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Brookline Zoning Board of Appeals Hearing

455 Harvard Street

Comprehensive Permit Application

Harvard Danesh 455, LLC

September 18, 2017, at 7:00 p.m.

Brookline Town Hall

333 Washington Street, 6th Floor

Brookline, Massachusetts 02445

Reporter: Kristen C. Krakofsky

APPEARANCES

Board Members:
Kate Poverman, Chair
Lark Palermo
Christopher Hussey

Town Staff:
Alison Steinfeld, Planning Director
Polly Selkoe, Assistant Director of Regulatory Planning
Karen Martin, Planner

Applicant:
David Danesh, Harvard Danesh 455, LLC
Geoff Engler, Vice President, SEB, LLC
Peter Bartash, Associate Principal, CUBE 3 Studio, LLC
Andrew Ginsburg, President, CityLift Parking
Jennifer Dopazo Gilbert, Esquire, Law Office of Robert L. Allen, Jr., LLP

Members of the Public:
Fred Pinches
Beth Kates, 105 Centre Street

PROCEEDINGS: 7:03 p.m.

MS. POVERMAN: Okay. We will now come to order. My name is Kate Poverman. If people would stop talking. Thank you. Once again, if you want to talk, you can go outside of the room to talk and enjoy yourself. Just don't disturb the meeting.

My name is Kate Poverman. I'm chairing today's hearing. With me up here are Lark Palermo and Christopher Hussey.

This is, I guess, the 7th ZBA hearing on the comprehensive permit for 455 Harvard Street, which is a proposal to construct 17 residential rental units, including four which are affordable housing, as well as 1,700 of retail space.

So the plan for tonight is that we will first have introductory remarks by Mr. Engler. The plan is to have short, very quick introductory remarks; a presentation by architect Peter Bartash of the designs that have been made; a discussion about the noise level of the automated lift, and, I guess, a presentation of information as well; a discussion and report by Ms. Selkoe of the waiver list. We're again willing to hear, if anybody wants to say anything. We're getting to be old friends.

And then we will wrap up and continue the hearing until October 11th, at which time we will probably start discussing what conditions would be attached to the permit if approved.

All right. So, Mr. Engler, you are up.

MR. ENGLER: Thank you. For the record, Geoff Engler from SEB representing the applicant this evening. Exactly what you said, we're hoping to quickly go through the presentation tonight. Most of it is consistent with the last hearing. We would draw your attention specifically to the rear elevation, which this board requested, as well as we have some garage doors for you to preview, for you to look it. Otherwise, the plan is pretty consistent with what you have previously seen.

We're also joined tonight by Andrew Ginsburg from CityLift who will talk briefly about the system, some of the concerns relative to noise, how it works. We'll keep that brief, but certainly open it up to any questions, and then obviously any questions about any or all parts of the application. Thank you.

MS. POVERMAN: Thank you.

Okay. And now Mr. Bartash.

MR. BARTASH: Thank you. For the record, Peter Bartash with CUBE 3 Studio.

I'm going to go through this quickly, as Geoff mentioned. We just want to make -- provide you with a summary of the updates that we've made to the project based on feedback we've heard at the last hearing, walk through the plan of record, which is the plan that was submitted last week to the planning department and is in your hands, and then I'll look at a few options for the garage doors, and then I'll hand it over to Andrew so he can walk through his portion.

So in terms of updates, we spent a lot of time at the last hearing talking about the elevation of the building that faces the abutter at 78 Thorndike Street. The board had some comments about the tone and just general color of features in that elevation. It's our level of articulation. And one of those was to look a little bit more closely at what our options might be.

So we went back to the drawing board a little bit on that, and we looked again at this kind of stair tower that expresses itself on that facade. We're using a fiber cement lap siding or shingle

siding on the tower, and it has a higher texture than the lap siding to the left and right. That's the gray tone. We've taken that siding that's right in the center here, the shingle material, and we've painted it a color -- we're proposing to paint it a color that is similar to the brick but slightly different in tone so that it's a little bit warmer on this facade and it does a little bit more to visually break up the length of this elevation.

There are some other details that are a little bit more subtle, maybe less apparent in looking at this image. We've gone back and added trim around all sides of the windows so that they feel a little bit more traditional, and we've also added some horizontal trim band at the first and third floors to, again, articulate the building vertically and add a few subtle shadow lines, just add a little bit more visual interest to this facade without drawing too much attention to it because we don't want this to really kind of be a feature, per se.

So when you look at that in perspective, you can see having the change in tone really helps to start breaking down the visual scale of the front

of the building because it provides kind of an end point for your eye when you're on the street. It's not as if there's kind of a gray mass that just keeps going back along the entire length of the facade. It kind of caps your viewpoint as you're looking at it.

And if we look just at another aerial, again we're floating over Thorndike Street and we're facing the space between our project and the abutter at 78 Thorndike Street. And that tower, it being a different color and, again, having some of those trim details, it really does start to break down the apparent scale of this elevation in a way that's different than what we had shown at the last hearing.

And so this is just the car turning plan that we had seen in the last hearing, and it's been -- it's been updated just to reflect the current configuration of the garage.

The landscape plan has been updated to coordinate with our most recent footprint, which is what we had seen in the last presentation, and also to correspond with the latest civil drawings.

One of the comments that we've heard kind

of frequently from the board and others were that all of these drawings were not all saying the same things, and that was in part due to the fact that we've been evolving these drawings and the design kind of throughout the process and steps. And so now that we have the footprint set, we can go back and coordinate the civil drawings and all of the other traffic and landscaping information around those -- around that footprint.

So when it comes to the plan of record, these are actually the same plans that we had shown at the previous hearing. We did not make any changes to setback, we didn't change any of the square footage calculations or information or extent of the footprint of the building.

I'm just flipping through these real quick. So this elevation, as part of the plan of record, this was updated at the time we had submitted the plan to the planning staff, so this is reflective of the most current elevation that we just saw this evening. These elevations, again, are consistent with what we presented at previous meetings. And then our section is also unchanged, as are perspectives, save for the change of color at the

stair tower.

So then talking about the garage door options, which has been a big topic, what we've done is we've put together a couple images of styles of garage doors. They're set in different locations, so the focus of these images and this discussion is on the style of the garage door. The color is something that's flexible, so you're going to see some colors here that we're not proposing as the colors of the door that we want to use, but we want to talk about the options.

Specifically, in terms of what the door needs to be, the door needs to be capable of being a coiling or roll-up door so that it can operate at certain speeds or at a certain sound level that it emits when it's in operation, and so it has a certain type of functionality that we want for this project.

It also needs to have a degree of openness to allow for partial ventilation into the garage, and that degree of openness also doubles that kind of visual transparency for drivers as well, and for pedestrians. If I'm walking near the garage and I can see the headlights of a car or see a car kind of

moving toward the door even before the door goes up, it helps me understand what's happening inside the garage.

So the first option you can see here is a roll-up system where horizontal slats are perforated kind of for the upper two-thirds of the door. And, again, you know, this is the recessed back at the back of our little driveway that goes to the entry to the garage door, so this is kind of Option No. 1. We're not proposing a bright red door by any means, but that's just the color of the door that we were able to find.

Option No. 2, this is a little bit more industrial than the other door. It's very -- just kind of monochromatic, but it has a consistent level of transparency from top to bottom because it's a very fine sort of mesh material that you're looking through. It's all metal, but it's meant for, you know, the outdoor exposure that it's going to receive, and it's pretty typical for this type of application.

This is that same type of door viewed in an interior condition or in an overhang condition where it doesn't have kind of wide-open access to sun and

sky on both sides. So it's a little more visually transparent when you have things over it and behind it.

I'm going to go back to the previous image. Here you can really see through it pretty clearly because there's nothing capping it on the other side, and you're getting light from the background shining through, whereas when you start to enclose that space like this, it has less visual transparency.

And really, I think those two options, other than the screen option we presented earlier from Marion Street -- those three together kind of represent what we feel are the most appropriate options for us to maintain this type of door and the level of ventilation that we need, so we want to kind of put those out there for a conversation or discussion if the board has any opinions.

MS. POVERMAN: Could you go back to the red one for a second, please.

MR. BARTASH: Sure.

MS. POVERMAN: You don't have any pictures of that full on, by any chance, do you?

MR. BARTASH: No, we don't.

MS. SELKOE: Does that come in black?
MR. BARTASH: Yes, they do. This door can be powder coated or painted any color that you want to, so we could paint it a black or a bronze or some other color that ties in more closely with the palette of the building.
MS. SELKOE: But it doesn't come from the factory -- it's better if it comes from the factory already the color because then it doesn't chip or flake.
MR. BARTASH: Well, the color would be factory-applied, but what I'm saying is that it's customizable at the factory. It's not painted in the field.
MR. HUSSEY: So why do you show the brick that sand color rather than the red color that I believe it what you're going to use?
MR. BARTASH: This is a photo of an entirely different project.
MR. HUSSEY: Oh, this is a photograph?
MR. BARTASH: Yes.
MR. HUSSEY: Okay. I gathered as much.
MS. POVERMAN: And the other images, do they come in anything other than the gray that is

shown?

MR. BARTASH: So we've seen these in -- we've seen them in gray, and we've seen them in kind of like a silver. It almost looks white in direct light. But there are less color options, less flexibility with color with this system.

MS. POVERMAN: Colleagues, comments?

MR. HUSSEY: Go back to the red one. So this factory-painted color, you can get that in almost any color, can't you?

MR. BARTASH: Uh-huh.

MR. HUSSEY: So you could get a color that would come much closer to the brick color that you've got here?

MR. BARTASH: Correct.

MR. HUSSEY: I think one advantage is some of it's solid, and even the mesh is pretty solid. Looks like 50 or percent or more is solid on it.

MR. BARTASH: Right.

MR. HUSSEY: So I think probably I would prefer this, but I prefer that you use a color that was more nearly like the brick color.

MR. BARTASH: And in our thinking -- this isn't something we've really kind of discussed

through yet, but our thinking is that whatever style it is for the garage door -- previously when we were talking about the other material, we were saying that the garage door is this kind of metal mesh material. We want to see that as a screening for the garage and also reflected in the railings as well. So I think we're going to take -- we would like to take that sort of approach to keep it consistent, you know? And if we ended up taking this mesh material and painting it to kind of be matched or closer in tone to the brick, it could look like a nice and thoughtful statement in those openings.

MS. POVERMAN: That would be great.

MR. HUSSEY: Could I see this one as well? The question I've got here is that that looks like it's a rolled-up operation. The other one, the red one, does that go up like a regular garage door and sits under the floor of the --

MR. BARTASH: This is also a roll-up door.

MR. HUSSEY: It also is a roll-up?

MR. BARTASH: Yup.

MR. HUSSEY: Can you make it a -- is that the only way it comes, is a roll-up door, this

configuration?

MR. BARTASH: For this particular door, it only comes as a roll-up door. But what's the --

MR. HUSSEY: Well, my recollection is that those roll-up doors can be somewhat noisier than a regular flat-paneled door.

MR. BARTASH: Never done a comparison between the two. It's something we'll look at. The cycle times are different on the -- where the roll-up doors -- especially the high-speed doors are -- a few seconds, and the door is up, whereas a lot of the kind of overhead doors, they take longer to cycle.

MR. HUSSEY: Right.

MR. BARTASH: So even if there is a disparity in the sound between the two, the timeline for that sound is something that we would look at as well.

MR. HUSSEY: I know. But I think -- my guess is that that rapid rolling is going to get a lot noisier than the regular overhead lift, even if there's more time.

MS. POVERMAN: Is it metal or --

MR. HUSSEY: Yeah, they're all metal.

They're all metal, aren't they?

MR. BARTASH: In our experience, they're really relatively quiet roll-up doors. And the way that we evaluate that is not from a sound or a decibel standpoint. It's the people living on the floor above them. If they were loud, people would never rent those units.

MR. HUSSEY: That's right.

MS. POVERMAN: Lark, any comments, questions?

MS. PALERMO: No. I think I agree with what Chris has said -- the garage door. I think I'd prefer that one.

MS. SELKOE: What about the facade change?

MS. POVERMAN: Wait, wait. Just hold on. I want to say I agree -- well, first, I very much appreciate you guys going out and looking at alternatives for us. I think this is a fairly good choice. If you -- given the needs you have for ventilation, I think this is a decent solution, and I very much appreciate your finding it. And I agree in terms of the -- whatever color will make it fade in the most, and I'll leave that to the architect and designers to say. So I'm also choosing -- or

voicing my approval of this side.

MR. HUSSEY: Okay. I'd like to go back to your elevations. Let's take a look at the southeast aerial that shows all three sides. Yeah, that's the one.

A couple of things. One is sort of interesting. You sort of inverted what I suggested. I suggested making these all brick and making that the clapboard, but you sort of inverted it.

The other thing is that this is brick; right?

MR. BARTASH: That's correct.

MR. HUSSEY: But this is a color -- colored clapboard. Why wouldn't you make that the same -- make it brick so that it matches? Seems a little busy to have all -- so many different materials and colors in this composition.

MR. BARTASH: It's a fair question. And I think there are really -- there are two -- we had the same debate, and there were two reasons that jumped out to us as the most solid reasons that we couldn't poke as many holes in when looking at the options for designing this side.

The first of which is the constructability

of using brick at that location. And when I say that, in the question of the brick that sits along Thorndike Street, it's all bearing kind of directly down to grade on a brick shelf that's buried just below grade. And in the case of this location here, we could do the same thing up to a point, but we then would need to either terminate the brick at the face of the stair tower or find another way to support the brick over the wood framing, over this deck area. And from a waterproofing standpoint and from a constructability standpoint, this was going to be really challenging to detail as brick. So that was one thing that pushed us away from using brick in this location.

The second thing that pushed us away from using brick is the notion that we felt that the brick really does have a little bit more of a commercial face or a feel. It's a little bit harsher or harder of a material. And we wanted to take the opportunity to use a lap siding or a shingle material we've seen throughout the neighborhood on other columns and put that on the facade that was facing the home to kind of at least create some sort of relationship between the two.

MR. HUSSEY: In Brookline, most of the multifamily dwellings were built in the '30s and 40's and earlier, and they're almost all red brick, so it's not incongruous at all.

MS. POVERMAN: I agree with Chris. I like the brick better. I think it's actually homier.

Lark, what's your view of that particular --

MS. PALERMO: At the last meeting, I had suggested that they go back to brick. Because I think the original design called for brick on that stairwell; is that right?

MR. BARTASH: Yes.

MS. PALERMO: Yes. So I'm on board, haven't changed.

MR. HUSSEY: Yeah. I think that's what I would prefer. Makes more sense to have that brick on the other side. If you want to go to something else for the stair towers, I think we could change that.

MS. POVERMAN: Well, are you talking about putting brick on -- replacing the brick with the lap siding?

MR. HUSSEY: Let's take a look at the

elevation of that north --

MR. BARTASH: Sure. So you're talking about having brick --

MR. HUSSEY: Brick here and here.

MR. BARTASH: And something different here.

MR. HUSSEY: And then whatever you wanted to do here. This could be -- and then as you're coming down the street, you are seeing brick. As I said, in Brookline, the place is full of all-brick, multistory, multifamily buildings, so that's really what's more prevalent in this particular larger -- the larger neighborhoods in town.

MS. POVERMAN: I couldn't explain why, but I actually like it that way rather than having the back brick, and then the stairway going up. It may just be a matter of taste, but I like the way -- I like the trim on the windows, by the way. I think that's great. I just like the way that breaks it up, but that's my opinion.

Lark, what do you say?

MS. PALERMO: I don't really have strong feelings either way. But the issue they've raised about doing it this way with brick is structural in terms of support for the brick at the top, so it

might be easier. I don't know what the structural engineers were saying to you, but might be easier for you to do the walls in brick and the stair tower in lap siding.

MR. HUSSEY: Is the brick where you've got it, is it just the facing? Is the backup wall wood? So the structural would --

MR. BARTASH: That's correct.

MR. HUSSEY: And then you've got a cavity, waterproofing --

MR. BARTASH: Correct, yup.

MS. SELKOE: So is it a real brick, or is it a --

MR. BARTASH: It's a real brick.

MS. PALERMO: As I said, I don't feel strongly either way. I think from a construction standpoint, it might be preferable to have the stairwell be a different material, such as cementitious lap siding and the walls brick.

MR. BARTASH: I think also, given the space between -- not that this is going to help another argument that we've already kind of closed -- but given the space between this elevation and the building that sits adjacent to it, I don't know what

your opportunity really is to perceive the entire length of the side facade and the main facade for more than one to two seconds traveling along the street. Unless you're walking, and then maybe you have 30 seconds or so where you see the two in conjunction.

But I think also, you know, when we make decisions such as how and where to use brick, especially on an elevation like this too, you know, we're factoring some of the concessions that have been made on, let's say, the front of the building where we've reduced gross square footage and setbacks at the upper floor. And when we're trying to balance some of the needs of the other arguments within the design, I mean, really this is -- doing a shingled type of fiber cement siding here allows us to balance some of those other concessions and considerations we've made elsewhere on the design.

MS. POVERMAN: You mean financially, or --

MR. BARTASH: No. I mean in general in terms of constructability and in terms of making sure that we're not introducing new elements that are going to cause us a lot of challenges later on as we go to actually build the thing.

You know, the -- for instance, the structural consideration to set back the upper floor and to set in the upper floor edge. It adds a layer of complexity that we wouldn't typically choose to do if not needed to respond to a specific design criticism or criteria. So I think that this falls into the bucket of all of those that are considerations, at least from our standpoint. Though, I do understand and hear what the board is saying.

MS. POVERMAN: I'm fine with that one, but I also trust Mr. Hussey's better taste as an architect.

So, Lark, it's up to you.

MS. PALERMO: I'd go with the architect. He's the one who has the experience in design, so --

MR. BARTASH: Which architect? That one or this one?

MS. PALERMO: The one on the board. So I think that means brick walls and lap siding or some different cementitious product for the stairwell.

MS. POVERMAN: Unless you have a strong reason for us that's not been articulated as to why it should stay this way.

Not hearing some, it is decided.

And, again, I do want to let you know that I appreciate -- or we appreciate the changes you have made and the willingness to meet or concede to continuous comments by the board. I want to say I'm very impressed by that. Thank you for that.

MR. BARTASH: Sure. From our standpoint then, that's all of the architectural information. I'd like to bring Andrew up to talk about the parking system.

MR. GINSBURG: So good evening. Thank you for giving me some of your time tonight. I understand you guys have some questions, so --

MS. POVERMAN: If you could identify yourself, please.

MR. GINSBURG: Yes, of course. My name is Andrew Ginsburg. I'm the president of CityLift. We are actually a local company. I'm a local guy. I was raised in Swampscott, live in Marblehead, and our offices are both in Salem and downtown Boston. So we're a local company, and we care very much about the community and the work we do in it.

And as far as the systems are concerned, they're relativity new to the U.S., as you guys can

imagine. We haven't seen a lot of them yet. But they've been operating overseas effectively for the last 30 to 40 years.

To give you a quick background on our company and why we exist, we exist because of -- a developer in California wanted to integrate these systems into their buildings. And, you know, he's somewhat of an innovator and early adopter of new technology in the U.S., and some of what he had seen in the market for these kind of systems was not tenable. He built and developed his own multifamily projects building -- it's a developer called Signature Development Group in California.

So the main principles that they were concerned about were some of what you're concerned about: How effective are these systems? How reliable are they? And more than anything else, like you guys, how quiet are they and how easy are they to use for the residents as well as, you know, what kind of impact do they have on the neighbors, as well as our ability -- ours being CityLift -- to design a better building, because we really didn't want to keep building buildings on pedestals. We just thought they were relatively ugly and

inefficient, and we didn't want to do those.

So we created CityLift to self-perform. And so what we wanted to do was create what we considered a best-in-class system, a system that was reliable, that was easy to use, was attractive for the people that were going to be using it, it would last, and it would be quiet.

My understanding is the noise or the prospect of the noise is a concern to you guys, so, you know, let me tell you just quickly how it works.

You would drive up to the system, and you have a remote control. So your residents of the building, as they drive up to the building, they use a remote control, generally, or a fob, depending on how the building is ultimately engineered. I imagine it's a remote control because you don't want people getting out of the car to get into the building itself.

So as the roll-up door on the outside of the building rolls up, that will trigger the system and it will bring the spot down to the space that the resident's going to park in. And so while they are driving into the building, their spot is being prepared for them.

Our systems run on electric motors. Each individual car has one motor as opposed to other systems which are hydraulic, and hydraulic systems are very loud. They're loud, they're ungainly, they're slow, and they're relatively ineffective from a maintenance perspective. These are not that. These are the best equipment you can possibly get, as far as we're concerned. Obviously, I'm somewhat biased to that. I'm the founder of the company and its president, so I think what we're doing is pretty great.

But what we did was we scoured every electric motor manufacturer that we could find to provide the best motors for our systems, and ultimately we went with a company called SEW from Germany. They've been making electric motors for well over 100 years. They're one of the premier electric motor manufacturers in the entire world, and we use these motors exclusively in our systems.

Our systems run at about 30 decibels. That's the motor. To put that in context, a normal human conversation between two people face-to-face is roughly 30 decibels. The conversation I'm having with you right now is somewhat more than that

because I'm amplified over speakers, so this is louder than our motors are.

To further give you some perspective, a gasoline-powered car runs about 60 decibels. So when the engine starts up, you know, that's about the loudest it gets. When it's idling, obviously it's a little bit more quiet than that. But the cars that are driving down the road are driving at about 60 decibels. Electric buses run about 60 decibels. Diesel-powered buses or trucks run at about 80 to 90 decibels. So the traffic that's passing this building creates two to three times as much noise as our motors would at any time. Also, the vehicles, just the cars themselves just starting will create more noise on a decibel level than our systems would. In fact, anybody's car, unless it's an electric car, would do the same.

Our motors run for a maximum of 30 seconds, so it takes 30 seconds to bring the car down from an upper level down to the ground floor. For the ground floor cars, they don't need to move at all, so there would be virtually no noise from the lower-level cars. So the only cars that really are going to be using the motor and would cause any

noise at all are the upper cars as they're being brought down, and that's for 30 seconds, and it's roughly 30 decibels, less than a conversation.

What questions can I answer you beyond that? I didn't want to belabor the issue too long. I'm sure you guys have a lot to talk about.

MS. PALERMO: I have a few questions. Now, how does your system work mechanically? It's powered with an electric motor --

MR. GINSBURG: Yes.

MS. PALERMO: -- per car.

MR. GINSBURG: Yes.

MS. PALERMO: But you -- well, maybe you can just -- if you can't do a diagram, you can just explain it to me. You have seven? Eight? I've forgotten the number of spaces.

MR. BARTASH: Seven.

MS. PALERMO: Seven spaces? So mechanically, how is it that working?

MR. GINSBURG: Of course. So the system itself is -- imagine a structural steel frame. And so it's a very simple beam attached to columns to support the weight of the cars above. There are pallets that are unified pallets. They're not, you

know, slats or anything like that. It's a solid piece of steel that the cars rest on.

And so when you drive -- you have two functions, really. You either have the ground-level cars, which rest on pallets as well, and those pallets have the ability to slide side by side to get out of the way of the vehicle above it. So if you have two cars stacked one on top of the other and you wanted to retrieve the top vehicle, the lower vehicle will slide to the side and the upper vehicle will drop down. There is a small motor on the lower-level pallets, which is also electric, which slides it side to side, and that creates almost no noise at all. So those lower pallets are on rails that are embedded in the concrete, and they just slide side to side on the rails.

The upper platforms are supported by chains and gears which are then attached back to the motor. And it's very simple. The motor engages and lowers that platform and -- or the motor engages and raises the platform. There is a safety fence that is integrated into the system itself, so you cannot actually enter the system when it's operating. And there are sensors throughout the system for safety

and protection.

MS. PALERMO: You cannot enter the system when it's operating, meaning there's some sort of a fence that comes down?

MR. GINSBURG: That's correct.

MS. PALERMO: And it prevents two cars entering at the same time?

MR. GINSBURG: Yes, ma'am.

MS. POVERMAN: Or a person or a kid.

MS. PALERMO: A little bit like a garage door?

MR. GINSBURG: Exactly right. In fact, we paid very close attention, as you've mentioned, kids, people, pets. You don't want anything entering into the system while it's operating. However, there are motion sensors and lasers that create a barrier around the system. And so if for some reason, you know, the gate were not to come down -- it doesn't happen, but let's say it did -- and somebody stepped foot towards the system, you'd break the beam and the system would stop operating. Just like anybody that has a garage door that's been installed recently and is up to code, you have a beam sensor on that garage door. If you break that

sensor, the door stops. The system functions exactly the same way. However --

MS. PALERMO: You've been very helpful and very clear. I just want to understand as well, if you've got three spaces on the bottom and four at the top, the three people parking at the bottom always park at the bottom?

MR. GINSBURG: Yes, ma'am.

MS. PALERMO: Got it.

MR. GINSBURG: Generally, the way it works is, unless it's some kind of public facility with a valet attendant or something like that, you would assign each space to an individual person, so you're always parking in the same spot.

MS. PALERMO: And what sound level and noise is associated with the functioning of the mechanical aspects? In other words, the gears and the chains.

MR. GINSBURG: Sure. Almost none. I mean, it's a fixed gear and a lubricated chain, and so it's exceptionally quiet. In fact, it's really not even noticeable. I mean, you have the 30 decibels from the motor, and that's really the only thing that you hear at all.

MS. PALERMO: That's the loudest level of the sound would be produced by the motor as opposed to the mechanical system?

MR. GINSBURG: Yes.

MS. PALERMO: Two more questions: Do you have any installations in a 50-mile radius of us?

MR. GINSBURG: We have a lot under construction. We don't have --

MS. PALERMO: None operating --

MR. GINSBURG: Not operating right now, no.

I have maybe 600 units that are coming in Boston. We have quite a few in South Boston, East Boston, Downtown, the Seaport, Somerville, we're working on some projects that are coming up in Cambridge. So we're very busy here.

MS. PALERMO: You said "in construction," or do you mean in planning?

MR. GINSBURG: The buildings are under construction, and our systems will be coming a little bit later on. We start our first installations Q4, probably done by Q1, and we have several thousand under --

MS. PALERMO: So when you say fourth quarter, do you mean this year or next year, 2018?

MR. GINSBURG: This year.
MS. PALERMO: Okay. So getting close.
MR. GINSBURG: Yes.
MS. PALERMO: And how big is the first one going to be?
MR. GINSBURG: The first one's a little big, 22 spaces in South Boston. And then we vary all the way up to 80 or 120 units. We work with companies like -- Avalon Bay is probably the biggest company that we install our systems in and you would recognize, and we've got, I don't know, 150-space system in one of their building out in California. And, you know, there's something coming down the road, but it's not public knowledge yet, so I don't think I should talk about that.
MS. PALERMO: What about weather? What about temperature? Does that impact the functioning, and at what level does it?
MR. GINSBURG: Sure. That's a very good question. So a couple of things are done to the systems to make sure that they last. Why the company exists is we wanted to build something that would work because ultimately these things were going in buildings that we, Signature Development,

built and own and operate.

So in an environment such as this, we galvanize the entire system, so that's, you know, the first kind of important part about how does this system, you know, sustain itself against the weather, the salt, the sand, and the moisture that's created certainly from the winter, but rain and so forth during the summer and, you know, the other months. The pallets are also galvanized.

And then the motors, one of the -- the most important thing really is the motor as far as the operational consistency through temperature, and our motors are rated for negative 40 degrees. They will operate at 100 percent spec to negative 40. Once it hits negative 40 and below, they may start to slow up a little bit, but they won't seize. So our normal operating temperatures run from negative 40 to, I think, 160 degrees, something like that. I can get you the exact number, but it's a substantial number that we're never going to hit, hopefully, from a temperature perspective.

MS. PALERMO: Climate change.

MR. GINSBURG: This could become a very, very nice place to live in the winter.

MS. PALERMO: And the only other thing I would ask is if we are -- we as a board decide that it would be appropriate to impose conditions on this aspect of development, I would see that falling in the range of the decibels. What would you recommend would be the number --

MR. ENGLER: Can I answer that?

MR. GINSBURG: Please. This might be outside my pay grade.

MR. ENGLER: I think the condition would be that the system operates in conformance to the specs of the manufacturer. So I think whether it's this lift system or the HVAC or any mechanicals in the building, it needs to conform as the manufacturer would require as opposed to just a decibel level that may be high or low.

So we would expect a condition not only for the lift system, but the other systems in the building, the garage door and whatnot, that it performs in conformance with the specs of the manufacturer. And I would assume that the building department and the inspector would -- should there be an issue, they would be the judge and jury on whether or not it's really loud in comparison to

what the system -- how it should function.

MS. PALERMO. Thank you.

MS. POVERMAN: Mr. Hussey?

MR. HUSSEY: The systems in Europe, how long have they been in place, in operation?

MR. GINSBURG: This type of technology or ours?

MR. HUSSEY: Yeah.

MR. GINSBURG: Well, over 30 years. In some cases, 40. The technology really became prolific in Japan in the last three to four decades. There's something close to a million and a half automated spaces in Japan alone, and that runs from systems that are very similar to the systems that are proposed here for the project and I'm talking to you about all the way to something like a fully automated system. They've been used extensively in Switzerland and Germany, France. There's quite a few in England. Korea has hundreds of thousands of spaces, and China has now taken the lead from an automated mechanical parking standpoint, and there are millions of spaces that are automated today and operating in China.

So this is something that's tried, tested,

true, and proven to the umpteenth degree. Really, the only thing that we have done differently with the technology is iterate it and make it better, try to future-proof it a little bit and see if we can build a system that one day we'll talk about automated cars and things like that when they become more and more prolific.

And really, the largest concern for us as a manufacturer, supplier, and developer was the quality of the materials and the consistency of operations and the reliability is where we focused our attentions.

MR. HUSSEY: Okay. Are you planning to have an emergency generator in this project? So if the electricity is out, this doesn't work; right?

MR. GINSBURG: Well, you can manually retrieve vehicles if the electricity is out.

MR. HUSSEY: Oh, you can?

MR. GINSBURG: Yes. Actually, there's something like an Allen key that goes into the motors and releases a brake. Now, you wouldn't want the residents of the building doing this, obviously, but we do provide 24-hour, 7-day-a-week service. If they needed us to come and move a car or something

like that, that could be done. Their maintenance people could also be trained to do it. You can retrieve vehicles without power, but you can also hook them up to temporary generators or emergency power if the building were to have that.

MR. HUSSEY: In my lifetime, there have been two major blackouts, electrical blackouts, that lasted a week.

MR. GINSBURG: Yeah. I used to live in Florida. I've gone through a couple of storms, so I've been through it myself. It's no fun. But generally, the last thing I was worried about was my car.

MR. HUSSEY: Okay. Thank you.

MR. GINSBURG: Of course. Any other questions?

MS. POVERMAN: Yeah. Most of mine have been covered. But what was your first project? When did you first install these, and where was that project?

MR. GINSBURG: Sure. Oakland, California in a project called Broadway Grand, which was a Signature development. It was a luxury condominium building on Broadway in Oakland, California. And if

I confused you when I we say "we," I say we interchangeably between CityLift and Signature.

We had built the condominium building with a retail liner, and then the parking garage was behind the retail liner and the garage. It was solely for the residents of the building, but we were underparked, and we had drastically underestimated the amount of parking that we needed because we thought Oakland was full of empty lots. But what people really wanted was safety, so there was a big demand. And what we did was retrofit that garage. We actually retained ownership of the garage and we have an agreement with the condominium that they're allowed to use it and so forth, and so we retrofitted that garage.

MS. POVERMAN: And when was that?

MR. GINSBURG: Two and a half years ago.

MS. POVERMAN: What sort of problems have been experienced in the systems you've built to date?

MR. GINSBURG: I won't say they're 100 percent bullet proof, but they're pretty close to it. But generally, the issues become one of operational training and do people understand how to

use the system.

And the one trick is really once you've retrieved -- once you've parked your vehicle and you've left the system, we decided we didn't want to allow people to use a remote control to close the system. And so it doesn't close itself automatically, because you don't want to get somebody stuck in the system; right? So you don't want the system closing automatically, and we didn't want people walking away from the system hitting a button. So what you have to do, then, is you go to the control panel, which is right next to your car on the system itself, and you either push a red button or you can use your control -- your remote control as a fob and swipe that control panel.

And 99.9 percent of any issues called in is that people forgot to close the system. And so when somebody comes to enter the system, they would either have to reset it -- not either. There's no either. They would have to reset the system, which means they would have to push the red button. But that's really the only issue that we've seen, and it's really -- it's a functional training issue. You know, if you take about 45 seconds to explain to

somebody how to work this thing, you know, it's a whole lot more simple than an iPhone, but you just have to follow a simple procedure to make sure it's safe.

MS. POVERMAN: And how many installations do you have at this time?

MR. GINSBURG: We have something like 18 completed installations, and then we have over 75 ongoing projects right now for several thousand units. And when I say "units," that would be a parking space.

MS. POVERMAN: What are the largest type of car that can be accommodated, at least in the system that developers are considering?

MR. GINSBURG: So 99 point -- something like SUVs will fit. You're not going to fit Suburbans and, you know, huge minivans and Dually pickup trucks and things like that. But the biggest trucks I can think of that are sort of reasonable for a city like this, maybe Range Rover, various --

MS. POVERMAN: Those would fit?

MR. GINSBURG: Yeah, absolutely. So you have absolutely no problem. Virtually 100 percent of all sedans will fit. You may get the oddball

sedan that's too long or too wide, but, you know, this will fit all the way up to a -- call it a 7 Series BMW or an S-Class Mercedes, so significantly long full-sized vehicles.

MS. POVERMAN: Those are all the questions I have.

MR. HUSSEY: That's it.

MS. POVERMAN: Okay. Thank you very much. That's very helpful.

MR. GINSBURG: Okay. Thank you for your time.

MS. POVERMAN: Oh, actually, would any people in the public like to ask questions?

As long as you're up on there now, and then if you'd like to leave early, you can.

Would anyone like to ask any questions?

Mr. Pinches. I'm sorry. You have to go up.

MR. PINCHES: Okay.

MS. POVERMAN: Well, actually, if you just stand and identify yourself and speak loudly, that might be sufficient.

MR. PINCHES: My name is Fred Pinches, F-R-E-D, P-I-N-C-H-E-S.

You mentioned sensors around the perimeter of the system so people don't wander in and get in the way, which is certainly prudent.

This is something a little extra, but I think would also be prudent. Do you have any systems or any sensors to detect anything left in the vehicle, such as pets, babies, this kind of thing? So you mentioned people wandering off oblivious to their surroundings, which could include pets and babies left in the system, the father that doesn't know the mother had the kid in the back seat. I'm being somewhat facetious, but you know the tragedies. Is that something that you could or would install just as an extra precaution? This is more than maybe you're required, but, again, I think we're doing a new building, so let's do it right.

MR. GINSBURG: The technology doesn't exist to do that accurately yet. It's something that we would.

So there are two options. I don't want to get too much into what we can or can't do from a Star Trek perspective yet. I mean, we have heat sensors, which don't work for people in cars because the engine bays are hot, and so it's a giant hot

spot, so you can't read the heat inside the car. And then you've got motion sensors, and motion sensors aren't going to pick up a kid in a baby seat in the back of the car or a dog. They're not accurate, really, for these purposes. It's something that we have taken a look at quite a bit. But, you know, the short answer is no. No, that technology does not reliably exist today to enable us to do that, but yes we certainly would if we could.

MR. PINCHES: What about acoustical sensors down there? The baby would be crying after 20, 30 minutes. That would be something you wouldn't depend on, but situations --

MR. GINSBURG: Of course. You know, all perhaps very reasonable ways to look at things, and we don't do that today. At the end of the day, you know, it's people's responsibility to take their children and pets out of the vehicle. There's nothing we can do about that.

MR. PINCHES: Certainly. But, you know --

MR. GINSBURG: Of course. We just haven't figured out how to be able to make that -- what's a gentle way of putting it?

MR. PINCHES: Human proof.

MR. GINSBURG: Okay. That's a nice way of putting it. But if we could, we would, sir.

MR. PINCHES: Certainly. Okay. That was -- my main question would be safety of the operations as well as convenience.

MR. GINSBURG: We've worked very, very hard to incorporate a number of sensor packages and safety features, including arresting hooks and things like that, to make sure that these systems are absolutely as safe as they can be. I'm a father of a 21-month-old daughter. The last thing in the world I want to see is one of my systems hurt somebody. You know, we've done everything that we possibly can to make sure they're safe.

MR. PINCHES: One last question. These motors obviously are heavy down there. What voltage are you talking about, and how would this affect the wiring of the building since these motors may be one of the largest motors or electrical demand for the whole building?

MR. GINSBURG: Sure. The electrical demand is actually relatively small. They're 4.4 kilowatt motors, and they use about as much electricity as a

hairdryer does. And only one motor runs at any given time, so that they don't create excessive loads on the building at any time. And, you know, these things last relatively forever, so they're -- well, not forever. About 20 years. They last longer than any of us certainly care. But they're rock solid.

MR. PINCHES: And would this be like 240 volt or something that would be easily consistent with --

MR. GINSBURG: Generally, it's 208 or 243 phase, and we work with whatever the building has to offer.

MR. PINCHES: So they have flexibility to the design, so it doesn't really make that much difference to the building --

MR. GINSBURG: That's correct, sir.

MR. PINCHES: Okay. Thank you.

MS. POVERMAN: Anybody else at this time?

(No audible response.)

MR. GINSBURG: Thank you.

MS. POVERMAN: Okay. Thank you very much, and thank you very much for coming. Appreciate it.

MR. GINSBURG: It's my pleasure.

MS. POVERMAN: Now we're going to hear from Ms. Selkoe, assistant director --

MS. SELKOE: Polly Selkoe, assistant director of regulatory planning.

MS. POVERMAN: Thank you.

MS. SELKOE: One of the things the board has to do is to accept the waiver list that the applicant has submitted. And today I went over this waiver list with the deputy building commissioner, Mike Yanovitch, and he did suggest one minor change having to do with -- this is on the last page -- tree removal permit process. They had a waiver from the board of selectmen, and we asked them to add from the town arborist, because the first step is for the town arborist to make a decision about any street trees, whether they can be taken down or not.

I can either read through these, or I can tell you that we feel that this is a complete list. There's also a note at the end of the waiver list saying that if there's any other waivers that are necessary and related to these particular plans and this comprehensive permit, that they also would be included. But we think it's a complete list.

MS. POVERMAN: Okay. I have some comments,

but I will get to my colleagues first, see if they're --

MR. HUSSEY: No comments.

MS. PALERMO: No comments.

MS. POVERMAN: Okay. So my first comment has to do with -- on the second page, the last waiver having to do with Section 6.04, the design of all off-street parking facilities. And it asks for a waiver of particular requirements, but including, not limited to.

I don't want -- I don't think it's appropriate to waive all of the requirements or say get a waiver from every single aspect of 6.4 because that just goes too far.

For example -- well, in the interest of time, there are just things in there that I do not think is appropriate to waive, you know, or that needs to be waived.

And it's actually consistent with a comment that I had about the last paragraph, which Mr. Engler has heard as well. I do not -- I'm not in favor of having and including anything else that you might have forgotten. I think you need to put into the waiver list exactly what you are interested

in getting a waiver for, and not having a catchall, anything-else basket at the end. So I would like that provision to be removed, which I think is no great surprise to people who have been listening to other ZBA hearings.

And the Section 6.04, I'd rather have it specified exactly which areas you do want waivers from. I think most of them are encompassed by what you list here.

MS. SELKOE: I'm just looking at the section now.

MS. POVERMAN: Let me just give you an example. Like the necessity for a handicap parking space. You don't want a waiver for that; we won't give a waiver for that. So having this say "anything else," would encompass that and give the ability to get rid of that without violating the terms of the order. That's why I think the specificity is important.

MR. ENGLER: I understand the request. I think the simple solution to this might be if we just reference the plan. Basically, that's what we're asking the board to approve, is the width, the aisle dimensions, the space dimensions as shown on

the plan, which we've proven works. We're not asking for anything beyond that, so I think we could leave it to Polly and our counsel to figure out the language. But I understand the chairwoman's concern about the way this is written is basically a waiver from the entire provision, which we don't need. We just need a waiver to allow for the plan as proposed.

So to that point, we're amenable to revising the language so it's not a catchall and just refer to the plan set, and particularly the garage plan set -- or garage plan, I should say.

And I'm shocked and amazed that you would not allow the last paragraph. That's understandable, so we are comfortable with that being stricken.

MS. POVERMAN: Okay. Thank you.

And then on the last page, in terms of waivers for the board of selectmen, are we even able to do that, Alison?

MS. SELKOE: Well, they're a local board, and so you can --

MS. POVERMAN: Yeah, okay.

And the tree removal process, I do not want

to waive -- or do not think it's appropriate to waive the requirement of working with the arborist, so I'm not sure it's -- I'm not sure this language is appropriate because --

MS. SELKOE: In other words, maybe the arborist says, well, you can remove that tree, but you have to replace it in a different location.

MS. POVERMAN: Right.

MS. SELKOE: Jennifer, do you have any suggested language, then, for that?

MS. DOPAZO GILBERT: I'll come up with some, sure.

MS. POVERMAN: Okay.

And did we get rid of the waiver from the noise requirement?

MS. SELKOE: Yes, we did.

MS. POVERMAN: Okay. That is all that I have.

MS. SELKOE: So I think we can make those changes, and then at our next hearing you can accept the waiver list, if you want to see the final product.

MS. POVERMAN: Yes.

MS. SELKOE: Okay. And the only other

thing I wanted to say is that tonight, formally, you should accept the revised plan of record dated -- and we have to pick a date. Do you want to pick today's date? I don't think that's the date that's actually on the plan. I think it's September 12th.

MS. POVERMAN: Let's say September 12th. I think that would make it a little cleaner.

MS. SELKOE: The only thing is that, of course, the facade changes are not on the plan yet. Maybe they want to give a new plan.

MS. POVERMAN: Mr. Engler?

MR. ENGLER: I don't think there's a right answer to the question. I think it's a matter of making it clear and consistent. We submitted updated plans. Off the top of my head, we submitted an architectural plan set, I want to say, on the 12th, submitted a civil engineering plan set which, oh, by the way, we then had to revise and submit the next day. So it gets a little bit convoluted relative to dates on the plans and like. Counsel may have an opinion as well, but I think the important thing is we just pick a date so that the plan can be appropriately referenced. Whether or not our team needs to submit the same plan with an

updated date or not, I don't think it matters to us. The plans are the plans. Let's just get the dates correct.

MS. SELKOE: Right. But it is very important that the plan itself have a date that we agree on because we do everything by date.

MS. POVERMAN: Then why don't we make it as of today and as of the information presented in front of the board as of today.

MS. SELKOE: All right.

Is that satisfactory? And then we will need you to redate the plan.

MR. ENGLER: So that's what we'll do, because then there's confusion. Even if the plan's the same and somebody says, well, it's dated September 18th but on the plan set it's September 12th, what we'll need to do is we'll need to have our team redate the plans as of September 18th, and we'll submit that to the board -- all the plans, not just the architectural, the civil plans --

MS. SELKOE: Right. That was what I had in mind.

Okay. So then this board would have to say

that you'll accept the plans as discussed and presented tonight dated September 18th.

MS. POVERMAN: Okay. We accept the plan submitted tonight --

MS. SELKOE: As the plan of record.

MS. POVERMAN: -- as the plan of record, yes, thank you.

MR. HUSSEY: As to be amended.

MS. SELKOE: With the changes that were presented tonight.

MS. POVERMAN: Right.

MS. SELKOE: Then the other thing is that this -- as you mentioned, this hearing is going to be continued to October 11th. And on October 11th, we'll go through a list of draft conditions. That draft conditions is in process, but we want to meet with the different departments to make sure that they're exactly, you know, what they want. So we will have done that by October 11th, and we will get you the conditions prior to that so that you can have a look at them and we can go through them that night.

And then, of course, they're only conditions if you vote an approval, but the usual

procedure, that you work on the conditions and let the applicant see the conditions as well before the October 11th date.

MS. POVERMAN: Since condition writing and revisions have been known to take more than one session, I would ask the applicant for an extension at least to October 30th, otherwise.

MR. ENGLER: Well, here's what I would suggest: At a minimum, we need to give an extension to October 12th, since the hearing is October 11th, because we need that extension to submit any new information after tonight.

I don't know that an extension beyond that is necessary because you don't need beyond -- you still have from the date of -- from October 11th, technically you still have 40 days to discuss the conditions and vote the decision. I don't think you need an extension beyond October 11th.

Could we perhaps give you one? Yes. But let's see what happens on October 11th. But that's not customarily how it's done, because the public hearing is closed and then you have 40 days to deliberate all parts of the decision.

MS. SELKOE: The problem with that is that

if on October 11th we're discussing conditions and you object to a condition and you want to present new information after that about why you object to it, you would not be able to do that. But what we could do is if we extend it to October 12th, on the October 11th date, if that should occur, then you would give a further extension.

MR. ENGLER: Agreed.

MR. HUSSEY: Yeah, that's fine.

MR. ENGLER: So I have that prepared. I'm going on record as saying the applicant agrees to extend the public hearing process to October 12th. We will submit something to that effect in writing tomorrow so you have it for your files.

MS. POVERMAN: Thank you. Appreciate that.

And I know there are a couple of questions from the audience. I saw a hand or so pop up. So if you could go up to the microphone.

MS. KATES: This is Beth Kates from 105 Centre Street.

I have a question about the parking garage. This doesn't relate to the actual parking system. Maybe I missed this. I don't know. But is there any provisions for an electric vehicle charging

station or any electric vehicle charging in that garage?

MR. BARTASH: No.

MS. KATES: Would you consider installing it, considering the number of electric vehicles that are coming on the market and the fact that people have them and they need places to charge them?

MR. BARTASH: Not at this time.

MS. KATES: Thank you.

MS. POVERMAN: Well, is it possible to put outlets near some of the parking stations for parking areas so that if somebody wanted to use their own plug and juice it --

MR. HUSSEY: I would suggest that what you require is the primary service have enough ability to add a charging station later, because you don't want --

MR. ENGLER: The problem is, as we talked about, all the spaces will be assigned. So if somebody has an electric vehicle on Day 1 and there's a charging station there and then they move out in a year and the tenant that moves in doesn't have an electric vehicle and that's their space, what happens?

MS. POVERMAN: Right. But if you have electrical plugs in multiple spaces, then --

MS. SELKOE: Well, I don't think that's exactly what Chris was suggesting. He's suggesting that your primary electric service be strong enough or capable enough that, if in the future you needed to add an electrical outlet for an electrical vehicle, you could do that.

MR. ENGLER: Yeah. But I don't think that would work either because that's -- I mean, anybody that has an electric vehicle knows that to charge it takes a significant amount of electricity. And if they're charging their vehicle, they're basically doing it for free because of the plug in the garage, and I don't think that's acceptable to my client. You know, it's not a one-time thing. It's charging all the time, and that's a huge freebie, and there's no way to monitor that.

MS. POVERMAN: Isn't there a way to -- if that's an assigned station, some way to --

MR. ENGLER: No. The --

MS. POVERMAN: -- add it on the parking fee for a person who has an electric vehicle? I hate to preclude the ability altogether, considering that

it's going to become more and more prevalent.

MS. SELKOE: Let me just say that the town right now is working on future regulations for properties, both residential and commercial, to require certain zoning, so that will be coming. It's not there now.

MS. PALERMO: In fact, actually, Chris's suggestion I think solves both issues. It will not put your client in a position of providing the level of electric service to a specific car. It will just mean that the building has been equipped with the sufficient level of electrical service that feeds into the garage should, in the future, you choose to install the correct --

MS. POVERMAN: Our house has that ability. I mean --

MR. ENGLER: You know, I'll talk to my client about that. I mean, I think realistically this will be a state-of-the-art building. I don't think that condition is an issue.

MS. POVERMAN: Well, if you could give some consideration to the suggestion, because I think it's a good one to keep in mind for a state-of-the-art building.

Is there anybody else who would like to speak?

Mr. Pinches, you're back.

MR. PINCHES: Fred Pinches, again, F-R-E-D, P-I-N-C-H-E-S.

At an earlier meeting, our environmental peer reviewer down there mentioned an environmental study and review of the parking lot next to the proposed building, the so-called Starbucks parking lot. And at that time, that environmental review or study was not complete. There was a question about possible contamination from earlier historic uses of the building where Starbucks is. And I think there was some discussion there about what -- how that might impact the design of the building and the safety precautions. And I was wondering where that study is.

MS. SELKOE: I can answer that.

MR. PINCHES: Thank you.

MS. SELKOE: What the environmental peer reviewer said was one of the ways to handle that is to -- before you build the foundation, to cap the site. And I believe that that's what the applicant intends to do. Is that correct? You put a barrier

on the site.

MS. PALERMO: Your engineer did testify to that fact.

MS. SELKOE: Right. That's what he said you were going to do.

MS. POVERMAN: A cap on the ground and then the vapor barrier that goes --

MS. SELKOE: Well, I don't know the details, but they...

MR. DAVID DANESH: Hi. I'm David Danesh, part of the development team.

I believe from the -- we had our environmental consultant come, and he made it pretty clear -- Mr. Fred Lebow from -- I think he has done a lot of work with the town. And he made it pretty clear that the environmental spill that this gentleman is talking about at the dry cleaners could never ever reach our site in about -- I think he said about a thousand years because the hill is slanted toward Commonwealth Avenue. It can't go uphill below grade, so it can never -- it was never an issue. He made that pretty clear.

MS. POVERMAN: There were two things, actually. There was that, and there was also the

vapor issue where it was commented that other buildings in the area, which have been affected houses, are getting some steps taken to protect them. And in relation to that, the experts discussed steps that could be taken in the construction of the building to prevent that. I have not read that in the past day or two, but I think it could be a condition that we put in in terms of what the recommendations are of the experts. I can't roll it off the top of my head right now.

MR. ENGLER: Nor can we. Honestly, we talked about this like at the first hearing or something, so it's not fresh. But as the public hearing is still open, allow us a couple of days to revisit with our environmental consultant to see what, in fact, we are proposing to do, and we'll submit it for the record.

MS. PALERMO: I'll just remind you, because I do remember. I asked the question. And his opinion was that the conservative approach would be to install a vapor barrier, which would prevent your mechanical systems from pulling up vapor into the building. And your engineer got up and said, I've

already recommended they do that. So that's my memory of the testimony.

MS. SELKOE: We'll go back and look at that, but that is exactly what I remember as well.

MR. PINCHES: Fred Pinches again. Again, I'm just asking for clarification because it was kind of left as an open question because that environmental review was not completed at the time. So, again, I'm just asking.

Also, at that same hearing down there, I also mentioned the question that our environmental peer reviewer and I don't think engineer looked at is the question of radon and the radon testing. This is a common problem. Just as a precaution, as I said earlier, if you're going to build a whole new building there, let's do it right. And radon is a serious public health threat.

And with this barrier under the building, which would protect the building, which is our immediate question, any bit of gas that's coming up around it, if it's going to go anywhere, it's going to go under the barrier and come up on the side of the buildings along the property line, which would be right next to our abutter, possibly concentrating

gas, which is now kind of like dissipating, you know, all over the place with the present use of the land.

So, again, if it comes up, you know, again, it might be concentrated, and, again, that could be a potential problem for the abutter. Something to look at, particularly in the question of radon gas. So, again, just to repeat that observation.

A couple of quick comments on the architecture and the comments made earlier on the garage door. I think your preliminary opinions of the No. 2 option would be kind of open door -- the red door, shall we say, to identify it over there. I think that is probably the best choice, in my opinion. I have a lot of experience with rolling steel doors. I think there's probably going to be more noise than they're talking about and expecting, but any door that's going to basically satisfy the criteria that you have is going to make some noise. So, again, what are you going to do?

So I think at this point here we might have -- I'm not going to say the best of the worst situation down there, but about the best possible situation that would meet your requirements. And I

think the red door, particularly with the solid section at the bottom, if nothing else, that may keep the rodents out of the garage -- something that hasn't been mentioned -- whereas the other door might have -- allow rodents to get in. So, again, an observation there. But that might be a benefit there. So, again, I think that might be a good choice, in my opinion, as well as the aesthetic questions that you mentioned.

Also, one of the questions since we've gone around -- and I don't want to keep the meeting going any longer. I have to be downstairs at a transportation board meeting in about 10 or 15 minutes.

The whole side of the staircase over there, no one has mentioned the use of this staircase. Obviously, it's a staircase and a stairwell with stairs that people can use. Is this going to be basically an emergency exit only as a second exit, or is this going to be a stairwell for routine use that people can use going up and down, or is it going to be people can go out and they'll be locked in the stairwell so they can just go down for convenience to the garage, or will it be available

for access going up into the building from the stairwell?

If it's going to be used for more routine use as well as, of course, as an emergency exit with the emergency door to the outside, which clearly shows up on their plans, one observation is to break up the facade a little bit, and this is more detail and aesthetics over there. If it is going to be more routine use over there, what about putting in some semiopaque windows --

MR. DAVID DANESH: It's not for routine.

MS. POVERMAN: It's for emergency use? Okay.

MR. PINCHES: So basically it will be locked, secured, alarm locked or something so emergency use down and out, and that would be --

MR. DAVID DANESH: Yeah.

MR. PINCHES: Okay. So, again, they're not going to need any opaque windows for natural light or anything for routine use. Again, just a question. So I think that that's it.

And, again, on the question of building materials and all that, which you've already discussed, one other observation on appearance:

Just looking at this thing quickly and superficially, I admit -- and this is just one opinion over there -- it does kind of look like a giant chimney on the side of the building -- you know on an old building. So, again, if there was something -- that's why I was thinking about windows, possibly, but, again, I think that's pretty much out based on their description of the use -- so it does not look like basically, as I said, the chimney of an old building. So, again, something else to think about, talk about. And, again, that would be my comment for the evening. Thank you.

MS. POVERMAN: Thank you.

Anybody else?

Okay. Not seeing anybody else wanting to talk -- and does anyone here want to say anything before we continue the hearing? Ms. Selkoe?

MS. SELKOE: Oh, no. I think we should conclude -- or we should continue the hearing to October 11th.

MS. POVERMAN: Okay. So this hearing will be adjourned until October 11th. Thank you all very much.

(Proceedings adjourned at 8:19 p.m.)

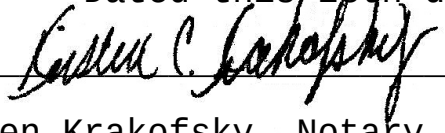
I, Kristen C. Krakofsky, court reporter and notary public in and for the Commonwealth of Massachusetts, certify:

That the foregoing proceedings were taken before me at the time and place herein set forth and that the foregoing is a true and correct transcript of my shorthand notes so taken.

I further certify that I am not a relative or employee of any of the parties, nor am I financially interested in the action.

I declare under penalty of perjury that the foregoing is true and correct.

Dated this 28th day of September, 2017.



Kristen Krakofsky, Notary Public
My commission expires November 3, 2017.

1

1
10:9 58:20

1,700
3:14

10
66:13

100
27:17 35:14 40:22 42:23

105
57:20

11th
4:2 55:14,19 56:3,10, 15,18,20 57:1,6 68:20, 22

120
34:8

12th
53:5,6,17 54:17 56:10 57:5,12

15
66:13

150-space
34:11

160
35:18

17
3:12

18
42:7

18th
54:16,19 55:2

2

2
10:13 65:12

20
45:12 47:5

2018
33:24

208
47:11

21-month-old
46:12

22
34:7

24-hour
38:23

240
47:8

243
47:11

3

3
5:2

30
22:5 25:3 27:20,23 28:18,19 29:2,3 32:22 37:9 45:12

30s
19:2

30th
56:7

4

4.4
46:23

40
25:3 35:13,14,15,17 37:10 56:16,22

40's
19:3

45
41:24

455
3:11

5

50
13:18

50-mile
33:6

6

6.04
49:7 50:6

6.4
49:13

60
28:4,9

600
33:11

7

7
43:3

7-day-a-week
38:23

75
42:8

78
5:16 7:10

7:03
3:1

7th
3:10

8

80
28:11 34:8

8:19
68:24

9

90
28:11

99
42:15

99.9
41:16

A

ability
25:21 30:6 50:17 58:15 59:24 60:15

able
10:12 45:23 51:19 57:4

absolutely
42:22,23 46:11

abutter
5:15 7:9 64:24 65:6

accept
48:7 52:20 53:2 55:1,3

acceptable
59:15

access
10:24 67:1

accommodated
42:13

accurate
45:5

accurately
44:18

acoustical
45:11

actual
57:22

add
6:17,18 48:13 58:16 59:7,22

added
6:12,15

adds
23:3

adjacent
21:24

adjourned
68:22,24

admit
68:2

adopter
25:8

advantage
13:16

aerial
7:7 17:4

aesthetic

66:8

aesthetics
67:8

affect
46:18

affordable
3:13

ago
40:17

agree
16:11,16,21 19:5 54:6

Agreed
57:8

agreement
40:13

agrees
57:11

aisle
50:24

alarm
67:15

Alison
51:20

all-brick
20:9

Allen
38:20

allow
9:20 41:5 51:7,14 63:15 66:5

allowed
40:14

allows
22:16

alternatives
16:18

altogether
59:24

amazed
51:13

amenable
51:9

amended
55:8

amount
40:8 59:12

amplified
28:1

Andrew
4:16 5:11 24:9,17

answer
29:4 36:7 45:7 53:13 61:18

anybody
3:23 31:22 47:19 59:10 61:1 68:14,15

anybody's
28:16

anything-else
50:2

apparent
6:11 7:13

appearance
67:24

applicant
4:7 48:8 56:2,6 57:11 61:23

application
4:21 10:21

appreciate
16:17,21 24:3 47:23 57:15

approach
14:8 63:21

appropriate
11:14 36:3 49:12,17 52:1,4

appropriately
53:23

approval
17:1 55:24

approve
50:23

approved
4:4

arborist
48:14,15 52:2,6

architect
3:18 16:23 23:13,15,17

architectural
24:8 53:16 54:20

architecture
65:10

area
18:10 63:2

areas
50:7 58:12

aren't
16:1 45:3

argument
21:22

arguments
22:14

arresting
46:9

articulate
6:16

articulated
23:23

articulation
5:18

asked
48:13 63:20

asking
50:23 51:2 64:6,9

asks
49:8

aspect
36:4 49:13

aspects
32:17

assign
32:13

assigned
58:19 59:20

assistant
48:2,3

associated
32:16

assume
36:21

attached
4:3 29:22 30:18

attendant
32:12

attention
4:11 6:19 31:13

attentions
38:12

attractive
26:5

audible
47:20

audience
57:17

automated
3:20 37:13,17,21,22 38:6

automatically
41:7,9

available
66:24

Avalon
34:9

Avenue
62:20

B

babies
44:7,10

baby
45:3,12

back
5:21 6:12 7:4 8:6 10:7,8 11:4,19 13:8 17:2 19:10 20:15 23:2 30:18 44:11 45:4 61:3 64:3

background
11:7 25:4

backup
21:6

balance
22:14,17

band
6:15

barrier
31:17 61:24 62:7 63:22 64:18,22

Bartash
3:18 4:24 5:1,2 11:21, 24 12:2,11,18,21 13:2, 11,15,19,23 14:20,22 15:2,7,15 16:2 17:12,18 19:13 20:2,5 21:8,11, 14,20 22:20 23:17 24:7 29:17 58:3,8

based
5:6 68:8

basically
50:22 51:5 59:13 65:18 66:19 67:14 68:9

basket
50:2

Bay
34:9

bays
44:24

beam
29:22 31:21,24

bearing
18:3

belabor
29:5

believe
12:17 61:23 62:12

benefit
66:6

best
27:7,14 65:14,22,23

best-in-class
26:4

Beth
57:19

better
12:8 19:6 23:12 25:22 38:3

beyond
29:4 51:2 56:13,14,18

biased
27:9

big
9:3 34:4,7 40:11

biggest
34:9 42:18

bit
5:19,22 6:7,8,11,14,18 10:13 18:17,18 28:7 31:10 33:20 35:16 38:4 45:6 53:19 64:20 67:7

black
12:1,4

blackouts
39:7

BMW
43:3

board
4:12 5:16,21 8:1 11:18 19:14 23:9,19 24:5 36:2 48:6,13 50:23 51:19,21 54:9,20,24 66:13

Boston
24:20 33:12,13 34:7

bottom
10:16 32:5,6,7 66:2

brake
38:21

break
6:9 7:12 31:21,24 67:6

breaking
6:24

breaks
20:18

brick
6:6 12:15 13:13,22 14:11 17:8,10,15 18:1, 2,4,7,9,12,14,16,17 19:3,6,10,11,17,22 20:3,4,8,15,23,24 21:3, 5,12,14,19 22:8 23:20

brief
4:19

briefly
4:17

bright
10:10

bring
24:9 26:21 28:19

Broadway
39:22,24

bronze
12:4

Brookline
19:1 20:9

brought
29:2

bucket
23:7

build
22:24 34:22 38:5 61:22 64:15

building
5:15 6:16 7:1 8:15 12:6 21:24 22:11 25:12,22, 23 26:13,15,18,20,23 28:12 34:12 36:14,19, 21 38:22 39:5,24 40:3,6 44:16 46:19,21 47:3,12, 16 48:9 60:11,19,24 61:9,13,15 63:6,24 64:16,18,19 67:1,22 68:4,5,10

buildings
20:10 25:7,23 33:18 34:24 63:2 64:23

built
19:2 25:11 35:1 40:3,19

bullet
40:22

buried
18:4

buses
28:9,10

busy
17:16 33:15

button
41:11,14,21

C

calculations
8:14

California
25:6,13 34:12 39:21,24

call
43:2

called
19:11 25:12 27:15
39:22 41:16

Cambridge
33:15

can't
13:10 29:14 44:21 45:1 62:20 63:10

cap
61:22 62:6

capable
9:13 59:6

capping
11:6

caps
7:5

car
7:16 9:24 26:17 27:2 28:4,16,17,19 29:11 38:24 39:13 41:12 42:13 45:1,4 60:10

care
24:21 47:6

cars
28:8,14,21,23 29:1,23 30:2,5,8 31:6 38:6 44:23

case
18:5

cases
37:10

catchall
50:1 51:10

cause
22:23 28:24

cavity
21:9

cement
5:24 22:16

cementitious
21:19 23:21

center
6:4

Centre
57:20

certain
9:15,17 60:5

certainly
4:19 35:7 44:3 45:9,21 46:4 47:6

chain
32:20

chains
30:17 32:18

chairing
3:7

chairwoman's
51:4

challenges
22:23

challenging
18:12

chance
11:23

change
6:23 8:13,24 16:14 19:19 35:22 48:10

changed
19:15

changes
8:13 24:3 52:20 53:9 55:9

charge
58:7 59:11

charging
57:24 58:1,16,21 59:13, 16

children
45:19

chimney
68:4,10

China
37:20,23

chip
12:9

choice
16:19 65:14 66:8

choose
23:4 60:13

choosing
16:24

Chris
16:12 19:5 59:4

Chris's
60:7

Christopher
3:9

city
42:20

Citylift
4:17 24:17 25:21 26:2 40:2

civil
7:23 8:7 53:17 54:21

clapboard
17:9,14

clarification
64:6

cleaner
53:7

cleaners
62:17

clear
32:4 53:14 62:14,16,22

clearly
11:5 67:5

client
59:15 60:9,18

Climate
35:22

close
31:13 34:2 37:12 40:22 41:5,6,17

closed
21:22 56:22

closely
5:20 12:5

closer
13:13 14:11

closing
41:9

coated
12:3

code
31:23

coiling
9:14

colleagues
13:7 49:1

color
5:17 6:5,6 7:11 8:24 9:7 10:11 12:3,5,9,11,16 13:5,6,9,10,12,13,21,22 16:22 17:13

colored
17:13

colors
9:9,10 17:17

columns
18:22 29:22

come
3:2 12:1,7,24 13:13 31:18 38:24 52:11 62:13 64:22

comes
8:10 12:8 14:24 15:3 31:4 41:18 65:4

comfortable
51:15

coming
20:8 33:11,14,19 34:13 47:23 58:6 60:5 64:20

comment
49:5,19 68:12

commented
63:1

comments
5:16 7:24 13:7 16:9 24:5 48:24 49:3,4 65:9, 10

commercial
18:18 60:4

commissioner
48:9

common
64:14

Commonwealth
62:20

community
24:22

companies
34:9

company
24:18,21 25:5 27:9,15 34:10,22

comparison
15:7 36:24

complete
48:18,23 61:11

completed
42:8 64:8

complexity
23:4

composition
17:17

comprehensive
3:11 48:22

concede
24:4

concentrated
65:5

concentrating
64:24

concern
26:9 38:8 51:4

concerned
24:23 25:15 27:8

concerns
4:18

concessions
22:10,17

conclude
68:19

concrete
30:15

condition
10:23 36:10,17 56:4 57:2 60:20 63:8

conditions
4:3 36:3 55:15,16,20,24 56:1,2,17 57:1

condominium
39:23 40:3,13

configuration
7:19 15:1

conform
36:14

conformance
36:11,20

confused
40:1

confusion
54:14

conjunction
22:6

conservative
63:21

consider
58:4

consideration
23:2 60:22

considerations
22:18 23:8

considered
26:4

considering
42:14 58:5 59:24

consistency
35:12 38:10

consistent
4:10,15 8:21 10:15 14:9 47:9 49:19 53:14

construct
3:12

constructability
17:24 18:11 22:21

construction
21:16 33:8,16,19 63:6

consultant
62:13 63:16

contamination
61:12

context
27:21

continue
4:1 68:17,19

continued
55:14

continuous
24:5

control
26:12,14,16 41:5,12,14, 15

convenience
46:6 66:24

conversation
11:17 27:22,23 29:3

convoluted
53:19

coordinate
7:21 8:7

correct
13:15 17:12 21:8,11 31:5 47:17 54:3 60:14 61:24

correspond
7:23

couldn't
17:22 20:13

counsel
51:3 53:20

couple
9:4 17:6 34:20 39:10 57:16 63:15 65:9

course
24:16 29:20 39:15 45:15,22 53:9 55:23 67:4

covered
39:18

create
18:24 26:3 28:15 31:17 47:2

created
26:2 35:7

creates
28:12 30:13

criteria
23:6 65:19

criticism
23:6

crying
45:12

CUBE
5:2

current
7:19 8:20

customarily
56:21

customizable
12:13

cycle
15:9,13

D

Danesh
62:10 67:11,17

date
40:20 53:3,4,22 54:1,5, 6 56:3,15 57:6

dated
53:2 54:15 55:2

dates
53:20 54:2

daughter
46:12

David
62:10 67:11,17

day
38:5 45:17 53:19 58:20 63:7

days
56:16,22 63:15

debate
17:20

decades
37:11

decent
16:20

decibel
16:5 28:15 36:15

decibels
27:20,23 28:4,9,10,11 29:3 32:22 36:5

decide
36:2

decided
24:1 41:4

decision
48:15 56:17,23

decisions
22:8

deck
18:10

degree
9:19,21 38:1

degrees
35:13,18

deliberate
56:23

demand
40:11 46:20,22

department
5:9 36:22

departments
55:17

depend
45:14

depending
26:14

deputy
48:9

description
68:8

design
8:4 19:11 22:15,18 23:5,16 25:22 47:15 49:7 61:15

designers
16:24

designing
17:23

designs
3:19

detail
18:12 67:7

details
6:10 7:12 62:9

detect
44:6

developed
25:11

developer
25:6,12 38:9

developers
42:14

development
25:13 34:24 36:4 39:23 62:11

diagram
29:14

didn't
8:13 25:22 26:1 29:5 41:4,9

Diesel-powered
28:10

difference
47:16

different
6:7 7:11,14 9:5 12:19 15:9 17:16 20:5 21:18 23:21 52:7 55:17

differently
38:2

dimensions
50:24

direct
13:4

directly
18:3

director
48:2,4

discuss
56:16

discussed
13:24 55:1 63:5 67:24

discussing
4:3 57:1

discussion
3:19,22 9:6 11:18 61:14

disparity
15:16

dissipating
65:1

disturb
3:6

doesn't
10:24 12:7,9 31:19 38:15 41:6 44:11,17 47:15 57:22 58:22

dog
45:4

doing
20:23 22:15 27:10 38:22 44:16 59:14

don't
3:6 6:20 11:22,24 20:21 21:1,15,24 26:16 28:21 31:14 33:8 34:11,14 41:7,8 44:2,20,23 45:17 47:2 49:11 50:14 51:6 53:4,12 54:1,7 56:13, 14,17 57:23 58:16 59:3, 9,15 60:19 62:8 64:12 66:11

door
9:2,7,10,12,13,14 10:1, 6,9,10,11,14,22 11:15 12:2 14:2,4,18,20,24 15:2,3,6,11 16:12 26:19 31:11,22,24 32:1 36:19 65:11,12,13,18 66:1,4 67:5

doors
4:13 5:10 9:5 15:5,10, 12 16:3 65:16

DOPAZO
52:11

doubles
9:21

downstairs
66:12

downtown
24:20 33:13

draft
55:15,16

drastically
40:7

draw
4:11

drawing
5:21 6:19

drawings
7:23 8:2,4,7

drive
26:11,13 30:3

drivers
9:22

driveway
10:8

driving
26:23 28:8

drop
30:11

dry
62:17

Dually
42:17

due
8:3

dwellings
19:2

E

earlier
11:12 19:3 61:6,12 64:15 65:10

early
25:8 43:15

easier
21:1,2

easily
47:9

East
33:12

easy
25:18 26:5

edge
23:3

effect
57:13

effective
25:16

effectively
25:2

Eight
29:15

either
18:7 20:22 21:16 30:4 41:13,19,20 48:17 59:10

electric
27:1,13,16,18 28:9,17 29:9 30:12 57:24 58:1, 5,20,23 59:5,11,23 60:10

electrical
39:7 46:20,22 59:2,7 60:12

electricity
38:15,17 46:24 59:12

elements
22:22

elevation
4:12 5:14,18 6:9 7:13 8:17,20 20:1 21:23 22:9

elevations
8:21 17:3

embedded
30:15

emergency
38:14 39:4 66:19 67:4, 5,12,16

emits
9:16

empty
40:9

enable
45:8

enclose
11:8

encompass
50:16

encompassed
50:8

ended
14:9

engages
30:19,20

engine
28:5 44:24

engineer
62:2 63:24 64:12

engineered
26:15

engineering
53:17

engineers
21:2

England
37:19

Engler
3:16 4:5,6,7 36:7,10 49:21 50:20 53:11,12 54:13 56:8 57:8,10 58:18 59:9,21 60:17 63:12

enjoy
3:6

enter
30:23 31:2 41:18

entering
31:7,15

entire
7:4 22:1 27:18 35:3 51:6

entirely
12:19

entry
10:8

environment
35:2

environmental
61:6,7,10,20 62:13,16 63:16 64:8,11

equipment
27:7

equipped
60:11

especially
15:10 22:9

Europe
37:4

evaluate
16:4

evening
4:8 8:21 24:11 68:12

evolving
8:4

exact
35:19

exactly
4:8 31:12 32:2 49:24 50:7 55:18 59:4 64:4

example
49:15 50:13

exceptionally
32:21

excessive
47:2

exclusively
27:19

exist
25:5 44:17 45:8

exists
34:22

exit
66:19 67:4

expect
36:17

expecting
65:17

experience
16:2 23:16 65:15

experienced
40:19

experts
63:4,10

explain
20:13 29:15 41:24

exposure
10:19

expresses
5:23

extend
57:5,12

extension
56:6,9,11,13,18 57:7

extensively
37:17

extent
8:14

extra
44:4,14

eye
7:2

F

F-r-e-d
43:24 61:4

facade
5:23 6:8,18 7:5 16:14 18:23 22:2 53:9 67:7

face
18:8,18

face-to-face
27:22

faces
5:15

facetious
44:12

facilities
49:8

facility
32:11

facing
7:9 18:23 21:6

fact
8:3 28:16 31:12 32:21 58:6 60:7 62:3 63:17

factoring
22:10

factory
12:8,13

factory-applied
12:12

factory-painted
13:9

fade
16:22

fair
17:18

fairly
16:18

falling
36:4

falls
23:6

far
24:23 27:8 35:11 49:14

father
44:10 46:11

favor
49:22

feature
6:20

features
5:17 46:9

fee
59:22

feedback
5:6

feeds
60:12

feel
6:14 11:14 18:18 21:15 48:18

feelings
20:22

felt
18:16

fence
30:21 31:4

fiber
5:24 22:16

field
12:14

figure
51:3

figured
45:23

files
57:14

final
52:21

financially
22:19

find
10:12 18:8 27:13

finding

16:21

fine
10:17 23:11 57:9

first
3:16 6:15 10:4 16:16 17:24 33:20 34:4,6 35:4 39:18,19 48:14 49:1,5 63:13

fit
42:16,21,24 43:2

fixed
32:20

flake
12:10

flat-paneled
15:6

flexibility
13:6 47:14

flexible
9:8

flipping
8:16

floating
7:8

floor
14:19 16:6 22:13 23:2,3 28:20,21

floors
6:16

Florida
39:10

fob
26:14 41:15

focus
9:6

focused
38:11

follow
42:3

foot
31:20

footage
8:14 22:12

footprint
7:21 8:6,9,15

forever
47:4,5

forgot
41:17

forgotten
29:16 49:23

formally
53:1

forth
35:8 40:14

foundation
61:22

founder
27:9

four
3:13 32:5 37:11

fourth
33:23

frame
29:21

framing
18:9

France
37:18

Fred
43:23 61:4 62:14 64:5

free
59:14

freebie
59:17

frequently
8:1

fresh
63:14

friends
3:24

front
6:24 22:11 54:9

full
11:23 20:9 40:9

full-sized
43:4

fully
37:16

fun
39:11

function
37:1

functional
41:23

functionality
9:17

functioning
32:16 34:18

functions
30:4 32:1

further
28:3 57:7

future
59:6 60:3,13

future-proof
38:4

G

galvanize
35:3

galvanized
35:9

garage
4:13 5:10 7:19 9:2,5,7, 20,23 10:3,9 14:2,4,6, 18 16:12 31:10,22,24 36:19 40:4,5,12,13,15 51:12 57:21 58:2 59:14 60:13 65:11 66:3,24

gas
64:20 65:1,7

gasoline-powered
28:4

gate
31:18

gathered
12:22

gear
32:20

gears
30:18 32:17

general
5:17 22:20

generally
26:14 32:10 39:12 40:23 47:11

generator
38:14

generators
39:4

gentle
45:24

gentleman
62:17

Geoff
4:7 5:4

Germany
27:16 37:18

getting
3:24 11:7 26:17 34:2 50:1 63:3

giant
44:24 68:4

GILBERT
52:11

Ginsburg
4:17 24:11,16,17 29:10, 12,20 31:5,8,12 32:8, 10,19 33:4,7,10,18 34:1,3,6,19 35:23 36:8 37:6,9 38:16,19 39:9, 15,21 40:17,21 42:7,15, 22 43:10 44:17 45:15, 22 46:2,7,22 47:11,17, 21,24

give
25:4 28:3 50:12,15,16 53:10 56:9,19 57:7 60:21

given
16:19 21:20,23 47:2

giving
24:12

go
3:5 4:9 5:3 8:6 11:4,19 13:8 14:18 17:2 19:10, 18 22:24 23:15 41:11 43:17 55:15,21 57:18 62:20 64:3,21,22 66:22, 23

goes
10:1,8 38:20 49:14 62:7

going
5:3 7:4 9:8 10:19 11:4 12:17 14:7 15:20 16:17 18:11 20:15 21:21 22:23 26:6,22 28:24 34:5,24 35:20 42:16 45:3 48:1 55:13 57:11 60:1 62:5 64:15,21 65:16,18,19,20,22 66:11,18,20,21,22 67:1, 3,8,19

good
16:18 24:11 34:19 60:23 66:7

grade
18:4,5 36:9 62:21

Grand
39:22

gray
6:3 7:3 12:24 13:3

great
14:14 20:18 27:11 50:4

gross
22:12

ground
28:20,21 62:6

ground-level
30:4

Group
25:13

guess
3:10,21 15:20

guy
24:18

guys
16:17 24:13,24 25:18 26:9 29:6

H

hairdryer
47:1

half
37:12 40:17

hand
5:11 57:17

handicap
50:13

handle
61:21

hands
5:9

happen
31:19

happening
10:2

happens
56:20 58:24

hard
46:7

harder
18:19

harsher
18:19

Harvard
3:11

hasn't
66:4

hate
59:23

haven't
19:15 25:1 45:22

he's
23:16 25:7 59:4

head
53:15 63:10

headlights
9:24

health
64:17

hear
3:23 23:9 32:24 48:1

heard
5:6 7:24 49:21

hearing
3:8,10 4:1,10 5:7,14 7:15,17 8:12 24:1 52:20 55:13 56:10,22 57:12 63:13,15 64:10 68:17, 19,21

hearings
50:5

heat
44:22 45:1

heavy
46:17

help
21:21

helpful
32:3 43:9

helps
6:23 10:2

here's
56:8

Hi
62:10

high
36:16

high-speed
15:10

higher
6:1

hill
62:19

historic
61:12

hit
35:20

hits
35:15

hitting
41:10

hold
16:15

holes
17:22

home
18:23

homier
19:6

Honestly
63:12

hook
39:4

hooks
46:9

hopefully
35:20

hoping
4:8

horizontal
6:15 10:5

hot
44:24

house
60:15

houses
63:3

housing
3:14

huge
42:17 59:17

human
27:22 46:1

hundreds
37:19

hurt
46:13

Hussey
3:9 12:15,20,22 13:8, 12,16,20 14:15,21,23 15:4,14,19,24 16:8 17:2,13 19:1,16,24 20:4,6 21:5,9 37:3,4,8 38:13,18 39:6,14 43:7 49:3 55:8 57:9 58:14

Hussey's
23:12

HVAC
36:13

hydraulic
27:3

I

I'd
16:12 17:2 23:15 24:9 50:6

I'll
5:10,11 16:23 52:11 60:17 63:19

I'm
3:7 5:3 8:16 9:23 11:4 12:12 16:24 19:14 23:11 24:5,17,18 27:8, 9,23 28:1 29:6 37:15 43:17 44:12 46:11 49:21 50:10 51:13 52:3 57:10 62:10 64:6,9 65:22

I've
14:16 29:15 39:10,11 63:24

identify
24:14 43:21 65:13

idling
28:6

image
6:12 11:4

images
9:4,6 12:23

imagine
25:1 26:16 29:21

immediate
64:20

impact
25:20 34:17 61:15

important
35:4,11 50:19 53:22 54:5

impose
36:3

impressed
24:6

include
44:9

included
48:23

including
3:13 46:9 49:9,22

incongruous
19:4

incorporate
46:8

individual
27:2 32:13

industrial
10:14

ineffective
27:5

inefficient
26:1

information
3:21 8:8,14 24:8 54:8 56:12 57:3

innovator
25:8

inside
10:2 45:1

inspector
36:22

install
34:10 39:19 44:14 60:14 63:22

installations
33:6,21 42:5,8

installed
31:23

installing
58:4

instance
23:1

integrate
25:6

integrated
30:22

intends
61:24

interchangeably
40:2

interest
6:18 49:15

interested
49:24

interesting
17:7

interior
10:23

introducing
22:22

introductory
3:16,17

inverted
17:7,9

iphone
42:2

isn't
13:24 59:19

issue
20:22 29:5 36:23 41:22, 23 60:20 62:22 63:1

issues
40:23 41:16 60:8

it's
5:18 6:7 7:2,17,18 9:16 10:14,16,18,19,20 11:1 12:8,12,13 13:17 14:17 15:8 16:5 17:18 18:3,18 19:4,6 21:14 23:14 25:12 26:16 28:6,7,16 29:2,8,22 30:1,19,23 31:3,15 32:11,20,21 34:14 35:19 36:12,24 39:11 41:23 42:1,3 44:18,24 45:5,18 47:11, 24 48:23 49:11,19 51:10 52:1,3 53:5,13 54:15,16 56:21 59:16 60:1,6,23 63:14 64:21 66:17 67:3,11,12

iterate
38:3

its
27:10

J

Japan
37:11,13

Jennifer
52:9

joined
4:16

judge
36:23

juice
58:13

jumped
17:21

jury
36:23

K

Kate
3:3,7

Kates
57:19 58:4,9

keep
4:19 14:8 25:23 60:23 66:3,11

keeps
7:4

key
38:20

kid
31:9 44:11 45:3

kids
31:14

kilowatt
46:23

kind
5:22 6:20 7:1,3,5,24 8:5 9:21,24 10:6,9,15,24 11:13,17 13:3,24 14:4, 10 15:12 18:3,23 21:22 25:10,20 32:11 35:4 44:7 64:7 65:1,12 68:3

know
10:7,19 14:9 15:19 21:1,24 22:7,9 23:1 24:2 25:7,19 26:10 28:5 30:1 31:18 34:11,13 35:3,5,8 41:24 42:1,17 43:1 44:11,12 45:7,15, 18,21 46:14 47:3 49:17 55:18 56:13 57:16,23 59:16 60:17 62:8 65:2,4 68:5

knowledge
34:14

known
56:5

knows
59:11

Korea
37:19

L

land
65:3

landscape
7:20

landscaping
8:8

language
51:4,10 52:3,10

lap
5:24 6:2 18:20 19:22 21:4,19 23:20

larger
20:11,12

largest
38:8 42:12 46:20

Lark
3:8 16:9 19:7 20:20 23:14

lasers
31:16

lasted
39:8

latest
7:23

layer
23:3

lead
37:20

leave
16:23 43:15 51:3

Lebow
62:14

left
6:2 41:4 44:6,10 64:7

length
6:9 7:4 22:2

let's
17:3 19:24 22:11 31:19 44:16 53:6 54:2 56:20 64:16

level
3:20 5:18 9:15 10:15 11:16 28:15,20 32:15 33:1 34:18 36:15 60:9, 12

lifetime
39:6

lift
3:20 15:21 36:13,18

light
11:7 13:5 67:19

limited
49:10

line
64:23

liner
40:4,5

lines
6:17

list
3:23 48:7,9,18,19,23 49:24 50:9 52:21 55:15

listening
50:4

little
5:19,22 6:7,8,11,14,18 10:8,13 11:1 17:15 18:17,18 28:7 31:10 33:20 34:6 35:16 38:4 44:4 53:7,19 67:7

live
24:19 35:24 39:9

living
16:5

loads
47:3

local
24:18,21 51:21

location
18:1,5,14 52:7

locations
9:5

locked
66:22 67:15

long
29:5 37:5 43:1,4,14

longer
15:12 47:6 66:12

look
4:14 5:10,19 6:22 7:7 14:12 15:8,17 17:3 19:24 45:6,16 55:21 64:3 65:7 68:3,9

looked
5:22 64:12

looking
6:12 7:6 10:17 16:17 17:22 50:10 68:1

looks
13:4,18 14:16

lot
5:13 15:11,21 22:23 25:1 29:6 33:7 42:2 61:8,10 62:15 65:15

lots
40:9

loud
16:6 27:4 36:24

louder
28:2

loudest
28:6 33:1

loudly
43:21

low
36:16

lower
30:10,14

lower-level
28:23 30:12

lowers
30:19

lubricated
32:20

luxury
39:23

M

ma'am
31:8 32:8

main
22:2 25:14 46:5

maintain
11:15

maintenance
27:6 39:1

major
39:7

making
17:8 22:21 27:16 53:14

manually
38:16

manufacturer
27:13 36:12,14,21 38:9

manufacturers
27:18

Marblehead
24:19

Marion
11:13

market
25:10 58:6

mass
7:3

matched
14:11

matches
17:15

material
6:4 10:17 14:3,5,10 18:19,21 21:18

materials
17:16 38:10 67:23

matter
20:16 53:13

matters
54:1

maximum
28:18

mean
22:15,19,20 32:19,22 33:17,24 44:22 59:10 60:11,16,18

meaning
31:3

means
10:10 23:20 41:21

meant
10:18

mechanical
32:17 33:3 37:21 63:23

mechanically
29:8,19

mechanicals
36:13

meet
24:4 55:16 65:24

meeting
3:6 19:9 61:6 66:11,13

meetings
8:22

memory
64:2

mentioned
5:4 31:13 44:1,8 55:13 61:7 64:11 66:4,9,16

Mercedes
43:3

mesh
10:17 13:17 14:4,10

metal
10:18 14:4 15:23,24 16:1

microphone
57:18

Mike
48:10

million
37:12

millions
37:22

mind
54:23 60:23

mine
39:17

minimum
56:9

minivans
42:17

minor
48:10

minutes
45:13 66:14

missed
57:23

moisture
35:6

monitor
59:18

monochromatic
10:15

months
35:9

mother
44:11

motion
31:16 45:2

motor
27:2,13,18,21 28:24 29:9 30:11,18,19,20 32:23 33:2 35:11 47:1

motors
27:1,14,16,19 28:2,13, 18 35:10,13 38:21 46:17,19,20,24

move
28:21 38:24 58:21

moves
58:22

moving
10:1

multifamily
19:2 20:10 25:11

multiple
59:2

multistory
20:10

N

name
3:3,7 24:16 43:23

natural
67:19

near
9:23 58:11

nearly
13:22

necessary
48:21 56:14

necessity
50:13

need
11:16 18:7 28:21 49:23 51:6,7 54:12,17 56:9, 11,14,18 58:7 67:19

needed
23:5 38:24 40:8 59:6

needs
9:13,19 16:19 22:14 36:14 49:18 53:24

negative
35:13,14,15,17

neighborhood
18:22

neighborhoods
20:12

neighbors
25:20

never
15:7 16:7 35:20 62:18, 21

new
22:22 24:24 25:8 44:16 53:10 56:11 57:3 64:15

nice
14:12 35:24 46:2

night
55:22

noise
3:20 4:18 26:8,9 28:13, 15,22 29:1 30:14 32:16 52:15 65:17,19

noisier
15:5,21

normal
27:21 35:17

north
20:1

note
48:19

noticeable
32:22

notion
18:16

number
29:16 35:19,20 36:6 46:8 58:5

O

Oakland
39:21,24 40:9

object
57:2,3

oblivious
44:9

observation
65:8 66:6 67:6,24

obviously
4:20 27:8 28:6 38:22 46:17 66:17

occur
57:6

October
4:2 55:14,19 56:3,7,10, 15,18,20 57:1,5,6,12 68:20,22

oddball
42:24

off-street
49:8

offer
47:13

offices
24:20

oh
12:20 38:18 43:12 53:18 68:18

okay
3:2 4:24 12:22 17:2 34:2 38:13 39:14 43:8, 10,19 46:2,4 47:18,22

48:24 49:5 51:17,23 52:13,17,24 54:24 55:3 67:13,18 68:15,21

old
3:24 68:5,10

once
3:4 35:14 41:2,3

one's
34:6

one-time
59:16

ongoing
42:9

opaque
67:19

open
4:20 63:15 64:7 65:12

openings
14:13

openness
9:19,21

operate
9:14 35:1,14

operates
36:11

operating
25:2 30:23 31:3,15,21 33:9,10 35:17 37:23

operation
9:16 14:17 37:5

operational
35:12 40:24

operations
38:11 46:6

opinion
20:19 53:21 63:21 65:15 66:8 68:3

opinions
11:18 65:11

opportunity
18:20 22:1

opposed
27:2 33:2 36:15

option
10:4,9,13 11:12 65:12

options
5:10,20 9:3,11 11:11,15 13:5 17:23 44:20

order
3:3 50:18

original
19:11

outdoor
10:19

outlet
59:7

outlets
58:11

outside
3:5 26:19 36:9 67:5

overhang
10:23

overhead
15:12,21

overseas
25:2

ownership
40:12

P

P-i-n-c-h-e-s
43:24 61:5

p.m.
3:1 68:24

packages
46:8

page
48:11 49:6 51:18

paid
31:13

paint
6:5 12:4

painted
6:5 12:3,13

painting
14:10

Palermo
3:8 16:11 19:9,14 20:21 21:15 23:15,19 29:7,11, 13,18 31:2,6,10 32:3,9, 15 33:1,5,9,16,23 34:2, 4,16 35:22 36:1 37:2 49:4 60:7 62:2 63:19

palette
12:6

pallets
29:24 30:5,6,12,14 35:9

panel
41:12,15

paragraph
49:20 51:14

park
26:22 32:7

parked
41:3

parking
24:10 32:6,14 37:21 40:4,8 42:11 49:8 50:13 57:21,22 58:11,12 59:22 61:8,9

part
8:3,17 35:4 62:11

partial
9:20

particular
15:2 19:8 20:11 48:21 49:9

particularly
51:11 65:7 66:1

parts
4:21 56:23

passing
28:12

pay
36:9

pedestals
25:23

pedestrians
9:23

peer
61:7,20 64:12

people
3:3 16:5,6 26:6,17 27:22 31:14 32:6 39:2 40:10,24 41:5,10,17 43:13 44:2,8,23 50:4 58:6 66:18,21,22

people's
45:18

perceive
22:1

percent
13:18 35:14 40:22 41:16 42:23

perforated
10:5

performs
36:20

perimeter
44:1

permit
3:11 4:4 48:12,22

person
31:9 32:13 59:23

perspective
6:22 27:6 28:3 35:21 44:22

perspectives
8:24

Peter
3:18 5:2

pets
31:14 44:7,10 45:19

phase
47:12

photo
12:18

photograph
12:20

pick
45:3 53:3,22

pickup
42:18

pictures
11:22

piece
30:2

Pinches
43:17,19,23 45:11,21 46:1,4,16 47:8,14,18

61:3,4,19 64:5 67:14,18

place
20:9 35:24 37:5 65:2

places
58:7

plan
3:15,17 4:14 5:7,8 7:16, 20 8:10,17,19 50:22 51:1,7,11,12 53:2,5,9, 10,16,17,23,24 54:5,12, 16 55:3,5,6

plan's
54:14

planning
5:9 8:19 33:17 38:13 48:4

plans
8:11 48:21 53:15,20 54:2,18,20,21 55:1 67:6

platform
30:20,21

platforms
30:17

please
11:20 24:15 36:8

pleasure
47:24

plug
58:13 59:14

plugs
59:2

point
7:2 18:6 42:15 51:9 65:21

poke
17:22

Polly
48:3 51:3

pop
57:17

portion
5:12

position
60:9

possible
58:10 61:12 65:23

possibly
27:7 46:15 64:24 68:7

potential
65:6

Poverman
3:2,3,7 4:23 11:19,22 12:23 13:7 14:14 15:23 16:9,15 19:5,21 20:13 22:19 23:11,22 24:14 31:9 37:3 39:17 40:16, 18 42:5,12,21 43:5,8, 12,20 47:19,22 48:1,5, 24 49:5 50:12 51:17,23 52:8,13,17,23 53:6,11 54:7 55:3,6,11 56:4 57:15 58:10 59:1,19,22 60:15,21 62:6,23 67:12 68:13,21

powder
12:3

power
39:3,5

powered
29:9

precaution
44:14 64:14

precautions
61:16

preclude
59:24

prefer
13:21 16:13 19:17

preferable
21:17

preliminary
65:11

premier
27:17

prepared
26:24 57:10

present
57:2 65:2

presentation
3:18,21 4:9 7:22

presented
8:22 11:12 54:8 55:2,10

president
24:17 27:10

pretty
4:14 10:20 11:5 13:17 27:10 40:22 62:13,15, 22 68:7

prevalent
20:11 60:1

prevent
63:6,22

prevents
31:6

preview
4:13

previous
8:12,22 11:4

previously
4:15 14:2

primary
58:15 59:5

principles
25:14

prior
55:20

probably
4:2 13:20 33:21 34:9 65:14,16

problem
42:23 56:24 58:18 64:14 65:6

problems
40:18

procedure
42:3 56:1

proceedings
3:1 68:24

process
8:5 48:12 51:24 55:16 57:12

produced
33:2

product
23:21 52:22

project
5:6 7:9 9:18 12:19 37:15 38:14 39:18,20, 22

projects
25:12 33:14 42:9

prolific
37:11 38:7

proof
40:22 46:1

properties
60:4

property
64:23

proposal
3:12

proposed
37:15 51:8 61:9

proposing
6:5 9:9 10:10 63:17

prospect
26:9

protect
63:3 64:19

protection
31:1

proven
38:1 51:1

provide
5:4 27:14 38:23

provides
7:1

providing
60:9

provision
50:3 51:6

provisions
57:24

prudent
44:3,5

public
32:11 34:14 43:13 56:21 57:12 63:14 64:17

pulling
63:23

purposes
45:5

push
41:13,21

pushed
18:13,15

put
9:4 11:17 18:22 27:21 49:23 58:10 60:9 61:24 63:8

putting
19:22 45:24 46:3 67:9

Q

Q1
33:21

Q4
33:21

quality
38:10

quarter
33:24

question
14:16 17:18 18:2 34:20 46:5,16 53:13 57:21 61:11 63:20 64:7,11,13, 20 65:7 67:21,22

questions
4:20,21 16:10 24:13 29:4,7 33:5 39:16 43:5, 13,16 57:16 66:9,10

quick
3:17 8:16 25:4 65:9

quickly
4:9 5:3 26:10 68:1

quiet
16:3 25:18 26:7 28:7 32:21

quite
33:12 37:18 45:6

R

radius
33:6

radon
64:13,16 65:7

railings
14:6

rails
30:15,16

rain
35:7

raised
20:22 24:19

raises
30:20

range
36:5 42:20

rapid
15:20

rated
35:13

reach
62:18

read
45:1 48:17 63:7

real
8:16 21:12,14

realistically
60:18

really
6:20,23 7:12 11:5,11 13:24 16:3 17:19 18:12, 17 20:10,21 22:1,15 25:22 28:23 30:4 32:21, 23 35:11 36:24 37:10 38:1,8 40:10 41:2,22,23 45:5 47:15

rear
4:11

reason
23:23 31:18

reasonable
42:19 45:16

reasons
17:20,21

receive
10:20

recessed
10:7

recognize
34:11

recollection
15:4

recommend
36:5

recommendations
63:9

recommended
64:1

record
4:6 5:1,7 8:10,17 53:2 55:5,6 57:11 63:18

red
10:10 11:19 12:16 13:8 14:17 19:3 41:13,21 65:13 66:1

redate
54:12,18

reduced
22:12

refer
51:11

reference
50:22

referenced
53:23

reflect
7:18

reflected
14:6

reflective
8:19

regular
14:18 15:6,21

regulations
60:3

regulatory
48:4

relate
57:22

related
48:21

relation
63:4

relationship
18:24

relative
4:18 53:20

relatively
16:3 25:24 27:5 46:23 47:4

relativity
24:24

releases
38:21

reliability
38:11

reliable
25:17 26:5

reliably
45:8

remarks
3:16,18

remember
63:20 64:4

remind
63:19

remote
26:12,14,16 41:5,14

removal
48:12 51:24

remove
52:6

removed
50:3

rent
16:7

rental
3:13

repeat
65:8

replace

52:7

replacing
19:22

report
3:22

represent
11:14

representing
4:7

request
50:20

requested
4:12

require
36:15 58:15 60:5

required
44:15

requirement
52:2,15

requirements
49:9,12 65:24

reset
41:19,20

resident's
26:22

residential
3:12 60:4

residents
25:19 26:12 38:22 40:6

respond
23:5

response
47:20

responsibility
45:18

rest
30:2,5

retail
3:14 40:4,5

retained
40:12

retrieve
30:9 38:17 39:3

retrieved
41:3

retrofit
40:11

retrofitted
40:15

review
61:8,10 64:8

reviewer
61:7,21 64:12

revise
53:18

revised
53:2

revising
51:10

revisions
56:5

revisit
63:16

rid
50:17 52:14

right
4:5 6:2,3 13:19 15:14 16:8 17:11 19:12 27:24 31:12 33:10 38:15 41:8, 12 42:9 44:16 52:8 53:12 54:4,10,22 55:11 59:1 60:3 62:4 63:11 64:16,24

road
28:8 34:14

rock
47:7

rodents
66:3,5

roll
63:10

roll-
15:9

roll-up
9:14 10:5 14:20,21,24 15:3,5 16:3 26:19

rolled-up
14:17

rolling
15:20 65:15

rolls
26:20

room
3:5

roughly
27:23 29:3

routine
66:20 67:3,9,11,20

Rover
42:20

run
27:1,20 28:9,10,18 35:17

runs
28:4 37:13 47:1

S

S-class
43:3

safe
42:4 46:11,15

safety
30:21,24 40:10 46:5,9 61:16

Salem
24:20

salt
35:6

sand
12:16 35:6

satisfactory
54:11

satisfy
65:18

save
8:24

saw
8:20 57:17

saying
8:2 12:12 14:3 21:2 23:10 48:20 57:11

says
52:6 54:15

scale
6:24 7:13

scoured
27:12

screen
11:12

screening
14:5

se
6:21

Seaport
33:13

seat
44:12 45:3

SEB
4:7

second
11:20 18:15 49:6 66:19

seconds
15:11 22:3,5 28:18,19 29:2 41:24

section
8:23 49:7 50:6,11 66:2

secured
67:15

sedan
43:1

sedans
42:24

see
6:23 9:8,24 10:4 11:5 14:5,15 22:5 36:4 38:4 46:13 49:1 52:21 56:2, 20 63:16

seeing
20:8 68:15

seen
4:15 7:17,22 13:2,3 18:21 25:1,9 41:22

seize
35:16

selectmen
48:13 51:19

self-perform
26:2

Selkoe
3:22 12:1,7 16:14 21:12 48:2,3,6 50:10 51:21 52:5,9,16,19,24 53:8 54:4,10,22 55:5,9,12 56:24 59:3 60:2 61:18, 20 62:4,8 64:3 68:17,18

semiopaque
67:10

sense
19:17

sensor
31:24 32:1 46:8

sensors
30:24 31:16 44:1,6,23 45:2,3,11

September
53:5,6 54:16,17,19 55:2

Series
43:3

serious
64:17

service
38:23 58:15 59:5 60:10, 12

session
56:6

set
8:6 9:5 23:2,3 51:11,12 53:16,17 54:16

setback
8:13

setbacks
22:13

seven
29:15,17,18

SEW
27:15

shadow
6:17

shelf
18:4

shingle
5:24 6:4 18:21

shingled
22:16

shining
11:8

shocked
51:13

short
3:17 45:7

show
12:15

shown
7:14 8:11 13:1 50:24

shows
17:4 67:6

side
11:7 17:1,23 19:18 22:2 30:6,10,13,16 64:22 66:15 68:4

sides
6:13 11:1 17:4

siding
5:24 6:1,2,3 18:20 19:23 21:4,19 22:16 23:20

Signature
25:13 34:24 39:23 40:2

significant
59:12

significantly
43:4

silver
13:4

similar
6:6 37:14

simple
29:22 30:19 42:2,3 50:21

single
49:13

sir
46:3 47:17

site
61:23 62:1,18

sits
14:19 18:2 21:24

situation
65:23,24

situations
45:14

sky
11:1

slanted
62:20

slats
10:5 30:1

slide
30:6,10,16

slides
30:13

slightly
6:6

slow
27:5 35:15

small
30:11 46:23

so-called
61:9

solely
40:6

solid
13:17,18 17:21 30:1 47:7 66:1

solution
16:20 50:21

solves
60:8

somebody
31:20 41:8,18 42:1 46:14 54:15 58:12,20

Somerville
33:13

somewhat
15:5 25:8 27:8,24 44:12

sorry
43:17

sort
10:17 14:8 17:6,7,9 18:24 31:3 40:18 42:19

sound
9:15 15:16,17 16:4 32:15 33:2

South
33:12 34:7

southeast
17:3

space
3:14 7:9 11:9 21:20,23 26:21 32:13 42:11 50:14,24 58:23

spaces
29:16,18 32:5 34:7 37:13,20,22 58:19 59:2

speak
43:21 61:2

speakers
28:1

spec
35:14

specific
23:5 60:10

specifically
4:11 9:12

specificity
50:19

specified
50:7

specs
36:11,20

speeds
9:15

spent
5:13

spill
62:16

spot
26:21,23 32:14 45:1

square
8:14 22:12

stacked
30:8

staff
8:19

stair
5:23 9:1 18:8 19:19 21:3

staircase
66:15,16,17

stairs
66:18

stairway
20:15

stairwell
19:12 21:18 23:21 66:17,20,23 67:2

stand
43:21

standpoint
16:5 18:10,11 21:17 23:8 24:7 37:21

Star
44:22

Starbucks
61:9,13

start
4:3 6:24 7:12 11:8 33:20 35:15

starting
28:14

starts
28:5

state-of-
60:23

state-of-the-art
60:19

statement
14:12

station
58:1,16,21 59:20

stations
58:11

stay
23:24

steel
29:21 30:2 65:16

step
48:14

stepped
31:20

steps
8:5 63:3,5

stop
3:4 31:21

stops
32:1

storms
39:10

street
3:11 5:16 7:2,8,10 11:13 18:3 20:8 22:4 48:16 57:20

stricken
51:16

strong
20:21 23:22 59:5

strongly
21:16

structural
20:23 21:1,7 23:2 29:21

stuck
41:8

Studio
5:2

study
61:8,11,17

style
9:7 14:1

styles
9:4

submit
53:18,24 54:19 56:11 57:13 63:18

submitted
5:8 8:18 48:8 53:14,15, 17 55:4

substantial
35:19

subtle
6:11,17

Suburbans
42:17

sufficient
43:22 60:12

suggest
48:10 56:9 58:14

suggested
17:7,8 19:10 52:10

suggesting
59:4

suggestion
60:8,22

summary
5:5

summer
35:8

sun
10:24

superficially
68:2

supplier
38:9

support
18:9 20:24 29:23

supported
30:17

sure
11:21 20:2 22:22 24:7 29:6 32:19 34:19,21 39:21 42:3 46:10,15,22 52:3,12 55:17

surprise
50:4

surroundings
44:9

sustain
35:5

SUVS
42:16

Swampscott
24:19

swipe
41:15

Switzerland
37:18

system
4:18 10:5 13:6 24:10 26:4,11,20 29:8,20 30:22,23,24 31:2,15,17, 20,21 32:1 33:3 34:12 35:3,5 36:11,13,18 37:1,17 38:5 41:1,4,6,8, 9,10,13,17,18,20 42:13 44:2,10 57:22

systems
24:23 25:7,10,16 27:1, 3,14,19,20 28:16 33:19 34:10,21 36:18 37:4,14 40:19 44:6 46:10,13 63:23

T

take
14:7,8 15:12 17:3 18:20 19:24 41:24 45:18 56:5

taken
6:3 37:20 45:6 48:16 63:3,5

takes
28:19 59:12

talk
3:5 4:17 9:11 24:9 29:6 34:15 38:5 60:17 68:11, 16

talked
58:18 63:13

talking
3:4 5:14 9:2 14:3 19:21 20:2 37:15 46:18 62:17 65:17

taste
20:16 23:12

team
53:24 54:18 62:11

technically
56:16

technology
25:9 37:6,10 38:3 44:17 45:8

tell
26:10 48:18

temperature
34:17 35:12,21

temperatures
35:17

temporary
39:4

tenable
25:11

tenant
58:22

terminate
18:7

terms
5:13 9:12 16:22 20:24 22:21 50:18 51:18 63:9

tested
37:24

testify
62:2

testimony
64:2

testing
64:13

texture
6:1

thank
3:4 4:6,22,23 5:1 24:6, 11 37:2 39:14 43:8,10 47:18,21,22,23 48:5 51:17 55:7 57:15 58:9 61:19 68:12,13,22

the-art
60:24

there's
7:3 11:6 15:22 31:3 34:13 37:12,18 38:19 41:19 45:19 48:19,20 53:12 54:14 58:21 59:17 65:16

they'll
66:22

they're
9:5 15:24 16:1,2 19:3 24:24 27:4,5,17 29:1,24 40:14,21,22 45:4 46:15, 23 47:4,6 49:2 51:21 55:18,23 59:13 65:17 67:18

they've
20:22 25:2 27:16 37:17

thing
17:10 18:6,13,15 22:24 32:23 35:11 36:1 38:2 39:12 42:1 44:8 46:12 53:1,8,22 55:12 59:16 68:1

things
8:3 11:2 17:6 34:20,23 38:6 42:18 45:16 46:10 47:4 48:6 49:16 62:23

think
11:11 13:16,20 14:7 15:19 16:11,12,18,20 17:19 19:6,11,16,19 20:17 21:16,20 22:7 23:6,20 27:10 34:15 35:18 36:10,12 42:19 44:5,15 48:23 49:11,17, 23 50:3,8,18,21 51:2 52:1,19 53:4,5,7,12,13, 21 54:1 56:17 59:3,9,15 60:8,18,20,22 61:13 62:14,18 63:8 64:12 65:11,14,16,21 66:1,7 67:21 68:7,11,18

thinking
13:23 14:1 68:6

third
6:16

Thorndike
5:16 7:8,10 18:3

thought
25:24 40:9

thoughtful
14:12

thousand
33:22 42:9 62:19

thousands
37:19

threat
64:17

three
11:13 17:4 28:12 32:5,6 37:11

ties
12:5

time
4:2 5:14 8:18 15:22 24:12 28:13 31:7 42:6 43:11 47:2,3,19 49:16 58:8 59:17 61:10 64:8

timeline
15:16

times
15:9 28:12

today
37:22 45:8,17 48:8 54:8,9

today's
3:8 53:4

tomorrow
57:14

tone
5:17 6:3,7,23 14:11

tonight
3:15 4:9,16 24:12 53:1 55:2,4,10 56:12

top
10:16 20:24 30:8,9 32:6 53:15 63:10

topic
9:3

tower
5:23 6:1 7:10 9:1 18:8 21:3

towers
19:19

town
20:12 48:14,15 60:2 62:15

traditional
6:14

traffic
8:8 28:11

tragedies
44:13

trained
39:2

training
40:24 41:23

transparency
9:22 10:16 11:10

transparent
11:2

transportation
66:13

traveling
22:3

tree
48:12 51:24 52:6

trees
48:16

Trek
44:22

trick
41:2

tried
37:24

trigger
26:20

trim
6:13,15 7:12 20:17

trucks
28:10 42:18,19

true
38:1

trust
23:12

try
38:3

trying
22:13

turning
7:16

two
11:11 15:8,16 17:19,20 18:24 22:3,5 27:22 28:12 30:3,8 31:6 33:5 39:7 40:17 44:20 62:23 63:7

two-thirds
10:6

type
9:17 10:20,22 11:15 22:16 37:6 42:12

typical
10:20

typically
23:4

U

U.S.
24:24 25:9

ugly
25:24

Uh-huh
13:11

ultimately
26:15 27:15 34:23

umpteenth
38:1

unchanged
8:23

underestimated
40:8

underparked
40:7

understand
10:2 23:9 24:13 32:4 40:24 50:20 51:4

understandable
51:15

understanding
26:8

ungainly
27:4

unified
29:24

units
3:13 16:7 33:11 34:8 42:10

updated
7:18,20 8:18 53:15 54:1

updates
5:5,13

uphill
62:21

upper
10:6 22:13 23:2,3 28:20 29:1 30:10,17

use
9:10 12:17 13:21 18:20 22:8 25:19 26:5,13 27:19 40:14 41:1,5,14 46:24 58:12 65:2 66:16, 18,20,21 67:4,9,12,16, 20 68:8

uses
61:12

usual
55:24

V

valet
32:12

vapor
62:7 63:1,22,23

various
42:20

vary
34:7

vehicle
30:7,9,10,11 41:3 44:7 45:19 57:24 58:1,20,23 59:8,11,13,23

vehicles
28:14 38:17 39:3 43:4 58:5

ventilation
9:20 11:16 16:20

vertically
6:17

view
19:7

viewed
10:22

viewpoint
7:5

violating
50:17

virtually
28:22 42:23

visual
6:18,24 9:22 11:9

visually
6:9 11:1

voicing
17:1

volt
47:9

voltage
46:17

vote
55:24 56:17

W

wait
16:15

waive
49:12,17 52:1,2

waived
49:18

waiver
3:22 48:7,9,12,19 49:7, 9,13,24 50:1,14,15 51:5,7 52:14,21

waivers
48:20 50:7 51:19

walk
5:7,11

walking
9:23 22:4 41:10

wall
21:6

walls
21:3,19 23:20

wander
44:2

wandering
44:8

want
3:4 5:4 6:20 9:10,17 11:16 12:3 14:5 16:16 19:18 24:2,5 25:23 26:1,16 29:5 31:14 32:4 38:21 41:4,7,9,10 44:20 46:13 49:11 50:7,14 51:24 52:21 53:3,10,16 55:16,18 57:2 58:17 66:11 68:16

wanted
18:19 20:6 25:6 26:3 30:9 34:22 40:10 53:1 58:12

wanting
68:15

wants
3:23

warmer
6:7

waterproofing
18:10 21:10

way
7:13 14:24 16:3 18:8 20:14,16,17,18,22,23 21:16 23:24 30:7 32:2, 10 34:8 37:16 43:2 44:3 45:24 46:2 51:5 53:18 59:18,19,20

ways
45:16 61:21

we'll
4:19 15:8 38:5 54:13, 17,19 55:15 63:17 64:3

we're
3:23,24 4:8,16 5:24 6:5 7:8 9:9 10:10 14:7 22:10,13,22 24:21 27:8, 10 33:13,15 35:20 44:16 48:1 50:23 51:1,9 57:1

we've
5:5,6 6:3,4,12,14 7:24 8:4 9:3,4 13:2,3,24 18:21 21:22 22:12,18 34:11 41:22 46:7,14 51:1 66:10

weather
34:16 35:6

week
5:8 39:8

weight
29:23

went
5:21 27:15 48:8

what's
10:2 15:3 19:7 20:11 45:23

whatnot
36:19

white

13:4

wide
43:1

wide-open
10:24

width
50:23

willing
3:23

willingness
24:4

windows
6:13 20:17 67:10,19 68:7

winter
35:7,24

wiring
46:19

won't
35:16 40:21 50:14

wondering
61:16

wood
18:9 21:6

words
32:17 52:5

work
24:22 29:8 34:8,23 38:15 42:1 44:23 47:12 56:1 59:10 62:15

worked
46:7

working
29:19 33:14 52:2 60:3

works
4:19 26:10 32:10 51:1

world
27:18 46:13

worried
39:12

worst
65:22

wouldn't
17:14 23:4 38:21 45:13

wrap
4:1

writing
56:4 57:13

written
51:5

Y

Yanovitch
48:10

Yeah
15:24 17:4 19:16 37:8 39:9,17 42:22 51:23 57:9 59:9 67:17

year
33:24 34:1 58:22

years
25:3 27:17 37:9 40:17 47:5 62:19

you'd
31:20 43:15

you'll
55:1

you're
7:2,5 9:8 10:17 11:7 12:17 20:2,7 22:4 25:15 32:13 42:16 43:14 44:15 61:3 64:15

you've
13:14 21:5,9 31:13 32:3,5 40:19 41:2,3,4 45:2 67:23

yup
14:22 21:11

Z

ZBA
3:10 50:5

zoning
60:5