:21
urge 60:22 61:6	14:14 103:12	volatile 70:4	160:9,13,19	way 29:1 44:10
63:5 64:22	157:17	volume 115:6	walls 129:21	46:8 47:1,2,16
86:16	variances 14:10	170:9 192:18	175:8,9 178:19	50:19 57:14,20
usable 105:4,8	variants 18:18	volunteers 67:3	Walsh 6:7	59:16 60:12
174:9	42:3	vote 7:4 9:10	wander 43:21	62:20 65:20
use 23:17 33:9	varied 21:15	11:19 15:9	wandered 78:17	72:2 76:3
39:12 40:22	89:12	99:10 102:15	want 17:22	82:15,19 83:9
41:22 97:19	variety 42:6	106:2 125:16	34:16 35:15,18	84:2 87:3
98:6,11,16	98:20	137:17 148:20	46:7 52:4 53:2	95:18 106:5,7

106:8 117:5 123:2 142:19 150:18 156:15 157:2 178:8 193:11 ways 25:2 26:10 43:19 57:17 we'll 5:3 10:6 33:14 74:20,20 91:22 93:3 110:11,13 119:3 126:6 182:18 we're 3:7 16:6 30:10 34:22 35:9,13 43:19 44:5 54:9 59:13,15 60:20 60:21 67:13,13 74:8 87:12 92:16 95:4 106:14,19,21 109:18 110:8 113:9 115:1 118:20 119:22 120:7 121:13 121:14 122:2 128:12 130:17 141:22 142:8 142:13 146:14 147:18 154:13 157:16 161:14 161:15,15 163:14 164:14 164:15,20 165:2 174:22 182:3,6,15,20 188:6 we've 17:14 31:20 34:12 36:9,10 39:4 39:18 48:20 50:8 51:13 73:21 74:6,16 94:12 127:8 140:15 178:22 179:9,10 wear 64:2	wearing 39:20 wears 25:15 weather 183:17 webpage 4:9 website 90:1,21 Wednesday 19:16 21:5 week 21:11 22:13,14,15 35:16 39:10 54:21 60:15 weekend 39:12 56:15,20 60:10 60:15 72:6 weeks 22:22 weigh 164:11 welcome 3:8 161:14 welcoming 62:18 77:20 79:1 154:1 welfare 98:6 124:21 136:15 159:18 171:15 186:9 193:7 wells 142:21 175:14 went 29:8 35:4 48:20 54:19 65:15 179:6,12 weren't 94:7 weren't 25:12 35:21 Western 79:17 whereof 195:12 whisps 49:12 who've 119:10 wide 131:11 145:10 174:3 wife 117:18 128:3 Williamson 81:7 81:10,12,15,17 81:19,21 82:1 82:3,4,7 84:5 willing 71:10 91:6 93:13 Win 84:13	Winch 134:9 window 46:14 103:12,14,15 103:16 108:15 117:1 131:17 142:21 143:8 150:22 166:17 166:18 178:3 182:9 189:17 189:19 windows 50:12 59:13 100:2 128:19,19,21 132:4,12,13,14 132:15 142:21 143:17 145:2,6 146:3 160:9 162:17 174:14 174:17 176:3 177:1 181:7,11 181:12 182:10 185:1 186:11 192:4 193:13 window sill 131:15 winter 27:12 Winthrop 99:18 wise 61:16 wish 8:7 10:8 49:8 129:9 138:19 180:9 wishes 33:15 116:1 133:18 152:6 168:7 190:9 withdraw 6:10 withdrawal 6:14 7:6 8:19,22 9:3 9:8 withdrawn 8:12 9:12 withhold 105:21 witness 195:12 Witte 75:13,14 75:16,16 woman 70:21,21 119:14 wonder 46:15	46:16 82:18 wondered 153:1 wonderful 17:8 48:16 57:16 58:21 69:18 79:5 194:15 wonderfully 78:1 wondering 108:1 wood 181:9,10 182:16,19,20 183:6,17,21 words 27:12 88:16 153:7 164:7 work 26:22 37:21 40:5,18 53:3 54:3 58:21 60:15 67:17 69:18,19 72:3 80:19 84:1,1 85:8 93:3,17 94:11 109:15,17 123:13 137:6 158:6 169:16 170:19 174:4 181:13 185:3 193:17 worked 8:13 22:8 39:5 41:4 45:10,19 46:4 65:10 72:1 145:22 146:8 Workforce 20:6 working 34:16 44:7 52:16 56:12 140:3 works 14:5 69:21 83:14 84:5 Workshop 41:9 world 43:8 67:14 83:12 World's 50:12 worst 29:21 worth 18:16	88:2 100:1 worthwhile 94:14 wouldn't 48:18 119:11 wrap 33:21 47:22 143:5 wrecked 18:15 write 10:21 13:20 110:10 written 22:6 191:17 written-out 163:16 wrote 88:8 <hr/> X <hr/> X 2:1 <hr/> Y <hr/> Y-u 6:13 Yael 162:13 164:11,12 165:2,5,7,10 165:12,16,20 166:3,5,8,11 166:15 167:3,6 167:10,15 Yara 42:17 yard 87:7 128:16,17 129:17 130:5,5 130:6 132:6,19 136:1 148:8,10 175:10,10,15 176:15,21 177:10 179:15 Yavin 67:22 yeah 6:20 28:1 28:13 49:14 64:16,19,22 65:3 69:17 71:13 79:14 81:22 82:7 90:10,12,14,20 106:10 107:11 107:15 108:21 110:9 112:12 127:3,6 138:9
---	---	---	--	---

139:4,7 144:3 148:3,11 150:8 151:3,4,5,11 151:17 156:13 156:21 157:10 163:18 165:4,7 165:12 166:3,7 166:8,22 167:6 167:7,14,16 178:3 182:5,6 183:9,9,14,15 183:18 184:2,6 year 14:9 17:21 27:15 30:21,22 34:13 39:8 58:5 65:15,16 91:7,11 93:21 94:3,18 95:12 year's 94:3 years 43:3 45:4 45:16 46:4,21 47:4 48:15 50:21 61:22 72:17 74:16 78:1,20 80:12 97:13 107:12 117:2 127:15 128:6 130:14 153:13 Yep 16:13 48:9 75:15 100:7 110:19 113:8 116:9 137:21 139:14 140:9 149:8,9 161:12 166:10 167:2 169:8 184:21 yesterday 73:12 yielded 25:22 YMCA 46:4 yoga 20:18 21:17 41:10 48:20 64:11 95:3 you've 93:2 young 57:18 58:19 86:21 132:8	younger 58:2 youth 18:14 20:6 41:9 Yu 6:13 Yun 84:13 <hr/> Z <hr/> Zaira 19:22 ZBA 8:12 zero 37:4 145:1 Zola 66:2,3,3 zone 104:10 zoned 38:8 zoning 1:1,10 3:9 8:15 10:11 13:12 16:16 17:10,17 32:15 36:21 38:4 53:3,4,6 57:2 61:14 88:21 97:18 115:3 124:6,17 135:1 136:10 150:12 150:13 151:12 158:10 159:1 159:12 160:14 169:21 171:11 185:17 186:6 193:4 Zoom 73:18 110:12 112:14 118:7 <hr/> 0 <hr/> 0 104:8 144:5,7 189:8 0.30 189:10 0.4 189:7 0.5 189:5 0.50 104:10 189:2 0.54 189:6,7 0.73 129:21 0.88 129:21 0.99 155:2 01/06/22 2:4 01/09/20 2:6 017219-2019 10:7	02139 1:6 06/09/22 2:3 07/22/22 158:7 <hr/> 1 <hr/> 1 28:7 104:9 144:22 190:20 191:10,15 1.0 188:21 1.02 155:5 1.08 188:17,18 189:1 10 2:5 13:22 14:12 43:3 46:3 61:22 74:15 153:5,10 160:8 172:22 181:20 10-minute 62:14 10.43 124:10,11 135:18,19 159:5,6 185:21 185:22 192:20 10:00 73:15 10:02 194:21 101 2:11 103 2:12 103314 13:7 11 2:16 19:22 138:6 139:18 140:17 11-year-old 87:18 111 2:14 112 2:13 12 3:14 20:3 12-year 84:10 126 2:15 13 2:7 165:19 167:9,18 174:17 131 2:17 162:6 162:14 131-133 162:14 170:22 138 2:16 14 20:5 146 57:10	15 45:16 131:11 132:7 145:10 154:3 150 79:17 154221 8:7,12 16 2:10 10:14 20:8 162 2:17 167013 6:7 17 20:10 134:4 172873 103:6 188:9 173 2:13 178804 101:7,12 179227 112:6 179416 114:7 179628 162:6 18 15:18 20:12 170:21 180689 16:7 180806 126:7 181771 138:6 188 2:12 1893 173:15 19 2:13 20:14 42:5 112:6,8 112:10 126:14 146:17 173:6 181:14 1986 61:21 1987 107:9 <hr/> 2 <hr/> 2 2:12 21:13 34:7 57:4 59:21 74:16 103:7 145:5 165:6 180:19 190:19,21 191:17 2-Family 181:14 2-over-1 181:7 182:6 2-year-old 85:17 2,500 66:11 2.22 165:3,4 2.78 180:20 2.91 164:6 165:4	165:5 2/25/21 2:7 2:00 73:14 20 21:9 27:8 52:2 153:13 20,2022 13:11 201 2:11 101:7 101:13 2015 65:11 75:18 2018 35:21 2020 3:15,19 18:18 40:21 65:12 2021 35:5 38:19 2022 1:3 3:8 10:15 11:21 12:1,6 14:9 47:13 93:14 95:12 96:8 99:12 101:19 101:21 170:21 181:16,20 195:14 2023 15:14,17 28:7 89:19 91:11 93:13,19 93:20 2028 195:19 21 20:17 213 2:4 8:7,11 152:21 22 3:21 10:9 11:4,6,21 12:1 12:6 68:3 148:21 149:1 181:15 23 20:19 24 20:21 73:18 25 21:1 73:9 170:9 192:18 25,2022 14:15 26 21:3 25:19 148:20 2615 2:7 13:7,16 27 3:18 28 1:3 3:8 6:11 8:13 101:12
--	--	--	--	---

195:19 280 61:12 29 21:5	5000 149:19 52- 134:5 53 50:5 54 71:17 134:6 544 2:5 10:7 55 134:9 56 2:15 126:7,8 127:12 56-58 128:5 134:5 58 128:4	8 8 2:4 19:16 90:18 92:9 97:5 101:19 102:1,4,17 142:7 143:21 144:1,2 167:18 8.22 192:6 8.22.1 123:19 135:4 158:14 170:2 185:8 192:9 8.22.2.c 169:7 169:20 170:18 174:14 184:22 186:21 8.22.2.d 158:4 185:1,4 186:21 8.22.2c 136:2 8.22.2d 142:9 154:9 174:20 8.222c 134:22 8.222d 134:22 134:22 135:20 8:15 101:2 8:17 103:2 8:25 112:2 114:2 8:41 126:2 8:57 138:2 80 2:14 30:3 32:18,19 33:8 60:20 114:7,12 116:12 117:20 118:13 125:18 831 1:5 8311 152:19 84 2:10 16:7 120:14 85 153:9 8x8 190:21	35:1,2 48:4 59:22 73:15 9:05 35:1 9:15 35:1 9:26 162:2 9:37 173:2 9:54 188:2
3 3 15:14,17 19:10 74:17 104:4 143:20 145:8 175:20 190:20 191:9,16 3:00 62:6 30 21:8 30-day 29:9 95:6 31 17:12 28:7 89:19 95:12 96:8 99:12 120:21 33.5 120:21 35 114:22 120:20 128:15 36 2:12 103:7 188:6 190:18 191:5	6 6 2:2 33:19 101:21 116:5 133:22 141:8 150:11 152:10 168:11 170:7 180:13 190:13 192:15 6.41.1a,g 158:4 6.44.1 160:7 6.44.1a 151:14 6.44.a 160:16 6.44.g 151:12 6:00 1:4 3:3 12:2 56:16 60:11 101:19,21 102:17 6:03 6:2 6:04 8:2 6:06 10:2 6:08 13:2 6:30 15:18 16:2 60 134:12 61 174:21 6111 164:5 670 168:22 68 134:11	4 4 15:16 19:13 151:12 4-8-21 2:7 4,2022 15:14 4:00 73:14 40 13:21 149:14 40A 14:12 44 131:15 45 79:16 48 37:18,22 162:11 49 2:2 6:7,11,15	
5 5 19:15 25:4 40:20 41:1,19 76:1 115:7 120:21 170:6 192:14 5-27-21 2:8 5:00 12:5 21:20 101:22 50 22:4 39:12 72:6 145:10	7 7 141:10 7-- 188:7 7:00 60:11 70 60:20 74:8 134:10 72 117:19 75 43:1 77 36:22 74:7,9	9 9 19:20 30:8 33:19 116:5 133:22 152:10 168:11 180:13 190:13 9:00 21:19 35:1	