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Volume V
Pages 1-109

Brookline Zoning Board of Appeals Hearing
455 Harvard Street
Comprehensive Permit Application
Harvard Danesh 455, LLC
July 12, 2017, at 7:00 p.m.
Brookline Town Hall
333 Washington Street, 6th Floor
Brookline, Massachusetts 02445

Reporter: Kristen C. Krakofsky

Page 2

1 APPEARANCES

2 Board Members:

3 Kate Poverman, Chair

4 Lark Palermo

5 Christopher Hussy

6

7 Town Staff:

8 Alison Steinfeld, Planning Director

9 Karen Martin, Planner

10 Polly Selkoe, Assistant Director of Regulatory

11 Planning

12

13 Urban Design Peer Reviewer:

14 Clifford J. Boehmer, AIA, President & Principal,

15 Davis Square Architects

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17 Traffic Peer Reviewer:

18 Benny Hung, Environmental Partners Group

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Page 3

1 Applicant:

2 David Danesh, Harvard Danesh 455, LLC

3 Danny Danesh, Harvard Danesh 455, LLC

4 Geoff Engler, Vice President, SEB, LLC

5 Peter Bartash, Associate Principal, CUBE 3

6 Studio, LLC

7 Scott Thornton, P.E., Vanasse & Associates, Inc.

8

9 Members of the Public:

10 Tom Schlatter, 121 Thorndike Street

11 Sloat Shaw, 88 Thorndike Street

12 Fred Pinches, 106 Thorndike Street

13 Steven Herscovici, 87 Thorndike Street

14 Mark Rosen, Thorndike Street

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Page 4

1 PROCEEDINGS

2 7:11 p.m.

3 MS. POVERMAN: All right. It seems like we

4 are all here, so we can all stop taking, even though

5 I know the Daneshes like to keep chatting.

6 Okay. This is the fifth ZBA hearing on the

7 comprehensive permit for 455 Harvard Street. My

8 name is Kate Poverman. I am the chairman of this

9 hearing. With me today are Christopher Hussey and

10 Lark Palermo; and the assistant director of

11 planning, Polly Selkoe; and Karen Martin, a planner.

12 These proceedings are being recorded, so

13 please, if you come up to the microphone, please

14 talk clearly and state your name. There should not

15 be any talking among yourselves during the hearing.

16 If you need to talk with someone, please go outside

17 or you will be chastised.

18 All right. As you probably know by now,

19 this is a proposal to construct 17 residential

20 units -- rental units -- including four affordable

21 units and 1,700 squares, approximately, of retail

22 space.

23 At the last hearing, the peer reviewers for

24 traffic and parking gave their reports, and the

Page 5

1 applicant said they were in the process of revising

2 the proposal, the design, to address some of the

3 concerns that have been voiced.

4 Tonight the applicant's team will present

5 the revised design plans, and we will go through

6 some of their comments. Some peer review comments

7 will be given on the traffic, but not the design

8 review.

9 And so why don't -- before you begin,

10 Ms. Selkoe has a couple of comments.

11 MS. SELKOE: Yeah. I'm Polly Selkoe,

12 assistant director of regulatory planning.

13 Just one correction: Depending on how

14 things go, the applicant's team is going to be

15 presenting not only the design plan, but some

16 traffic mitigation measures.

17 And we have here tonight also Cliff

18 Boehmer, who is the peer reviewer for design, and he

19 actually has some comments. He doesn't have written

20 comments, but he would like to make some comments.

21 And then we have Benny Hung from the

22 traffic peer reviewer team, and they also have some

23 comments.

24 Keep in mind that they just got these plans

Page 6

1 yesterday, like we did, but they've been very quick
 2 to take a look at them. These won't be a complete
 3 analysis, but at least they'll give us some
 4 indication of what they thought of the revised
 5 design.

6 And so with that, Geoff Engler, if you want
 7 to come up.

8 MR. ENGLER: Thank you. For the record,
 9 Geoff Engler from SEB, consultant to the applicant.

10 I agree with what Polly said. I think our
 11 intention is to go through the architectural and
 12 then immediately into the traffic, and that will
 13 conclude our presentation. As you've seen, it's
 14 pretty extensive relative to what we plan to present
 15 this evening, so we'll roll the two right together,
 16 and then however it pleases the board to move
 17 thereafter. So thank you.

18 MR. BARTASH: For the record, Peter Bartash
 19 with CUBE 3 Studio. We are the architect on the
 20 project.

21 Tonight we are going to just talk quickly
 22 about some of the updates that we have made to the
 23 design. We did have a meeting with some of the
 24 neighbors on Thorndike Street to discuss their

Page 7

1 concerns in more detail. We also had received some
 2 of the feedback from the peer reviewer and also from
 3 the board as well and kind of factored all of that
 4 into the revised design that we're going to show you
 5 tonight.

6 I think ultimately the theme for the
 7 changes that we've made -- we haven't made every
 8 single change that had been recommended to us, but
 9 what we focused on is making the changes that we
 10 feel are most impactful to the project and do the
 11 best job of delivering to some of those concerns
 12 that were presented to us.

13 So we have some additional information to
 14 review. We're going to talk about the design
 15 changes, look at revised plans, including a
 16 landscaping plan. We'll also look at some revised
 17 perspectives of the building and the updated shadow
 18 studies that reflect the new plans.

19 So this is just some information about
 20 where the project is located again, if you need to
 21 refer to it. And I have our previous presentation
 22 available as well if there are questions about
 23 comparisons that aren't made clear by this
 24 presentation.

Page 8

1 We did a little bit of a study about
 2 parking availability along Harvard Street, and
 3 anything you see in blue along Harvard Street is
 4 indicated as metered parking. We have keys that
 5 call out anywhere we have bus stops. There are some
 6 Hubway stations. There's actually one right across
 7 the street from the site. And then everything in
 8 green is shown as two-hour parking. And again, this
 9 is just adding another layer of detail to that same
 10 study, so this is just looking a little bit more
 11 closely about the parking availability in the
 12 general area, and I think that's going to come into
 13 play later on as we get into that discussion.

14 So looking at the design changes, this is a
 15 summary of the changes we've made, and I'm just
 16 going to read down and then roll into looking at
 17 some images that capture all of these.

18 We've increased the setbacks along
 19 Thorndike Street; we've decreased the facade of the
 20 roof deck by 40 percent; we've increased landscaping
 21 along Thorndike Street; relocated the garage entry
 22 to the northeast corner of the plan; we've
 23 introduced facade elements to improve pedestrian
 24 scale; we've adjusted the window proportions of the

Page 9

1 corner window facing the intersection of Harvard and
 2 Thorndike; we've added some canopies down along the
 3 retail storefront that are facing Thorndike Street,
 4 but keeping consistent language on both faces of the
 5 facade; we've relocated the heavy cornice from the
 6 top of the building to the top of the third floor;
 7 and we've refined the garage layout. That would
 8 allow us to increase the setbacks along Thorndike
 9 Street. So this takes all of that information and
 10 starts to layer it onto the actual plan itself.

11 One of the things that became apparent as
 12 we went to our initial site walk with the ZBA and
 13 also then a follow-up with the site walk with the
 14 peer review architect is that our original proposed
 15 location for the garage entry was going to impact
 16 the existing street tree in that location, a hydrant
 17 in that location, and a utility pole.

18 So in conjunction with those existing
 19 constraints and also looking at trying to increase
 20 the separation distance from the intersection at
 21 Harvard and Thorndike Street, one of the first goals
 22 we had was to move that garage entry as far away
 23 from that location as we possibly could. So we dove
 24 in immediately and started looking at ways to

<p style="text-align: right;">Page 10</p> <p>1 reconfigure the parking garage and to start to use 2 that as a tool to preserve that existing tree along 3 Thorndike Street but also to start to give us an 4 opportunity to free up area against Thorndike Street 5 to start to create more of a setback. 6 So you can see shaded in this light pink 7 color, this is the setback that we proposed in the 8 original plan. Now, the neighbors on Thorndike 9 Street had asked us for as much of a setback as we 10 could provide along Thorndike Street, and we'd also 11 seen those similar comments in the peer review 12 response as well. And in looking at setbacks that 13 we could create in this location, we also want to be 14 mindful of the fact that we do have this retail 15 component that sits at the front of the project that 16 does sit at this intersection and that does want to 17 be up against the edge of the sidewalk or as near as 18 possible to the sidewalk in the area where it does 19 interact with the public realm. 20 So with that in mind, and recognizing that 21 the neighborhood really starts a little further up 22 the street past the site, what we wanted to do is to 23 concentrate a bulk of our setback in the area where 24 it is closest to the neighborhood. And, you know,</p>	<p style="text-align: right;">Page 12</p> <p>1 closer to the relative lengths of other homes along 2 Thorndike Street. So it's about starting to create 3 a consistent face from a proportion standpoint in 4 relation to some of the existing buildings that are 5 further down the street. And we'll see that when we 6 look at the perspective, and I'll talk about that in 7 a little more detail. 8 But you'll notice that we've taken the 9 entire garage, and we've flipped it around 10 completely to accommodate that new entry. We've 11 been able to maintain the same parking capacity we 12 had in the previous scheme, so we're still providing 13 the 12 spaces plus one accessible space. The square 14 footage of the retail is in tact, as is the square 15 footage of the lobby. 16 The other big change that's occurred has to 17 do with the elevation that faces the abutter at 18 78 Thorndike, so on the northeastern side of our 19 plan. We were told to -- directly to focus 20 specifically on our relationship to the abutter and 21 on what that facade looks and feels like and how 22 we're treating that edge of the project. 23 So you'll notice that we've taken some of 24 the utility and mechanical rooms along that edge and</p>
<p style="text-align: right;">Page 11</p> <p>1 we've looked at a couple different options and ways 2 we might be able to accomplish this and decided that 3 simply shaving an extra foot off the building across 4 the entire length wasn't going to meet the intent of 5 the comments we were hearing about creating 6 additional setbacks on Thorndike Street. 7 So on the right-hand, what you can see is 8 this area grows from 1 1/2 feet closer to the 9 intersection to almost 9 feet by the time we get to 10 the back edge of the site. And what that does is a 11 few things. 12 One, it increases the distance from the 13 garage door to the edge of the sidewalk, which 14 allows for more visual queue time for drivers who 15 are exiting the garage to see people on the 16 sidewalk; it gives us an opportunity for landscaping 17 along that edge; and also starts to do some 18 interesting things to the massing of the building. 19 We've taken that line of the facade and 20 carried it up the entire face of the building, so 21 we've shaved some square footage off of those units. 22 And by introducing this break in the building at 23 that kind of midpoint, we're starting to break the 24 faces of the building down into lengths that are</p>	<p style="text-align: right;">Page 13</p> <p>1 we've turned as many of those doors inward as we can 2 to start to really clean up that elevation. We've 3 also done that as a way of being able to introduce 4 landscaping along that edge of the building in 5 between our building and the abutter at 78 Thorndike 6 Street. We've introduced a little bit more of a 7 setback, and by "a little," I mean a foot along 60 8 percent of the elevation that faces the abutter. 9 We've left the existing stairs in place. Because of 10 its relationship with the garage, we weren't able to 11 bump it back in, but we used that as a way to be 12 able to transition materials on that edge as well. 13 And I'll show you in a little bit what I mean by 14 that. But it's starting to cue a little bit more of 15 the design move that we decided to make on that 16 edge. 17 So these are some before and after 18 comparisons. On the left-hand side, we have before; 19 on the right-hand side, we have after. So starting 20 with the top pair of images, the thing that's really 21 most apparent to us is the change that occurs by 22 dropping the cornice from the top of the building -- 23 which, on the left-hand side, you can see is this 24 dark shadow line -- down to the top of the third</p>

Page 14

1 floor here on the right-hand side. And what that
 2 does is it helps lower the proportions of the
 3 overall building from a visual standpoint, and it
 4 begins to actually -- from the sidewalk in the
 5 immediate area of the building, it begins to start
 6 to cut down on the view of the fourth floor, which
 7 is why if you look at these images kind of back and
 8 forth, you'll see that the fourth floor appears as
 9 if it's taller on the left than it does on the
 10 right, but these buildings are the same height.

11 You'll also notice that we've taken the
 12 scale of the windows at the corner and we introduced
 13 some additional vertical lines to start to improve
 14 their proportions and make their proportions more
 15 consistent with the other windows that we have on
 16 the facade. Again, that allows them to read a
 17 little bit more vertically and helps them feel like
 18 there are a little bit more gradual of a curve
 19 running around that corner.

20 I mentioned that we introduced some
 21 canopies on the retail storefront facing Thorndike
 22 Street. You can see originally we did not have
 23 those canopies, but we did carry the base material
 24 around the corner so that it is wrapping the full

Page 15

1 extent of the retail, and now we have a consistent
 2 expression on both facades. The street tree that
 3 previously was removed to accommodate the garage
 4 entry is back in place along Thorndike Street.

5 And then if we jump to the images below
 6 that where we're further up Thorndike Street facing
 7 back toward Harvard Street, you'll again see this
 8 break in the building as where the building starts
 9 to bend and allows it to create the landscaping on
 10 either side of the newly located garage entry.

11 And originally we had a relatively flat,
 12 unbroken facade of brick that had a slight curve at
 13 the very end to provide a little bit of relief
 14 toward the neighborhood. Now we're taking the
 15 entire building facade and bending that facade
 16 backwards to create that space. But we're also
 17 creating a stronger implication at the base by
 18 introducing corbeling and articulation in the brick
 19 work itself to respond more to the human pedestrian
 20 scale at the sidewalk edge. Visually that does
 21 respond to human scale, but it also breaks up the
 22 proportion of this wall so that there is a defined
 23 base, a middle, and then the middle is capped by the
 24 heavy cornice, and you have the top of -- with the

Page 16

1 upper floor that remains.

2 And you'll notice that it starts to appear
 3 in this image on the very right-hand side, which is
 4 the side of the building facing 78 Thorndike Street.
 5 We've actually terminated the brick after it wraps
 6 the corner by about a foot and transitioned to a lap
 7 siding material. We want to be using material along
 8 that facade that resonates a little more closely
 9 with some other traditional materials that are found
 10 elsewhere in the neighborhood.

11 And we're going to look at the elevation in
 12 a second. Actually, it might be the next one.
 13 We'll get there. We're going to look at the
 14 elevation in a second.

15 But we've left the stair tower brick and
 16 introduced lap siding on either side to almost mimic
 17 or resemble a chimney on the side of a residential
 18 house, in a sense. We're trying to create a little
 19 bit more of a residential expression along that side
 20 of the building.

21 So looking at the revised plan, this is the
 22 revised ground floor plan, which we've looked at now
 23 in the comparison slide. We have some revised
 24 square footages associated with this plan as well

Page 17

1 because we have reduced our square footages both in
 2 terms of the footprint of the building but also in
 3 terms of the residential gross square footage.

4 Looking at the landscaping plan for a
 5 moment. So I mentioned that we had created
 6 opportunities for landscaping. And so it does start
 7 as close to the retail as we could get in this small
 8 planted strip that begins at the very edge of the
 9 retail where it terminates. As you travel further
 10 up Thorndike Street and the setback widens, we
 11 incorporate more and more planting until we finally
 12 get to the corner where we introduce a few of these
 13 trees that you see on the right-hand side. So all
 14 of the different planting materials and species are
 15 identified. This is a rough idea of the palette
 16 that we're proposing for landscaping along this
 17 edge.

18 Here we're looking at our typical floor
 19 plan for Floors 2 and 3, and you can see that the
 20 chamfer that we've introduced or that slice that's
 21 carried all the way up the facade of the building
 22 in -- this light line is the property line, so we're
 23 bending away from that.

24 And at the upper floor, what we've done is

Page 18

1 we've taken the edge of the building and we've
 2 bumped it forward toward these private roof decks to
 3 reduce the overall size of those roof decks so that
 4 they're a little bit more appropriate for their
 5 proposed use and there's no question about are they
 6 for use -- common use by the residents of the
 7 building, or are they not. They very clearly belong
 8 just to these two units on the upper floor.
 9 And here we have our revised roof plan that
 10 just reflects again that move, and the uppermost
 11 floor of the building is still set back about 20
 12 feet from the property line. When we were looking
 13 at the difference between the 20 feet and about the
 14 25 or 26 feet we had before, we recognized that
 15 there was no significant change on shadowing impacts
 16 or visual impacts based on the position of that wall
 17 as it relates to the property line at the rear side
 18 of the site.
 19 So looking at the revised perspectives, we
 20 looked at this in a little bit of detail on the
 21 before and after comparison, but this gets us a
 22 little closer so you can see kind of the impact of
 23 having that base of keeping the tree on Thorndike
 24 Street, some of the landscaping along the edge of

Page 19

1 the curb as well, and also the effect of lowering
 2 that cornice line along the building.
 3 Here we're a little bit further down
 4 Harvard Street, and again, you have that strong
 5 heavy cornice line that creates kind of a visual cue
 6 for your eye to really cap the body of the building
 7 and help separate the top of the building from that
 8 body.
 9 And here, we've seen this image as well
 10 where we're looking on Thorndike Street facing back
 11 toward Harvard at the new garage entry and some of
 12 that landscaping, the kind of fenestration down at
 13 the brick level, and again that heavy cornice line.
 14 So this is the elevation that faces
 15 78 Thorndike Street that I was mentioning that we
 16 want to start to kind of create a little bit more of
 17 a residential feel with. We have not gone through
 18 the exercise of analyzing our window -- proposed
 19 window locations in relation to existing window
 20 locations on the next door home, but that is
 21 something that we're willing to look at and will
 22 look at as we move further through the design
 23 process.
 24 We still do have a few service and access

Page 20

1 doors and egress doors along this facade that access
 2 a sidewalk that sits between this building and the
 3 property line. And what's not shown in this
 4 elevation, for clarity, are the three trees that are
 5 proposed to be planted in this location here. It's
 6 important to note that there's an existing retaining
 7 wall that does run along this facade, and there's an
 8 existing fence that belongs to the abutter that does
 9 run along this facade as well that roughly separates
 10 the entire first floor of their home from viewing
 11 this facade.
 12 Here we're on Harvard Street looking back
 13 down toward Thorndike Street, and this is really the
 14 area where we see kind of the most impact, I think,
 15 from the move to really bring this cornice line
 16 down. The building feels more horizontal. It feels
 17 more convincing as a building from this elevation.
 18 We've also gone through the extent of
 19 looking at the existing vegetation between the
 20 proposed project site and the next door retail
 21 parking lot and mirroring that vegetation as closely
 22 as possible to represent an actual condition in that
 23 location and what we expect you would see.
 24 Here we have our updated shadow studies

Page 21

1 which take into account the new plan. And as I
 2 mentioned, there are -- it was difficult for us to
 3 even notice any discernable changes between the
 4 previous shadow impacts and these proposed shadow
 5 impacts. I'm going to flip through these. They
 6 start in March at almost 6:00 a.m. in the morning,
 7 and they end in December at just about 5:00 p.m. in
 8 the evening. So I'm going to go through them
 9 without narrating all 46 of them, or however many
 10 there are. But we can stop at any point if anyone
 11 has questions, and then we'll get to the end of
 12 these.
 13 So we're starting here, again, on
 14 March 21st at 5:50 in the morning. Anything in red
 15 is a new shadow that's not created by anything
 16 that's existing. Anything in black is an existing
 17 shadow that either interacts with a new shadow or is
 18 relatively important in terms of its relationship to
 19 the proposed project site. There are other shadows
 20 from trees. There are other shadows from other
 21 structures as well. That level of detail doesn't
 22 really deal with any sort of information beyond
 23 what's shown here. And actually, we're really
 24 representing more new shadow than you would have

Page 22

1 because of those existing conditions, but we're
 2 trying to be conservative in what we're representing
 3 and show the full extent of what we think it could
 4 be if all of the landscaping went away and a lot of
 5 these other existing shadows weren't in play as
 6 well.

7 So here you can see that there is shadowing
 8 that does impact the home at 78 Thorndike Street.
 9 And again, the change at the upper floor does not
 10 really change the impact on that home positive or
 11 negative. It's almost exactly the same. And you
 12 have that through the afternoon. And then in the
 13 evening you can see we're adding a little bit of
 14 shadow down here.

15 Here we're in June, 9:00 a.m., 12:00 p.m.,
 16 3:00 p.m., and 6:15 p.m.

17 Now we're in September, and we're just
 18 before 6:00 a.m. in the morning. Here we're
 19 9:00 a.m., 12:00 p.m., 3:00 p.m., and 8:15 p.m.,
 20 just before the sunset.

21 And now we're in December at about 7:15 in
 22 the morning. Now we're at 9:00 a.m., 12:00 p.m.,
 23 3:00 p.m., and then at 4:08 p.m., just before the
 24 sun kind of dips down.

Page 23

1 So we're going to talk a little bit about
 2 some of the proposed off-site improvements as well.

3 MR. THORNTON: Good evening. For the
 4 record, Scott Thornton with Vanasse & Associates.
 5 We're the traffic consultants for the project, and
 6 we have been working with the town's peer
 7 consultant, Environmental Partners Group, on
 8 responding to their concerns related to traffic and
 9 access associated with the project. They had issued
 10 a comment letter on some of our previous analyses
 11 and reports. That letter is dated May 31st. We had
 12 a meeting at Environmental Partners Group offices on
 13 June 16th, and then we issued some comments
 14 responding to their comments. That letter is dated
 15 July 5th. You have a copy of that packet.

16 I think in terms of -- the Environmental
 17 Partners Group review focused on a few issues,
 18 primarily sight distance, driveway, access location,
 19 and then to a lesser extent some of the details
 20 related to trip generation, type of retail
 21 associated with the site. And I think some of those
 22 smaller issues, those lesser issues, have been put
 23 to rest. We're really focused now on sight
 24 distances.

Page 24

1 One of the things that had come out of the
 2 Environmental Partners Group review was a desire to
 3 improve the sight distance at the Thorndike Street
 4 approach to Harvard Street. And just to orient you,
 5 the Thorndike Street approach kind of looks in the
 6 east to west orientation, and Harvard Street is the
 7 north/south orientation.

8 So one of the things that they had
 9 suggested was looking at the possibility of curb
 10 extensions, which effectively push the stopping
 11 point of the side street further out into the
 12 intersection from the current location. We see on
 13 this plan the existing stop bar location on
 14 Thorndike street shown in yellow, and then the new
 15 site -- the new stop bar location shown in white.
 16 That's 4 feet behind the crosswalk, which would also
 17 get moved further out. So it's about a 6-foot
 18 improvement -- 6-foot distance where the stop bar is
 19 pushed into the intersection, so that improves that
 20 sight distance -- sight triangle for vehicles
 21 exiting Thorndike Street.

22 So the applicant has agreed to construct
 23 the curb extensions. And not only does that improve
 24 the sight distance for vehicles coming out of

Page 25

1 Thorndike Street, it also effectively reduces the
 2 crossing width for pedestrians, so it's a shorter
 3 time that pedestrians are in Harvard Street crossing
 4 that roadway, which makes for a safer crossing
 5 condition.

6 In terms of the maximum improvement that
 7 could be realized out here, what we had talked about
 8 was removing this one parking space that's on
 9 Harvard Street. Currently what you have is one
 10 parking space just north of Thorndike Street, the
 11 existing curb cut into the Indian restaurant, and
 12 then another parking space on the other side.

13 Initially, we were talking about modifying
 14 the curb cut to be only for use for the loading zone
 15 between the hours of 7:00 a.m. and 10:00 a.m. And
 16 we had discussed removing this parking space so that
 17 there would basically a free and open area from the
 18 intersection up to the other side of the property
 19 line to where this other parking space would be.

20 One of the things that we've discussed with
 21 Environmental Partner Group -- and it's all been
 22 kind of last minute. We had a discussion yesterday,
 23 and we had another discussion today about removing
 24 this parking space but going back to allowing the

Page 26

1 use of parking after the loading zone hours. So
 2 what that would -- it may not be both spaces. Maybe
 3 it's just one space that gets added back in, which
 4 represents the -- you know, really the relocation of
 5 this space to this area up here. It improves the
 6 sight -- maintains an improved sight distance
 7 profile through here but also gets that one parking
 8 space back, so there's no real loss of parking out
 9 there.

10 So that's -- and we're still kind of --
 11 that's kind of thinking out loud at this point.
 12 We're still reviewing the issues around that. But
 13 then as -- so that's one key improvement that the
 14 applicant's making, the curb extensions.

15 And as Peter had mentioned, the other,
 16 really, in terms of traffic, is the relocation of
 17 the driveway further back from Harvard Street and
 18 stepping back the building so that there's an
 19 improved -- improved lanes for sight distances. So
 20 what you have now -- so what that does is it allows
 21 a vehicle -- you can kind of see it here. This is
 22 where the stop bar is for the vehicle coming out of
 23 the driveway, so the driver's eye would be right
 24 about at the edge of the building profile, the edge

Page 27

1 of the building overhang. So from that point out,
 2 looking down to Harvard Street, you have about 130
 3 feet of sight distance, and there's nothing --
 4 vegetation has been designed to be below the sight
 5 profiles, so it's not to exceed 2 feet in this area.
 6 You have plenty of visibility for pedestrians and
 7 for motorists coming out of the driveway to -- out
 8 of the garage to see pedestrians.

9 And then in this direction, we actually --
 10 one of the things we have to look at is -- as Peter
 11 mentioned, there's a fence and a retaining wall
 12 right in this area, so that somewhat obstructs sight
 13 distance, so you're probably looking at more like 80
 14 to 90 feet in that area. But again, in terms of
 15 what's required, this exceeds -- and by "required,"
 16 I mean what's required in terms of standard traffic
 17 industry guidelines.

18 What you typically would have is a review
 19 of sight distance, which I think I presented
 20 earlier, where the vehicle enters the street. So
 21 that's right at the edge of travel way, right at the
 22 curb line. And at that point, you know, there's
 23 plenty of sight distance for motorists to see coming
 24 down Thorndike Street. Plenty of sight that --

Page 28

1 probably 200 or so feet for motorists to see a
 2 vehicle coming out of the driveway.

3 What this does, it's a really -- it's a
 4 much more conservative view of sight distance so
 5 that pedestrians can see a vehicle before it even
 6 gets to the sidewalk. Motorists can see a vehicle
 7 before it gets to the sidewalk. And obviously they
 8 wouldn't be -- they wouldn't be entering the street
 9 without stopping before entering the sidewalk.

10 So those two changes are really significant
 11 in terms of the improvement of -- or changes for the
 12 project. As I mentioned, we still have some
 13 clarification to do with Environmental Partners
 14 Group, and we expect to get that resolved in the
 15 next week or two.

16 So I believe it's Q and A.

17 MR. HUSSEY: Scott, I've got a couple of
 18 questions. Where are the town -- there are two town
 19 trees along here someplace, or one anyway. I think
 20 there's one down here too.

21 MR. THORNTON: Yeah. I think there's one
 22 right in this area.

23 MR. HUSSEY: Are those fully mature? Do
 24 they have low branches, or is it just the trunk

Page 29

1 that's --

2 MR. THORNTON: It's just the trunk.

3 MR. HUSSEY: And what's the width of the
 4 door on the driveway here now? It was 16 feet. Is
 5 it the same, or is it wider?

6 MR. THORNTON: It's still at 16 feet.

7 MR. HUSSEY: Do you see that as a problem?
 8 I think the town requirement is 20 feet, isn't it?

9 MR. THORNTON: I think in terms of the
 10 vehicle traffic entering and exiting the site, we
 11 don't expect a lot of volume, so it's really -- we
 12 don't expect any conflicts between entering and
 13 exiting.

14 MR. BARTASH: And just to answer to that
 15 point as well, now that we've reconfigured the
 16 garage, we're at a point where we can look at trying
 17 to widen that door as well, so I think there is an
 18 opportunity to pick up a couple more feet there.

19 MR. ENGLER: If I may -- I don't mean to
 20 interrupt. I apologize. We just -- since this is
 21 an iterative process, I would suggest we've done a
 22 lot. We just had the benefit tonight of some of the
 23 subsequent traffic engineer comments, so we would
 24 hope that those get kind of memorialized in an

Page 30

1 official letter that gets submitted to the town and
 2 then we'll address those. So it's kind of a
 3 narrowing of the issues. The previous letter had a
 4 lot. What I saw tonight is fewer. Hopefully
 5 eventually it goes to none. And we would expect the
 6 same, eventually, from Mr. Boehmer who, in fairness
 7 to him, has just seen the plans, hopefully will
 8 resubmit something in writing to which we can
 9 respond to. But one of those comments or concerns
 10 that we did see was the with of the driveway
 11 entrance.
 12 MR. HUSSEY: Okay. I know this is still a
 13 work in progress.
 14 The other thing I had a question about is
 15 the loading area. So what are the times now for
 16 that loading area that it would be used?
 17 MR. THORNTON: That would be 7:00 a.m. to
 18 10:00 a.m.
 19 MR. HUSSEY: How much loading can there
 20 possibly be for this? I mean, this is basically for
 21 the retail space, isn't it?
 22 MR. THORNTON: Yes. I think it's probably
 23 one to two deliveries a day.
 24 MR. HUSSEY: At the most.

Page 31

1 MR. ENGLER: I would say the loading zone
 2 will be used very infrequently, but the town
 3 historically on the other 40B projects has really
 4 banged the drum about a loading zone, which is why
 5 we've included it in this project. But in reality,
 6 it will be used very infrequently as a loading zone.
 7 MR. HUSSEY: Okay. That's what I would
 8 expect.
 9 Okay, Scott. Thanks.
 10 MR. THORNTON: Sure.
 11 MS. POVERMAN: Lark, do you have questions?
 12 MS. PALERMO: No.
 13 MS. POVERMAN: Scott, your landscape plan
 14 shows plantings right where the driveway is, so
 15 isn't that going to affect visibility?
 16 MR. THORNTON: No.
 17 MS. POVERMAN: Why not?
 18 MR. THORNTON: Because they're selected to
 19 max out at 2 feet.
 20 MS. POVERMAN: Okay.
 21 MR. ENGLER: Not the tree, but the rear.
 22 MR. DANNY DANESH: Why don't you pull up
 23 the landscape plan?
 24 MS. POVERMAN: That would be great.

Page 32

1 MR. BARTASH: So what I was describing
 2 is -- so these plantings along this edge are no more
 3 than 2 feet, as are these plantings as well. And we
 4 do have three trees that are more than 2 feet tall,
 5 and they are at the rear of the project outside of
 6 the sight line for screening purposes along that
 7 facade.
 8 MR. HUSSEY: While you're on this plan, it
 9 looks like all of these doors now feed out into this
 10 walkway, which feeds onto Harvard Street, but they
 11 don't feed onto Thorndike Street; is that right?
 12 MR. BARTASH: That's correct.
 13 MR. HUSSEY: Okay.
 14 MS. POVERMAN: I had another question in
 15 terms of the traffic. It also shows a bump-out
 16 buildup on the property across the street on
 17 Thorndike. How do you have the ability to do that?
 18 MR. THORNTON: It's in the --
 19 MS. POVERMAN: It's town property?
 20 MR. THORNTON: It's in the public right of
 21 way.
 22 MS. POVERMAN: Okay. So you don't need
 23 permission from that property owner?
 24 MR. THORNTON: No.

Page 33

1 MS. POVERMAN: That's all I have for right
 2 now.
 3 MS. SELKOE: So as the board pleases, would
 4 you like to hear some preliminary comments from
 5 Cliff Boehmer, who is the design peer reviewer, and
 6 then Benny Hung?
 7 MS. POVERMAN: That would be great. And I
 8 do want to say to everybody, having gotten the
 9 materials so late on both sides, it's really hard
 10 for us to make in-depth comments on everything, and
 11 that is not the way the board likes to proceed, so
 12 we reserve the right to make further additional
 13 comments on everything at a later date.
 14 MR. ENGLER: Half guilty. I will say all
 15 the traffic stuff we submitted July 5th, so that
 16 wasn't submitted just recently. Admittedly, the
 17 architectural was just submitted because we've been
 18 working on it, but I don't know -- not that it
 19 matters, but we did submit the full response to
 20 traffic and this plan over a week ago.
 21 MS. SELKOE: Cliff, do you want to come up?
 22 MR. BOEHMER: Sure. I will be brief, and
 23 I'm happy to memorialize these comments in a memo,
 24 you know, for a more formal response from the

Page 34

1 developer. So I'm going to be very brief because I
 2 really didn't have a lot of time, but I did sit down
 3 in a very focused way and reviewed the drawings and
 4 the traffic report as well.

5 Overall, I think the project has -- while
 6 not responding to all of the comments that have been
 7 made in the hearings, the project, in my opinion, is
 8 moving in the right direction. And I would put a
 9 second half onto that, which is that while not every
 10 recommendation was followed, I think that the
 11 choice -- the prioritization of how to address the
 12 issues was thoughtful, and I think it's moving in
 13 the right direction.

14 So the comments I have are -- I'll make a
 15 few overall. I think the context that it helps me
 16 to connect with is that we're talking about a -- and
 17 many of my comments are related to the fact that it
 18 is a -- that we all want to see it as a transitional
 19 building. It's a building that's sitting on the
 20 edge of a district with very different development
 21 restrictions placed on it. And having buildings
 22 that really make a thoughtful transition from that
 23 commercial zone into the long established
 24 residential zone is, I think, an important thing to

Page 35

1 look for. It sets out, I think, important criteria
 2 for review of -- design review.

3 And I think taking that perspective, I
 4 think there are kind of three major changes that I
 5 think really have, in the final analysis, helped it
 6 look more residential.

7 I remember from the first images it did
 8 have a -- more of the sleek commercial look, which
 9 was particularly jarring on the Thorndike Street
 10 side. And as you certainly, maybe, recall that my
 11 concern about the view when coming from Boston --
 12 because there is a very prominent elevation that's
 13 exposed because of that parking lot on the Starbucks
 14 side -- the -- and I think this happened -- the
 15 reason that the building, I think, is now looking
 16 like a mixed-use building -- which is what it is --
 17 it's still having residential qualities. I think
 18 that banding that Peter did point out, the change in
 19 that banding really did change the proportions of
 20 the building significantly, and I think we saw that
 21 in particular on the Thorndike Street side
 22 elevation. But also having that carry around on the
 23 northern elevation is a big change.

24 The intensification of the detailing was

Page 36

1 also -- I think is really moving in a positive
 2 direction. You see that particularly on the
 3 Thorndike Street side where you're starting to see a
 4 real base of the building defined. It goes all the
 5 way to the end of the building, not just confined to
 6 the commercial area where it wrapped around the
 7 first 40 feet or so.

8 And finally, the setbacks. While not all
 9 of the setback suggestions were followed -- I think
 10 that's for -- probably for a square footage reason,
 11 although it's does bring up a question I have.
 12 Increasing that setback and that notion of bringing
 13 the landscaping around and wrapping it around the
 14 end of the building at the neighbor's end, I think,
 15 was a really effective way of making it -- as I was
 16 saying, this kind of notion of a building that helps
 17 make a more gentler transition into that existing
 18 neighborhood. I think that helps considerably.

19 So most of my comments are things that I
 20 think you should expect to see in future iterations
 21 of drawings and certainly with any final submission
 22 of a package. I think the most important ones for
 23 me are the mechanical equipment. I think what was
 24 not in the drawings yet. I think they advanced the

Page 37

1 more street level view, which I think was a
 2 legitimate approach, but now it's time to go back
 3 into the more technical side of drawings, bringing
 4 elevations up to speed with where they are now with
 5 accurate material, call out some ideas of where
 6 there is that intensified articulation and detailing
 7 of the buildings.

8 I think the -- there was -- I had some
 9 concerns about the -- some of the material
 10 selections on the Thorndike Street side, in
 11 particular the metal screening at the parking level.
 12 I think that's a really important place where it has
 13 to both look well and we have to make sure that the
 14 issues about potential noise impact from the
 15 mechanized parking structures is something that's
 16 been thought about and discussed.

17 The window locations -- actually, Peter did
 18 bring this up. I think the revised elevations on
 19 the -- for the benefit of the Thorndike Street
 20 neighbor are really good, bringing that brick down
 21 into it, breaking it up into three pieces and
 22 wrapping that planting around. I do think it is
 23 worth pushing that a little bit further and looking
 24 at those window locations and how they relate to the

Page 38

1 neighbors' house location so they're not looking
 2 directly across at each other.
 3 The landscape plan, as it continues to
 4 evolve -- if there's going to be a transformer
 5 associated with this building, that's important to
 6 know where that is. I don't know that there needs
 7 to be one, but I don't -- I don't see it on the
 8 plan.
 9 I think the final point that I think -- if
 10 it comes to an approval and you're considering
 11 conditions, another suggestion that I've made -- and
 12 I think you know I've made virtually all of these
 13 types of buildings -- is to minimize the overall
 14 building height. And I think you saw from those
 15 renderings that there's been a lot of effort made to
 16 really bring the scale of the building down. But I
 17 would consider a condition that would set a maximum
 18 height on the building based on drawings that are
 19 still under development with encouragement to the
 20 developer to find ways to bring the floor-to-floor
 21 height -- or to keep it at a minimum without really
 22 destroying the quality of the -- either the
 23 commercial space or the dwelling units.
 24 But that's -- again, I didn't have a ton of

Page 39

1 time to review it, but I can answer some questions.
 2 I've probably observed some things that I haven't
 3 talked about.
 4 MS. POVERMAN: One of the suggestions I
 5 thought you made in previous testimony was to --
 6 this isn't a word, but residentialize the facade of
 7 the building, especially on the Thorndike side, was
 8 to create bays or something like that. Because when
 9 I look at that side, it still reads to me, as a
 10 nonarchitect, as quite sterile, so that the changes
 11 you see as a planner and architect don't jump out to
 12 me as much.
 13 So I'm wondering -- so I see something as a
 14 bay, for example, as something which would harmonize
 15 it more with the neighborhood or perhaps other
 16 suggestions you might have which would either echo
 17 an aspect of neighborhood buildings or just help
 18 harmonize it and be more of a transition.
 19 MR. BOEHMER: I think what I did see -- and
 20 actually, I did take note of that when I was
 21 reviewing the drawings. I think the approach that
 22 they took, which was intensifying the detailing at
 23 the ground level, and also something that you notice
 24 in particular -- I mean, the muntin pattern is also

Page 40

1 quite different in all of the windows so that the
 2 more commercial look that wrapped all the way around
 3 on the upper levels now has -- the windows are
 4 broken up by muntins, which I thought that was
 5 working quite well. I don't think that means
 6 that -- and I don't know if they studied looking at
 7 bays or not.
 8 MS. POVERMAN: I do see that, but I think,
 9 for the nonarchitect, it's pretty subtle. And I
 10 would say especially because the style of muntins in
 11 a Victorian or late 19th century home is, you know,
 12 stylized as, what, three over one or something. I
 13 don't disagree with what you're saying. I'd like to
 14 stylize things better, and I like the idea of the
 15 awnings. I think that helps break it up.
 16 But I'd like to hear my colleagues'
 17 response. But I do think -- and the neighbors'. I
 18 do think there is something more that could be done
 19 to soften the effect of something which otherwise
 20 still looks to me as very harsh and could be much
 21 more transitional.
 22 MS. SELKOE: Maybe Chris could comment on
 23 that.
 24 MR. HUSSEY: Well, I think the introduction

Page 41

1 of bays is probably a good idea. That does soften
 2 the facade a little. And those bays would not be
 3 brick. They would presumably be a cladding sort of
 4 material.
 5 The business of muntins, breaking windows
 6 up and making them look little Victorian, colonial
 7 is not a good --
 8 MS. POVERMAN: Yeah. No, actually I agree
 9 with that. I do. But I was just sort of pointing
 10 out as to why that, in itself, is not something
 11 which helps make the transition. But I think the
 12 idea of bays or something like that is actually
 13 better.
 14 MS. SELKOE: How would that affect the
 15 setback, though, from the street?
 16 MR. HUSSEY: Well, they've got the setback
 17 now. They could put the bays in the area where
 18 they've got more planting below so that it
 19 doesn't -- if they don't overhang the lot line, I
 20 don't think it's a problem.
 21 MS. POVERMAN: Although, that's actually
 22 something I would like to bring up. I think, as I
 23 recall, all of us would like to have seen more of a
 24 setback on the Thorndike side. I don't want to -- I

Page 42

1 believe that's -- I would have liked to have seen it
 2 to allow a more positive pedestrian experience. And
 3 I think that was one of the comments you had made in
 4 an earlier -- one of your earlier documents. I like
 5 what was done with the rounding. I think that was
 6 very nice, but I don't know.
 7 What do you think about the setback, Lark?
 8 MS. PALERMO: Well, my opinion is similar
 9 to Cliff Boehmer's. I think that they are
 10 absolutely going in the right direction. And
 11 creating that angle on Thorndike, which is where
 12 they've created the setback, I think you'd find the
 13 impact of that angle helpful if you could see it
 14 at -- you know, at scale, in person, as a way of
 15 differentiating the residential part of the building
 16 from the commercial part of the building. There's a
 17 lot of other ways that could be done on the bays
 18 with materials. I agree with the notion of using
 19 the different bricks.
 20 I would prefer a little more of a setback.
 21 I just personally would like to see a little bit
 22 more green, but that's something I think that every
 23 project could use. And I think they still have, you
 24 know, a little ways to go to improve this. So

Page 43

1 that's where I come down on that.
 2 MS. POVERMAN: Well, part of what I have
 3 gets into the traffic too, because I think when you
 4 go down -- and I've been around the area again and
 5 thinking about it. Without the bump-out, it is a
 6 very dangerous corner. And one of the ways of
 7 improving visibility is to move the building back,
 8 push it in on the Thorndike side.
 9 I mean, I -- until we hear more about the
 10 bump-out and get the transportation board's views on
 11 that, you know, the effect it will have on
 12 bicyclists, there are all sorts of safety
 13 considerations that I am not qualified to take into
 14 account right now. But one of the only ways, as I
 15 see it, to -- you know, without a significant bump-
 16 out -- to make that intersection safer with that
 17 building cutting such a large portion of visibility
 18 is to push the Thorndike side back.
 19 So I just feel like there are a lot of
 20 items that are still open at this point. And I see
 21 Mr. Engler has instantly jumped up to --
 22 MR. ENGLER: If I could comment on that. I
 23 mean, we certainly understand that we need to work
 24 with the traffic peer review consultant on sight

Page 44

1 line concerns and whatnot.
 2 I can say, A, relative to the setback at
 3 the corner there, by right, we're allowed to be
 4 where we are for any development, whether it was 40B
 5 or otherwise.
 6 MS. POVERMAN: Now, why do you say that?
 7 MR. ENGLER: And B -- on Harvard Street.
 8 And we cannot increase the setback on Thorndike any
 9 more without losing all the parking on that side of
 10 the building. It's as tight as it can be
 11 internally. And I know parking has been a concern,
 12 and --
 13 MS. POVERMAN: Taking away parking as a
 14 concern, because I would say safety over parking is
 15 probably a sacrifice that people are willing to
 16 make, I mean, just say that -- you know, say
 17 everything were up in the air. Right? And
 18 certainly I hear your concern. I mean, because
 19 with -- you know, the waivers you're asking for was
 20 the side -- you know, Thorndike is sort of a -- it's
 21 a side street and a front; right? So that the --
 22 the side yard setback is, what, 18 feet you need?
 23 18 to 20 feet?
 24 MS. PALERMO: For what?

Page 45

1 MS. POVERMAN: What is the setback
 2 requirement for Thorndike as a side yard and as a
 3 front yard?
 4 MS. SELKOE: Well, Thorndike is a front
 5 yard.
 6 MS. POVERMAN: Right. Like 18 feet, isn't
 7 it?
 8 MS. PALERMO: No.
 9 MS. POVERMAN: 10?
 10 MS. PALERMO: I don't know, but --
 11 MS. POVERMAN: Look at the waivers.
 12 MR. HUSSEY: I've got a note here that says
 13 it's 10 feet.
 14 MS. PALERMO: 10 feet sounds right.
 15 MR. HUSSEY: Harvard and Thorndike.
 16 MS. POVERMAN: It's Waiver H.
 17 MR. HUSSEY: That's a commercial area,
 18 isn't it? Commercial zone?
 19 MS. POVERMAN: 18-foot minimum side yard,
 20 corner lot, shared with 78 Thorndike.
 21 MS. SELKOE: I think we're going to get
 22 into the sight lines that have been addressed and
 23 presented earlier.
 24 MS. POVERMAN: That's only if we have the

Page 46

1 bump-out; right?

2 MS. SELKOE: Yes.

3 MS. POVERMAN: But I think, you know, I

4 still want to get information about the safety of

5 the bump-out and cars -- you know, I still am

6 concerned about the navigation going around the

7 corners.

8 So I was driving down Harvard Street and

9 turning down around Thorndike. I was trying to

10 imagine doing it with a bump-out, and it is a tough

11 corner. And again, the other way, it would be a

12 tough corner. You know, it's partly visibility, but

13 it's partly steering the darn car, which is why I

14 would like to get more information on --

15 (Multiple parties speaking.)

16 MR. ENGLER: I would also make -- Polly, I

17 apologize.

18 Under 40B, we're not required to solve

19 existing conditions. We just can't make them any

20 worse.

21 MS. POVERMAN: That's exactly right. And

22 what I'm saying is your building is making it worse.

23 MR. ENGLER: How is it making it worse?

24 MS. POVERMAN: Because it's obstructing the

Page 47

1 view.

2 MR. ENGLER: But I'm saying under existing

3 zoning we could build right on Harvard Street.

4 MS. POVERMAN: But you couldn't build it as

5 far up. You'd have to build it -- you could not

6 build it this close to -- on Thorndike Street. It

7 would have to be further back on Thorndike.

8 MR. ENGLER: But relative to sight lines,

9 you're talking about the distance on Harvard Street

10 when you're looking down Harvard Street.

11 (Multiple parties speaking.)

12 MS. POVERMAN. Wait, Geoff. You

13 interrupted me. I get to interrupt you.

14 So driving down Thorndike turning onto

15 Harvard, if the building were pushed back, you would

16 have a better sight line getting onto Harvard.

17 MR. ENGLER: Well, just to manage your

18 expectations, that's not going to happen. So we're

19 going to work closely with Benny and Mr. Fitzgerald

20 as we go forward and see if they have additional

21 suggestions. And I don't for one second dispute the

22 importance of safety in sight line visibility.

23 However, as you know, that condition exists now, and

24 we cannot make it any worse. So we will endeavor to

Page 48

1 do that.

2 And also, the setback at Thorndike Street,

3 we'll look at that, but I can tell you, relative to

4 what we did and what we've since done, once again,

5 managing expectations, I don't see that changing

6 much.

7 MS. SELKOE: I think what would be very

8 helpful to the board is a recommendation from the

9 transportation board. And I think it's up to the

10 applicant now to talk with Todd Kirrane and try to

11 get on that agenda. As you know, we discussed you

12 going in June, and you felt that was too early. But

13 it sounds like now you have all the information to

14 go ahead and do that as quickly as possible. So I

15 think that information will be very helpful to the

16 board.

17 MS. PALERMO: I also have a question which

18 relates to what I asked previously about whether the

19 setback on Thorndike might be a little bit greater,

20 and the question is about the parking. And

21 currently this project provides for 11 regular

22 spaces, 1 accessible?

23 MR. BARTASH: 12 regular and 1 accessible.

24 MS. PALERMO: 12 regular and 1 accessible.

Page 49

1 And are all of them in a stacking system?

2 MR. BARTASH: So 11 of them are in a

3 stacking system.

4 MS. PALERMO: And one is not, and one is

5 accessible?

6 MR. BARTASH: That's correct. So looking

7 at the plan here, you'll notice that there's a group

8 of three bays that are the semiautomatic lift system

9 here immediately inside the garage door, there is a

10 standard space that's just right on the parking slab

11 at the back of the garage, you have your accessible

12 space also just on the parking slab across the

13 garage here, and then two others stacks of cars in

14 this location here.

15 MS. PALERMO: And can you tell me why --

16 and I recognize zoning requires more parking than

17 you're providing. But why have you decided that's

18 the right number for parking? Is it -- and again, I

19 also would love to hear from the neighborhood as to

20 whether this is important to them that there be so

21 much parking. I say "so much," but you've got a

22 17-unit building. You've got 12 spaces. That's a

23 lot in a way, to me.

24 MR. BARTASH: So we have provided as much

Page 50

1 parking as we could provide within the footprint of
 2 this plan for the purposes of attempting to meet or
 3 come as close as we could to meeting the underlying
 4 requirement for the site.

5 MS. PALERMO: Well, again, I'd find it
 6 helpful to hear from the neighborhood, if it's
 7 important to them that they maximize parking on
 8 site. And it may be and it may not be. Be good to
 9 know, because what you could get in a tradeoff as
 10 the neighborhood would be better setback and less
 11 concern about the noise caused by the stacking
 12 system.

13 MS. SELKOE: I was going to suggest that,
 14 you know, you might -- now might be the time to hear
 15 from the neighborhood. And I know Benny Hung is
 16 here from the peer reviewer, but you have his
 17 written comments, and it sounds like a lot of those
 18 issues have been discussed.

19 MS. POVERMAN: I would still like to
 20 hear --

21 MR. BOEHMER: Can I ask one question?
 22 Because it is parking related. I didn't see in the
 23 new documents -- I know you lost some square
 24 footage. Did the unit mix change at all, or is it

Page 51

1 still the same mix of ones and twos?

2 MR. BARTASH: The mix is consistent.

3 MR. HUNG: My name is Benny Hung. I'm from
 4 Environmental Partners Group. We're the traffic
 5 peer review consultants for this project, and we
 6 reviewed the report from VAI submitted on
 7 July 5th -- dated July 5th. And the majority of the
 8 comments they just -- and there's a couple --
 9 there's a few things that we kind of see, so we just
 10 kind of want to bring it up on that one.

11 So I think, kind of, Scott already
 12 mentioned it as well too. So some is for the sight
 13 distance. And as the figures show to you on that
 14 one, the sight distance coming from Harvard Street
 15 and Thorndike Street there, the rate they measured
 16 at 160 feet is kind of from the proposed stop line,
 17 which is the -- from the existing -- the new bump-
 18 out that -- which has improved the existing
 19 condition as well, too, from what they have existing
 20 right now because they pushed the stop line further
 21 out, which you have a little better sight distance
 22 looking at Harvard Street from Thorndike.

23 And then the rate they measured from the
 24 stop line to the corner of the loading zone, which

Page 52

1 they're assuming that will be the -- the loading
 2 will be occupied, and they've got 160 feet. And for
 3 the required stopping sight distance, 173 feet based
 4 on the 83 percentile speed limits they've defined,
 5 so which is about 13 feet less than what they
 6 require for minimum.

7 And as I mentioned, because that dimension
 8 is kind of measured from the corner, they're
 9 assuming the loading zone is being occupied. It
 10 seems like they -- the loading zone will be rarely
 11 used, in general terms. And after the hours, the
 12 space will be pretty open, so -- which would open
 13 some sight distance on that corner turning from
 14 Thorndike to Harvard Street.

15 And then the other comment that we looked
 16 at is the driveway opening in here, which is the
 17 revised plan. They have the setback which did
 18 improve the sight distance. And only thing will be
 19 the existing fence at the corner between the
 20 abutters. That might be blocking some of the sight
 21 distance there, so you will be clarified -- if they
 22 can shorten the fence a little bit so they can have
 23 a better sight distance looking at the Thorndike
 24 Street, that would be recommended as well.

Page 53

1 And the other thing -- actually, the
 2 Harvard Street. They have minimized the two
 3 parking -- the first parking space. And then the
 4 loading zone, there will be no parking after the
 5 loading hour. So if the town would like to replace
 6 that, so one space -- or to replace that one new
 7 space -- it would not be a bad idea to replace that
 8 parking space.

9 And then the other thing that we looked at
 10 is -- compared to the site plan -- is the driveway
 11 opening that is the width of that. And it seems
 12 like they still working on the final design plan,
 13 and it seems like they can widen it a little bit,
 14 which we recommend to widen a little bit for cars
 15 turning from the garage onto Thorndike -- would be a
 16 wider curb cut. So probably something that they can
 17 work out with that.

18 And then the last thing would be the
 19 driveway opening -- the existing driveway opening in
 20 here. So what they proposed would be closing up to
 21 put granite curbing, which is kind of what is not
 22 shown in here. So maybe that would be adjusted at
 23 the next stage, I would say.

24 And this is kind of what we find for the

Page 54

1 comments that we have as far as the review.
 2 MS. POVERMAN: Thank you very much.
 3 MS. SELKOE: Do you want to hear from the
 4 public?
 5 MS. POVERMAN: Yeah. That would be great.
 6 If anyone from the public would like to
 7 come up and speak, you may do so now. And it looks
 8 like nobody wants to -- oh, great. Come on up,
 9 introduce yourself, and give your name and address,
 10 please.
 11 MR. SCHLATTER: My name is Tom Schlatter.
 12 I'm a resident of Thorndike Street -- 121 Thorndike.
 13 I appreciate the responsiveness so far with
 14 the plan, and I agree with the others that it's
 15 headed in the right direction. I do think there's
 16 more to be done. I haven't had a lot of time to
 17 review the revised plans either.
 18 I did have a couple questions about the
 19 things we saw this evening. For instance, the
 20 setback that's shown in the plans so far, how does
 21 that compare to the neighbor's setback? Is that
 22 something that you have available, or is that
 23 something we should follow up on?
 24 MS. POVERMAN: Peter?

Page 55

1 MR. BARTASH: So this slide actually does a
 2 decent job of demonstrating where we sit in relation
 3 to the neighbor's setback. And we don't have an
 4 exact, to-the-inch measurement of where their house
 5 sits in relation to their property line because we
 6 can't verify that information. But what we do have
 7 is the ability to analyze using the aerial of kind
 8 of where we fall in relation to where they sit.
 9 Right here you can see the front edge of
 10 the existing porch that bumps out of the first floor
 11 of that home, and we are really kind of almost
 12 within that same plane. We're a little bit closer
 13 to Thorndike Street, closer than that plane, but
 14 we've attempted to try to get as close to that line
 15 as we possibly could.
 16 And then the actual main body of the house
 17 is about 6 or 7 feet back behind that. That goes
 18 all the way up from there. So we're within the same
 19 general relationship of front yard to street from a
 20 ground plane perspective, but the bulk of the mass
 21 of that building is set back a little further than
 22 we're proposing from Thorndike Street.
 23 MR. SCHLATTER: Okay. Thank you.
 24 The roof deck change that you mentioned, I

Page 56

1 wasn't clear. Was that -- is that reducing the
 2 step-back at the top floor as well, increasing the
 3 square footage there, or not?
 4 MS. POVERMAN: Peter, if you could explain
 5 that as well.
 6 MR. BARTASH: So effectively --
 7 MR. HUSSEY: Can we see the plan?
 8 MR. BARTASH: Yeah. I'll bring the plan
 9 up.
 10 So we've done two things at the upper
 11 floor. The original proposal had the outer wall of
 12 the upper floor in this location where I've got the
 13 laser pointer coming across the screen. So what
 14 we've done is we've added additional residential
 15 square footage at the upper floor and moved the
 16 exterior wall closer to the end of the building,
 17 which reduced the square footage of the deck and
 18 added square footage back to these units.
 19 MR. SCHLATTER: Okay. That's what I
 20 thought. I just wasn't 100 percent clear from the
 21 way it was presented.
 22 I'll say something that I've said before,
 23 which is that this is a very tall building for the
 24 neighborhood. It's taller than the zoning permits.

Page 57

1 It's taller than all its neighbors and anything
 2 that's comparable as -- so it's considerable massing
 3 for having a fourth story on there at all. And then
 4 by extending it out, you continue to increase the
 5 massing.
 6 I seem to remember on one of the previous
 7 meetings that the approach coming from Boston --
 8 there was some discussion of a phantom tree in there
 9 that was --
 10 MS. POVERMAN: I was incorrect, actually.
 11 MR. SCHLATTER: I think that the phantom
 12 tree is still --
 13 MR. ENGLER: We took very seriously those
 14 comments, and we submitted, as a matter of public
 15 record -- I don't know if they're posted -- pictures
 16 of the existing conditions and all the vegetation
 17 that exists off of our property that will not be
 18 touched, obviously, because it's not our property.
 19 So based on my understanding, I don't even
 20 think this picture does it justice relative to how
 21 much vegetation is existing on the Starbucks
 22 property.
 23 But anyway, I think we feel like this is an
 24 accurate representation of what it will look like.

Page 58

1 MR. SCHLATTER: Okay. I appreciate the
 2 clarification on that.
 3 My other question about the intersection
 4 redesign -- I guess this would be for the town. You
 5 know, instead of just doing one side, which is
 6 (indecipherable) --
 7 (Clarification requested by the court
 8 reporter.)
 9 MR. SCHLATTER: As far as the intersection
 10 design goes where it's just a redesign on one side,
 11 which, to me --
 12 MS. POVERMAN: The intersection -- the
 13 whole intersection on Harvard and Thorndike?
 14 MR. SCHLATTER: Right. Instead of just
 15 the -- I think it was the downhill side.
 16 MS. POVERMAN: So you're talking all four
 17 corners of the intersection?
 18 MR. SCHLATTER: Right. Is that something
 19 that would be a discussion with the town or --
 20 MS. POVERMAN: I think you should go to the
 21 transportation board meeting, and that would be a
 22 good time to bring that up.
 23 MR. SCHLATTER: Okay.
 24 MS. POVERMAN: And so would we be able to

Page 59

1 send out notice of when that would be, Polly?
 2 MS. SELKOE: Absolutely.
 3 MR. SCHLATTER: Okay. And since you had a
 4 question about the parking, as a neighbor and a
 5 resident, parking there isn't that important to me
 6 because I wouldn't be using it. I think if the
 7 space rentals are limited to tenants, the number
 8 seems okay, as long as the town would enforce the
 9 overnight parking ban, which is already somewhat
 10 leisurely enforced on Thorndike Street as it is.
 11 MS. POVERMAN: Actually, that's a very good
 12 point. Is it, in fact, the intention to limit
 13 parking to tenants?
 14 MR. BARTASH: Yes.
 15 MS. POVERMAN: Okay. Thank you.
 16 MS. SHAW: Hi. I'm Sloat Shaw. I live at
 17 88 Thorndike Street.
 18 And I have been watching this presentation,
 19 and I really noticed how these trees -- I know that
 20 you say these trees are accurately represented, but
 21 this building slants going up. There's a hill that
 22 this building goes up, and those trees are not as
 23 tall as 47 feet. I actually looked at them, and I
 24 thought that the need in each one of these drawings

Page 60

1 to put so many trees around it is hiding the fact
 2 that it's a huge building. When you look at the
 3 scale of 47 feet, you're showing trees as if they
 4 are the same height, and that's ludicrous. They're
 5 not. And I know what the trees are that are right
 6 there.
 7 So I think the need for that vegetation is
 8 showing that there's a problem with the building.
 9 And the problem that I see with the building -- and
 10 I wonder if you could please -- would you mind
 11 putting on the thing with the intersection, the
 12 four-way --
 13 MR. BARTASH: The plan?
 14 MS. SHAW: Yes, please.
 15 So while you're looking at that building
 16 and you're seeing the bump-out, you're seeing that
 17 tiny little 6-foot notice between that edge of that
 18 building and the house right next door. It doesn't
 19 seem like the 1 foot has done anything for
 20 82 Thorndike Street, and I think that's a big
 21 problem. And I think that that problem is noticed
 22 all the time because you keep talking about the
 23 third floor being set back. But the second and the
 24 first floor and the -- the other floors are right

Page 61

1 next door to that building, and that's not doing
 2 anything to that building, and I think that's a big
 3 problem. And the 40 neighbors that came to that
 4 neighborhood meeting all mentioned that it's too
 5 close to the neighborhood building.
 6 The other part about it is in the 40B
 7 guidelines, which I went back to. They talk a lot
 8 about the proposed design construction being
 9 compatible with the adjacent properties or minimize
 10 the difference between new and existing structures.
 11 This says, "Do the street and landscaping details
 12 minimize the differences?"
 13 And I know you were talking about the
 14 details, but what we're really talking about is
 15 talking about a bump-out of 6 feet out that goes
 16 into the town street, to Harvard Street, that's
 17 destroying the bike lane, and that that building is
 18 so out of context that it needs to push itself out
 19 6 feet. Instead of doing that, push the building
 20 back 6 feet all around, and that would make more
 21 sense.
 22 So the last thing that I wanted to say is
 23 about the parking. As a neighborhood resident in
 24 that area, I would be happy to let go of all parking

Page 62

1 requirements if we could push the building back and
 2 make it smaller. So you'd have the same amount of
 3 tenant space, but you wouldn't have the terrible
 4 noise of the parking garage, the problem of that
 5 parking system not working when the electrical goes
 6 out, which it does frequently on Thorndike Street.
 7 And I couldn't get the exact amounts, but we've had
 8 at least six outages in our neighborhood for
 9 whatever reason. They're always building right in
 10 front of NSTAR. So when that happens, the garage is
 11 going to be a big problem with the mechanical
 12 system, and it's going to be a problem with snow and
 13 a rain storm like this when it comes in and it
 14 doesn't affect -- and affects the mechanical system.
 15 So as a resident, I would do -- I would
 16 say, yes, take away the parking requirement and make
 17 the building fit better into the neighborhood.
 18 MS. POVERMAN: Thank you.
 19 MR. PINCHES: Hi. My name is Fred Pinches,
 20 F-R-E-D, P-I-N-C-H-E-S. Our old family home is at
 21 106 Thorndike Street, less than 500 feet from the
 22 proposed building.
 23 Two distinct topics here: The Thorndike
 24 Street parking thing, and the bump-out, bulge-out,

Page 63

1 whatever the latest euphemism is, is basically going
 2 to be funneling traffic into the smaller-width
 3 street on Thorndike Street, which is a very active
 4 street in many different ways, all the way from
 5 residents trying to get in and out of the driveway,
 6 all the way from large vehicles that are coming up
 7 the hill from what is now called Hamilton Square,
 8 the transportation board, and Clear Flour bakery.
 9 Putting these bump-outs in there is going to be
 10 pushing traffic way out into Harvard Street, large
 11 vehicles like a 40-foot trailer that's just come
 12 from Clear Flour bakery. And again, possibly
 13 pushing traffic over the yellow line, into opposing
 14 traffic if they're making a right turn. And again,
 15 that could easily happen with a 40-foot trailer.
 16 Also, the question here would show
 17 basically simultaneous bump-outs on both sides of
 18 the street. This kind of work is very expensive.
 19 The transportation board and Todd Kirrane said just
 20 putting in an ADA curb ramp cost the town \$10,000,
 21 so how are we going to be moving curbs, bulge-outs,
 22 everything else? Who's going to pay for the other
 23 simultaneous bulge-out on the other side of
 24 Thorndike Street by the service station? Are the

Page 64

1 proponents willing to pay for all of that, or is the
 2 town going to have to eat it?
 3 And again, the question of the traffic on
 4 the northbound side of Harvard Street, as I
 5 mentioned in my last comments at another meeting, is
 6 very much faster -- much faster on the northbound
 7 side than the southbound side. The southbound
 8 coming up the hill from T.J. Maxx, you're coming
 9 into a high density, you know, more -- the JFK
 10 business district. Things are slowing down, and
 11 you're approaching the Fuller Street traffic light.
 12 The other way, you've got the exact
 13 opposite. You've got traffic leaving the Fuller
 14 Street traffic light, possibly waiting at a red
 15 light, and then they see the hill going down to T.J.
 16 Maxx. I mean, it's like a freeway. The traffic is
 17 accelerated at that point. And any traffic that's
 18 going out into the street like that is going to be a
 19 serious conflict. It appears that they have kept
 20 the bicycle lane, but again, you're funneling
 21 traffic into one lane of traffic into a fairly high
 22 speed flow of traffic -- or it could be a high speed
 23 flow of traffic. And again, you're exacerbating a
 24 lot of problems that are already there.

Page 65

1 The discussion tonight was mostly on sight
 2 lines and what you can see. I think another
 3 question which is just as important, if not more
 4 important, is where can you go? If you're trying to
 5 pull out in the street down there and you've got
 6 traffic coming at you in two different directions at
 7 high speed, what's going to happen then? And if a
 8 biker happens to be in the middle of the whole
 9 thing, where is the biker going to go? Throw in a
 10 few pedestrians who now may be airborne after they
 11 get there. And I'm not trying to be sarcastic, but
 12 these are serious safety questions. I think there's
 13 a lot of problems there.
 14 The next topic is moving up Thorndike
 15 Street into our neighborhood -- I think Mr. Hung
 16 referred to this right at the end: the width of the
 17 driveway. Again, this is a driveway that's adequate
 18 as a straight driveway, but cars coming out of this
 19 garage are not going down a straight driveway.
 20 They're making a turn across a busy service station
 21 and everything else. On the street there's two ways
 22 with traffic going in both directions often
 23 zigzagging in and out of parked cars just so they
 24 can pass each other. So again, the potential

Page 66

1 conflict there. There's substantial -- and the risk
 2 of that conflict is also substantial.

3 Also, the question now, the garage door has
 4 been moved back so it's more out of the way, which
 5 aesthetically looks nice. Practically speaking now,
 6 what kind of a garage door are they going to have
 7 there? Because at all the previous meetings, they
 8 said that there's going to either have to be or will
 9 be required a garage door. I don't think we want
 10 this building left open -- the garage left open,
 11 just for security reasons. You put a rolling steel
 12 door in there, that's going to be up and down, up
 13 and down, about 25 feet from the abutter's living
 14 room or dining room or whatever happens to be on
 15 that corner of the building. I mean, it is going to
 16 be a very loud situation. And if it's not a rolling
 17 steel door, any kind of garage door, section door,
 18 whatever, with the exception of, like, a folding
 19 accordion door, which is simply not practical, and I
 20 don't think it's ever used for a garage like this.
 21 It's going to be making noise.

22 And then you show the parking spaces in
 23 there with the stacked parking. Two of the parking
 24 spaces were shown to be basically up against the

Page 67

1 back wall, so now you've got the sound there. I
 2 think they did show mechanical rooms or some kind of
 3 service rooms between the garage and the exterior
 4 wall by the abutters. But still, you're going to
 5 have a lot of sound, a lot of noise. Those
 6 mechanical rooms or service rooms could be an echo
 7 chamber for whatever noise is there. I mean, it's
 8 going to be a nightmare for the abutters, or it
 9 could be with all this assortment of noise going
 10 through.

11 They referred to the fence and the wall
 12 there, which is the property of the abutters. I
 13 think, if anything else, it should be required that
 14 the proponents replace that fence with an acoustical
 15 fence. Right now it's basically your old stockade
 16 fence, which is probably like 30, 40 years old, at
 17 least, which is adequate in a residential
 18 neighborhood. That's all you need is something
 19 basic for your fence and your property line for some
 20 privacy.

21 We're now talking about a big development.
 22 We're talking about an active development generating
 23 sound, and I think that they should be required to
 24 replace that fence at their expense, even though

Page 68

1 it's not their fence, with an acoustical fence,
 2 something similar to what they use along highways.

3 If anybody wants background information, I think you
 4 can talk to MassDOT on what they have to do when
 5 they widen the highway near a development so that
 6 they don't drive the neighbors crazy with the
 7 highway -- traffic from highway -- noise from the
 8 traffic. So I think that should be required.

9 Also, that stockade fence I think is
 10 approximately 6 feet high. Again, your basic
 11 residential stockade fence. And again, any new
 12 fence I think might want to go to 8 or 10 feet high,
 13 again, for acoustical control, so again, the
 14 neighbors have some protection from the noise and
 15 activity that's generated in this building.

16 And the last thing on acoustical control
 17 is, now that we still have the original plan, which
 18 hasn't changed much because it -- one of the few
 19 things that hasn't been controversial on this plan
 20 are all the individual HVAC units on the roof. On a
 21 hot day like today, which would be when it's humid,
 22 and all of these units are going and every one of
 23 them's got their own fan and everything else,
 24 there's going to be noise.

Page 69

1 If you go near any large building, you
 2 know, particularly at night when it's quiet, you can
 3 hear the mechanical systems on the roof going and
 4 going. And even though it's kind of a dull hum,
 5 it's still there. And if you listen to the dull hum
 6 all night long when it's right next to your home,
 7 that's a problem.

8 So again, I think there should be
 9 something -- some kind of acoustical control, either
 10 an acoustical fence around these things on the roof
 11 or some kind of sound proofing or something done to
 12 control the noise, which, even though each unit may
 13 not be all that much, you put, like, what, 17 and 18
 14 of these things on there, plus the garage, plus the
 15 retail space, you're going to have a lot of HVAC
 16 equipment on the roof making a lot of noise in
 17 total. So I think they should be looking at that.

18 And so that would be my comments on the
 19 plan.

20 And one last thing, not to make any more
 21 controversy. Since this presentation is public
 22 record and we have seen mystery towers appearing
 23 periodically on the presentation, could they please
 24 tell us what are these mystery towers? Is this some

Page 70

1 kind of -- is this going to be the next 40B or 80B
 2 or 120B that we're going to have to be dealing with
 3 in our neighborhood or our development? So if I
 4 could ask, not facetiously, but, I mean, again, it's
 5 on public record. What is it? Thank you.
 6 MR. DAVID DANESH: This is ridiculous.
 7 MR. ENGLER: If I could comment. I'll take
 8 the last -- it's the architect's screen saver, not a
 9 proposed project. We apologize if you did not like
 10 his screen saver.
 11 Secondly --
 12 MS. POVERMAN: And who are you?
 13 MR. ENGLER: Geoff Engler from SEB.
 14 I think it's important to note the bump-
 15 outs were recommended by the peer review consultant.
 16 All right? Not by the applicant, by the peer review
 17 consultant -- all right -- as a good mitigation
 18 measure. So there's all these aspersions, like
 19 we're coming forward with something that's our own
 20 devices. We're working with the town's consultant
 21 to try to identify ways to address the issues, and
 22 we've done that and we will continue to do that.
 23 The bump-outs are not in the bike path, they're not
 24 narrowing the travelway. All of these allegations

Page 71

1 are just, frankly, not true.
 2 Second of all, who is to say the garage
 3 doors will be noisy? My client has a 65-odd-unit
 4 rental building, and the garage door is very quiet.
 5 And we'd be happy to provide the spec of what that
 6 door is.
 7 Second of all, relative to the hum and the
 8 mechanicals, we hear this on every project. Who is
 9 more impacted? The people living right underneath
 10 that equipment, or somebody 50 feet away? People
 11 paying high rents --
 12 MR. ROSEN: Can people speak, and then you
 13 can have your rebuttal? There are other people
 14 waiting to speak.
 15 MS. POVERMAN: Okay. One at a time. One
 16 at a time. If Mr. Engler needs to vent, let him
 17 vent and we'll continue.
 18 MR. ENGLER: Well, it's not venting. It's
 19 a point of fact. So my only point -- and then I'll
 20 sit, thank you -- is that people living on the top
 21 floors are not going to want any noisy HVAC systems
 22 any more than anybody else in the neighborhood.
 23 MS. POVERMAN: Okay. Thank you,
 24 Mr. Engler.

Page 72

1 MR. ENGLER: And the client will be paying
 2 for the bump-out, not the town.
 3 MS. POVERMAN: Thank you for that
 4 clarification.
 5 Mr. Herscovici.
 6 MR. HERSCOVICI: Hi. I'm Steven
 7 Herscovici, H-E-R-S-C-O-V-I-C-I, and I live at
 8 87 Thorndike Street, basically right across the
 9 street and one house over. I don't know where I am
 10 relative to the abutter, or the abutter to the
 11 abutter.
 12 First, I do want to say I was one of the
 13 neighbors who met with the developers and their
 14 representatives. I do not see the other two
 15 neighbors who met with them. And, you know,
 16 speaking for myself, but I don't think I'm
 17 mischaracterizing the way that the others feel, you
 18 know, we appreciate your meeting with us, so thank
 19 you.
 20 And also, you know, I also only was able to
 21 look very quickly last night at the plan, but I
 22 do -- we do appreciate the additional bump-out. I
 23 don't remember the exact dimensions, but, you know,
 24 I think we were hoping that the -- not the bump-out.

Page 73

1 I apologize. The setback. Thank you.
 2 Yeah. I think we were hoping for more of a
 3 setback on Thorndike Street, but, you know, I think
 4 at least, you know, we're glad that we were heard,
 5 and I hope there's more progress that can be made on
 6 that.
 7 One area I was disappointed was the
 8 distance between the immediate abutter, which is, I
 9 believe -- it is 78 Thorndike?
 10 UNIDENTIFIED: 78.
 11 MR. HERSCOVICI: 78 Thorndike, and the edge
 12 of the building. You know, I think we were hoping,
 13 on their behalf, for more space.
 14 And also, maybe I didn't notice this
 15 before, but there are a number of doors that face
 16 outward from the mechanical rooms rather than inward
 17 to the garage. I don't know if those are modes of
 18 egress or if they're something else, but I'm
 19 wondering if those doors -- the walkways from those
 20 doors go toward Thorndike Street, I think I heard --
 21 I'm sorry -- go down towards Starbucks and then to
 22 Harvard, basically, is what I think I heard.
 23 But I do wonder if there would be a lot of
 24 in and out of those doors and how that would affect

Page 74

1 the immediate abutters as well. So that's something
 2 that, you know, I would like to hear about, and I
 3 hope it's something that you would take into
 4 consideration.

5 I have a question on the loading zone. The
 6 loading zone -- I think it was clarified today that
 7 the anticipated time of the loading zone is
 8 7:00 a.m. to 10:00 a.m., and I think a comment was
 9 made that that loading zone would be largely not
 10 used when it's not being used as a loading zone.

11 Is it proposed to be parking spaces from
 12 10:00 a.m. until whenever the overnight parking ban
 13 goes in effect, or is there some other use
 14 anticipated for it, or is it expected just to be a
 15 no parking?

16 MR. HUNG: No parking.
 17 MR. HERSCOVICI: No parking.
 18 MR. HUNG: No parking after 7:00 a.m. to
 19 10:00 a.m.
 20 MR. HERSCOVICI: So no parking from
 21 10:00 a.m. till --
 22 MR. DAVID DANESH: 7:00 a.m to 10:00 a.m.,
 23 no parking. The rest of the day is regular parking.
 24 MR. HERSCOVICI: So there will be a few

Page 75

1 parking spots from 10:00 a.m.?
 2 MR. DAVID DANESH: Yes.
 3 MR. HERSCOVICI: Thank you.

4 And then I guess the other issue that came
 5 up today was parking -- the parking garage and the
 6 number of spaces. This is not something that we
 7 talked about -- that I had talked about with the
 8 other neighbors, but -- I want to qualify. Every
 9 comment that I'm making is my own. I haven't talked
 10 with any of the other neighbors, and I don't claim
 11 to represent their views on the new plan.

12 But one question that was asked about the
 13 parking garage and the number of spaces -- I think
 14 I'm in general agreement with the other people who
 15 spoke that safety is a much bigger concern. And
 16 given how tight parking is in the neighborhood
 17 anyway, I'm not -- you know, I don't envision that
 18 parking would be too much worse in the neighborhood,
 19 and I'll give up the parking for the safety, again,
 20 as somebody else mentioned, so long as the overnight
 21 parking ban is enforced, you know, consistently.

22 And I think those were the main concerns
 23 that I had about the prior plans and how they -- you
 24 know, how they're reflected in the new plans. I'll

Page 76

1 stop there. But I do again want to say that we do
 2 appreciate that they did speak with the -- with some
 3 of the neighbors a little while back.

4 MS. PALERMO: I have a question for you.
 5 You indicated that as a resident of the area, you do
 6 not feel the need for them to be providing the
 7 number of spaces they plan to provide in the
 8 project, which right now is 12. And the reason was
 9 you'd take safety over parking.

10 I was asking the question because the
 11 developer's representative had said that what is
 12 preventing them -- I mean architect -- from
 13 reducing -- or increasing the setback is they will
 14 have to reduce the number of parking spaces, so it's
 15 a tradeoff. And I was trying to understand how the
 16 neighborhood felt about that tradeoff if there were
 17 a possibility that they could set the building back
 18 a little bit more from Thorndike Street and two or
 19 three or four parking spaces might not be made
 20 available. Is that someone that concerns you?

21 MR. HERSCOVICI: Thank you. I view the
 22 setback and safety together. And so when I first --
 23 my first comment was that, you know, we appreciate
 24 the increased setback on Thorndike. We were hoping

Page 77

1 for more. And if getting additional setback and
 2 making it look more like a residential neighborhood
 3 as you're coming down Thorndike means that the
 4 tradeoff is less parking, at least as a resident,
 5 it's not going to -- you know, with no other
 6 interest in the building, that's a tradeoff at least
 7 I would certainly be willing to consider.

8 MS. PALERMO: Okay. Thank you.
 9 MS. POVERMAN: Mr. Rosen.
 10 MR. ROSEN: Good evening, everybody. I'm
 11 Mark Rosen. I live on Thorndike Street.

12 And I appreciate the opportunity to address
 13 these new plans, which I only saw this afternoon.
 14 So if you all saw them yesterday, you are that much
 15 further ahead of the game than me. And I'm in
 16 agreement with the board. We would all like to see
 17 these plans a couple of weeks ahead of time. Don't
 18 drop them on us at the last minute and expect to
 19 have an intelligent conversation. It's very
 20 difficult to do this improvisationally while you're
 21 still taking notes.

22 But one of the things I did want to point
 23 out is that there's a -- there's a -- when you drive
 24 down any road and they take away a lane, you'll see

Page 78

1 a sign. And usually what happens at that point is
 2 it's a merge point and you have congestion. And I
 3 think that's what's going to be happening with these
 4 bump-outs.
 5 Aside from complicating the intersection,
 6 it's going to cause for traffic congestion right at
 7 a point where you don't need to have that congestion
 8 because you're already having it because traffic is
 9 backed up from that intersection all the way to
 10 Commonwealth Avenue. In fact, traffic is pretty
 11 much backed up between Comm. Ave. and Beacon Street.
 12 It's pretty much backed up, I'd say, about as far
 13 back as Fuller Street, which is -- if you were to go
 14 down below the photograph, you'd see a line of
 15 traffic. And that's not even rush hour. That would
 16 be during the time when they propose to have a
 17 loading zone, which somehow feels counterintuitive
 18 with the bump-out because it -- once again, trucks
 19 in the loading zone would limit your sight distance
 20 in terms of safety.
 21 But I did some research into lift systems,
 22 which is the mechanical parking that's proposed by
 23 the developer team, and I found out that they --
 24 it's a very noisy system. It consists of a metal

Page 79

1 plate the car drives on. The metal plate is dragged
 2 across the floor and then kind of shuttled through
 3 this mechanical system. They have videos on the
 4 web. You can look at them. They're quite noisy.
 5 There are -- there was a sheet that was put
 6 on the web called "Parking Specifications," when in
 7 reality it's just a parking machine parts list.
 8 It's not a specification sheet insofar as this: It
 9 does not give any measurements as to the sound
 10 output of these machines. Typically, these machines
 11 put a sound output of around 100 decibels.
 12 The last machine that Geoff brought in for
 13 consideration before the board was a TrendVario
 14 system from Germany that froze dead in its tracks at
 15 about 30 degrees Fahrenheit. We didn't find that
 16 out until I actually did some research. But they
 17 actually publish specifications, so they let you
 18 know the operating temperatures and the actual sound
 19 output. But information is not forthcoming from
 20 lift systems, so it makes me think if one is touting
 21 their sound level at 100 decibels because it's so
 22 quiet, if someone's not publishing their data, it
 23 would indicate that it might be higher than that
 24 figure because they wouldn't want to defer sales or

Page 80

1 to have people move away from them because their
 2 system is a little noisier.
 3 Now, the thing about this lift system -- I
 4 called these people yesterday on the phone and spoke
 5 with the service representative about how this
 6 machine works. I believe, if my understanding is
 7 correct -- and I could ask the architect on this.
 8 Is this an open-air garage? In other words, are
 9 there open windows around the garage and, like, are
 10 you talking about screening or something like that?
 11 Is that correct? Can the gentleman in the front row
 12 answer that for me briefly?
 13 MS. POVERMAN: I think Cliff actually
 14 wanted to know a similar question.
 15 MR. DAVID DANESH: What company did you
 16 talk to?
 17 MR. ROSEN: Lift -- the one that you're
 18 using for this. They're in Los Angeles.
 19 MS. POVERMAN: What is the name? Lift
 20 systems?
 21 MR. ROSEN: I believe something like -- I
 22 don't have the exact name in front of me, but I
 23 called them.
 24 MR. DAVID DANESH: You don't know which

Page 81

1 company we're using.
 2 MR. ROSEN: That's the company that you put
 3 as the specification sheet on the web.
 4 What company are you using? Do you wish to
 5 tell us at this point, or is it going to stay a
 6 secret?
 7 MS. POVERMAN: We'll get into that in a
 8 minute. And I will also specify -- this might be
 9 something -- maybe Polly can ask it -- we can ask
 10 Polly about it, about how to deal with that in the
 11 conditions, about whatever system is put in, not
 12 reaching above a certain noise level. It's a very
 13 good point that you've raised, and we'll -- once
 14 you're done, once Peter is done, we will ask what
 15 system that the --
 16 MR. ROSEN: The reason I asked the
 17 question -- thank you. The reason I asked the
 18 question about if the garage is open or not is
 19 because when I spoke to the people in Los Angeles,
 20 the company that they put on the web as the
 21 machine -- or maybe what they really meant to say
 22 was, "this machine or equivalent." Because I used
 23 to do purchasing, and when we would put an order out
 24 for bid, an RFP, we would say "or equivalent," so

<p style="text-align: right;">Page 82</p> <p>1 maybe that's what they're talking about. But I took 2 them literally to mean that was the machine they 3 were planning on installing. 4 Number one, I found data that said 50 5 percent of the cars manufactured today do not fit 6 these types of devices. They just won't fit in 7 there. 8 Number two, if you go on the web and look 9 at the promotional videos, you'll see that all the 10 vehicles are small-sized cars, Mini Coopers or 11 Smart Cars or something of that nature. So that 12 gave me pause, which is how I found out the data 13 about whether or not the cars actually do fit in 14 these machines or not. 15 But what I found out from these people is 16 that they're really meant for subterranean garages 17 and not enclosed garages because they're not 18 weatherproofed. And I asked them if they are able 19 to withstand rain or windblown rain or windblown 20 snow, and they said, no, they're not, but we're 21 working on waterproofing them and weatherproofing 22 them for that type of situation. 23 MS. POVERMAN: I appreciate your concern, 24 Mr. Rosen, but if they don't work, then to some</p>	<p style="text-align: right;">Page 84</p> <p>1 MS. PALERMO: I want to hear the answer to 2 the question you asked the architect, which is what 3 is the exterior of the garage? 4 MR. BARTASH: So in response to the 5 question about the openness or closedness of the 6 garage, we are not proposing that this garage is 7 naturally ventilated, meaning that it's open and 8 using air to move any sort of exhaust through the 9 garage. It is a mechanical ventilated system. 10 If we look at the plan -- which I'll 11 actually bring up to help make this point. So if 12 we're looking at the plan, the reason for that is we 13 have either stairs or service rooms on two of the 14 sides of the garage. We have the retail on the 15 third side. And the only side where we have any 16 opportunity to introduce any sort of openness would 17 be along Thorndike Street. 18 So in relation to looking at how these 19 systems are designed and the way that they're 20 specified, we haven't gotten to the level of detail 21 of actually designing the mechanical system for the 22 garage, but it has been our intent to this point to 23 include three openings along Thorndike Street which 24 are the openings that we were just looking at in</p>
<p style="text-align: right;">Page 83</p> <p>1 degree that's the developer's problem. 2 MR. ROSEN: Okay. 3 MS. POVERMAN: And it's something we can 4 deal with -- 5 MR. ROSEN: My primary issue is the noise 6 that -- 7 MS. POVERMAN: I think that's the most 8 critical issue. 9 And also, what is the address of your 10 property on -- not Thorndike -- Marion Street. 11 MR. DAVID DANESH: 45 Marion. 12 MS. POVERMAN: 45 Marion where you have a 13 garage door -- 14 MR. DAVID DANESH: Hasn't had one complaint 15 in -- 16 MS. POVERMAN: Where you have a garage 17 door -- 18 (Multiple parties speaking. Interruption 19 by the court reporter.) 20 MS. POVERMAN: So if you want to drive by 21 there and look at the garage, my understanding is 22 that the door there is similar to the one that will 23 be used here. 24 MR. ROSEN: The other question I had was --</p>	<p style="text-align: right;">Page 85</p> <p>1 this perspective. So those openings are to the left 2 of the garage door, and they are one, two, and 3 three. And at this time, those openings are 4 proposed to include a metal mesh screening that 5 would allow for air transfer into and out of the 6 garage, but they're not designed to be part of the 7 exhaust or ventilation system for the garage. 8 MR. ROSEN: What are the sizes of the 9 openings? 10 MR. BARTASH: I don't have the sizes off 11 the top of my head at the moment. 12 MR. ROSEN: They look pretty large from the 13 drawing. 14 MR. BARTASH: It's something that we can 15 provide additional detail as we get back to the 16 elevations, which the peer review architect had 17 asked for. 18 In relation to the parking system that is 19 being considered for this project, the 20 manufacturer's name is CityLift Systems. 21 (Multiple parties speaking.) 22 MS. POVERMAN: Mark, please don't 23 interrupt. 24 MR. BARTASH: They are based out of</p>

Page 86

1 Los Angeles, they've been operating in this country
 2 for more than 10 years, and they do have local
 3 representation now on the East Coast.
 4 Specifically with regard to their noise and
 5 any of the specifications we've provided to the
 6 board to review to date, which have been peer
 7 reviewed by -- I believe Walker Consulting has
 8 looked at that information -- that is the standard
 9 specification that was provided to us when we
 10 requested that information.
 11 I don't have any additional written
 12 evidence about the potential sound or any sort of
 13 questions about how that would work from a system,
 14 but I've been told the range is between 60 and 75
 15 decibels as it's operating over its 30-second to
 16 1-minute cycling time to get a car down from its
 17 location. And that's something that we'll go ahead
 18 and follow up and verify, but it's, I believe, all
 19 part of the conversation with the peer reviewer who
 20 is looking at that specific issue. So if they have
 21 additional information they want from us, we're
 22 happy to provide it.
 23 MS. POVERMAN: I think that would be
 24 helpful, especially given that they are mesh

Page 87

1 openings which the noise could travel through.
 2 Thank you, Peter. I understand there may need to be
 3 two analyses done based on what could travel
 4 through.
 5 MR. BARTASH: And I think the other comment
 6 that would be important now is in relation to your
 7 recommendation to look at the garage door at
 8 45 Marion Street. The garage door at 45 Marion
 9 Street is also a metal mesh system, and we're not
 10 proposing to have the same metal mesh system here at
 11 this garage door.
 12 In that case, we were compromising in that
 13 the neighborhood didn't want to see an opaque door
 14 at that location, but we still wanted to provide
 15 some sort of screening or access control at the
 16 garage entry. So it's not the exact same door that
 17 we would propose for this location, as this would
 18 provide even more openness from the street to the
 19 garage. But with regard to its functioning and its
 20 timing and its noise, those are relatively similar
 21 to what we would propose here, but we have not yet
 22 selected it.
 23 MS. POVERMAN: So what is the door that's
 24 being proposed?

Page 88

1 MR. BARTASH: So we have not selected an
 2 actual specific door. It is an overhead, high-
 3 speed, coiling door which is similar to a
 4 manufacturer like a Rytec, let's say, the company
 5 that makes these types of doors. And as Geoff
 6 indicated earlier, we're happy to provide the
 7 specification for that door once we get to the point
 8 of selecting it.
 9 MS. POVERMAN: Mr. Rosen, do you have any
 10 further issues relating to this?
 11 MR. ROSEN: Yeah, I do. I just wanted to
 12 point out that -- someone else mentioned it as
 13 well -- the drawings are not very accurate in this
 14 presentation. They're not to scale. They show
 15 streets going flat when they actually go downhill,
 16 and all of that helps to minimize the visual impact
 17 in the drawing that they're presenting of the
 18 building.
 19 Overall, the building is oversized. How do
 20 we fix the sizing of that building? Some people
 21 have said take away the parking and let's get some
 22 additional setbacks in there. As a resident of this
 23 neighborhood, I would say that I would consider
 24 that, but I would have to look at the details on how

Page 89

1 that's going to work. And of course we want to keep
 2 the overnight parking ban.
 3 And I want to say that I agree with
 4 everyone who's spoken ahead earlier from the
 5 neighborhood, and I also agree with some of the
 6 comments from the board. I think they're very
 7 perceptive, so thank you very much.
 8 MS. POVERMAN: Thank you.
 9 Would anybody else from the neighborhood
 10 like to speak at this time?
 11 (No audible response.)
 12 MS. POVERMAN: Polly, would you like to say
 13 anything at this time?
 14 MS. SELKOE: Yes, please.
 15 They've presented a revised plan tonight,
 16 and I'd like to go on record as asking them if that
 17 is now the plan of record for the board of appeals?
 18 MR. ENGLER: Yes.
 19 MS. SELKOE: I think at the next meeting we
 20 should see some further design revisions and further
 21 mitigation measures.
 22 Do you think you'd be able to go to the
 23 transportation board shortly?
 24 How long does it take to tee things up for

Page 90

1 the transportation board, to get on there?
 2 MS. SELKOE: It depends on how busy they
 3 are.
 4 MR. ENGLER: Would you enlighten me? Who
 5 is on the transportation board? Not individuals,
 6 per se, but what -- are they traffic engineers or
 7 are they volunteers?
 8 MS. SELKOE: They are volunteers, as almost
 9 every board in town is, but some of them have
 10 expertise in traffic issues.
 11 MR. ENGLER: Okay. I only ask that because
 12 with all due respect, we have a peer review traffic
 13 expert whose comments we take very seriously and
 14 we'll continue to work with. If it makes the board
 15 feel better, we will meet with the -- but let me ask
 16 this question: What if the transportation -- is it
 17 the transportation board? What if the
 18 transportation board has recommendations that are in
 19 conflict with the peer review consultant? What do
 20 we do then?
 21 MS. SELKOE: Well, I think that's up to the
 22 board of appeals to decide what they'd like to do.
 23 MS. POVERMAN: As the regulations say, we
 24 take into account all of the information that's put

Page 91

1 before us. That includes information from local
 2 boards. In this case, that would be the
 3 transportation board. We also look at what the
 4 planning board says, and we look at what the experts
 5 say. So it's one of the pieces of information we
 6 take into account.
 7 MR. ENGLER: I understand that. But we --
 8 in this instance, for instance, our changes on the
 9 architecture have been made based on what
 10 Mr. Boehmer has said and only Mr. Boehmer within the
 11 context of also zoning board and neighbors.
 12 If we go to the transportation board and
 13 they have a recommendation -- I guess what I'll tell
 14 the board is we'll just listen to them and then
 15 they'll have a letter that they'll submit to you.
 16 We're not going to act upon that, okay? If
 17 that's -- does that make sense?
 18 MS. PALERMO: They make a suggestion.
 19 First, I have a question for Polly. Is the
 20 transportation board likely to consider the impact
 21 of the bump-out on traffic on Harvard Street?
 22 MS. SELKOE: Yes.
 23 MS. PALERMO: Okay. Well, that's not
 24 exactly what the peer reviewer looked at, so you're

Page 92

1 going to get a little more information, as are we.
 2 And just to correct the record, in addition
 3 to information from Mr. Boehmer, you also reacted to
 4 information from the planning board.
 5 MR. HUNG: The recommendation that we made
 6 is based on the sight distance and the bump-outs,
 7 how we can improve the sight distance based on
 8 existing conditions and also the proposed plan
 9 that -- the building plan that the applicant
 10 proposed. So we didn't look into, like --
 11 MS. PALERMO: You weren't looking at the
 12 traffic --
 13 MR. HUNG: Also, the bump-outs -- I want to
 14 make one point clear. The bump-out is at the corner
 15 of that space. So right now existing traffic on
 16 Harvard is only one lane in each direction, so --
 17 which we'll maintain the existing condition as
 18 one -- and those are the bike lane.
 19 So as far as the gentleman mentioned,
 20 there's traffic there right now, and we would expect
 21 traffic which is -- probably is not going to be much
 22 different because we are not changing any traffic
 23 patterns.
 24 MS. PALERMO: I appreciate that, but I

Page 93

1 think it would be helpful to hear from the board to
 2 confirm that. As I understand it, Harvard Street is
 3 currently just one lane in each direction. The
 4 bump-outs won't change that, but it would be helpful
 5 to have some other --
 6 MR. HUSSEY: I'd like to get the plan up
 7 showing the bump-outs. I think there's a
 8 misconception regarding these bump-outs that I want
 9 to clarify for everybody.
 10 MR. HUNG: And also probably when they
 11 finalize the bump, they have to do some truck
 12 template and make sure that a truck is accommodated
 13 for the turn.
 14 MR. HUSSEY: These are the bump-outs.
 15 Okay? The bump-out does not impact Thorndike Street
 16 at all.
 17 MR. HUNG: Yes. It's not.
 18 (Multiple parties speaking.
 19 Interruption by the court reporter.)
 20 MR. HUSSEY: And on Harvard Street, it just
 21 impacts the area that's already taken up by parking,
 22 so it's not intruding on Harvard Street either;
 23 right?
 24 MR. HUNG: Yes. It's not.

Page 94

1 MS. PALERMO: Right. Well, it's not -- I
 2 think the issue I was trying to address was the
 3 developer's resistance to going to see the
 4 transportation board. And my point was that it
 5 would be helpful if the transportation board also
 6 said exactly what you just said, which is it's not
 7 going to impact the traffic flow on Harvard Street,
 8 if that's their purview.
 9 Because as our peer reviewer says, it's not
 10 his purview. He was looking at sight lines for
 11 his -- that was his assignment, was to -- if a car
 12 pulls up to the edge of Thorndike Street, how far
 13 can it see, which is slightly different.
 14 MS. POVERMAN: I believe I may have been to
 15 enough transportation board meetings to know that
 16 they consider bump-outs.
 17 MR. HUNG: And also bump-out is a safety
 18 measure for shortening the crosswalk as well too.
 19 That's another consideration to be looking to, how
 20 to make the intersection safer.
 21 MR. THORNTON: If I could just jump in.
 22 Scott Thornton with VAI.
 23 So as Benny mentioned, the bump-outs, the
 24 curb extensions, are really just -- as you

Page 95

1 mentioned, they're really just extensions into
 2 unused space on the road, so they're not affecting
 3 the flow of traffic. And they've been designed so
 4 that they don't restrict on any turning movements of
 5 any vehicles, so you're not going to notice the
 6 extensions if you're driving up and making a left
 7 turn. I think if you're making a right turn into
 8 Thorndike, you may notice it, but what that causes
 9 you to do is slow down more. They're a
 10 traffic-calming feature.
 11 And in response to some of the other
 12 comments that had to do with traffic speeding up and
 13 down Harvard Street, well, bump-outs have been shown
 14 to have an effect on reducing speed.
 15 So, you know, we're happy to meet with the
 16 transportation board. We're not resisting the idea
 17 of meeting with them. We think that they'll -- I
 18 think they would agree with those type of
 19 installations because it's a safety improvement.
 20 But I think that just the question comes in
 21 if -- if something else -- if they don't go along
 22 with what your peer reviewer has already said, then
 23 we're kind of --
 24 MS. PALERMO: Well, I think the answer that

Page 96

1 Polly has already given all of us is you should not
 2 do anything. Don't change your design. Come back
 3 to the ZBA, and we'll decide how to deal with the
 4 conflicting advice from two different entities.
 5 MS. POVERMAN: Right. We weigh it.
 6 MS. PALERMO: So that's what will happen if
 7 they disagree.
 8 I think your points are well taken. From
 9 what little I know about traffic flow, that is a way
 10 to make pedestrians much safer, as is the creation
 11 of the crosswalks painted on the road. And it does
 12 cause traffic to slow down, which is beneficial for
 13 pedestrians and probably bicyclists, is my guess.
 14 MS. POVERMAN: Does anyone else want to say
 15 something right now before Ms. Steinfeld speaks?
 16 And if she could identify herself.
 17 MS. STEINFELD: Alison Steinfeld, planning
 18 director.
 19 I just want to say the planning department
 20 will work with the traffic administrator who will
 21 provide support to the transportation board to
 22 determine the best approach to elicit a
 23 recommendation from the transportation board that
 24 may or may not involve an appearance of the

Page 97

1 developer before the transportation board. But we
 2 will work out the details and coordinate with the
 3 applicant.
 4 MS. POVERMAN: Given our timeline, I think
 5 as expeditiously as possible.
 6 MS. STEINFELD: Absolutely. I do know,
 7 particularly in the summer, it might be hard to
 8 appear before the transportation board, but we'll
 9 work it out with the staff.
 10 MS. POVERMAN: Thank you very much.
 11 All right. What is our next order of
 12 business?
 13 MS. SELKOE: Well, you need to continue the
 14 meeting.
 15 MS. POVERMAN: Right. Okay. Now, before
 16 we do that, board members, is there a charge you
 17 would like to give the developer in terms of issues
 18 to consider when they talk amongst themselves and
 19 with Mr. Boehmer and others in terms of design items
 20 to consider as they go forward?
 21 MS. PALERMO: Well, first of all, I would
 22 like to thank the developer and the architect for
 23 meeting with the people in the neighborhood, and
 24 clearly that has made a difference. This is what

Page 98

1 this board really appreciates because we're here
 2 weighing all sides, so thank you.
 3 And I do think you've made excellent
 4 progress. I'm particularly pleased with the
 5 location of the entry to the garage. It makes sense
 6 to me. And I would hope that you continue to talk
 7 with the neighborhood, continue to have a good
 8 relationship with them to the extent possible. And
 9 that may mean taking a little bit more back --
 10 setback on that Thorndike Street side. So that's it
 11 for me.
 12 MR. HUSSEY: I would agree with Lark.
 13 MS. POVERMAN: In reviewing various notes
 14 and planning board comments -- I believe Mr. Boehmer
 15 said this, although he can correct me. It's been a
 16 consistent comment that the 5-feet -- neighbors as
 17 well -- separating the building from the Thorndike
 18 neighbor -- it is quite close. If anything can be
 19 done to increase that space, that would be
 20 appreciated by many people.
 21 I do want to say again that I appreciate
 22 the communication with neighbors and the
 23 conversations with us as well and the planning
 24 department.

Page 99

1 I would like, as you know, to see more
 2 stepping back on Thorndike, if possible. But I
 3 think unless the board gives them an actual charge,
 4 it's not going to be considered.
 5 MR. HUSSEY: Well, I think the point,
 6 however, that should be made is to consider the
 7 number of parking spaces.
 8 MS. PALERMO: Right. Which is why it
 9 should involve a conversation with the neighbors,
 10 because they're the ones who should weigh in, as
 11 many of them who are here tonight have, as to
 12 whether the parking is or isn't important to them.
 13 MS. POVERMAN: I think they have said that.
 14 I think it's for us to say -- I mean, it's not up to
 15 the neighbors. It's up to us to say whether or not
 16 we want the building to be smaller and to say
 17 parking is not an issue. The neighbors have said
 18 their piece. It's for -- that's something to inform
 19 us, but, I mean --
 20 MS. PALERMO: I think you're
 21 misunderstanding what I was saying. My
 22 recommendation -- first of all, I disagree with you.
 23 I have every confidence that this developer will sit
 24 down with the neighbors again and look to address

Page 100

1 some of their concerns, which may involve creating a
 2 bit more setback off of Thorndike Street, provided
 3 everyone understands it may result in a reduction of
 4 parking paces. And if the developer and the
 5 neighborhood are comfortable with the reduction in
 6 the number of parking spaces, I, for one, would be
 7 too.
 8 MS. POVERMAN: Mr. Hussey?
 9 MR. HUSSEY: Well, they lose six spaces,
 10 maybe seven.
 11 MS. PALERMO: And again, I don't see
 12 anything wrong with that if the neighborhood doesn't
 13 care. I mean, you know, they can rent apartments
 14 with no parking spaces, I think.
 15 MS. POVERMAN: Well, I think that given
 16 where we are in terms of time and that the six
 17 months is up at the end of September -- I think that
 18 we've heard multiple people commenting here today as
 19 well as the comments at the last hearing, but it
 20 really is time for the board to give direction. And
 21 unless we can do it with a united voice, we're not
 22 going to get anywhere.
 23 MS. PALERMO: Well, I've expressed my
 24 opinion. My opinion is that the building should be

Page 101

1 set further back from Thorndike Street. And if it
 2 means a reduction in the number of parking spaces
 3 and the neighborhood is comfortable and happy with
 4 that, so am I. That's my opinion.
 5 MR. HUSSEY: I think, at some point, we on
 6 the board may have differences of opinion.
 7 MS. PALERMO: And we may.
 8 MR. HUSSEY: In which case we vote one way
 9 or the other.
 10 MS. POVERMAN: Okay.
 11 MR. HUSSEY: I wouldn't worry about that.
 12 When we get to that point, we'll take a vote and see
 13 which way it goes.
 14 MS. PALERMO: So, Chris, I take from that
 15 you would prefer to see 12 parking spaces and no
 16 setback -- no further setback.
 17 MR. HUSSEY: Well, I'd prefer to see a
 18 little bit more setback. But I think, looking at
 19 the plans, I'm not sure it can be done without loss
 20 of those of spaces -- parking space.
 21 MS. PALERMO: And so your opinion is that
 22 it's preferable to have 12 parking spaces and have
 23 the building not set back.
 24 I'm not sure, as I said, that I necessarily

Page 102

1 agree, but I think we should see what the developer
 2 brings to us.

3 MR. HUSSEY: It's more complicated than the
 4 parking spaces. Unless the setback you're talking
 5 about is only at the sidewalk, garage level, then
 6 you're also taking away from the developer square
 7 footage of the units upstairs by additional amounts.

8 MS. PALERMO: I'm aware of that.

9 MS. POVERMAN: So along what Chris is
 10 saying, I don't see -- yeah, just, like, squishing
 11 it in. Yeah, it gets rid of parking spaces, but it
 12 also has collateral consequences. So unless the
 13 developer goes up, I don't see how they say, okay,
 14 yeah, we don't care about the parking spaces, but we
 15 have plenty of -- no problem giving up another --

16 MS. PALERMO: I don't see my role as being
 17 the architect for this project, but I will say that
 18 we all know there are a myriad of adjustments that
 19 can be made in design, and it all boils down to what
 20 can they do that is cost effective. And I don't
 21 have an awareness of what is or isn't going to be
 22 cost effective for them. They do. And knowing, I
 23 would hope, how the neighbors feel and how we feel,
 24 they will make a decision that tries to address

Page 103

1 everyone's concerns.

2 MS. POVERMAN: You know, actually, I would
 3 like to get the view of the transportation board,
 4 now that I think about it, about what the bump-out
 5 is like. Because if they say the bump-out is not
 6 safe or is unfeasible for some reason, then I think
 7 that a change needs to be made to the building so
 8 that it is -- it does not obstruct views. Because
 9 it is the -- the sort of triangular design that
 10 concerns me, and that would affect the number of
 11 apartments there. So I would be inclined to wait,
 12 actually, at this point, for the transportation
 13 board's communication or decision.

14 MR. HUSSEY: So would I.

15 MS. PALERMO: Wait to do what?

16 MR. HUSSEY: Before we take a vote on this
 17 issue.

18 MS. PALERMO: Oh, certainly. Yeah, I'm not
 19 interested in voting on anything.

20 MS. POVERMAN: Okay. Mr. Danesh has one
 21 thing to say.

22 MR. DANNY DANESH: Yes. Danny Danesh, one
 23 of the developers.

24 I just want to point out that because this

Page 104

1 is, relative to other 40Bs, a much smaller project,
 2 when you take out as much of the building that we
 3 have already taken out, it's a pretty significant
 4 percentage of the overall building. So, you know,
 5 we took out 8 feet in the back, 6 feet by the
 6 garage. You take out over two floors -- we had to
 7 make, for example -- I don't know the exact number,
 8 but like a 700-square-foot one-bedroom into a
 9 600-square-foot one-bedroom. That's a big
 10 difference, percentagewise.

11 So it's not like we have -- it's a 100-unit
 12 building or a 50-unit building. It's only 17 units,
 13 so that's a significant, you know, amount that we've
 14 already shaved off. And it was a tough decision for
 15 us to even get to this point, so I just want you
 16 guys to consider that.

17 MS. PALERMO: You may recall at the last
 18 hearing I did throw out the idea that you could,
 19 potentially, not have the commercial space if you
 20 needed to adjust the number of residential units.
 21 It could be 100 percent residential. That's what I
 22 mean when I say there are a myriad of ways to
 23 address the issues that you're hearing from the
 24 neighborhood and from the board and from the peer

Page 105

1 reviewers and from everyone else. There's a lot of
 2 ways to skin the cat, as they say.

3 So I'm not saying you should do it, and I
 4 don't want to tell you what you should do. I'm
 5 explaining that something that seems to be important
 6 to everyone is more setback off of Thorndike Street.
 7 One of the tradeoffs is parking, take out some
 8 square footage, one of the tradeoffs may be the
 9 number of units, one of the tradeoffs is the size of
 10 the units. It goes on and on.

11 MS. POVERMAN: The final question I have
 12 for my colleagues is is there any stylistic change
 13 you would recommend to change the -- to make it more
 14 residential or not? I'll start with you,
 15 Mr. Hussey. Are you satisfied --

16 MR. HUSSEY: I think that adding some bays
 17 on that side would help.

18 MS. POVERMAN: Okay. I agree with that.

19 Ms. Palermo, do you have anything you'd
 20 like to add?

21 MS. PALERMO: No.

22 MS. POVERMAN: Okay. So you have two for
 23 bays, one against. Take that as you will.

24 MS. PALERMO: No. I just don't have an

Page 106

1 opinion. I'm not objecting. You said, do you have
 2 anything to say?
 3 I said no.
 4 MS. POVERMAN: Okay. Thank you for that
 5 clarification.
 6 MS. PALERMO: I don't see myself as being
 7 an architect for this project. I see myself as
 8 deciding whether it is eligible for a comprehensive
 9 permit.
 10 MS. POVERMAN: Thank you very much for that
 11 clarification.
 12 We will be adjourned -- or we are now
 13 adjourning this hearing --
 14 MS. SELKOE: We're continuing.
 15 MS. POVERMAN: You're right. We're
 16 continuing this hearing until August 9th.
 17 MS. SELKOE: And I think we need to discuss
 18 whether on August 9th if they have not gone to the
 19 transportation board yet --
 20 MS. STEINFELD: I can't imagine that.
 21 MS. SELKOE: Right. So at that point, we
 22 can continue the hearing again. And, of course,
 23 we'll let all the public know. There could be other
 24 issues about the setbacks, for instance, that they

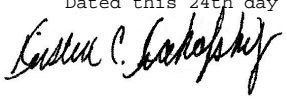
Page 107

1 would want to share with the board, so I think we'll
 2 have to make that decision at a later date.
 3 MR. HUSSEY: Is there any -- you indicated
 4 there's staff that advises the transportation board?
 5 MS. STEINFELD: Alison Steinfeld, planning
 6 director.
 7 I certainly can't promise you that there
 8 will be a transportation board meeting prior to your
 9 next public hearing, but I can assure you that we
 10 will be talking to the town engineer and Todd
 11 Kirrane to get their professional input, and we'll
 12 bring that to you.
 13 MR. HUSSEY: That sounds good.
 14 MS. STEINFELD: That, I can promise.
 15 MR. ENGLER: I would agree with that, and I
 16 think that would be valuable. But prior to the 9th,
 17 we'll also have the benefit of Mr. Boehmer's written
 18 response, the benefit of Benny and Jim's written
 19 response, and presumably, and not the night of or
 20 the day before, we will be able to consider that and
 21 presumably make some more modifications and get them
 22 to the board prior to the 9th.
 23 So even if, you know, we're not able to go
 24 to the transportation board, which we're probably

Page 108

1 not likely to, based on what we're hearing, there
 2 can be a lot accomplished prior to that hearing.
 3 MS. POVERMAN: Great. We'll keep that in
 4 our calendars, and I will see most of you on
 5 August 9th at 7:00. Thank you very much.
 6 (Proceedings adjourned at 9:19 p.m.)
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Page 109

1 I, Kristen C. Krakofsky, court reporter and
 2 notary public in and for the Commonwealth of
 3 Massachusetts, certify:
 4 That the foregoing proceedings were taken
 5 before me at the time and place herein set forth and
 6 that the foregoing is a true and correct transcript
 7 of my shorthand notes so taken.
 8 I further certify that I am not a relative
 9 or employee of any of the parties, nor am I
 10 financially interested in the action.
 11 I declare under penalty of perjury that the
 12 foregoing is true and correct.
 13 Dated this 24th day of July, 2017.
 14 
 15
 16 _____
 Kristen Krakofsky, Notary Public
 17 My commission expires November 3, 2017.
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 24

<hr/> <p style="text-align: center;">\$</p> <hr/> <p>\$10,000 63:20</p> <hr/> <p style="text-align: center;">1</p> <hr/> <p>1 11:8 48:22,23,24 60:19</p> <p>1,700 4:21</p> <p>1-minute 86:16</p> <p>1/2 11:8</p> <p>10 45:9,13,14 68:12 86:2</p> <p>100 56:20 79:11,21 104:21</p> <p>100-unit 104:11</p> <p>106 62:21</p> <p>10:00 25:15 30:18 74:8,12,19, 21,22 75:1</p> <p>11 48:21 49:2</p> <p>12 12:13 48:23,24 49:22 76:8 101:15,22</p> <p>120B 70:2</p> <p>121 54:12</p> <p>12:00 22:15,19,22</p> <p>13 52:5</p> <p>130 27:2</p> <p>16 29:4,6</p> <p>160</p>	<p>51:16 52:2</p> <p>16th 23:13</p> <p>17 4:19 69:13 104:12</p> <p>17-unit 49:22</p> <p>173 52:3</p> <p>18 44:22,23 45:6 69:13</p> <p>18-foot 45:19</p> <p>19th 40:11</p> <hr/> <p style="text-align: center;">2</p> <hr/> <p>2 17:19 27:5 31:19 32:3,4</p> <p>20 18:11,13 29:8 44:23</p> <p>200 28:1</p> <p>21st 21:14</p> <p>25 18:14 66:13</p> <p>26 18:14</p> <hr/> <p style="text-align: center;">3</p> <hr/> <p>3 6:19 17:19</p> <p>30 67:16 79:15</p> <p>30-second 86:15</p> <p>31st 23:11</p> <p>3:00 22:16,19,23</p>	<hr/> <p style="text-align: center;">4</p> <hr/> <p>4 24:16</p> <p>40 8:20 36:7 61:3 67:16</p> <p>40-foot 63:11,15</p> <p>40B 31:3 44:4 46:18 61:6 70:1</p> <p>40bs 104:1</p> <p>45 83:11,12 87:8</p> <p>455 4:7</p> <p>46 21:9</p> <p>47 59:23 60:3</p> <p>4:08 22:23</p> <hr/> <p style="text-align: center;">5</p> <hr/> <p>5-feet 98:16</p> <p>50 71:10 82:4</p> <p>50-unit 104:12</p> <p>500 62:21</p> <p>5:00 21:7</p> <p>5:50 21:14</p> <p>5th 23:15 33:15 51:7</p> <hr/> <p style="text-align: center;">6</p> <hr/> <p>6 55:17 61:15,19,20 68:10</p>	<p>104:5</p> <p>6-foot 24:17,18 60:17</p> <p>60 13:7 86:14</p> <p>600-square-foot 104:9</p> <p>65-odd-unit 71:3</p> <p>6:00 21:6 22:18</p> <p>6:15 22:16</p> <hr/> <p style="text-align: center;">7</p> <hr/> <p>7 55:17</p> <p>700-square-foot 104:8</p> <p>75 86:14</p> <p>78 12:18 13:5 16:4 19:15 22:8 45:20 73:9,10,11</p> <p>7:00 25:15 30:17 74:8,18,22 108:5</p> <p>7:11 4:2</p> <p>7:15 22:21</p> <hr/> <p style="text-align: center;">8</p> <hr/> <p>8 68:12 104:5</p> <p>80 27:13</p> <p>80B 70:1</p> <p>82 60:20</p> <p>83 52:4</p>
---	---	---	---

<p>87 72:8</p> <p>88 59:17</p> <p>8:15 22:19</p> <hr/> <p style="text-align: center;">9</p> <hr/> <p>9 11:9</p> <p>90 27:14</p> <p>9:00 22:15,19,22</p> <p>9:19 108:6</p> <p>9th 106:16,18 107:16,22 108:5</p> <hr/> <p style="text-align: center;">A</p> <hr/> <p>a.m 74:22</p> <p>a.m. 21:6 22:15,18,19,22 25:15 30:17,18 74:8,12, 18,19,21,22 75:1</p> <p>ability 32:17 55:7</p> <p>able 11:2 12:11 13:3,10,12 58:24 72:20 82:18 89:22 107:20,23</p> <p>absolutely 42:10 59:2 97:6</p> <p>abutter 12:17,20 13:5,8 20:8 72:10,11 73:8</p> <p>abutter's 66:13</p> <p>abutters 52:20 67:4,8,12 74:1</p> <p>accelerated 64:17</p>	<p>access 19:24 20:1 23:9,18 87:15</p> <p>accessible 12:13 48:22,23,24 49:5, 11</p> <p>accommodate 12:10 15:3</p> <p>accommodated 93:12</p> <p>accomplish 11:2</p> <p>accomplished 108:2</p> <p>accordion 66:19</p> <p>account 21:1 43:14 90:24 91:6</p> <p>accurate 37:5 57:24 88:13</p> <p>accurately 59:20</p> <p>acoustical 67:14 68:1,13,16 69:9,10</p> <p>act 91:16</p> <p>active 63:3 67:22</p> <p>activity 68:15</p> <p>actual 9:10 20:22 55:16 79:18 88:2 99:3</p> <p>ADA 63:20</p> <p>add 105:20</p> <p>added 9:2 26:3 56:14,18</p> <p>adding 8:9 22:13 105:16</p> <p>addition 92:2</p> <p>additional 7:13 11:6 14:13 33:12 47:20 56:14 72:22 77:1</p>	<p>85:15 86:11,21 88:22 102:7</p> <p>address 5:2 30:2 34:11 54:9 70:21 77:12 83:9 94:2 99:24 102:24 104:23</p> <p>addressed 45:22</p> <p>adequate 65:17 67:17</p> <p>adjacent 61:9</p> <p>adjourned 106:12 108:6</p> <p>adjourning 106:13</p> <p>adjust 104:20</p> <p>adjusted 8:24 53:22</p> <p>adjustments 102:18</p> <p>administrator 96:20</p> <p>Admittedly 33:16</p> <p>advanced 36:24</p> <p>advice 96:4</p> <p>advises 107:4</p> <p>aerial 55:7</p> <p>aesthetically 66:5</p> <p>affect 31:15 41:14 62:14 73:24 103:10</p> <p>affordable 4:20</p> <p>afternoon 22:12 77:13</p> <p>agenda 48:11</p>	<p>ago 33:20</p> <p>agree 6:10 41:8 42:18 54:14 89:3,5 95:18 98:12 102:1 105:18 107:15</p> <p>agreed 24:22</p> <p>agreement 75:14 77:16</p> <p>ahead 48:14 77:15,17 86:17 89:4</p> <p>air 44:17 84:8 85:5</p> <p>airborne 65:10</p> <p>Alison 96:17 107:5</p> <p>allegations 70:24</p> <p>allow 9:8 42:2 85:5</p> <p>allowed 44:3</p> <p>allowing 25:24</p> <p>allows 11:14 14:16 15:9 26:20</p> <p>amount 62:2 104:13</p> <p>amounts 62:7 102:7</p> <p>analyses 23:10 87:3</p> <p>analysis 6:3 35:5</p> <p>analyze 55:7</p> <p>analyzing 19:18</p> <p>Angeles 80:18 81:19 86:1</p> <p>angle 42:11,13</p>
---	---	--	--

<p>answer 29:14 39:1 80:12 84:1 95:24</p> <p>anticipated 74:7,14</p> <p>anybody 68:3 71:22 89:9</p> <p>anyway 28:19 57:23 75:17</p> <p>apartments 100:13 103:11</p> <p>apologize 29:20 46:17 70:9 73:1</p> <p>apparent 9:11 13:21</p> <p>appeals 89:17 90:22</p> <p>appear 16:2 97:8</p> <p>appearance 96:24</p> <p>appearing 69:22</p> <p>appears 14:8 64:19</p> <p>applicant 5:1 6:9 24:22 48:10 70:16 92:9 97:3</p> <p>applicant's 5:4,14 26:14</p> <p>appreciate 54:13 58:1 72:18,22 76:2,23 77:12 82:23 92:24 98:21</p> <p>appreciated 98:20</p> <p>appreciates 98:1</p> <p>approach 24:4,5 37:2 39:21 57:7 96:22</p> <p>approaching 64:11</p> <p>appropriate 18:4</p>	<p>approval 38:10</p> <p>approximately 4:21 68:10</p> <p>architect 6:19 9:14 39:11 76:12 80:7 84:2 85:16 97:22 102:17 106:7</p> <p>architect's 70:8</p> <p>architectural 6:11 33:17</p> <p>architecture 91:9</p> <p>area 8:12 10:4,18,23 11:8 14:5 20:14 25:17 26:5 27:5,12,14 28:22 30:15, 16 36:6 41:17 43:4 45:17 61:24 73:7 76:5 93:21</p> <p>aren't 7:23</p> <p>articulation 15:18 37:6</p> <p>Aside 78:5</p> <p>asked 10:9 48:18 75:12 81:16, 17 82:18 84:2 85:17</p> <p>asking 44:19 76:10 89:16</p> <p>aspect 39:17</p> <p>aspersions 70:18</p> <p>assignment 94:11</p> <p>assistant 4:10 5:12</p> <p>associated 16:24 23:9,21 38:5</p> <p>Associates 23:4</p> <p>assortment 67:9</p>	<p>assuming 52:1,9</p> <p>assure 107:9</p> <p>attempted 55:14</p> <p>attempting 50:2</p> <p>audible 89:11</p> <p>August 106:16,18 108:5</p> <p>availability 8:2,11</p> <p>available 7:22 54:22 76:20</p> <p>Ave 78:11</p> <p>Avenue 78:10</p> <p>aware 102:8</p> <p>awareness 102:21</p> <p>awnings 40:15</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p>back 11:10 13:11 14:7 15:4,7 18:11 19:10 20:12 25:24 26:3,8,17,18 37:2 43:7, 18 47:7,15 49:11 55:17, 21 56:18 60:23 61:7,20 62:1 66:4 67:1 76:3,17 78:13 85:15 96:2 98:9 99:2 101:1,23 104:5</p> <p>backed 78:9,11,12</p> <p>background 68:3</p> <p>backwards 15:16</p> <p>bad 53:7</p>	<p>bakery 63:8,12</p> <p>ban 59:9 74:12 75:21 89:2</p> <p>banding 35:18,19</p> <p>banged 31:4</p> <p>bar 24:13,15,18 26:22</p> <p>Bartash 6:18 29:14 32:1,12 48:23 49:2,6,24 51:2 55:1 56:6, 8 59:14 60:13 84:4 85:10,14,24 87:5 88:1</p> <p>base 14:23 15:17,23 18:23 36:4</p> <p>based 18:16 38:18 52:3 57:19 85:24 87:3 91:9 92:6,7 108:1</p> <p>basic 67:19 68:10</p> <p>basically 25:17 30:20 63:1,17 66:24 67:15 72:8 73:22</p> <p>bay 39:14</p> <p>bays 39:8 40:7 41:1,2,12,17 42:17 49:8 105:16,23</p> <p>Beacon 78:11</p> <p>begins 14:4,5 17:8</p> <p>behalf 73:13</p> <p>believe 28:16 42:1 73:9 80:6,21 86:7,18 94:14 98:14</p> <p>belong 18:7</p> <p>belongs 20:8</p>
---	--	--	--

<p>bend 15:9</p> <p>bending 15:15 17:23</p> <p>beneficial 96:12</p> <p>benefit 29:22 37:19 107:17,18</p> <p>Benny 5:21 33:6 47:19 50:15 51:3 94:23 107:18</p> <p>best 7:11 96:22</p> <p>better 40:14 41:13 47:16 50:10 51:21 52:23 62:17 90:15</p> <p>beyond 21:22</p> <p>bicycle 64:20</p> <p>bicyclists 43:12 96:13</p> <p>bid 81:24</p> <p>big 12:16 35:23 60:20 61:2 62:11 67:21 104:9</p> <p>bigger 75:15</p> <p>bike 61:17 70:23 92:18</p> <p>biker 65:8,9</p> <p>bit 8:1,10 13:6,13,14 14:17, 18 15:13 16:19 18:4,20 19:3,16 22:13 23:1 37:23 42:21 48:19 52:22 53:13, 14 55:12 76:18 98:9 100:2 101:18</p> <p>black 21:16</p> <p>blocking 52:20</p> <p>blue 8:3</p>	<p>board 6:16 7:3 33:3,11 48:8,9, 16 58:21 63:8,19 77:16 79:13 86:6 89:6,17,23 90:1,5,9,14,17,18,22 91:3,4,11,12,14,20 92:4 93:1 94:4,5,15 95:16 96:21,23 97:1,8,16 98:1, 14 99:3 100:20 101:6 103:3 104:24 106:19 107:1,4,8,22,24</p> <p>board's 43:10 103:13</p> <p>boards 91:2</p> <p>body 19:6,8 55:16</p> <p>Boehmer 5:18 30:6 33:5,22 39:19 50:21 91:10 92:3 97:19 98:14</p> <p>Boehmer's 42:9 107:17</p> <p>boils 102:19</p> <p>Boston 35:11 57:7</p> <p>branches 28:24</p> <p>break 11:22,23 15:8 40:15</p> <p>breaking 37:21 41:5</p> <p>breaks 15:21</p> <p>brick 15:12,18 16:5,15 19:13 37:20 41:3</p> <p>bricks 42:19</p> <p>brief 33:22 34:1</p> <p>briefly 80:12</p> <p>bring 20:15 36:11 37:18 38:16, 20 41:22 51:10 56:8</p>	<p>58:22 84:11 107:12</p> <p>bringing 36:12 37:3,20</p> <p>brings 102:2</p> <p>broken 40:4</p> <p>brought 79:12</p> <p>build 47:3,4,5,6</p> <p>building 7:17 9:6 11:3,18,20,22, 24 13:4,5,22 14:3,5 15:8, 15 16:4,20 17:2,21 18:1, 7,11 19:2,6,7 20:2,16,17 26:18,24 27:1 34:19 35:15,16,20 36:4,5,14,16 38:5,14,16,18 39:7 42:15,16 43:7,17 44:10 46:22 47:15 49:22 55:21 56:16,23 59:21,22 60:2, 8,9,15,18 61:1,2,5,17,19 62:1,9,17,22 66:10,15 68:15 69:1 71:4 73:12 76:17 77:6 88:18,19,20 92:9 98:17 99:16 100:24 101:23 103:7 104:2,4,12</p> <p>buildings 12:4 14:10 34:21 37:7 38:13 39:17</p> <p>buildup 32:16</p> <p>bulge-out 62:24 63:23</p> <p>bulge-outs 63:21</p> <p>bulk 10:23 55:20</p> <p>bump 13:11 93:11</p> <p>bump- 43:15 51:17 70:14</p> <p>bump-out 32:15 43:5,10 46:1,5,10 60:16 61:15 62:24 72:2, 22,24 78:18 91:21 92:14 93:15 94:17 103:4,5</p>	<p>bump-outs 63:9,17 70:23 78:4 92:6, 13 93:4,7,8,14 94:16,23 95:13</p> <p>bumped 18:2</p> <p>bumps 55:10</p> <p>bus 8:5</p> <p>business 41:5 64:10 97:12</p> <p>busy 65:20 90:2</p> <hr/> <p style="text-align: center;">C</p> <hr/> <p>calendars 108:4</p> <p>call 8:5 37:5</p> <p>called 63:7 79:6 80:4,23</p> <p>can't 46:19 55:6 106:20 107:7</p> <p>canopies 9:2 14:21,23</p> <p>cap 19:6</p> <p>capacity 12:11</p> <p>capped 15:23</p> <p>capture 8:17</p> <p>car 46:13 79:1 86:16 94:11</p> <p>care 100:13 102:14</p> <p>carried 11:20 17:21</p> <p>carry 14:23 35:22</p> <p>cars 46:5 49:13 53:14 65:18,</p>
--	---	--	--

<p>23 82:5,10,11,13</p> <p>case 87:12 91:2 101:8</p> <p>cat 105:2</p> <p>cause 78:6 96:12</p> <p>caused 50:11</p> <p>causes 95:8</p> <p>century 40:11</p> <p>certain 81:12</p> <p>certainly 35:10 36:21 43:23 44:18 77:7 103:18 107:7</p> <p>chairman 4:8</p> <p>chamber 67:7</p> <p>chamfer 17:20</p> <p>change 7:8 12:16 13:21 18:15 22:9,10 35:18,19,23 50:24 55:24 93:4 96:2 103:7 105:12,13</p> <p>changed 68:18</p> <p>changes 7:7,9,15 8:14,15 21:3 28:10,11 35:4 39:10 91:8</p> <p>changing 48:5 92:22</p> <p>charge 97:16 99:3</p> <p>chastised 4:17</p> <p>chatting 4:5</p> <p>chimney 16:17</p>	<p>choice 34:11</p> <p>Chris 40:22 101:14 102:9</p> <p>Christopher 4:9</p> <p>Citylift 85:20</p> <p>cladding 41:3</p> <p>claim 75:10</p> <p>clarification 28:13 58:2,7 72:4 106:5, 11</p> <p>clarified 52:21 74:6</p> <p>clarify 93:9</p> <p>clarity 20:4</p> <p>clean 13:2</p> <p>clear 7:23 56:1,20 63:8,12 92:14</p> <p>clearly 4:14 18:7 97:24</p> <p>client 71:3 72:1</p> <p>Cliff 5:17 33:5,21 42:9 80:13</p> <p>close 17:7 47:6 50:3 55:14 61:5 98:18</p> <p>closedness 84:5</p> <p>closely 8:11 16:8 20:21 47:19</p> <p>closer 11:8 12:1 18:22 55:12,13 56:16</p> <p>closest 10:24</p>	<p>closing 53:20</p> <p>Coast 86:3</p> <p>coiling 88:3</p> <p>collateral 102:12</p> <p>colleagues 105:12</p> <p>colleagues' 40:16</p> <p>colonial 41:6</p> <p>color 10:7</p> <p>come 4:13 6:7 8:12 24:1 33:21 43:1 50:3 54:7,8 63:11 96:2</p> <p>comes 38:10 62:13 95:20</p> <p>comfortable 100:5 101:3</p> <p>coming 24:24 26:22 27:7,23 28:2 35:11 51:14 56:13 57:7 63:6 64:8 65:6,18 70:19 77:3</p> <p>Comm 78:11</p> <p>comment 23:10 40:22 43:22 52:15 70:7 74:8 75:9 76:23 87:5 98:16</p> <p>commenting 100:18</p> <p>comments 5:6,10,19,20,23 10:11 11:5 23:13,14 29:23 30:9 33:4,10,13,23 34:6,14,17 36:19 42:3 50:17 51:8 54:1 57:14 64:5 69:18 89:6 90:13 95:12 98:14 100:19</p> <p>commercial 34:23 35:8 36:6 38:23</p>	<p>40:2 42:16 45:17,18 104:19</p> <p>common 18:6</p> <p>Commonwealth 78:10</p> <p>communication 98:22 103:13</p> <p>company 80:15 81:1,2,4,20 88:4</p> <p>comparable 57:2</p> <p>compare 54:21</p> <p>compared 53:10</p> <p>comparison 16:23 18:21</p> <p>comparisons 7:23 13:18</p> <p>compatible 61:9</p> <p>complaint 83:14</p> <p>complete 6:2</p> <p>completely 12:10</p> <p>complicated 102:3</p> <p>complicating 78:5</p> <p>component 10:15</p> <p>comprehensive 4:7 106:8</p> <p>compromising 87:12</p> <p>concentrate 10:23</p> <p>concern 35:11 44:11,14,18 50:11 75:15 82:23</p> <p>concerned</p>
---	--	---	--

<p>46:6</p> <p>concerns 5:3 7:1,11 23:8 30:9 37:9 44:1 75:22 76:20 100:1 103:1,10</p> <p>conclude 6:13</p> <p>condition 20:22 25:5 38:17 47:23 51:19 92:17</p> <p>conditions 22:1 38:11 46:19 57:16 81:11 92:8</p> <p>confidence 99:23</p> <p>confined 36:5</p> <p>confirm 93:2</p> <p>conflict 64:19 66:1,2 90:19</p> <p>conflicting 96:4</p> <p>conflicts 29:12</p> <p>congestion 78:2,6,7</p> <p>conjunction 9:18</p> <p>connect 34:16</p> <p>consequences 102:12</p> <p>conservative 22:2 28:4</p> <p>consider 38:17 77:7 88:23 91:20 94:16 97:18,20 99:6 104:16 107:20</p> <p>considerable 57:2</p> <p>considerably 36:18</p> <p>consideration 74:4 79:13 94:19</p>	<p>considerations 43:13</p> <p>considered 85:19 99:4</p> <p>considering 38:10</p> <p>consistent 9:4 12:3 14:15 15:1 51:2 98:16</p> <p>consistently 75:21</p> <p>consists 78:24</p> <p>constraints 9:19</p> <p>construct 4:19 24:22</p> <p>construction 61:8</p> <p>consultant 6:9 23:7 43:24 70:15,17, 20 90:19</p> <p>consultants 23:5 51:5</p> <p>Consulting 86:7</p> <p>context 34:15 61:18 91:11</p> <p>continue 57:4 70:22 71:17 90:14 97:13 98:6,7 106:22</p> <p>continues 38:3</p> <p>continuing 106:14,16</p> <p>control 68:13,16 69:9,12 87:15</p> <p>controversial 68:19</p> <p>controversy 69:21</p> <p>conversation 77:19 86:19 99:9</p> <p>conversations 98:23</p>	<p>convincing 20:17</p> <p>Coopers 82:10</p> <p>coordinate 97:2</p> <p>copy 23:15</p> <p>corbeling 15:18</p> <p>corner 8:22 9:1 14:12,19,24 16:6 17:12 43:6 44:3 45:20 46:11,12 51:24 52:8,13,19 66:15 92:14</p> <p>corners 46:7 58:17</p> <p>cornice 9:5 13:22 15:24 19:2,5, 13 20:15</p> <p>correct 32:12 49:6 80:7,11 92:2 98:15</p> <p>correction 5:13</p> <p>cost 63:20 102:20,22</p> <p>couldn't 47:4 62:7</p> <p>counterintuitive 78:17</p> <p>country 86:1</p> <p>couple 5:10 11:1 28:17 29:18 51:8 54:18 77:17</p> <p>course 89:1 106:22</p> <p>court 58:7 83:19 93:19</p> <p>crazy 68:6</p> <p>create 10:5,13 12:2 15:9,16 16:18 19:16 39:8</p>	<p>created 17:5 21:15 42:12</p> <p>creates 19:5</p> <p>creating 11:5 15:17 42:11 100:1</p> <p>creation 96:10</p> <p>criteria 35:1</p> <p>critical 83:8</p> <p>crossing 25:2,3,4</p> <p>crosswalk 24:16 94:18</p> <p>crosswalks 96:11</p> <p>CUBE 6:19</p> <p>cue 13:14 19:5</p> <p>curb 19:1 24:9,23 25:11,14 26:14 27:22 53:16 63:20 94:24</p> <p>curbing 53:21</p> <p>curbs 63:21</p> <p>current 24:12</p> <p>currently 25:9 48:21 93:3</p> <p>curve 14:18 15:12</p> <p>cut 14:6 25:11,14 53:16</p> <p>cutting 43:17</p> <p>cycling 86:16</p>
---	--	--	---

<p>D</p> <p>Danesh 31:22 70:6 74:22 75:2 80:15,24 83:11,14 103:20,22</p> <p>Daneshes 4:5</p> <p>dangerous 43:6</p> <p>Danny 31:22 103:22</p> <p>dark 13:24</p> <p>darn 46:13</p> <p>data 79:22 82:4,12</p> <p>date 33:13 86:6 107:2</p> <p>dated 23:11,14 51:7</p> <p>DAVID 70:6 74:22 75:2 80:15,24 83:11,14</p> <p>day 30:23 68:21 74:23 107:20</p> <p>dead 79:14</p> <p>deal 21:22 81:10 83:4 96:3</p> <p>dealing 70:2</p> <p>December 21:7 22:21</p> <p>decent 55:2</p> <p>decibels 79:11,21 86:15</p> <p>decide 90:22 96:3</p> <p>decided 11:2 13:15 49:17</p>	<p>deciding 106:8</p> <p>decision 102:24 103:13 104:14 107:2</p> <p>deck 8:20 55:24 56:17</p> <p>decks 18:2,3</p> <p>decreased 8:19</p> <p>defer 79:24</p> <p>defined 15:22 36:4 52:4</p> <p>degree 83:1</p> <p>degrees 79:15</p> <p>deliveries 30:23</p> <p>delivering 7:11</p> <p>demonstrating 55:2</p> <p>density 64:9</p> <p>department 96:19 98:24</p> <p>Depending 5:13</p> <p>depends 90:2</p> <p>describing 32:1</p> <p>design 5:2,5,7,15,18 6:5,23 7:4, 14 8:14 13:15 19:22 33:5 35:2 53:12 58:10 61:8 89:20 96:2 97:19 102:19 103:9</p> <p>designed 27:4 84:19 85:6 95:3</p> <p>designing 84:21</p>	<p>desire 24:2</p> <p>destroying 38:22 61:17</p> <p>detail 7:1 8:9 12:7 18:20 21:21 84:20 85:15</p> <p>detailing 35:24 37:6 39:22</p> <p>details 23:19 61:11,14 88:24 97:2</p> <p>determine 96:22</p> <p>developer 34:1 38:20 78:23 97:1, 17,22 99:23 100:4 102:1, 6,13</p> <p>developer's 76:11 83:1 94:3</p> <p>developers 72:13 103:23</p> <p>development 34:20 38:19 44:4 67:21, 22 68:5 70:3</p> <p>devices 70:20 82:6</p> <p>didn't 34:2 38:24 50:22 73:14 79:15 87:13 92:10</p> <p>difference 18:13 61:10 97:24 104:10</p> <p>differences 61:12 101:6</p> <p>different 11:1 17:14 34:20 40:1 42:19 63:4 65:6 92:22 94:13 96:4</p> <p>differentiating 42:15</p> <p>difficult 21:2 77:20</p> <p>dimension 52:7</p>	<p>dimensions 72:23</p> <p>dining 66:14</p> <p>dips 22:24</p> <p>direction 27:9 34:8,13 36:2 42:10 54:15 92:16 93:3 100:20</p> <p>directions 65:6,22</p> <p>directly 12:19 38:2</p> <p>director 4:10 5:12 96:18 107:6</p> <p>disagree 40:13 96:7 99:22</p> <p>disappointed 73:7</p> <p>discernable 21:3</p> <p>discuss 6:24 106:17</p> <p>discussed 25:16,20 37:16 48:11 50:18</p> <p>discussion 8:13 25:22,23 57:8 58:19 65:1</p> <p>dispute 47:21</p> <p>distance 9:20 11:12 23:18 24:3, 18,20,24 26:6 27:3,13, 19,23 28:4 47:9 51:13, 14,21 52:3,13,18,21,23 73:8 78:19 92:6,7</p> <p>distances 23:24 26:19</p> <p>distinct 62:23</p> <p>district 34:20 64:10</p> <p>documents 42:4 50:23</p>
---	--	---	---

<p>doesn't 5:19 21:21 41:19 60:18 62:14 100:12</p> <p>doing 46:10 58:5 61:1,19</p> <p>don't 5:9 29:11,12,19 31:22 32:11,22 33:18 38:6,7 39:11 40:5,6,13 41:19, 20,24 42:6 45:10 47:21 48:5 55:3 57:15,19 66:9, 20 68:6 72:9,16,23 73:17 75:10,17 77:17 78:7 80:22,24 82:24 85:10,22 86:11 95:4,21 96:2 100:11 102:10,13,14,16, 20 104:7 105:4,24 106:6</p> <p>door 11:13 19:20 20:20 29:4, 17 49:9 60:18 61:1 66:3, 6,9,12,17,19 71:4,6 83:13,17,22 85:2 87:7,8, 11,13,16,23 88:2,3,7</p> <p>doors 13:1 20:1 32:9 71:3 73:15,19,20,24 88:5</p> <p>dove 9:23</p> <p>downhill 58:15 88:15</p> <p>dragged 79:1</p> <p>drawing 85:13 88:17</p> <p>drawings 34:3 36:21,24 37:3 38:18 39:21 59:24 88:13</p> <p>drive 68:6 77:23 83:20</p> <p>driver's 26:23</p> <p>drivers 11:14</p> <p>drives 79:1</p> <p>driveway 23:18 26:17,23 27:7 28:2 29:4 30:10 31:14 52:16</p>	<p>53:10,19 63:5 65:17,18, 19</p> <p>driving 46:8 47:14 95:6</p> <p>drop 77:18</p> <p>dropping 13:22</p> <p>drum 31:4</p> <p>due 90:12</p> <p>dull 69:4,5</p> <p>dwelling 38:23</p> <hr/> <p style="text-align: center;">E</p> <hr/> <p>earlier 27:20 42:4 45:23 88:6 89:4</p> <p>early 48:12</p> <p>easily 63:15</p> <p>east 24:6 86:3</p> <p>eat 64:2</p> <p>echo 39:16 67:6</p> <p>edge 10:17 11:10,13,17 12:22, 24 13:4,12,16 15:20 17:8,17 18:1,24 26:24 27:21 32:2 34:20 55:9 60:17 73:11 94:12</p> <p>effect 19:1 40:19 43:11 74:13 95:14</p> <p>effective 36:15 102:20,22</p> <p>effectively 24:10 25:1 56:6</p>	<p>effort 38:15</p> <p>egress 20:1 73:18</p> <p>either 15:10 16:16 21:17 38:22 39:16 54:17 66:8 69:9 84:13 93:22</p> <p>electrical 62:5</p> <p>elements 8:23</p> <p>elevation 12:17 13:2,8 16:11,14 19:14 20:4,17 35:12,22, 23</p> <p>elevations 37:4,18 85:16</p> <p>elicit 96:22</p> <p>eligible 106:8</p> <p>enclosed 82:17</p> <p>encouragement 38:19</p> <p>endeavor 47:24</p> <p>enforce 59:8</p> <p>enforced 59:10 75:21</p> <p>engineer 29:23 107:10</p> <p>engineers 90:6</p> <p>Engler 6:6,8,9 29:19 31:1,21 33:14 43:21,22 44:7 46:16,23 47:2,8,17 57:13 70:7,13 71:16,18,24 72:1 89:18 90:4,11 91:7 107:15</p> <p>enlighten 90:4</p>	<p>entering 28:8,9 29:10,12</p> <p>enters 27:20</p> <p>entire 11:4,20 12:9 15:15 20:10</p> <p>entities 96:4</p> <p>entrance 30:11</p> <p>entry 8:21 9:15,22 12:10 15:4, 10 19:11 87:16 98:5</p> <p>Environmental 23:7,12,16 24:2 25:21 28:13 51:4</p> <p>envision 75:17</p> <p>equipment 36:23 69:16 71:10</p> <p>equivalent 81:22,24</p> <p>especially 39:7 40:10 86:24</p> <p>established 34:23</p> <p>euphemism 63:1</p> <p>evening 6:15 21:8 22:13 23:3 54:19 77:10</p> <p>eventually 30:5,6</p> <p>everybody 33:8 77:10 93:9</p> <p>everyone's 103:1</p> <p>evidence 86:12</p> <p>evolve 38:4</p> <p>exacerbating 64:23</p> <p>exact 55:4 62:7 64:12 72:23</p>
--	--	--	--

<p>80:22 87:16 104:7</p> <p>exactly 22:11 46:21 91:24 94:6</p> <p>example 39:14 104:7</p> <p>exceed 27:5</p> <p>exceeds 27:15</p> <p>excellent 98:3</p> <p>exception 66:18</p> <p>exercise 19:18</p> <p>exhaust 84:8 85:7</p> <p>existing 9:16,18 10:2 12:4 13:9 19:19 20:6,8,19 21:16 22:1,5 24:13 25:11 36:17 46:19 47:2 51:17,18,19 52:19 53:19 55:10 57:16, 21 61:10 92:8,15,17</p> <p>exists 47:23 57:17</p> <p>exiting 11:15 24:21 29:10,13</p> <p>expect 20:23 28:14 29:11,12 30:5 31:8 36:20 77:18 92:20</p> <p>expectations 47:18 48:5</p> <p>expected 74:14</p> <p>expeditiously 97:5</p> <p>expense 67:24</p> <p>expensive 63:18</p> <p>experience 42:2</p> <p>expert</p>	<p>90:13</p> <p>expertise 90:10</p> <p>experts 91:4</p> <p>explain 56:4</p> <p>explaining 105:5</p> <p>exposed 35:13</p> <p>expressed 100:23</p> <p>expression 15:2 16:19</p> <p>extending 57:4</p> <p>extensions 24:10,23 26:14 94:24 95:1,6</p> <p>extensive 6:14</p> <p>extent 15:1 20:18 22:3 23:19 98:8</p> <p>exterior 56:16 67:3 84:3</p> <p>extra 11:3</p> <p>eye 19:6 26:23</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>F-r-e-d 62:20</p> <p>facade 8:19,23 9:5 11:19 12:21 14:16 15:12,15 16:8 17:21 20:1,7,9,11 32:7 39:6 41:2</p> <p>facades 15:2</p> <p>face 11:20 12:3 73:15</p>	<p>faces 9:4 11:24 12:17 13:8 19:14</p> <p>facetiously 70:4</p> <p>facing 9:1,3 14:21 15:6 16:4 19:10</p> <p>fact 10:14 34:17 59:12 60:1 71:19 78:10</p> <p>factored 7:3</p> <p>Fahrenheit 79:15</p> <p>fairly 64:21</p> <p>fairness 30:6</p> <p>fall 55:8</p> <p>family 62:20</p> <p>fan 68:23</p> <p>far 9:22 47:5 54:1,13,20 58:9 78:12 92:19 94:12</p> <p>faster 64:6</p> <p>feature 95:10</p> <p>feed 32:9,11</p> <p>feedback 7:2</p> <p>feeds 32:10</p> <p>feel 7:10 14:17 19:17 43:19 57:23 72:17 76:6 90:15 102:23</p> <p>feels 12:21 20:16 78:17</p> <p>feet</p>	<p>11:8,9 18:12,13,14 24:16 27:3,5,14 28:1 29:4,6,8, 18 31:19 32:3,4 36:7 44:22,23 45:6,13,14 51:16 52:2,3,5 55:17 59:23 60:3 61:15,19 62:21 66:13 68:10,12 71:10 104:5</p> <p>feet all 61:20</p> <p>felt 48:12 76:16</p> <p>fence 20:8 27:11 52:19,22 67:11,14,15,16,19,24 68:1,9,11,12 69:10</p> <p>fenestration 19:12</p> <p>fewer 30:4</p> <p>fifth 4:6</p> <p>figure 79:24</p> <p>figures 51:13</p> <p>final 35:5 36:21 38:9 53:12 105:11</p> <p>finalize 93:11</p> <p>finally 17:11 36:8</p> <p>find 38:20 42:12 50:5 53:24 79:15</p> <p>first 9:21 20:10 35:7 36:7 53:3 55:10 60:24 72:12 76:22,23 91:19 97:21 99:22</p> <p>fit 62:17 82:5,6,13</p> <p>Fitzgerald 47:19</p> <p>fix 88:20</p>
---	---	---	---

<p>flat 15:11 88:15</p> <p>flip 21:5</p> <p>flipped 12:9</p> <p>floor 9:6 14:1,6,8 16:1,22 17:18,24 18:8,11 20:10 22:9 55:10 56:2,11,12,15 60:23,24 79:2</p> <p>floor-to-floor 38:20</p> <p>floors 17:19 60:24 71:21 104:6</p> <p>Flour 63:8,12</p> <p>flow 64:22,23 94:7 95:3 96:9</p> <p>focus 12:19</p> <p>focused 7:9 23:17,23 34:3</p> <p>folding 66:18</p> <p>follow 54:23 86:18</p> <p>follow-up 9:13</p> <p>followed 34:10 36:9</p> <p>foot 11:3 13:7 16:6 60:19</p> <p>footage 11:21 12:14,15 17:3 36:10 50:24 56:3,15,17, 18 102:7 105:8</p> <p>footages 16:24 17:1</p> <p>footprint 17:2 50:1</p> <p>formal 33:24</p> <p>forth 14:8</p>	<p>forthcoming 79:19</p> <p>forward 18:2 47:20 70:19 97:20</p> <p>found 16:9 78:23 82:4,12,15</p> <p>four 4:20 58:16 76:19</p> <p>four-way 60:12</p> <p>fourth 14:6,8 57:3</p> <p>frankly 71:1</p> <p>Fred 62:19</p> <p>free 10:4 25:17</p> <p>freeway 64:16</p> <p>frequently 62:6</p> <p>front 10:15 44:21 45:3,4 55:9, 19 62:10 80:11,22</p> <p>froze 79:14</p> <p>full 14:24 22:3 33:19</p> <p>Fuller 64:11,13 78:13</p> <p>fully 28:23</p> <p>functioning 87:19</p> <p>funneling 63:2 64:20</p> <p>further 10:21 12:5 15:6 17:9 19:3,22 24:11,17 26:17 33:12 37:23 47:7 51:20 55:21 77:15 88:10 89:20 101:1,16</p> <p>future 36:20</p>	<p>G</p> <hr/> <p>game 77:15</p> <p>garage 8:21 9:7,15,22 10:1 11:13,15 12:9 13:10 15:3,10 19:11 27:8 29:16 49:9,11,13 53:15 62:4,10 65:19 66:3,6,9,10,17,20 67:3 69:14 71:2,4 73:17 75:5,13 80:8,9 81:18 83:13,16,21 84:3,6,9,14, 22 85:2,6,7 87:7,8,11,16, 19 98:5 102:5 104:6</p> <p>garages 82:16,17</p> <p>general 8:12 52:11 55:19 75:14</p> <p>generated 68:15</p> <p>generating 67:22</p> <p>generation 23:20</p> <p>gentleman 80:11 92:19</p> <p>gentler 36:17</p> <p>Geoff 6:6,9 47:12 70:13 79:12 88:5</p> <p>Germany 79:14</p> <p>getting 47:16 77:1</p> <p>give 6:3 10:3 54:9 75:19 79:9 97:17 100:20</p> <p>given 5:7 75:16 86:24 96:1 97:4 100:15</p> <p>gives 11:16 99:3</p> <p>giving 102:15</p>	<p>glad 73:4</p> <p>go 4:16 5:5,14 6:11 21:8 37:2 42:24 43:4 47:20 48:14 58:20 61:24 65:4,9 68:12 69:1 73:20,21 78:13 82:8 86:17 88:15 89:16,22 91:12 95:21 97:20 107:23</p> <p>goals 9:21</p> <p>goes 30:5 36:4 55:17 58:10 59:22 61:15 62:5 74:13 101:13 102:13 105:10</p> <p>going 5:14 6:21 7:4,14 8:12,16 9:15 11:4 16:11,13 21:5, 8 23:1 25:24 31:15 34:1 38:4 42:10 45:21 46:6 47:18,19 48:12 50:13 59:21 62:11,12 63:1,9, 21,22 64:2,15,18 65:7,9, 19,22 66:6,8,12,15,21 67:4,8,9 68:22,24 69:3,4, 15 70:1,2 71:21 77:5 78:3,6 81:5 88:15 89:1 91:16 92:1,21 94:3,7 95:5 99:4 100:22 102:21</p> <p>good 23:3 37:20 41:1,7 50:8 58:22 59:11 70:17 77:10 81:13 98:7 107:13</p> <p>gotten 33:8 84:20</p> <p>gradual 14:18</p> <p>granite 53:21</p> <p>great 31:24 33:7 54:5,8 108:3</p> <p>greater 48:19</p> <p>green 8:8 42:22</p> <p>gross 17:3</p>
--	---	--	---

<p>ground 16:22 39:23 55:20</p> <p>group 23:7,12,17 24:2 25:21 28:14 49:7 51:4</p> <p>grows 11:8</p> <p>guess 58:4 75:4 91:13 96:13</p> <p>guidelines 27:17 61:7</p> <p>guilty 33:14</p> <p>guys 104:16</p> <hr/> <p style="text-align: center;">H</p> <hr/> <p>H-e-r-s-c-o-v-i-c-i 72:7</p> <p>half 33:14 34:9</p> <p>Hamilton 63:7</p> <p>happen 47:18 63:15 65:7 96:6</p> <p>happened 35:14</p> <p>happening 78:3</p> <p>happens 62:10 65:8 66:14 78:1</p> <p>happy 33:23 61:24 71:5 86:22 88:6 95:15 101:3</p> <p>hard 33:9 97:7</p> <p>harmonize 39:14,18</p> <p>harsh 40:20</p> <p>Harvard 4:7 8:2,3 9:1,21 15:7 19:4,11 20:12 24:4,6 25:3,9 26:17 27:2 32:10 44:7 45:15 46:8 47:3,9,</p>	<p>10,15,16 51:14,22 52:14 53:2 58:13 61:16 63:10 64:4 73:22 91:21 92:16 93:2,20,22 94:7 95:13</p> <p>hasn't 68:18,19 83:14</p> <p>haven't 7:7 39:2 54:16 75:9 84:20</p> <p>head 85:11</p> <p>headed 54:15</p> <p>hear 33:4 40:16 43:9 44:18 49:19 50:6,14,20 54:3 69:3 71:8 74:2 84:1 93:1</p> <p>heard 73:4,20,22 100:18</p> <p>hearing 4:6,9,15,23 11:5 100:19 104:18,23 106:13,16,22 107:9 108:1,2</p> <p>hearings 34:7</p> <p>heavy 9:5 15:24 19:5,13</p> <p>height 14:10 38:14,18,21 60:4</p> <p>help 19:7 39:17 84:11 105:17</p> <p>helped 35:5</p> <p>helpful 42:13 48:8,15 50:6 86:24 93:1,4 94:5</p> <p>helps 14:2,17 34:15 36:16,18 40:15 41:11 88:16</p> <p>Herscovici 72:5,6,7 73:11 74:17,20, 24 75:3 76:21</p> <p>Hi 59:16 62:19 72:6</p> <p>hiding 60:1</p>	<p>high 64:9,21,22 65:7 68:10,12 71:11</p> <p>high- 88:2</p> <p>higher 79:23</p> <p>highway 68:5,7</p> <p>highways 68:2</p> <p>hill 59:21 63:7 64:8,15</p> <p>historically 31:3</p> <p>home 19:20 20:10 22:8,10 40:11 55:11 62:20 69:6</p> <p>homes 12:1</p> <p>hope 29:24 73:5 74:3 98:6 102:23</p> <p>hopefully 30:4,7</p> <p>hoping 72:24 73:2,12 76:24</p> <p>horizontal 20:16</p> <p>hot 68:21</p> <p>hour 53:5 78:15</p> <p>hours 25:15 26:1 52:11</p> <p>house 16:18 38:1 55:4,16 60:18 72:9</p> <p>Hubway 8:6</p> <p>huge 60:2</p> <p>hum 69:4,5 71:7</p>	<p>human 15:19,21</p> <p>humid 68:21</p> <p>Hung 5:21 33:6 50:15 51:3 65:15 74:16,18 92:5,13 93:10,17,24 94:17</p> <p>Hussey 4:9 28:17,23 29:3,7 30:12,19,24 31:7 32:8,13 40:24 41:16 45:12,15,17 56:7 93:6,14,20 98:12 99:5 100:8,9 101:5,8,11, 17 102:3 103:14,16 105:15,16 107:3,13</p> <p>HVAC 68:20 69:15 71:21</p> <p>hydrant 9:16</p> <hr/> <p style="text-align: center;">I</p> <hr/> <p>I'd 40:13,16 50:5 78:12 89:16 93:6 101:17</p> <p>I'll 12:6 13:13 34:14 56:8,22 70:7 71:19 75:19,24 84:10 91:13 105:14</p> <p>I'm 5:11 8:15 21:5,8 33:23 34:1 39:13 46:22 47:2 51:3 54:12 59:16 65:11 72:6,16 73:18,21 75:9, 14,17 77:10,15 98:4 101:19,24 102:8 103:18 105:3,4 106:1</p> <p>I've 28:17 38:11,12 39:2 43:4 45:12 56:12,22 86:14 100:23</p> <p>idea 17:15 40:14 41:1,12 53:7 95:16 104:18</p> <p>ideas 37:5</p> <p>identified 17:15</p>
---	--	---	--

<p>identify 70:21 96:16</p> <p>image 16:3 19:9</p> <p>images 8:17 13:20 14:7 15:5 35:7</p> <p>imagine 46:10 106:20</p> <p>immediate 14:5 73:8 74:1</p> <p>immediately 6:12 9:24 49:9</p> <p>impact 9:15 18:22 20:14 22:8,10 37:14 42:13 88:16 91:20 93:15 94:7</p> <p>impacted 71:9</p> <p>impactful 7:10</p> <p>impacts 18:15,16 21:4,5 93:21</p> <p>implication 15:17</p> <p>importance 47:22</p> <p>important 20:6 21:18 34:24 35:1 36:22 37:12 38:5 49:20 50:7 59:5 65:3,4 70:14 87:6 99:12 105:5</p> <p>improve 8:23 14:13 24:3,23 42:24 52:18 92:7</p> <p>improved 26:6,19 51:18</p> <p>improvement 24:18 25:6 26:13 28:11 95:19</p> <p>improvements 23:2</p> <p>improves 24:19 26:5</p> <p>improving 43:7</p>	<p>improvisationally 77:20</p> <p>in-depth 33:10</p> <p>inclined 103:11</p> <p>include 84:23 85:4</p> <p>included 31:5</p> <p>includes 91:1</p> <p>including 4:20 7:15</p> <p>incorporate 17:11</p> <p>incorrect 57:10</p> <p>increase 9:8,19 44:8 57:4 98:19</p> <p>increased 8:18,20 76:24</p> <p>increases 11:12</p> <p>increasing 36:12 56:2 76:13</p> <p>indecipherable 58:6</p> <p>Indian 25:11</p> <p>indicate 79:23</p> <p>indicated 8:4 76:5 88:6 107:3</p> <p>indication 6:4</p> <p>individual 68:20</p> <p>individuals 90:5</p> <p>industry 27:17</p> <p>inform 99:18</p>	<p>information 7:13,19 9:9 21:22 46:4, 14 48:13,15 55:6 68:3 79:19 86:8,10,21 90:24 91:1,5 92:1,3,4</p> <p>infrequently 31:2,6</p> <p>initial 9:12</p> <p>Initially 25:13</p> <p>input 107:11</p> <p>inside 49:9</p> <p>insofar 79:8</p> <p>installations 95:19</p> <p>installing 82:3</p> <p>instance 54:19 91:8 106:24</p> <p>instantly 43:21</p> <p>intelligent 77:19</p> <p>intensification 35:24</p> <p>intensified 37:6</p> <p>intensifying 39:22</p> <p>intent 11:4 84:22</p> <p>intention 6:11 59:12</p> <p>interact 10:19</p> <p>interacts 21:17</p> <p>interest 77:6</p> <p>interested 103:19</p>	<p>interesting 11:18</p> <p>internally 44:11</p> <p>interrupt 29:20 47:13 85:23</p> <p>interrupted 47:13</p> <p>Interruption 83:18 93:19</p> <p>intersection 9:1,20 10:16 11:9 24:12, 19 25:18 43:16 58:3,9, 12,13,17 60:11 78:5,9 94:20</p> <p>introduce 13:3 17:12 54:9 84:16</p> <p>introduced 8:23 13:6 14:12,20 16:16 17:20</p> <p>introducing 11:22 15:18</p> <p>introduction 40:24</p> <p>intruding 93:22</p> <p>involve 96:24 99:9 100:1</p> <p>inward 13:1 73:16</p> <p>isn't 29:8 30:21 31:15 39:6 45:6,18 59:5 99:12 102:21</p> <p>issue 75:4 83:5,8 86:20 94:2 99:17 103:17</p> <p>issued 23:9,13</p> <p>issues 23:17,22 26:12 30:3 34:12 37:14 50:18 70:21 88:10 90:10 97:17 104:23 106:24</p> <p>it's 6:13 12:2 13:14 14:9</p>
---	--	--	--

<p>20:5 22:11 24:17 25:2,21 26:3 27:5 28:3,16 29:2,6, 11 30:2,22 32:18,19,20 33:9 34:12,19 35:17 36:11 37:2 40:9 41:20 44:10,20 45:13,16 46:12, 13,24 48:9 50:6 54:14 56:24 57:1,2,18 58:10 60:2 61:4 62:12 64:16 66:4,16,20,21 67:7,15 68:1,21 69:2,4,5,6 70:4, 8,14 71:18 74:3,10 76:14 77:5,19 78:2,6,12,24 79:7,8,21 81:12 83:3 84:7 85:14 86:15,18 87:16 91:5 93:17,22,24 94:1,6,9 95:19 98:15 99:4,14,15,18 101:22 102:3 104:3,11,12</p> <p>items 43:20 97:19</p> <p>iterations 36:20</p> <p>iterative 29:21</p> <p>its 13:10 21:18 57:1 79:14 86:15,16 87:19,20</p>	<p>57:20</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p>Karen 4:11</p> <p>Kate 4:8</p> <p>keep 4:5 5:24 38:21 60:22 89:1 108:3</p> <p>keeping 9:4 18:23</p> <p>kept 64:19</p> <p>key 26:13</p> <p>keys 8:4</p> <p>kind 7:3 11:23 14:7 18:22 19:5,12,16 20:14 22:24 24:5 25:22 26:10,11,21 29:24 30:2 35:4 36:16 51:9,10,11,16 52:8 53:21,24 55:7,11 63:18 66:6,17 67:2 69:4,9,11 70:1 79:2 95:23</p>	<hr/> <p style="text-align: center;">L</p> <hr/> <p>landscape 31:13,23 38:3</p> <p>landscaping 7:16 8:20 11:16 13:4 15:9 17:4,6,16 18:24 19:12 22:4 36:13 61:11</p> <p>lane 61:17 64:20,21 77:24 92:16,18 93:3</p> <p>lanes 26:19</p> <p>language 9:4</p> <p>lap 16:6,16</p> <p>large 43:17 63:6,10 69:1 85:12</p> <p>largely 74:9</p> <p>Lark 4:10 31:11 42:7 98:12</p> <p>laser 56:13</p> <p>late 33:9 40:11</p> <p>latest 63:1</p> <p>layer 8:9 9:10</p> <p>layout 9:7</p> <p>leaving 64:13</p> <p>left 13:9 14:9 16:15 66:10 85:1 95:6</p> <p>left-hand 13:18,23</p> <p>legitimate 37:2</p> <p>leisurely 59:10</p>	<p>length 11:4</p> <p>lengths 11:24 12:1</p> <p>lesser 23:19,22</p> <p>let all 106:23</p> <p>let's 88:4,21</p> <p>letter 23:10,11,14 30:1,3 91:15</p> <p>level 19:13 21:21 37:1,11 39:23 79:21 81:12 84:20 102:5</p> <p>levels 40:3</p> <p>lift 49:8 78:21 79:20 80:3, 17,19</p> <p>light 10:6 17:22 64:11,14,15</p> <p>liked 42:1</p> <p>likes 33:11</p> <p>limit 59:12 78:19</p> <p>limited 59:7</p> <p>limits 52:4</p> <p>line 11:19 13:24 17:22 18:12, 17 19:2,5,13 20:3,15 25:19 27:22 32:6 41:19 44:1 47:16,22 51:16,20, 24 55:5,14 63:13 67:19 78:14</p> <p>lines 14:13 45:22 47:8 65:2 94:10</p> <p>list 79:7</p>
<hr/> <p style="text-align: center;">J</p> <hr/> <p>jarring 35:9</p> <p>JFK 64:9</p> <p>Jim's 107:18</p> <p>job 7:11 55:2</p> <p>July 23:15 33:15 51:7</p> <p>jump 15:5 39:11 94:21</p> <p>jumped 43:21</p> <p>June 22:15 23:13 48:12</p> <p>justice</p>	<p>Kirrane 48:10 63:19 107:11</p> <p>know 4:5,18 10:24 26:4 27:22 30:12 33:18,24 38:6,12 40:6,11 42:6,14,24 43:11,15 44:11,16,19,20 45:10 46:3,5,12 47:23 48:11 50:9,14,15,23 57:15 58:5 59:19 60:5 61:13 64:9 69:2 72:9,15, 18,20,23 73:3,4,12,17 74:2 75:17,21,24 76:23 77:5 79:18 80:14,24 94:15 95:15 96:9 97:6 99:1 100:13 102:18 103:2 104:4,7,13 106:23 107:23</p> <p>knowing 102:22</p>		

<p>listen 69:5 91:14</p> <p>literally 82:2</p> <p>little 8:1,10 10:21 12:7 13:6,7, 13,14 14:17,18 15:13 16:8,18 18:4,20,22 19:3, 16 22:13 23:1 37:23 41:2,6 42:20,21,24 48:19 51:21 52:22 53:13,14 55:12,21 60:17 76:3,18 80:2 92:1 96:9 98:9 101:18</p> <p>live 59:16 72:7 77:11</p> <p>living 66:13 71:9,20</p> <p>loading 25:14 26:1 30:15,16,19 31:1,4,6 51:24 52:1,9,10 53:4,5 74:5,6,7,9,10 78:17,19</p> <p>lobby 12:15</p> <p>local 86:2 91:1</p> <p>located 7:20 15:10</p> <p>location 9:15,16,17,23 10:13 20:5,23 23:18 24:12,13, 15 38:1 49:14 56:12 86:17 87:14,17 98:5</p> <p>locations 19:19,20 37:17,24</p> <p>long 34:23 59:8 69:6 75:20 89:24</p> <p>look 6:2 7:15,16 12:6 14:7 16:11,13 19:21,22 27:10 29:16 35:1,6,8 37:13 39:9 40:2 41:6 45:11 48:3 57:24 60:2 72:21 77:2 79:4 82:8 83:21 84:10 85:12 87:7 88:24 91:3,4 92:10 99:24</p>	<p>looked 11:1 16:22 18:20 52:15 53:9 59:23 86:8 91:24</p> <p>looking 8:10,14,16 9:19,24 10:12 16:21 17:4,18 18:12,19 19:10 20:12,19 24:9 27:2,13 35:15 37:23 38:1 40:6 47:10 49:6 51:22 52:23 60:15 69:17 84:12, 18,24 86:20 92:11 94:10, 19 101:18</p> <p>looks 12:21 24:5 32:9 40:20 54:7 66:5</p> <p>Los 80:18 81:19 86:1</p> <p>lose 100:9</p> <p>losing 44:9</p> <p>loss 26:8 101:19</p> <p>lost 50:23</p> <p>lot 20:21 22:4 29:11,22 30:4 34:2 35:13 38:15 41:19 42:17 43:19 45:20 49:23 50:17 54:16 61:7 64:24 65:13 67:5 69:15,16 73:23 105:1 108:2</p> <p>loud 26:11 66:16</p> <p>love 49:19</p> <p>low 28:24</p> <p>lower 14:2</p> <p>lowering 19:1</p> <p>ludicrous 60:4</p>	<hr/> <p>M</p> <hr/> <p>machine 79:7,12 80:6 81:21,22 82:2</p> <p>machines 79:10 82:14</p> <p>main 55:16 75:22</p> <p>maintain 12:11 92:17</p> <p>maintains 26:6</p> <p>major 35:4</p> <p>majority 51:7</p> <p>making 7:9 26:14 36:15 41:6 46:22,23 63:14 65:20 66:21 69:16 75:9 77:2 95:6,7</p> <p>manage 47:17</p> <p>managing 48:5</p> <p>manufactured 82:5</p> <p>manufacturer 88:4</p> <p>manufacturer's 85:20</p> <p>March 21:6,14</p> <p>Marion 83:10,11,12 87:8</p> <p>Mark 77:11 85:22</p> <p>Martin 4:11</p> <p>mass 55:20</p> <p>Massdot 68:4</p>	<p>massing 11:18 57:2,5</p> <p>material 14:23 16:7 37:5,9 41:4</p> <p>materials 13:12 16:9 17:14 33:9 42:18</p> <p>matter 57:14</p> <p>matters 33:19</p> <p>mature 28:23</p> <p>max 31:19</p> <p>maximize 50:7</p> <p>maximum 25:6 38:17</p> <p>Maxx 64:8,16</p> <p>mean 13:7,13 27:16 29:19 30:20 39:24 43:9,23 44:16,18 64:16 66:15 67:7 70:4 76:12 82:2 98:9 99:14,19 100:13 104:22</p> <p>meaning 84:7</p> <p>means 40:5 77:3 101:2</p> <p>meant 81:21 82:16</p> <p>measure 70:18 94:18</p> <p>measured 51:15,23 52:8</p> <p>measurement 55:4</p> <p>measurements 79:9</p> <p>measures 5:16 89:21</p> <p>mechanical</p>
---	---	--	---

<p>12:24 36:23 62:11,14 67:2,6 69:3 73:16 78:22 79:3 84:9,21</p> <p>mechanicals 71:8</p> <p>mechanized 37:15</p> <p>meet 11:4 50:2 90:15 95:15</p> <p>meeting 6:23 23:12 50:3 58:21 61:4 64:5 72:18 89:19 95:17 97:14,23 107:8</p> <p>meetings 57:7 66:7 94:15</p> <p>members 97:16</p> <p>memo 33:23</p> <p>memorialize 33:23</p> <p>memorialized 29:24</p> <p>mentioned 14:20 17:5 21:2 26:15 27:11 28:12 51:12 52:7 55:24 61:4 64:5 75:20 88:12 92:19 94:23 95:1</p> <p>mentioning 19:15</p> <p>merge 78:2</p> <p>mesh 85:4 86:24 87:9,10</p> <p>met 72:13,15</p> <p>metal 37:11 78:24 79:1 85:4 87:9,10</p> <p>metered 8:4</p> <p>microphone 4:13</p> <p>middle 15:23 65:8</p>	<p>midpoint 11:23</p> <p>mimic 16:16</p> <p>mind 5:24 10:20 60:10</p> <p>mindful 10:14</p> <p>Mini 82:10</p> <p>minimize 38:13 61:9,12 88:16</p> <p>minimized 53:2</p> <p>minimum 38:21 45:19 52:6</p> <p>minute 25:22 77:18 81:8</p> <p>mirroring 20:21</p> <p>mischaracterizing 72:17</p> <p>misconception 93:8</p> <p>misunderstanding 99:21</p> <p>mitigation 5:16 70:17 89:21</p> <p>mix 50:24 51:1,2</p> <p>mixed-use 35:16</p> <p>modes 73:17</p> <p>modifications 107:21</p> <p>modifying 25:13</p> <p>moment 17:5 85:11</p> <p>months 100:17</p> <p>morning 21:6,14 22:18,22</p>	<p>motorists 27:7,23 28:1,6</p> <p>move 6:16 9:22 13:15 18:10 19:22 20:15 43:7 80:1 84:8</p> <p>moved 24:17 56:15 66:4</p> <p>movements 95:4</p> <p>moving 34:8,12 36:1 63:21 65:14</p> <p>multiple 46:15 47:11 83:18 85:21 93:18 100:18</p> <p>multin 39:24</p> <p>multins 40:4,10 41:5</p> <p>myriad 102:18 104:22</p> <p>mystery 69:22,24</p> <hr/> <p style="text-align: center;">N</p> <hr/> <p>name 4:8,14 51:3 54:9,11 62:19 80:19,22 85:20</p> <p>narrating 21:9</p> <p>narrowing 30:3 70:24</p> <p>naturally 84:7</p> <p>nature 82:11</p> <p>navigation 46:6</p> <p>near 10:17 68:5 69:1</p> <p>necessarily 101:24</p> <p>need 4:16 7:20 32:22 43:23 44:22 59:24 60:7 67:18</p>	<p>76:6 78:7 87:2 97:13 106:17</p> <p>needed 104:20</p> <p>needs 38:6 61:18 71:16 103:7</p> <p>negative 22:11</p> <p>neighbor 37:20 59:4 98:18</p> <p>neighbor's 36:14 54:21 55:3</p> <p>neighborhood 10:21,24 15:14 16:10 36:18 39:15,17 49:19 50:6,10,15 56:24 61:4,5, 23 62:8,17 65:15 67:18 70:3 71:22 75:16,18 76:16 77:2 87:13 88:23 89:5,9 97:23 98:7 100:5, 12 101:3 104:24</p> <p>neighbors 6:24 10:8 57:1 61:3 68:6, 14 72:13,15 75:8,10 76:3 91:11 98:16,22 99:9,15, 17,24 102:23</p> <p>neighbors' 38:1 40:17</p> <p>new 7:18 12:10 19:11 21:1, 15,17,24 24:14,15 50:23 51:17 53:6 61:10 68:11 75:11,24 77:13</p> <p>newly 15:10</p> <p>nice 42:6 66:5</p> <p>night 69:2,6 72:21 107:19</p> <p>nightmare 67:8</p> <p>noise 37:14 50:11 62:4 66:21 67:5,7,9 68:7,14,24 69:12,16 81:12 83:5 86:4 87:1,20</p> <p>noisier</p>
--	---	--	--

<p>80:2</p> <p>noisy 71:3,21 78:24 79:4</p> <p>nonarchitect 39:10 40:9</p> <p>north 25:10</p> <p>north/south 24:7</p> <p>northbound 64:4,6</p> <p>northeast 8:22</p> <p>northeastern 12:18</p> <p>northern 35:23</p> <p>note 20:6 39:20 45:12 70:14</p> <p>notes 77:21 98:13</p> <p>notice 12:8,23 14:11 16:2 21:3 39:23 49:7 59:1 60:17 73:14 95:5,8</p> <p>noticed 59:19 60:21</p> <p>notion 36:12,16 42:18</p> <p>NSTAR 62:10</p> <p>number 49:18 59:7 73:15 75:6,13 76:7,14 82:4,8 99:7 100:6 101:2 103:10 104:7,20 105:9</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>objecting 106:1</p> <p>observed 39:2</p> <p>obstruct 103:8</p>	<p>obstructing 46:24</p> <p>obstructs 27:12</p> <p>obviously 28:7 57:18</p> <p>occupied 52:2,9</p> <p>occurred 12:16</p> <p>occurs 13:21</p> <p>off-site 23:2</p> <p>offices 23:12</p> <p>official 30:1</p> <p>oh 54:8 103:18</p> <p>okay 4:6 30:12 31:7,9,20 32:13,22 55:23 56:19 58:1,23 59:3,8,15 71:15, 23 77:8 83:2 90:11 91:16,23 93:15 97:15 101:10 102:13 103:20 105:18,22 106:4</p> <p>old 62:20 67:15,16</p> <p>once 48:4 78:18 81:13,14 88:7</p> <p>one-bedroom 104:8,9</p> <p>ones 36:22 51:1 99:10</p> <p>opaque 87:13</p> <p>open 25:17 43:20 52:12 66:10 80:9 81:18 84:7</p> <p>open-air 80:8</p> <p>opening 52:16 53:11,19</p>	<p>openings 84:23,24 85:1,3,9 87:1</p> <p>openness 84:5,16 87:18</p> <p>operating 79:18 86:1,15</p> <p>opinion 34:7 42:8 100:24 101:4, 6,21 106:1</p> <p>opportunities 17:6</p> <p>opportunity 10:4 11:16 29:18 77:12 84:16</p> <p>opposing 63:13</p> <p>opposite 64:13</p> <p>options 11:1</p> <p>order 81:23 97:11</p> <p>orient 24:4</p> <p>orientation 24:6,7</p> <p>original 9:14 10:8 56:11 68:17</p> <p>originally 14:22 15:11</p> <p>outages 62:8</p> <p>outer 56:11</p> <p>output 79:10,11,19</p> <p>outs 70:15</p> <p>outside 4:16 32:5</p> <p>outward 73:16</p> <p>overall 14:3 18:3 34:5,15 38:13 88:19 104:4</p>	<p>overhang 27:1 41:19</p> <p>overhead 88:2</p> <p>overnight 59:9 74:12 75:20 89:2</p> <p>oversized 88:19</p> <p>owner 32:23</p> <hr/> <p style="text-align: center;">P</p> <hr/> <p>P-i-n-c-h-e-s 62:20</p> <p>p.m. 4:2 21:7 22:15,16,19,22, 23 108:6</p> <p>paces 100:4</p> <p>package 36:22</p> <p>packet 23:15</p> <p>painted 96:11</p> <p>pair 13:20</p> <p>Palermo 4:10 31:12 42:8 44:24 45:8,10,14 48:17,24 49:4,15 50:5 76:4 77:8 84:1 91:18,23 92:11,24 94:1 95:24 96:6 97:21 99:8,20 100:11,23 101:7, 14,21 102:8,16 103:15, 18 104:17 105:19,21,24 106:6</p> <p>palette 17:15</p> <p>parked 65:23</p> <p>parking 4:24 8:2,4,8,11 10:1 12:11 20:21 25:8,10,12, 16,19,24 26:1,7,8 35:13 37:11,15 44:9,11,13,14</p>
---	---	--	--

<p>48:20 49:10,12,16,18,21 50:1,7,22 53:3,4,8 59:4, 5,9,13 61:23,24 62:4,5, 16,24 66:22,23 74:11,12, 15,16,17,18,20,23 75:1, 5,13,16,18,19,21 76:9, 14,19 77:4 78:22 79:6,7 85:18 88:21 89:2 93:21 99:7,12,17 100:4,6,14 101:2,15,20,22 102:4,11, 14 105:7</p> <p>part 42:15,16 43:2 61:6 85:6 86:19</p> <p>particular 35:21 37:11 39:24</p> <p>particularly 35:9 36:2 69:2 97:7 98:4</p> <p>parties 46:15 47:11 83:18 85:21 93:18</p> <p>partly 46:12,13</p> <p>Partner 25:21</p> <p>Partners 23:7,12,17 24:2 28:13 51:4</p> <p>parts 79:7</p> <p>pass 65:24</p> <p>path 70:23</p> <p>pattern 39:24</p> <p>patterns 92:23</p> <p>pause 82:12</p> <p>pay 63:22 64:1</p> <p>paying 71:11 72:1</p> <p>pedestrian 8:23 15:19 42:2</p>	<p>pedestrians 25:2,3 27:6,8 28:5 65:10 96:10,13</p> <p>peer 4:23 5:6,18,22 7:2 9:14 10:11 23:6 33:5 43:24 50:16 51:5 70:15,16 85:16 86:6,19 90:12,19 91:24 94:9 95:22 104:24</p> <p>people 11:15 44:15 71:9,10,12, 13,20 75:14 80:1,4 81:19 82:15 88:20 97:23 98:20 100:18</p> <p>percent 8:20 13:8 56:20 82:5 104:21</p> <p>percentage 104:4</p> <p>percentagewise 104:10</p> <p>percentile 52:4</p> <p>perceptive 89:7</p> <p>periodically 69:23</p> <p>permission 32:23</p> <p>permit 4:7 106:9</p> <p>permits 56:24</p> <p>person 42:14</p> <p>personally 42:21</p> <p>perspective 12:6 35:3 55:20 85:1</p> <p>perspectives 7:17 18:19</p> <p>Peter 6:18 26:15 27:10 35:18 37:17 54:24 56:4 81:14 87:2</p> <p>phantom</p>	<p>57:8,11</p> <p>phone 80:4</p> <p>photograph 78:14</p> <p>pick 29:18</p> <p>picture 57:20</p> <p>pictures 57:15</p> <p>piece 99:18</p> <p>pieces 37:21 91:5</p> <p>Pinches 62:19</p> <p>pink 10:6</p> <p>place 13:9 15:4 37:12</p> <p>placed 34:21</p> <p>plan 5:15 6:14 7:16 8:22 9:10 10:8 12:19 16:21,22,24 17:4,19 18:9 21:1 24:13 31:13,23 32:8 33:20 38:3,8 49:7 50:2 52:17 53:10,12 54:14 56:7,8 60:13 68:17,19 69:19 72:21 75:11 76:7 84:10, 12 89:15,17 92:8,9 93:6</p> <p>plane 55:12,13,20</p> <p>planner 4:11 39:11</p> <p>planning 4:11 5:12 82:3 91:4 92:4 96:17,19 98:14,23 107:5</p> <p>plans 5:5,24 7:15,18 30:7 54:17,20 75:23,24 77:13, 17 101:19</p> <p>planted 17:8 20:5</p>	<p>planting 17:11,14 37:22 41:18</p> <p>plantings 31:14 32:2,3</p> <p>plate 79:1</p> <p>play 8:13 22:5</p> <p>please 4:13,16 54:10 60:10,14 69:23 85:22 89:14</p> <p>pleased 98:4</p> <p>pleases 6:16 33:3</p> <p>plenty 27:6,23,24 102:15</p> <p>plus 12:13 69:14</p> <p>point 21:10 24:11 26:11 27:1, 22 29:15,16 35:18 38:9 43:20 59:12 64:17 71:19 77:22 78:1,2,7 81:5,13 84:11,22 88:7,12 92:14 94:4 99:5 101:5,12 103:12,24 104:15 106:21</p> <p>pointer 56:13</p> <p>pointing 41:9</p> <p>points 96:8</p> <p>pole 9:17</p> <p>Polly 4:11 5:11 6:10 46:16 59:1 81:9,10 89:12 91:19 96:1</p> <p>porch 55:10</p> <p>portion 43:17</p> <p>position 18:16</p>
--	--	--	---

<p>positive 22:10 36:1 42:2</p> <p>possibility 24:9 76:17</p> <p>possible 10:18 20:22 48:14 97:5 98:8 99:2</p> <p>possibly 9:23 30:20 55:15 63:12 64:14</p> <p>posted 57:15</p> <p>potential 37:14 65:24 86:12</p> <p>potentially 104:19</p> <p>Poverman 4:3,8 31:11,13,17,20,24 32:14,19,22 33:1,7 39:4 40:8 41:8,21 43:2 44:6, 13 45:1,6,9,11,16,19,24 46:3,21,24 47:4,12 50:19 54:2,5,24 56:4 57:10 58:12,16,20,24 59:11,15 62:18 70:12 71:15,23 72:3 77:9 80:13,19 81:7 82:23 83:3,7,12,16,20 85:22 86:23 87:23 88:9 89:8,12 90:23 94:14 96:5,14 97:4,10,15 98:13 99:13 100:8,15 101:10 102:9 103:2,20 105:11, 18,22 106:4,10,15 108:3</p> <p>practical 66:19</p> <p>Practically 66:5</p> <p>prefer 42:20 101:15,17</p> <p>preferable 101:22</p> <p>preliminary 33:4</p> <p>present 5:4 6:14</p> <p>presentation 6:13 7:21,24 59:18 69:21,23 88:14</p>	<p>presented 7:12 27:19 45:23 56:21 89:15</p> <p>presenting 5:15 88:17</p> <p>preserve 10:2</p> <p>presumably 41:3 107:19,21</p> <p>pretty 6:14 40:9 52:12 78:10,12 85:12 104:3</p> <p>preventing 76:12</p> <p>previous 7:21 12:12 21:4 23:10 30:3 39:5 57:6 66:7</p> <p>previously 15:3 48:18</p> <p>primarily 23:18</p> <p>primary 83:5</p> <p>prior 75:23 107:8,16,22 108:2</p> <p>prioritization 34:11</p> <p>privacy 67:20</p> <p>private 18:2</p> <p>probably 4:18 27:13 28:1 30:22 36:10 39:2 41:1 44:15 53:16 67:16 92:21 93:10 96:13 107:24</p> <p>problem 29:7 41:20 60:8,9,21 61:3 62:4,11,12 69:7 83:1 102:15</p> <p>problems 64:24 65:13</p> <p>proceed 33:11</p> <p>proceedings 4:1,12 108:6</p>	<p>process 5:1 19:23 29:21</p> <p>professional 107:11</p> <p>profile 26:7,24</p> <p>profiles 27:5</p> <p>progress 30:13 73:5 98:4</p> <p>project 6:20 7:10,20 10:15 12:22 20:20 21:19 23:5,9 28:12 31:5 32:5 34:5,7 42:23 48:21 51:5 70:9 71:8 76:8 85:19 102:17 104:1 106:7</p> <p>projects 31:3</p> <p>prominent 35:12</p> <p>promise 107:7,14</p> <p>promotional 82:9</p> <p>proofing 69:11</p> <p>properties 61:9</p> <p>property 17:22 18:12,17 20:3 25:18 32:16,19,23 55:5 57:17,18,22 67:12,19 83:10</p> <p>proponents 64:1 67:14</p> <p>proportion 12:3 15:22</p> <p>proportions 8:24 14:2,14 35:19</p> <p>proposal 4:19 5:2 56:11</p> <p>propose 78:16 87:17,21</p> <p>proposed 9:14 10:7 18:5 19:18</p>	<p>20:5,20 21:4,19 23:2 51:16 53:20 61:8 62:22 70:9 74:11 78:22 85:4 87:24 92:8,10</p> <p>proposing 17:16 55:22 84:6 87:10</p> <p>protection 68:14</p> <p>provide 10:10 15:13 50:1 71:5 76:7 85:15 86:22 87:14, 18 88:6 96:21</p> <p>provided 49:24 86:5,9 100:2</p> <p>provides 48:21</p> <p>providing 12:12 49:17 76:6</p> <p>public 10:19 32:20 54:4,6 57:14 69:21 70:5 106:23 107:9</p> <p>publish 79:17</p> <p>publishing 79:22</p> <p>pull 31:22 65:5</p> <p>pulls 94:12</p> <p>purchasing 81:23</p> <p>purposes 32:6 50:2</p> <p>purview 94:8,10</p> <p>push 24:10 43:8,18 61:18,19 62:1</p> <p>pushed 24:19 47:15 51:20</p> <p>pushing 37:23 63:10,13</p> <p>put 23:22 34:8 41:17 53:21 60:1 66:11 69:13 79:5,11 81:2,11,20,23 90:24</p>
---	---	--	--

<p>putting 60:11 63:9,20</p> <hr/> <p style="text-align: center;">Q</p> <hr/> <p>qualified 43:13</p> <p>qualify 75:8</p> <p>qualities 35:17</p> <p>quality 38:22</p> <p>question 18:5 30:14 32:14 36:11 48:17,20 50:21 58:3 59:4 63:16 64:3 65:3 66:3 74:5 75:12 76:4,10 80:14 81:17,18 83:24 84:2,5 90:16 91:19 95:20 105:11</p> <p>questions 7:22 21:11 28:18 31:11 39:1 54:18 65:12 86:13</p> <p>queue 11:14</p> <p>quick 6:1</p> <p>quickly 6:21 48:14 72:21</p> <p>quiet 69:2 71:4 79:22</p> <p>quite 39:10 40:1,5 79:4 98:18</p> <hr/> <p style="text-align: center;">R</p> <hr/> <p>rain 62:13 82:19</p> <p>raised 81:13</p> <p>ramp 63:20</p> <p>range 86:14</p> <p>rarely</p>	<p>52:10</p> <p>rate 51:15,23</p> <p>reaching 81:12</p> <p>reacted 92:3</p> <p>read 8:16 14:16</p> <p>reads 39:9</p> <p>real 26:8 36:4</p> <p>reality 31:5 79:7</p> <p>realized 25:7</p> <p>really 10:21 13:2,20 19:6 20:13,15 21:22,23 22:10 23:23 26:4,16 28:3,10 29:11 31:3 33:9 34:2,22 35:5,19 36:1,15 37:12,20 38:16,21 55:11 59:19 61:14 81:21 82:16 94:24 95:1 98:1 100:20</p> <p>realm 10:19</p> <p>rear 18:17 31:21 32:5</p> <p>reason 35:15 36:10 62:9 76:8 81:16,17 84:12 103:6</p> <p>reasons 66:11</p> <p>rebuttal 71:13</p> <p>recall 35:10 41:23 104:17</p> <p>received 7:1</p> <p>recognize 49:16</p> <p>recognized 18:14</p>	<p>recognizing 10:20</p> <p>recommend 53:14 105:13</p> <p>recommendation 34:10 48:8 87:7 91:13 92:5 96:23 99:22</p> <p>recommendations 90:18</p> <p>recommended 7:8 52:24 70:15</p> <p>reconfigure 10:1</p> <p>reconfigured 29:15</p> <p>record 6:8,18 23:4 57:15 69:22 70:5 89:16,17 92:2</p> <p>recorded 4:12</p> <p>red 21:14 64:14</p> <p>redesign 58:4,10</p> <p>reduce 18:3 76:14</p> <p>reduced 17:1 56:17</p> <p>reduces 25:1</p> <p>reducing 56:1 76:13 95:14</p> <p>reduction 100:3,5 101:2</p> <p>refer 7:21</p> <p>referred 65:16 67:11</p> <p>refined 9:7</p> <p>reflect 7:18</p> <p>reflected 75:24</p>	<p>reflects 18:10</p> <p>regard 86:4 87:19</p> <p>regarding 93:8</p> <p>regular 48:21,23,24 74:23</p> <p>regulations 90:23</p> <p>regulatory 5:12</p> <p>relate 37:24</p> <p>related 23:8,20 34:17 50:22</p> <p>relates 18:17 48:18</p> <p>relating 88:10</p> <p>relation 12:4 19:19 55:2,5,8 84:18 85:18 87:6</p> <p>relationship 12:20 13:10 21:18 55:19 98:8</p> <p>relative 6:14 12:1 44:2 47:8 48:3 57:20 71:7 72:10 104:1</p> <p>relatively 15:11 21:18 87:20</p> <p>relief 15:13</p> <p>relocated 8:21 9:5</p> <p>relocation 26:4,16</p> <p>remains 16:1</p> <p>remember 35:7 57:6 72:23</p> <p>removed 15:3</p> <p>removing 25:8,16,23</p>
---	--	--	---

renderings 38:15	49:16	restrictions 34:21	21 47:3 49:10,18 51:20 54:15 55:9 58:14,18 60:5,18,24 62:9 63:14 65:16 67:15 69:6 70:16, 17 71:9 72:8 76:8 78:6 92:15,20 93:23 94:1 95:7 96:5,15 97:11,15 99:8 106:15,21
rent 100:13	research 78:21 79:16	resubmit 30:8	right-hand 11:7 13:19 14:1 16:3 17:13
rental 4:20 71:4	resemble 16:17	result 100:3	risk 66:1
rentals 59:7	reserve 33:12	retail 4:21 9:3 10:14 12:14 14:21 15:1 17:7,9 20:20 23:20 30:21 69:15 84:14	road 77:24 95:2 96:11
rents 71:11	resident 54:12 59:5 61:23 62:15 76:5 77:4 88:22	retaining 20:6 27:11	roadway 25:4
replace 53:5,6,7 67:14,24	residential 4:19 16:17,19 17:3 19:17 34:24 35:6,17 42:15 56:14 67:17 68:11 77:2 104:20,21 105:14	review 5:6,8 7:14 9:14 10:11 23:17 24:2 27:18 35:2 39:1 43:24 51:5 54:1,17 70:15,16 85:16 86:6 90:12,19	role 102:16
report 34:4 51:6	residentialize 39:6	reviewed 34:3 51:6 86:7	roll 6:15 8:16
reporter 58:8 83:19 93:19	residents 18:6 63:5	reviewer 5:18,22 7:2 33:5 50:16 86:19 91:24 94:9 95:22	rolling 66:11,16
reports 4:24 23:11	resistance 94:3	reviewers 4:23 105:1	roof 8:20 18:2,3,9 55:24 68:20 69:3,10,16
represent 20:22 75:11	resisting 95:16	reviewing 26:12 39:21 98:13	room 66:14
representation 57:24 86:3	resolved 28:14	revised 5:5 6:4 7:4,15,16 16:21, 22,23 18:9,19 37:18 52:17 54:17 89:15	rooms 12:24 67:2,3,6 73:16 84:13
representative 76:11 80:5	resonates 16:8	revising 5:1	Rosen 71:12 77:9,10,11 80:17, 21 81:2,16 82:24 83:2,5, 24 85:8,12 88:9,11
representatives 72:14	respect 90:12	revisions 89:20	rough 17:15
represented 59:20	respond 15:19,21 30:9	RFP 81:24	roughly 20:9
representing 21:24 22:2	responding 23:8,14 34:6	rid 102:11	rounding 42:5
represents 26:4	response 10:12 33:19,24 40:17 84:4 89:11 95:11 107:18, 19	ridiculous 70:6	row 80:11
requested 58:7 86:10	responsiveness 54:13	right 4:3,18 6:15 8:6 14:10 26:23 27:12,21 28:22 31:14 32:11,20 33:1,12 34:8,13 42:10 43:14 44:3,17,21 45:6,14 46:1,	run 20:7,9
require 52:6	rest 23:23 74:23	restrict 95:4	running
required 27:15,16 46:18 52:3 66:9 67:13,23 68:8	restaurant 25:11		
requirement 29:8 45:2 50:4 62:16			
requirements 62:1			
requires			

<p>14:19</p> <p>rush 78:15</p> <p>Rytec 88:4</p> <hr/> <p style="text-align: center;">S</p> <hr/> <p>sacrifice 44:15</p> <p>safe 103:6</p> <p>safer 25:4 43:16 94:20 96:10</p> <p>safety 43:12 44:14 46:4 47:22 65:12 75:15,19 76:9,22 78:20 94:17 95:19</p> <p>sales 79:24</p> <p>sarcastic 65:11</p> <p>satisfied 105:15</p> <p>saver 70:8,10</p> <p>saw 30:4 35:20 38:14 54:19 77:13,14</p> <p>saying 36:16 40:13 46:22 47:2 99:21 102:10 105:3</p> <p>says 45:12 61:11 91:4 94:9</p> <p>scale 8:24 14:12 15:20,21 38:16 42:14 60:3 88:14</p> <p>scheme 12:12</p> <p>Schlatter 54:11 55:23 56:19 57:11 58:1,9,14,18,23 59:3</p> <p>Scott 23:4 28:17 31:9,13 51:11 94:22</p>	<p>screen 56:13 70:8,10</p> <p>screening 32:6 37:11 80:10 85:4 87:15</p> <p>se 90:6</p> <p>SEB 6:9 70:13</p> <p>second 16:12,14 34:9 47:21 60:23 71:2,7</p> <p>Secondly 70:11</p> <p>secret 81:6</p> <p>section 66:17</p> <p>security 66:11</p> <p>see 8:3 10:6 11:7,15 12:5 13:23 14:8,22 15:7 17:13,19 18:22 20:14,23 22:7,13 24:12 26:21 27:8,23 28:1,5,6 29:7 30:10 34:18 36:2,3,20 38:7 39:11,13,19 40:8 42:13,21 43:15,20 47:20 48:5 50:22 51:9 55:9 56:7 60:9 64:15 65:2 72:14 77:16,24 78:14 82:9 87:13 89:20 94:3,13 99:1 100:11 101:12,15, 17 102:1,10,13,16 106:6, 7 108:4</p> <p>seeing 60:16</p> <p>seen 6:13 10:11 19:9 30:7 41:23 42:1 69:22</p> <p>selected 31:18 87:22 88:1</p> <p>selecting 88:8</p> <p>selections 37:10</p>	<p>Selkoe 4:11 5:10,11 33:3,21 40:22 41:14 45:4,21 46:2 48:7 50:13 54:3 59:2 89:14,19 90:2,8,21 91:22 97:13 106:14,17,21</p> <p>semiautomatic 49:8</p> <p>send 59:1</p> <p>sense 16:18 61:21 91:17 98:5</p> <p>separate 19:7</p> <p>separates 20:9</p> <p>separating 98:17</p> <p>separation 9:20</p> <p>September 22:17 100:17</p> <p>serious 64:19 65:12</p> <p>seriously 57:13 90:13</p> <p>service 19:24 63:24 65:20 67:3,6 80:5 84:13</p> <p>set 18:11 38:17 55:21 60:23 76:17 101:1,23</p> <p>setback 10:5,7,9,23 13:7 17:10 36:9,12 41:15,16,24 42:7,12,20 44:2,8,22 45:1 48:2,19 50:10 52:17 54:20,21 55:3 73:1,3 76:13,22,24 77:1 98:10 100:2 101:16,18 102:4 105:6</p> <p>setbacks 8:18 9:8 10:12 11:6 36:8 88:22 106:24</p> <p>sets 35:1</p>	<p>seven 100:10</p> <p>shaded 10:6</p> <p>shadow 7:17 13:24 20:24 21:4, 15,17,24 22:14</p> <p>shadowing 18:15 22:7</p> <p>shadows 21:19,20 22:5</p> <p>share 107:1</p> <p>shared 45:20</p> <p>shaved 11:21 104:14</p> <p>shaving 11:3</p> <p>Shaw 59:16 60:14</p> <p>sheet 79:5,8 81:3</p> <p>shorten 52:22</p> <p>shortening 94:18</p> <p>shorter 25:2</p> <p>shortly 89:23</p> <p>show 7:4 13:13 22:3 51:13 63:16 66:22 67:2 88:14</p> <p>showing 60:3,8 93:7</p> <p>shown 8:8 20:3 21:23 24:14,15 53:22 54:20 66:24 95:13</p> <p>shows 31:14 32:15</p> <p>shuttled 79:2</p> <p>side 12:18 13:18,19,23 14:1</p>
--	---	---	--

<p>15:10 16:3,4,16,17,19 17:13 18:17 24:11 25:12, 18 35:10,14,21 36:3 37:3,10 39:7,9 41:24 43:8,18 44:9,20,21,22 45:2,19 58:5,10,15 63:23 64:4,7 84:15 98:10 105:17</p> <p>sides 33:9 63:17 84:14 98:2</p> <p>sidewalk 10:17,18 11:13,16 14:4 15:20 20:2 28:6,7,9 102:5</p> <p>siding 16:7,16</p> <p>sight 23:18,23 24:3,20,24 26:6,19 27:3,4,12,19,23, 24 28:4 32:6 43:24 45:22 47:8,16,22 51:12,14,21 52:3,13,18,20,23 65:1 78:19 92:6,7 94:10</p> <p>sign 78:1</p> <p>significant 18:15 28:10 43:15 104:3, 13</p> <p>significantly 35:20</p> <p>similar 10:11 42:8 68:2 80:14 83:22 87:20 88:3</p> <p>simply 11:3 66:19</p> <p>simultaneous 63:17,23</p> <p>single 7:8</p> <p>sit 10:16 34:2 55:2,8 71:20 99:23</p> <p>site 8:7 9:12,13 10:22 11:10 18:18 20:20 21:19 23:21 24:15 29:10 50:4,8 53:10</p> <p>sits 10:15 20:2 55:5</p>	<p>sitting 34:19</p> <p>situation 66:16 82:22</p> <p>six 62:8 100:9,16</p> <p>size 18:3 105:9</p> <p>sizes 85:8,10</p> <p>sizing 88:20</p> <p>skin 105:2</p> <p>slab 49:10,12</p> <p>slants 59:21</p> <p>sleek 35:8</p> <p>slice 17:20</p> <p>slide 16:23 55:1</p> <p>slight 15:12</p> <p>slightly 94:13</p> <p>Sloat 59:16</p> <p>slow 95:9 96:12</p> <p>slowing 64:10</p> <p>small 17:7</p> <p>small-sized 82:10</p> <p>smaller 23:22 62:2 99:16 104:1</p> <p>smaller-width 63:2</p> <p>Smart 82:11</p>	<p>snow 62:12 82:20</p> <p>soften 40:19 41:1</p> <p>solve 46:18</p> <p>somebody 71:10 75:20</p> <p>someone's 79:22</p> <p>someplace 28:19</p> <p>somewhat 27:12 59:9</p> <p>sorry 73:21</p> <p>sort 21:22 41:3,9 44:20 84:8, 16 86:12 87:15 103:9</p> <p>sorts 43:12</p> <p>sound 67:1,5,23 69:11 79:9,11, 18,21 86:12</p> <p>sounds 45:14 48:13 50:17 107:13</p> <p>southbound 64:7</p> <p>space 4:22 12:13 15:16 25:8, 10,12,16,19,24 26:3,5,8 30:21 38:23 49:10,12 52:12 53:3,6,7,8 59:7 62:3 69:15 73:13 92:15 95:2 98:19 101:20 104:19</p> <p>spaces 12:13 26:2 48:22 49:22 66:22,24 74:11 75:6,13 76:7,14,19 99:7 100:6,9, 14 101:2,15,20,22 102:4, 11,14</p> <p>speak 54:7 71:12,14 76:2 89:10</p> <p>speaking 46:15 47:11 66:5 72:16</p>	<p>83:18 85:21 93:18</p> <p>speaks 96:15</p> <p>spec 71:5</p> <p>species 17:14</p> <p>specific 86:20 88:2</p> <p>specifically 12:20 86:4</p> <p>specification 79:8 81:3 86:9 88:7</p> <p>specifications 79:6,17 86:5</p> <p>specified 84:20</p> <p>specify 81:8</p> <p>speed 37:4 52:4 64:22 65:7 88:3 95:14</p> <p>speeding 95:12</p> <p>spoke 75:15 80:4 81:19</p> <p>spoken 89:4</p> <p>spots 75:1</p> <p>square 11:21 12:13,14 16:24 17:1,3 36:10 50:23 56:3, 15,17,18 63:7 102:6 105:8</p> <p>squares 4:21</p> <p>squishing 102:10</p> <p>stacked 66:23</p> <p>stacking 49:1,3 50:11</p> <p>stacks 49:13</p>
---	---	---	---

staff 97:9 107:4	sterile 39:10	strong 19:4	38:11 91:18
stage 53:23	Steven 72:6	stronger 15:17	suggestions 36:9 39:4,16 47:21
stair 16:15	stockade 67:15 68:9,11	structures 21:21 37:15 61:10	summary 8:15
stairs 13:9 84:13	stop 4:4 21:10 24:13,15,18 26:22 51:16,20,24 76:1	studied 40:6	summer 97:7
standard 27:16 49:10 86:8	stopping 24:10 28:9 52:3	studies 7:18 20:24	sun 22:24
standpoint 12:3 14:3	stops 8:5	Studio 6:19	sunset 22:20
Starbucks 35:13 57:21 73:21	storefront 9:3 14:21	study 8:1,10	support 96:21
start 10:1,3,5 13:2 14:5,13 17:6 19:16 21:6 105:14	storm 62:13	stuff 33:15	sure 31:10 33:22 37:13 93:12 101:19,24
started 9:24	story 57:3	style 40:10	system 49:1,3,8 50:12 62:5,12, 14 78:24 79:3,14 80:2,3 81:11,15 84:9,21 85:7,18 86:13 87:9,10
starting 11:23 12:2 13:14,19 21:13 36:3	straight 65:18,19	stylistic 105:12	systems 69:3 71:21 78:21 79:20 80:20 84:19 85:20
starts 9:10 10:21 11:17 15:8 16:2	street 4:7 6:24 8:2,3,7,19,21 9:3,9,16,21 10:3,4,9,10, 22 11:6 12:2,5 13:6 14:22 15:2,4,6,7 16:4 17:10 18:24 19:4,10,15 20:12,13 22:8 24:3,4,5,6, 11,14,21 25:1,3,9,10 26:17 27:2,20,24 28:8 32:10,11,16 35:9,21 36:3 37:1,10,19 41:15 44:7,21 46:8 47:3,6,9,10 48:2 51:14,15,22 52:14,24 53:2 54:12 55:13,19,22 59:10,17 60:20 61:11,16 62:6,21,24 63:3,4,10,18, 24 64:4,11,14,18 65:5, 15,21 72:8,9 73:3,20 76:18 77:11 78:11,13 83:10 84:17,23 87:8,9,18 91:21 93:2,15,20,22 94:7,12 95:13 98:10 100:2 101:1 105:6	stylize 40:14	
state 4:14		stylized 40:12	
station 63:24 65:20		submission 36:21	<hr/> T <hr/>
stations 8:6		submit 33:19 91:15	T.J. 64:8,15
stay 81:5		submitted 30:1 33:15,16,17 51:6 57:14	tact 12:14
steel 66:11,17		subsequent 29:23	take 6:2 21:1 39:20 43:13 62:16 70:7 74:3 76:9 77:24 88:21 89:24 90:13, 24 91:6 101:12,14 103:16 104:2,6 105:7,23
steering 46:13		substantial 66:1,2	taken 11:19 12:8,23 14:11 18:1 93:21 96:8 104:3
Steinfeld 96:15,17 97:6 106:20 107:5,14		subterranean 82:16	takes 9:9
step-back 56:2	streets 88:15	subtle 40:9	talk 4:14,16 6:21 7:14 12:6 23:1 48:10 61:7 68:4 80:16 97:18 98:6
stepping 26:18 99:2	strip 17:8	suggest 29:21 50:13	
		suggested 24:9	
		suggestion	

<p>talked 25:7 39:3 75:7,9</p> <p>talking 4:15 25:13 34:16 47:9 58:16 60:22 61:13,14,15 67:21,22 80:10 82:1 102:4 107:10</p> <p>tall 32:4 56:23 59:23</p> <p>taller 14:9 56:24 57:1</p> <p>team 5:4,14,22 78:23</p> <p>technical 37:3</p> <p>tee 89:24</p> <p>tell 48:3 49:15 69:24 81:5 91:13 105:4</p> <p>temperatures 79:18</p> <p>template 93:12</p> <p>tenant 62:3</p> <p>tenants 59:7,13</p> <p>terminated 16:5</p> <p>terminates 17:9</p> <p>terms 17:2,3 21:18 23:16 25:6 26:16 27:14,16 28:11 29:9 32:15 52:11 78:20 97:17,19 100:16</p> <p>terrible 62:3</p> <p>testimony 39:5</p> <p>thank 6:8,17 54:2 55:23 59:15 62:18 70:5 71:20,23 72:3,18 73:1 75:3 76:21 77:8 81:17 87:2 89:7,8</p>	<p>97:10,22 98:2 106:4,10 108:5</p> <p>Thanks 31:9</p> <p>them's 68:23</p> <p>theme 7:6</p> <p>there's 8:6 18:5 20:6,7 26:8,18 27:3,11,22 28:20,21 38:4,15 42:16 49:7 51:8, 9 54:15 59:21 60:8 65:12,21 66:1,8 68:24 70:18 73:5 77:23 92:20 93:7 105:1 107:4</p> <p>they'd 90:22</p> <p>they'll 6:3 91:15 95:17</p> <p>they're 18:4 31:18 38:1 52:1,8 57:15 60:4 62:9 63:14 65:20 70:23 73:18 75:24 79:4 80:18 82:1,16,17,20 84:19 85:6 88:14,17 89:6 95:1,2,9 99:10</p> <p>they've 6:1 41:16,18 42:12 52:2, 4 86:1 89:15 95:3</p> <p>thing 13:20 30:14 34:24 52:18 53:1,9,18 60:11 61:22 62:24 65:9 68:16 69:20 80:3 103:21</p> <p>things 5:14 9:11 11:11,18 24:1, 8 25:20 27:10 36:19 39:2 40:14 51:9 54:19 56:10 64:10 68:19 69:10,14 77:22 89:24</p> <p>think 6:10 7:6 8:12 20:14 22:3 23:16,21 27:19 28:19,21 29:8,9,17 30:22 34:5,10, 12,15,24 35:1,3,4,5,14, 15,17,20 36:1,9,14,18, 20,22,23,24 37:1,8,12, 18,22 38:9,12,14 39:19, 21 40:5,8,15,17,18,24</p>	<p>41:11,20,22 42:3,5,7,9, 12,22,23 43:3 45:21 46:3 48:7,9,15 51:11 54:15 57:11,20,23 58:15,20 59:6 60:7,20,21 61:2 65:2,12,15 66:9,20 67:2, 13,23 68:3,8,9,12 69:8, 17 70:14 72:16,24 73:2, 3,12,20,22 74:6,8 75:13, 22 78:3 79:20 80:13 83:7 86:23 87:5 89:6,19,22 90:21 93:1,7 94:2 95:7, 17,18,20,24 96:8 97:4 98:3 99:3,5,13,14,20 100:14,15,17 101:5,18 102:1 103:4,6 105:16 106:17 107:1,16</p> <p>thinking 26:11 43:5</p> <p>third 9:6 13:24 60:23 84:15</p> <p>Thorndike 6:24 8:19,21 9:2,3,8,21 10:3,4,8,10 11:6 12:2,18 13:5 14:21 15:4,6 16:4 17:10 18:23 19:10,15 20:13 22:8 24:3,5,14,21 25:1,10 27:24 32:11,17 35:9,21 36:3 37:10,19 39:7 41:24 42:11 43:8,18 44:8,20 45:2,4,15,20 46:9 47:6,7,14 48:2,19 51:15,22 52:14,23 53:15 54:12 55:13,22 58:13 59:10,17 60:20 62:6,21, 23 63:3,24 65:14 72:8 73:3,9,11,20 76:18,24 77:3,11 83:10 84:17,23 93:15 94:12 95:8 98:10, 17 99:2 100:2 101:1 105:6</p> <p>Thornton 23:3,4 28:21 29:2,6,9 30:17,22 31:10,16,18 32:18,20,24 94:21,22</p> <p>thought 6:4 37:16 39:5 40:4 56:20 59:24</p> <p>thoughtful 34:12,22</p> <p>three 20:4 32:4 35:4 37:21</p>	<p>40:12 49:8 76:19 84:23 85:3</p> <p>throw 65:9 104:18</p> <p>tight 44:10 75:16</p> <p>till 74:21</p> <p>time 11:9,14 25:3 34:2 37:2 39:1 50:14 54:16 58:22 60:22 71:15,16 74:7 77:17 78:16 85:3 86:16 89:10,13 100:16,20</p> <p>timeline 97:4</p> <p>times 30:15</p> <p>timing 87:20</p> <p>tiny 60:17</p> <p>to-the-inch 55:4</p> <p>today 4:9 25:23 68:21 74:6 75:5 82:5 100:18</p> <p>Todd 48:10 63:19 107:10</p> <p>told 12:19 86:14</p> <p>Tom 54:11</p> <p>ton 38:24</p> <p>tonight 5:4,17 6:21 7:5 29:22 30:4 65:1 89:15 99:11</p> <p>tool 10:2</p> <p>top 9:6 13:20,22,24 15:24 19:7 56:2 71:20 85:11</p> <p>topic 65:14</p>
--	--	---	--

<p>topics 62:23</p> <p>total 69:17</p> <p>touched 57:18</p> <p>tough 46:10,12 104:14</p> <p>touting 79:20</p> <p>tower 16:15</p> <p>towers 69:22,24</p> <p>town 28:18 29:8 30:1 31:2 32:19 53:5 58:4,19 59:8 61:16 63:20 64:2 72:2 90:9 107:10</p> <p>town's 23:6 70:20</p> <p>tracks 79:14</p> <p>tradeoff 50:9 76:15,16 77:4,6</p> <p>tradeoffs 105:7,8,9</p> <p>traditional 16:9</p> <p>traffic 4:24 5:7,16,22 6:12 23:5, 8 26:16 27:16 29:10,23 32:15 33:15,20 34:4 43:3,24 51:4 63:2,10,13, 14 64:3,11,13,14,16,17, 21,22,23 65:6,22 68:7,8 78:6,8,10,15 90:6,10,12 91:21 92:12,15,20,21,22 94:7 95:3,12 96:9,12,20</p> <p>traffic-calming 95:10</p> <p>trailer 63:11,15</p> <p>transfer 85:5</p> <p>transformer</p>	<p>38:4</p> <p>transition 13:12 34:22 36:17 39:18 41:11</p> <p>transitional 34:18 40:21</p> <p>transitioned 16:6</p> <p>transportation 43:10 48:9 58:21 63:8,19 89:23 90:1,5,16,17,18 91:3,12,20 94:4,5,15 95:16 96:21,23 97:1,8 103:3,12 106:19 107:4,8, 24</p> <p>travel 17:9 27:21 87:1,3</p> <p>travelway 70:24</p> <p>treating 12:22</p> <p>tree 9:16 10:2 15:2 18:23 31:21 57:8,12</p> <p>trees 17:13 20:4 21:20 28:19 32:4 59:19,20,22 60:1,3, 5</p> <p>Trendvario 79:13</p> <p>triangle 24:20</p> <p>triangular 103:9</p> <p>tries 102:24</p> <p>trip 23:20</p> <p>truck 93:11,12</p> <p>trucks 78:18</p> <p>true 71:1</p> <p>trunk 28:24 29:2</p>	<p>try 48:10 55:14 70:21</p> <p>trying 9:19 16:18 22:2 29:16 46:9 63:5 65:4,11 76:15 94:2</p> <p>turn 63:14 65:20 93:13 95:7</p> <p>turned 13:1</p> <p>turning 46:9 47:14 52:13 53:15 95:4</p> <p>two 6:15 18:8 28:10,15,18 30:23 49:13 53:2 56:10 62:23 65:6,21 66:23 72:14 76:18 82:8 84:13 85:2 87:3 96:4 104:6 105:22</p> <p>two-hour 8:8</p> <p>twos 51:1</p> <p>type 23:20 82:22 95:18</p> <p>types 38:13 82:6 88:5</p> <p>typical 17:18</p> <p>typically 27:18 79:10</p> <hr/> <p style="text-align: center;">U</p> <hr/> <p>ultimately 7:6</p> <p>unbroken 15:12</p> <p>underlying 50:3</p> <p>underneath 71:9</p> <p>understand 43:23 76:15 87:2 91:7 93:2</p>	<p>understanding 57:19 80:6 83:21</p> <p>understands 100:3</p> <p>unfeasible 103:6</p> <p>UNIDENTIFIED 73:10</p> <p>unit 50:24 69:12</p> <p>united 100:21</p> <p>units 4:20,21 11:21 18:8 38:23 56:18 68:20,22 102:7 104:12,20 105:9,10</p> <p>unused 95:2</p> <p>updated 7:17 20:24</p> <p>updates 6:22</p> <p>upper 16:1 17:24 18:8 22:9 40:3 56:10,12,15</p> <p>uppermost 18:10</p> <p>upstairs 102:7</p> <p>use 10:1 18:5,6 25:14 26:1 42:23 68:2 74:13</p> <p>usually 78:1</p> <p>utility 9:17 12:24</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p>VAI 51:6 94:22</p> <p>valuable 107:16</p> <p>Vanasse 23:4</p>
---	--	---	---

<p>various 98:13</p> <p>vegetation 20:19,21 27:4 57:16,21 60:7</p> <p>vehicle 26:21,22 27:20 28:2,5,6 29:10</p> <p>vehicles 24:20,24 63:6,11 82:10 95:5</p> <p>vent 71:16,17</p> <p>ventilated 84:7,9</p> <p>ventilation 85:7</p> <p>venting 71:18</p> <p>verify 55:6 86:18</p> <p>vertical 14:13</p> <p>vertically 14:17</p> <p>Victorian 40:11 41:6</p> <p>videos 79:3 82:9</p> <p>view 14:6 28:4 35:11 37:1 47:1 76:21 103:3</p> <p>viewing 20:10</p> <p>views 43:10 75:11 103:8</p> <p>virtually 38:12</p> <p>visibility 27:6 31:15 43:7,17 46:12 47:22</p> <p>visual 11:14 14:3 18:16 19:5 88:16</p> <p>Visually</p>	<p>15:20</p> <p>voice 100:21</p> <p>voiced 5:3</p> <p>volume 29:11</p> <p>volunteers 90:7,8</p> <p>vote 101:8,12 103:16</p> <p>voting 103:19</p> <hr/> <p style="text-align: center;">W</p> <hr/> <p>wait 47:12 103:11,15</p> <p>waiting 64:14 71:14</p> <p>Waiver 45:16</p> <p>waivers 44:19 45:11</p> <p>walk 9:12,13</p> <p>Walker 86:7</p> <p>walkway 32:10</p> <p>walkways 73:19</p> <p>wall 15:22 18:16 20:7 27:11 56:11,16 67:1,4,11</p> <p>want 6:6 10:13,16 16:7 19:16 33:8,21 34:18 41:24 46:4 51:10 54:3 66:9 68:12 71:21 72:12 75:8 76:1 77:22 79:24 83:20 84:1 86:21 87:13 89:1,3 92:13 93:8 96:14,19 98:21 99:16 103:24 104:15 105:4 107:1</p> <p>wanted</p>	<p>10:22 61:22 80:14 87:14 88:11</p> <p>wants 54:8 68:3</p> <p>wasn't 11:4 33:16 56:1,20</p> <p>watching 59:18</p> <p>waterproofing 82:21</p> <p>way 13:3,11 17:21 27:21 32:21 33:11 34:3 36:5,15 40:2 42:14 46:11 49:23 55:18 56:21 63:4,6,10 64:12 66:4 72:17 78:9 84:19 96:9 101:8,13</p> <p>ways 9:24 11:1 38:20 42:17,24 43:6,14 63:4 65:21 70:21 104:22 105:2</p> <p>we'd 10:10 71:5</p> <p>we'll 6:15 7:16 12:5 16:13 21:11 30:2 48:3 71:17 81:7,13 86:17 90:14 91:14 92:17 96:3 97:8 101:12 106:23 107:1,11, 17 108:3</p> <p>we're 7:4,14 11:23 12:12,22 15:6,14,16 16:11,13,18 17:16,18,22 19:3,10,21 20:12 21:13,23 22:1,2, 13,15,17,18,21,22 23:1, 5,23 26:10,12 29:16 34:16 44:3 45:21 46:18 47:18 51:4 55:12,18,22 61:14 67:21,22 70:2,19, 20 73:4 81:1 82:20 84:12 86:21 87:9 88:6 91:16 95:15,16,23 98:1 100:21 106:14,15 107:23,24 108:1</p> <p>we've 7:7 8:15,18,19,20,22,24 9:2,5,7 11:1,19,21 12:8, 9,10,23 13:1,2,6,9 14:11 16:5,15,22 17:20,24 18:1</p>	<p>19:9 20:18 25:20 29:15, 21 31:5 33:17 48:4 55:14 56:10,14 62:7 70:22 86:5 100:18 104:13</p> <p>weatherproofed 82:18</p> <p>weatherproofing 82:21</p> <p>web 79:4,6 81:3,20 82:8</p> <p>week 28:15 33:20</p> <p>weeks 77:17</p> <p>weigh 96:5 99:10</p> <p>weighing 98:2</p> <p>went 9:12 22:4 61:7</p> <p>weren't 13:10 22:5 92:11</p> <p>west 24:6</p> <p>what's 20:3 21:23 27:15,16 29:3 65:7 78:3</p> <p>whatnot 44:1</p> <p>white 24:15</p> <p>who's 63:22 89:4</p> <p>widen 29:17 53:13,14 68:5</p> <p>widens 17:10</p> <p>wider 29:5 53:16</p> <p>width 25:2 29:3 53:11 65:16</p> <p>willing 19:21 44:15 64:1 77:7</p> <p>windblown 82:19</p>
---	--	--	--

<p>window 8:24 9:1 19:18,19 37:17, 24</p> <p>windows 14:12,15 40:1,3 41:5 80:9</p> <p>wish 81:4</p> <p>withstand 82:19</p> <p>won't 6:2 82:6 93:4</p> <p>wonder 60:10 73:23</p> <p>wondering 39:13 73:19</p> <p>word 39:6</p> <p>words 80:8</p> <p>work 15:19 30:13 43:23 47:19 53:17 63:18 82:24 86:13 89:1 90:14 96:20 97:2,9</p> <p>working 23:6 33:18 40:5 53:12 62:5 70:20 82:21</p> <p>works 80:6</p> <p>worry 101:11</p> <p>worse 46:20,22,23 47:24 75:18</p> <p>worth 37:23</p> <p>wouldn't 28:8 59:6 62:3 79:24 101:11</p> <p>wrapped 36:6 40:2</p> <p>wrapping 14:24 36:13 37:22</p> <p>wraps 16:5</p> <p>writing</p>	<p>30:8</p> <p>written 5:19 50:17 86:11 107:17, 18</p> <p>wrong 100:12</p> <hr/> <p style="text-align: center;">Y</p> <hr/> <p>yard 44:22 45:2,3,5,19 55:19</p> <p>yeah 5:11 28:21 41:8 54:5 56:8 73:2 88:11 102:10, 11,14 103:18</p> <p>years 67:16 86:2</p> <p>yellow 24:14 63:13</p> <p>yesterday 6:1 25:22 77:14 80:4</p> <p>you'd 42:12 47:5 62:2 76:9 78:14 89:22 105:19</p> <p>you'll 12:8,23 14:8,11 15:7 16:2 49:7 77:24 82:9</p> <p>you're 27:13 32:8 36:3 38:10 40:13 44:19 47:9,10 49:17 58:16 60:3,15,16 64:8,11,20,23 65:4 67:4 69:15 77:3,20 78:8 80:17 81:14 91:24 95:5,6,7 99:20 102:4,6 104:23 106:15</p> <p>you've 6:13 49:21,22 64:12,13 65:5 67:1 81:13 98:3</p> <hr/> <p style="text-align: center;">Z</p> <hr/> <p>ZBA 4:6 9:12 96:3</p> <p>zigzagging 65:23</p> <p>zone 25:14 26:1 31:1,4,6</p>	<p>34:23,24 45:18 51:24 52:9,10 53:4 74:5,6,7,9, 10 78:17,19</p> <p>zoning 47:3 49:16 56:24 91:11</p>
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