

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

Volume XI  
Pages 1-85

Brookline Zoning Board of Appeals Hearing  
420 Harvard Street Comprehensive Permit Application  
420 Harvard Associates, LLC  
December 28, 2016, at 7:00 p.m.  
Brookline Town Hall  
333 Washington Street, 6th Floor  
Brookline, Massachusetts 02445

Reporter: Kristen C. Krakofsky

## 1 APPEARANCES

2 Board Members:

3 Jesse Geller, Chairman

4 Lark Palermo

5 Kate Poverman

6 Johanna Schneider

7

8 Town Staff:

9 Maria Morelli, Senior Planner

10

11 40B Consultant:

12 Judi Barrett, Director of Municipal Services,

13 RKG Associates, Inc.

14

15 Applicant:

16 Victor Sheen, 420 Harvard Associates, LLC

17 Dartagnan Brown, Principal, EMBARC Studio, LLC

18 Bob Engler, President, SEB

19

20 Members of the Public:

21 Karen, Babcock Street

22 Sloat Shaw, Thorndike Street

23

24

1 PROCEEDINGS:

2 7:03 p.m.

3 MR. GELLER: Good evening, everyone. My  
4 name is Jesse Geller. We are continuing our hearing  
5 on 420 Harvard Street. Seated with me this evening  
6 is the very quiet Lark Palermo, Johanna Schneider,  
7 Jesse Geller, and Kate Poverman.

8 As people will recall, at our last hearing  
9 we reviewed the waivers requests. We fine-tuned  
10 that. We also reviewed a draft decision and, in  
11 particular, reviewed suggested conditions.

12 For tonight's hearing we will once again  
13 review the revised waiver list, and we will also  
14 pick up our discussion and review of the decision.  
15 There was circulated, both this morning as well as  
16 later in the afternoon, redline revisions to the  
17 decision, so hopefully people who are interested  
18 have had an opportunity to obtain that, and we'll  
19 continue our discussion about that.

20 I also want to note for the record that  
21 earlier today we did receive correspondence from  
22 Dr. Pat Maloney giving certain recommendations  
23 pertaining to trash removal, storage. And in the  
24 last iteration of the decision that was circulated

1 in draft form, there were incorporated into that  
2 draft the recommendations that Dr. Maloney had made.

3 Maria, other administrative details?

4 MS. MORELLI: Yes. I just wanted to let  
5 you know that we did ask -- the town did ask  
6 MassHousing Partnership, which is the subsidizing  
7 agency for this project, to look at the revised plans  
8 now that there is an additional parcel -- a second  
9 parcel that is included, and they've received a  
10 letter. It was actually a copy of a letter to  
11 Mr. Sheen and CC'd to the town dated December 28th  
12 from MassHousing Partnership, David Hanafin.

13 And in summary, they have reviewed the  
14 project. The letter they issued is to reaffirm and  
15 update the project eligibility letter. That initial  
16 letter was dated May 17, 2016. MHP has no problem  
17 with the project consisting of two separate parcels.  
18 And it's up to you if you want -- it's a two-page  
19 letter -- if you want that read into the record. You  
20 all have a copy of it in your packet.

21 MR. GELLER: Not necessary to read it.

22 Thank you.

23 I understand you also have correspondence  
24 on calculation of the height.

1 MS. MORELLI: Yes. So we received today,  
2 December 28th, from the applicant's civil engineer,  
3 Brendan McKenzie, dated today, and he just clarified  
4 for the building commissioner how he calculated the  
5 height of the building and what methodology he used  
6 in the zoning code, that is Section 5.30.2A1.

7 And the building commissioner submitted a  
8 memo, also dated today, that confirms that that  
9 methodology is correct.

10 MR. GELLER: For the record, will you read  
11 in also Dr. Maloney's letter, which is relatively  
12 short, but I think is important.

13 MS. MORELLI: Yes. To the zoning board of  
14 appeals, December 28, 2016, from Patrick Maloney,  
15 chief of environmental health services, regarding  
16 420 Harvard Street 40B. This is in regard to the  
17 proposed plans, rubbish and recycling.

18 "Please be advised that this department has  
19 reviewed the above-noted project plans and offers the  
20 following recommendations:

21 "For residential, the plans should upgrade  
22 to eight 96-gallon toters for the building's  
23 rubbish/recycling. The rubbish/recycling is proposed  
24 to be picked up on a weekly basis." And I clarified

1 that is once weekly. "Should it found that  
2 additional rubbish containment is needed, additional  
3 toters shall be acquired. This is preferred than  
4 increasing curbside pickup days, which can affect the  
5 neighborhood.

6 "For commercial, the plan should upgrade to  
7 four 96-gallon toter bins for handling commercial  
8 tenants' trash/rubbish. Should it be found that  
9 additional rubbish/recycling containment is needed,  
10 additional toters shall be acquired.

11 "The applicant has presented to the health  
12 department that the retail tenants will be mostly  
13 nonfood, office occupancy with the exception of a  
14 limited retail food/coffee shop. No food will be  
15 prepared on-site except coffee. This proposed  
16 establishment will also require a food vendor permit  
17 from the selectmen's office and a food permit from  
18 the health department. Additional reviews by these  
19 departments will occur at that time.

20 "Rubbish storage rooms for both  
21 environments must be maintained in compliance with  
22 state sanitary housing code requirements. The health  
23 department would request to revisit the issue of  
24 compliance when the property is 90 percent occupied

1 to ensure the approved measures are adequate."

2 MS. POVERMAN: I have a question. What is  
3 the capacity difference, if any, between the  
4 recommendation for eight 96-gallon toters and what  
5 was previously recommended in terms of the two cubic  
6 whatever.

7 MS. MORELLI: So for 40 Centre, 40 Centre  
8 has a trash compactor. Trash compactors actually  
9 require dumpsters. So what is spec'd there is  
10 actually a 3 by 6 by 3 1/2 foot high dumpster, and it  
11 can actually support a heavier load, because when you  
12 have compressed or compacted trash, it's going to be  
13 heavier. These toters are about 2 1/2 by 3 feet by  
14 maybe -- I'm not sure how high they are. I think  
15 4 feet.

16 MS. POVERMAN: Are they like regular  
17 garbage cans, but bigger than we would have at our  
18 curbs?

19 MS. MORELLI: Those dimensions that I just  
20 gave you are the dimensions that I received from  
21 Patrick Maloney, the 2 1/2 by 3 1/2 by 4 feet high.  
22 They're going to be bigger than what we would have at  
23 a single-family home.

24 MS. POVERMAN: But do they carry the same

1 amount of waste?

2 MS. MORELLI: What he has spec'd is  
3 appropriate for the use that is proposed. The  
4 difference is that this particular project does not  
5 have a trash compactor.

6 MS. POVERMAN: I just want to point out  
7 that 40 Centre Street does not have a compactor for  
8 its recycling.

9 MS. MORELLI: They do have a trash  
10 compactor. It's in the decision. I wrote the  
11 decision. It's absolutely in there.

12 MS. POVERMAN: Oh, okay.

13 Okay. I just -- maybe this is not the time  
14 to mention it, but something we had previously  
15 discussed last week is that any trash generated by a  
16 cafe or whatever would be separately segregated and  
17 that's not provided in this --

18 MS. MORELLI: It is. In the revised  
19 decision --

20 MS. POVERMAN: Where is it in the decision?

21 MS. MORELLI: It is under Condition 15. It  
22 was -- this is something that we sent to you at 3:30  
23 this afternoon, and the printout you have in front of  
24 you does reflect that addition.



1 MS. POVERMAN: Okay. I did not have a  
2 chance to go through --

3 MS. MORELLI: Understood. When we go  
4 through the redline, we'll actually catch that.

5 MS. POVERMAN: Okay, great. Thanks.

6 MR. GELLER: Okay. Thank you.

7 So we're going to take the waiver list  
8 first. Let me also note that when we get to the  
9 decision and conditions, my understanding is that the  
10 document has, at this point, been reviewed both by  
11 our consultant extraordinaire as well as by town  
12 counsel's office, and suggested changes have been  
13 inserted into that document consistent with whatever  
14 suggestions you and they had.

15 So on the variance list -- the waiver  
16 list -- if people would just confirm -- either raise  
17 questions or confirm that it's consistent with what  
18 your understanding was from the last hearing.

19 MS. POVERMAN: On the first page, I still  
20 don't understand No. 6, when a business district  
21 abuts a T district. Is that a full sentence? First  
22 page.

23 MS. MORELLI: Oh, right. I didn't finish  
24 that. That was a note to say that when a business

1 district abuts a T district, there are different  
2 requirements for the rear yard. I just wanted to  
3 note that.

4 MS. POVERMAN: Okay.

5 MR. GELLER: A.1 and 2?

6 MS. POVERMAN: Nothing.

7 MR. GELLER: C.1?

8 MS. SCHNEIDER: No.

9 MR. GELLER: D.2?

10 MS. SCHNEIDER: No.

11 MR. GELLER: E.1 and 2?

12 MS. SCHNEIDER: No.

13 MR. GELLER: F.2?

14 MS. SCHNEIDER: Fine.

15 MR. GELLER: G.1 and 2?

16 MS. SCHNEIDER: Fine.

17 MR. GELLER: H.1?

18 MS. SCHNEIDER: Fine.

19 MR. GELLER: I.1?

20 MS. SCHNEIDER: Okay.

21 MR. GELLER: J.1?

22 MS. SCHNEIDER: Fine.

23 MR. GELLER: K.1 and 2?

24 MS. SCHNEIDER: Yes.

1 MR. GELLER: L.2?

2 MS. POVERMAN: Do we want to specify that  
3 the relief is 18.83 feet for the amount of relief  
4 being given?

5 MS. MORELLI: Well, it's stated under what  
6 is -- in that column right before it, it states what  
7 the max allowed is, 40 feet. So you can either  
8 subtract it, or you specify it. It does make it  
9 clear how -- what the delta is.

10 MS. POVERMAN: Okay.

11 MS. SCHNEIDER: We're setting the maximum,  
12 right, so it wouldn't be any higher.

13 MR. GELLER: Right.

14 M.1 and 2?

15 MS. SCHNEIDER: Fine.

16 MR. GELLER: N.2?

17 MS. SCHNEIDER: Fine.

18 MR. GELLER: O.1 and 2?

19 MS. SCHNEIDER: Fine.

20 MR. GELLER: P.1 and 2?

21 MS. SCHNEIDER: Fine.

22 MR. GELLER: R.1 and 2?

23 MS. SCHNEIDER: Yes.

24 MS. POVERMAN: The maximum height is 40

1 feet, isn't it?

2 MS. SCHNEIDER: Yes.

3 MS. POVERMAN: So 40 feet plus 18.83 feet  
4 is 58 feet.

5 MS. SCHNEIDER: But that's the maximum  
6 height of the project.

7 MS. POVERMAN: Right. So it says the  
8 maximum development height -- the building height  
9 will be 56.10 inches.

10 MS. MORELLI: No. You have to look at what  
11 I handed out today because I updated the --

12 MS. POVERMAN: Okay.

13 MS. MORELLI: I'm sorry. What I updated  
14 and have before you -- just -- I noted in my cover  
15 note that I updated the waivers to reflect the  
16 height.

17 MS. POVERMAN: Okay. Never mind.

18 MS. MORELLI: There's a lot coming in at  
19 the last minute, so I do apologize.

20 MS. POVERMAN: Okay. Forget that.

21 MR. GELLER: 0.1 and 2?

22 MS. SCHNEIDER: Fine.

23 MR. GELLER: Q.1 and 2?

24 MS. SCHNEIDER: Fine.

1 MR. GELLER: R.1 and 2?  
2 MS. SCHNEIDER: Fine.  
3 MR. GELLER: S.1 and 2?  
4 MS. SCHNEIDER: Uh-huh.  
5 MR. GELLER: T.  
6 MS. SCHNEIDER: Yes.  
7 MR. GELLER: U.1 and 2?  
8 MS. SCHNEIDER: Yes.  
9 MR. GELLER: W.1 and 2?  
10 MS. SCHNEIDER: Yes.  
11 MR. GELLER: X.2?  
12 MS. SCHNEIDER: Yes.  
13 MR. GELLER: Y.1 and 2?  
14 MS. SCHNEIDER: Yes.  
15 MR. GELLER: Z.1 and 2.  
16 MS. SCHNEIDER: Yes.  
17 MR. GELLER: AA.2?  
18 MS. SCHNEIDER: Yes.  
19 MR. GELLER: BB.1 and 2?  
20 MS. SCHNEIDER: Yes.  
21 MR. GELLER: CC.2?  
22 MS. SCHNEIDER: Yes.  
23 MR. GELLER: And DD.1 and 2?  
24 MS. SCHNEIDER: Yes.

1 MR. GELLER: Thank you.

2 All right. Let's take the decision. And  
3 again, the version that I understand to be the most  
4 recent was circulated today at approximately ten  
5 minutes to four -- 3:35. Okay. So this is a redline  
6 document.

7 Kate, I know you have lots of questions. I  
8 don't know whether they're general or whether they're  
9 specific to the conditions.

10 MS. POVERMAN: Some were typos, and I just  
11 blame it on the fact that I assume we just didn't  
12 have much time last time. But paragraph 3 --

13 MR. GELLER: Paragraph 3 of --

14 MS. POVERMAN: First page, paragraph 3,  
15 after "5,000," it says "square feet square feet," so  
16 let's take out one "square feet."

17 MR. GELLER: How about if we add a comma  
18 too.

19 MS. POVERMAN: Okay. Just stylistic. You  
20 have put in bold, "sheets and numbers, titles,  
21 architectural plans." You may want to do that with  
22 "comprehensive permit application or comprehensive  
23 permit plans." Or not. I will leave that to you.

24 So page 3, No. 5. Okay, so this may just

1 be something I don't know. "The applicant submitted  
2 a request for waivers from local bylaws and  
3 regulations and waivers key site plan." I'm not sure  
4 what "waivers key site plan" was.

5 MS. MORELLI: Well, it's actually -- it is  
6 a waivers key site plan. Maybe we can put a hyphen.  
7 It was a site plan that showed where there were rear  
8 yards, what was side yards.

9 MS. POVERMAN: How should it read?

10 MR. GELLER: So was it used for purposes of  
11 generating the waivers request?

12 MS. MORELLI: It just clarified what was  
13 considered the corner lot, where the rear yard was.  
14 So there were certain side yard --

15 MR. GELLER: Did the plan have a title?

16 MS. MORELLI: It's a waivers key site plan.

17 MR. GELLER: That's what it is called on  
18 the plan?

19 MS. MORELLI: I believe so.

20 MR. GELLER: Okay.

21 MS. POVERMAN: So would we add "a waivers  
22 key site plan," or "the waivers key site plan"?

23 MS. MORELLI: I would just put a hyphen and  
24 call it "waivers-key site plan."

1 MR. GELLER: Whatever the name is on the  
2 plan and whatever the date is on the plan, that's  
3 what you want.

4 MS. POVERMAN: And then 6, we just have to  
5 be consistent with "applicant" capital A or not?  
6 That's the last time I'm going to mention that.

7 Okay. Paragraph 12, in the part that says  
8 in red, "of town department heads and independent  
9 traffic peer reviewer," in addition we need to add,  
10 "and an independent site and building design  
11 reviewer," because we also relied on him.

12 And then after that, "in regard to matters  
13 of," -- add "site design, public health and safety,  
14 environmental," -- take out "and," -- "preliminary  
15 stormwater management plans, and other issues of  
16 local concern."

17 MS. MORELLI: Okay.

18 MS. POVERMAN: Capital A, "application" in  
19 number 13.

20 Under Findings, paragraph 2, first  
21 sentence, "The town has an ongoing, active program of  
22 promoting: Low and moderate income housing."

23 MR. GELLER: Can I disagree with you?

24 MS. POVERMAN: Well, no. Because you then



1 list a whole string of things: Promoting low and  
2 moderate income housing including inclusionary  
3 zoning, then it promotes financial and technical  
4 assistance. You can disagree with me, but you're  
5 wrong.

6 MS. BARRETT: I don't understand what the  
7 issue is.

8 MR. GELLER: Whether you need a colon.

9 MS. POVERMAN: Because you're listing all  
10 the things it promotes.

11 MS. PALERMO: It's punctuation. I think it  
12 could be argued both ways. I'm happy with whatever  
13 it says.

14 MR. GELLER: Leave it.

15 MS. POVERMAN: I'm not talking about all  
16 the commas that are missing either.

17 MS. PALERMO: I don't think that it's  
18 confusing, really, the issue.

19 MS. POVERMAN: 4, okay, just going through  
20 the sentence. "On October 19, 2016, the applicant  
21 submitted the project which proposes that at least  
22 20 percent of the units would be available to  
23 households" -- add an S -- "earning at or below  
24 50 percent."

1           Okay. This is a more significant one at  
2 paragraph No. 6. "The site is within the Harvard  
3 Street commercial district..." This is the first  
4 time that the phrase "Harvard Street commercial  
5 district" is used ever, as far as I can tell. I  
6 Googled it. And I do not think it's appropriate to  
7 use the term "Harvard Street commercial district"  
8 because I don't want it acting as any sort of  
9 precedent defining that that district extends from  
10 the Boston/Brookline town line through Brookline  
11 Village. I just think that it could be used in the  
12 future, for example, by a developer or somebody else  
13 to say, okay, this is a commercial district going  
14 from, you know, Allston to Brookline Village, and I  
15 don't think that's appropriate.

16           MR. GELLER: This is citation to Cliff's  
17 report. How did Cliff refer to it?

18           MS. MORELLI: So he referenced that the  
19 commercial properties are one-story tall. That was  
20 really his --

21           MR. GELLER: But did he have a euphemism  
22 for the area that he was looking at? I know he  
23 referred to it geographically, but --

24           MS. MORELLI: He talked about Harvard

1 Street. He was talking about the commercial  
2 properties, so it's either retail or commercial. But  
3 he was referencing those properties, not any  
4 residential --

5 MS. POVERMAN: There are residential  
6 properties on Harvard Street.

7 MS. MORELLI: Yeah. He was talking about  
8 the strong one-story retail streetscape.

9 MS. POVERMAN: Right. I don't want to use  
10 that phrase. I think this should more properly read,  
11 "Site is on Harvard Street. Harvard Street extends  
12 from the Boston/Brookline town line to the area known  
13 as Brookline Village and consists of structures  
14 mostly one story tall."

15 MS. MORELLI: But that's not accurate  
16 because you're only talking about retail that's one  
17 story tall.

18 MS. POVERMAN: Okay. So "retail commercial  
19 structures."

20 MS. SCHNEIDER: Commercial structures I  
21 think is the best way.

22 MS. POVERMAN: "Harvard Street extends from  
23 the Boston town line and consists of residential  
24 buildings" -- well, it's not just commercial

1 structures, so we can't say that. I mean, there are  
2 three-story, you know, townhouses. I just don't  
3 want --

4 MS. MORELLI: He was talking about the  
5 retail being one story. The whole point is the one  
6 story because that's what has a huge influence on how  
7 this project got redesigned to read more strongly as  
8 one story on Harvard Street with the residential  
9 setback. That's the whole point.

10 MS. POVERMAN: Okay. Then how can we find  
11 a way of modifying it rather than giving the  
12 impression that it totally consists of retail  
13 structures, mostly one-story tall? "Consists  
14 significantly" or --

15 MS. BARRETT: "Consistent part of  
16 commercial structures, mostly one story tall."

17 MS. POVERMAN: Okay. "Consistent part  
18 of -- "

19 MS. BARRETT: " -- commercial structures  
20 that are mostly one story tall."

21 MS. POVERMAN: Okay. So just to go over  
22 it, "The site is on Harvard Street. Harvard Street  
23 extends from the Boston/Brookline town line to the  
24 area known as Brookline Village and consists, in

1 part, of commercial structures that are mostly one  
2 story tall."

3 And next, "The site extends into 'a'  
4 two-family district," not "the."

5 And paragraph 9, "The planning, Cliff  
6 Boehmer," you never said who he is, and I think we  
7 need to identify him.

8 MS. MORELLI: He's identified under, I  
9 think, procedural --

10 MS. POVERMAN: You list his name under 13  
11 as an independent peer reviewer, so I think it would  
12 be clearer to the reader, instead of going back and  
13 figuring out who in the world is Cliff Boehmer, to  
14 say, "the independent site and building design  
15 reviewer." Because otherwise, it's kind of like,  
16 what?

17 MS. BARRETT: Well, he's the board's --

18 MS. POVERMAN: Right. The town's, yes.

19 MS. BARRETT: I would just make that clear.

20 MS. POVERMAN: Going to the last line on  
21 that page, "structure was incongruous with  
22 architecturally coherent Harvard Street commercial  
23 'buildings,'" instead of "district." Does everyone  
24 agree with that?

1 MS. SCHNEIDER: Judi, is that an issue from  
2 a 40B perspective in that we often talk about the  
3 overall context? Not just buildings, but -- I mean,  
4 I thought that defining this --

5 And, Kate, I understand your point. I'm  
6 just wondering if by changing it to "district," which  
7 I think implies, like, a contextual area to  
8 buildings, if we're somehow talking something that  
9 we --

10 MS. BARRETT: I would actually refer to  
11 "area," not "district," because this is a permit, and  
12 one could interpret that to mean a zoning district,  
13 which it is not. So I would just say "commercial  
14 area." I mean, that's, I assume, what it is.

15 MS. SCHNEIDER: Kate, are you comfortable  
16 calling it an area as opposed to saying "building"?

17 MS. POVERMAN: "Architecturally coherent  
18 Harvard Street" -- I don't want to say that all of  
19 Harvard Street is commercial. I just don't want to  
20 commit the board or Brookline to that.

21 MS. BARRETT: "Incongruous with the  
22 architecturally coherent commercial area on Harvard  
23 Street."

24 MS. POVERMAN: "Commercial building on

1 Harvard Street," or "commercial architecture on  
2 Harvard Street."

3 MS. MORELLI: I think what's coherent about  
4 that street are the commercial properties.

5 MS. POVERMAN: Right. So "architecturally  
6 coherent Harvard Street commercial properties."

7 MS. BARRETT: "Commercial properties on  
8 Harvard Street." If you're trying not to say Harvard  
9 Street's a commercial area, then I think what you  
10 want to say is "commercial properties on Harvard  
11 Street."

12 I guess I'm not really sure what the issue  
13 is here, but --

14 MS. SCHNEIDER: I'm just asking if there is  
15 an issue.

16 MS. BARRETT: I think it's fine to describe  
17 the area because it's all part of why there was this  
18 extended kind of effort to bring the project down to  
19 make to it sit better in the neighborhood. So, you  
20 know, I think it's fine.

21 I worry when we get into this -- don't take  
22 this the wrong way -- this kind of wordsmithing, that  
23 there may be unintended consequences to the wording.  
24 And I just generally don't think it's a good idea to

1 try to get this editorial.

2 MS. POVERMAN: That's exactly my concern  
3 about using "commercial area." It's being used too  
4 broadly. Whereas if you make sure it's very  
5 specific, then it can't be --

6 MS. BARRETT: Is there a commercial area on  
7 Harvard Street?

8 MS. MORELLI: Its zone is L. It's a local  
9 business district. Those properties are zoned, you  
10 know, as L-1.0. What we're driving home is,  
11 actually -- we're saying it's even more restrictive.  
12 What you're doing is you're being less exclusive by  
13 talking about all the different variations. We're  
14 trying to drive home that it's a one-story commercial  
15 area.

16 MS. POVERMAN: Well, let me ask you this:  
17 Is it L-1 all the way down Harvard Street?

18 MS. MORELLI: I don't have my atlas map  
19 here to just -- I don't know if there's, like, a  
20 general business district that gets interwoven.

21 MS. BARRETT: Why don't you just say "the  
22 small-scale commercial buildings on Harvard Street"?

23 MS. POVERMAN: Yeah. That would be fine.

24 MS. BARRETT: It's incongruous with the



1 small-scale commercial buildings on Harvard Street.

2 I think that's all you need to say.

3 MS. POVERMAN: How about "the small-scale  
4 character of commercial buildings on Harvard Street"?

5 MS. BARRETT: "Character" is -- that's a  
6 loaded -- "small-scale commercial buildings." I  
7 don't know why that would be a problem, but, you  
8 know, you know the area much better than I do, so I  
9 sort of defer to the board. I'm just trying to help  
10 you come up with --

11 MS. PALERMO: Kate, what is it in  
12 particular that you're worried about?

13 MR. GELLER: She's worried that a  
14 developer, down the road, will come back and say,  
15 see, it is a commercial district. You said it's a  
16 commercial district, and therefore I can put up this  
17 big --

18 MS. PALERMO: I'm not familiar with a case  
19 where a developer has used an opinion in a 40B case  
20 to circumvent zoning. The only way a developer  
21 circumvents local zoning bylaws --

22 (Multiple parties speaking.)

23 MS. PALERMO: This is not a court. This is  
24 a decision involving --

1 MS. POVERMAN: It's a judicial body, and  
2 there's no telling when your words are going to be  
3 used against you.

4 MS. PALERMO: I actually disagree,  
5 respectfully. I don't think it's necessary to go to  
6 this level of wordsmithing. But in any event, we'll  
7 go on.

8 MS. BARRETT: I think the concern was this  
9 big building doesn't fit in this area because it's so  
10 different from the buildings around it. I think that  
11 was the point. Right? I would just say that and  
12 move on, because I don't think --

13 MS. POVERMAN: Okay. How about just,  
14 "architecturally coherent Harvard Street"?

15 MS. BARRETT: Well, I don't think that was  
16 what he meant.

17 MS. MORELLI: "The planning board; Clifford  
18 Boehmer, independent design reviewer; and local  
19 residents expressed in written and oral comments  
20 during the public hearing that the original project  
21 was too massive and its site configuration and  
22 parking infeasible, and architectural style and  
23 building typology of the six-story apartment  
24 structure was incongruous with the small-scale

1 commercial properties on Harvard Street and that the  
2 original project had inadequate setback to the  
3 abutting single- and two-family homes."

4 MS. POVERMAN: Thank you.

5 Paragraph 13, there was a comment on the  
6 applicant's version.

7 MR. GELLER: Add a space between paragraph  
8 11 and 12.

9 MS. POVERMAN: So on No. 16 it refers to  
10 Mr. Ditto's letter. And I can't remember if he gave  
11 oral testimony as well or if it was just a letter.

12 MS. MORELLI: I read his letter into the  
13 record because he was not present that evening.

14 MR. GELLER: Let me just add my pet peeve,  
15 and that's when you have written submittals using the  
16 word "stated."

17 MS. MORELLI: Okay.

18 MR. GELLER: He's providing.

19 MS. POVERMAN: "Providing that the Fuller  
20 Street driveway, as designed on the October 28, 2016,  
21 plans." And I think it's superfluous to say, "in  
22 conjunction with his recommendations to the board  
23 presents" -- eliminate "no safety hazard to  
24 pedestrians."

1 MS. MORELLI: So what is superfluous?

2 MS. POVERMAN: "In conjunction with his  
3 recommendations to the board."

4 MS. SCHNEIDER: Why do you think that's  
5 superfluous? Because I think that we're building in  
6 conditions to this decision that reflect -- which  
7 modify or enhance the plans.

8 MS. POVERMAN: How about plans -- well,  
9 where would you put them?

10 MS. SCHNEIDER: After "plans" and after  
11 "recommendations."

12 MS. POVERMAN: In conjunction with  
13 recommendations. I would still take out the S after  
14 present -- "presents no safety hazard."

15 MS. SCHNEIDER: But it's the Fuller Street  
16 driveway that presents no safety hazard.

17 MS. POVERMAN: Oh, okay. Thank you.  
18 You're right. That changes it. Thank you.

19 Paragraph 19, four lines down -- well,  
20 start at three lines down with the sentence starting  
21 "Eliminating." "Eliminating the lot line would  
22 trigger new noncompliance with zoning and make other  
23 waiver requests" -- add an S to request -- "not  
24 applicable."

1 And No. 20 just --

2 MR. GELLER: 20 is the first substantive  
3 comment.

4 MS. POVERMAN: Yeah, okay. All right.  
5 Let's go.

6 MR. GELLER: So I think, conceptually, the  
7 notion is that the use that would be allowed would be  
8 soft food sales, which is to say that there can be no  
9 cooking, venting, preparation on-site. The sole  
10 exception being they can prepare coffee. Okay? So  
11 that, conceptually, is what we're looking for, and  
12 that should consistently be applied. You can either  
13 define it as a specific term and then repeat it,  
14 okay, "nonintensive cafe use," if you want --  
15 whatever you want --

16 MS. SCHNEIDER: And I think in the  
17 conditions this is spelled out in a little bit more  
18 detail, and maybe we just want to import that  
19 language to this paragraph.

20 MS. BARRETT: Cross-reference it here, see  
21 condition whatever.

22 MR. GELLER: So the idea is they can sell  
23 food products that have been prepared off-site.

24 MS. MORELLI: So if we were to put a period

1 after "production" and delete "including restaurants  
2 and excluding cafes," that would get to the point.

3 MS. POVERMAN: "Establishments such as  
4 cafes that serve but do not prepare refreshments  
5 shall be permitted."

6 MS. SCHNEIDER: But I do -- and again, I  
7 don't mean to get too in the weeds on this, but I  
8 guess this is a question for the applicant. I mean,  
9 there are a lot of cafes where they'll heat a  
10 croissant for you or they will, you know,  
11 microwave --

12 MR. GELLER: That's not production.

13 MS. SCHNEIDER: But that's food  
14 preparation, isn't it?

15 MR. GELLER: No.

16 MS. SCHNEIDER: No? Okay.

17 MR. GELLER: No. You sort of break it  
18 into -- there are two kinds of the food retail  
19 establishments. One is where there is food  
20 preparation where they are cooking and venting, and  
21 the other is the Dunkin' Donuts model, which is they  
22 don't do anything. They hit the buttons on a  
23 microwave.

24 MS. SCHNEIDER: Right, right. I just want

1 to make sure that we are not being overbroad in using  
2 the words "food preparation" here.

3 MR. GELLER: I don't think so.

4 MS. SCHNEIDER: Okay.

5 MS. POVERMAN: Okay. Number 21, so what's  
6 stated is irrelevant. "The applicant," then cross  
7 out "stated that parking on the site," so that it  
8 reads, "The applicant will not" -- take out "be" --  
9 "will not provide parking to customers of the  
10 commercial spaces."

11 MS. SCHNEIDER: But I think -- but that's a  
12 condition, which comes later. I think this  
13 section -- I think it's hard to keep them straight,  
14 but I think this section is about findings, so it's  
15 about things that came out in the course of the  
16 proceedings.

17 MS. POVERMAN: Oh, okay.

18 (Multiple parties speaking.)

19 MS. SCHNEIDER: -- conditions, which are, I  
20 think, more mandatory.

21 MS. POVERMAN: Got it. Thank you.

22 MR. GELLER: 22, anything?

23 MS. POVERMAN: No.

24 MR. GELLER: Now, when you're referring to

1 "professional kitchens," again, I think -- right --  
2 use of the commercial space will be mostly nonfood,  
3 office occupancy with the exception of limited retail  
4 food, coffee shop. No food is prepared on-site  
5 except coffee.

6 MS. MORELLI: I'm just going to borrow  
7 language from Dr. Maloney's letter.

8 MR. GELLER: Exactly.  
9 Okay. Conditions.

10 MS. POVERMAN: Wait.

11 MS. BARRETT: No. You have the big  
12 controversy, remember.

13 MS. POVERMAN: 23, "The board" --

14 MS. BARRETT: 24 through 27.

15 MS. POVERMAN: Here's what I would do to  
16 23: "The board heard concerns of the town staff,  
17 boards, commissions, and residents and weighed them  
18 against local needs. The board finds that the  
19 project, as conditioned below, is consistent with  
20 local needs as that term is defined."

21 Does anybody have a problem with that  
22 change?

23 MR. GELLER: Do it again.

24 MS. POVERMAN: The second sentence, put



1 "The board finds that the project, as conditioned  
2 below, is consistent with local needs."

3 MS. SCHNEIDER: I'm fine with that.

4 MS. POVERMAN: Okay. And 24 --

5 MS. BARRETT: Why don't I just jump in?

6 MS. POVERMAN: Okay.

7 MS. BARRETT: I was actually amazed when I  
8 heard that these four conditions caused any sort of  
9 consternation at all because I've been putting these  
10 conditions in comprehensive permit decisions for  
11 years. They were in the decision I wrote recently in  
12 Sturbridge where Mr. Engler was the representative of  
13 the developer. I wrote them in a decision in  
14 Boxborough when Mr. Jacobs represented the developer.  
15 These are not unknown conditions to any of the  
16 players involved in this project.

17 Essentially, what they get at is the  
18 balancing test that Chapter 40B is all about. And if  
19 we don't grasp that balancing test, I think we're  
20 missing the point of the law.

21 What these conditions say is that, first of  
22 all, the board has imposed some conditions on the  
23 project which, you know, may make the project  
24 uneconomic. But if they do, those conditions are

1 justified because the local -- there are other local  
2 concerns that outweigh the regional need for  
3 affordable housing.

4           By the same token, the board has granted  
5 certain waivers which some people may not be happy  
6 with, but those waivers are essential, that they  
7 outweigh the local concerns because the regional need  
8 for affordable housing -- pardon my redundancy --  
9 outweighs those local concerns. That's the whole  
10 premise of these conditions.

11           And I think if the board is going to grant  
12 a comprehensive permit, you need to kind of get  
13 beyond the simple findings, if you will -- don't take  
14 this as insulting -- the simple findings of what was  
15 said in the process and assert that you've applied  
16 the law to the facts at hand and reached a  
17 conclusion. And that conclusion must be about the  
18 balancing test of the regional need for affordable  
19 housing and the protection of local concern.

20           So if you're going to approve the decision,  
21 put language in it that says, we're going to stand by  
22 this because we've actually applied the law in a  
23 logical and appropriate way.

24           The other two conditions simply

1 acknowledge --

2 MS. POVERMAN: Which two conditions?

3 MS. BARRETT: 26 and 27, just taking these  
4 in order -- that people had concerns and that the  
5 board weighed those concerns. And, of course, in  
6 some cases those concerns have been addressed in  
7 whole or in part, and that as far as the board is  
8 concerned, the project has gone as far as it can to  
9 address those concerns.

10 And also, at least what I heard when I was  
11 here, is that some of the concerns that were raised  
12 are about conditions that already exist in the area.  
13 And you can't -- whether it's this kind of project or  
14 any other permit -- make an applicant responsible to  
15 cure conditions that exist because the town  
16 essentially has allowed them to endure.

17 So that's all these conditions are about.  
18 I really was amazed that there was any controversy  
19 about them because they're so -- the first two, in  
20 particular, 24 and 25, are just so anchored in what  
21 is this law about.

22 MS. SCHNEIDER: Where is the controversy on  
23 these?

24 MS. BARRETT: I heard --

1 MS. POVERMAN: Why don't we discuss what  
2 problems I have.

3 MS. BARRETT: That's fine.

4 MS. POVERMAN: Because I totally agree with  
5 what you're saying.

6 (Multiple parties speaking.)

7 MR. GELLER: You've got to let Kate talk.

8 So these were raised in the context of  
9 40 Centre Street on which Kate and I are two of four  
10 members who are sitting. And Kate and another member  
11 raised concerns they had with these additions. I  
12 don't believe any of the other members sitting on  
13 that case had issues.

14 MS. POVERMAN: So let me go through them.  
15 And I'm not saying -- I mean, I totally agree with  
16 you about them. So in 24 --

17 MS. PALERMO: Wait, Kate. If you agree --

18 MS. POVERMAN: Let me please go through  
19 because it's not going to be obvious until I go  
20 through what it is I agree with and what I don't  
21 agree with. Okay?

22 So 24, I have no problem with the first  
23 sentence, and I agree with the spirit expressed by  
24 it: "The board finds that the conditions imposed in

1 this decision are necessary in order to address local  
2 concerns."

3 I have a problem with the second sentence:  
4 "The board finds," because we made no such findings.  
5 We have no such evidence that such conditions will  
6 not render the project uneconomic. We've heard no  
7 evidence relating to the economic feasibility of the  
8 project. No evidence related to it. And I think it's  
9 inappropriate to consider or state anything relating  
10 to whether or not the project was economically  
11 feasible.

12 MS. SCHNEIDER: But let me just ask the  
13 question about where we are procedurally because I  
14 think we're about to deliberate the merits of this  
15 decision. I think we're looking at these conditions  
16 as potential conditions for the board to adopt, and  
17 we are launching into our deliberative process. We  
18 haven't necessarily made that finding yet, but I  
19 think that's coming in the board's deliberations  
20 before we adopt this as a decision. Maybe I'm off  
21 base about where we are procedurally, but I think --

22 MS. POVERMAN: We have no evidence.  
23 There's no evidence --

24 MS. BARRETT: Actually, you do, because the

1 applicant hasn't said, what you're asking me to do  
2 would make my project uneconomic.

3 MS. POVERMAN: That's not evidence.

4 MS. BARRETT: Absolutely, that is --

5 MS. PALERMO: I think you may have a  
6 misunderstanding about -- and I have no voice -- but  
7 you see us as a judicial body.

8 MS. POVERMAN: We are --

9 MS. SCHNEIDER: We are not.

10 MS. PALERMO: It's not a trial. It's not  
11 the equivalent of a trial. But if a word such as "a  
12 district" as opposed to "an area" is included in one  
13 of our decisions, it's not going to be used as a case  
14 that will then be argued later: This body used the  
15 word "district" as opposed to "area," and lawyers  
16 will go and make hay out of this difference in words.

17 This is a zoning board of appeals, and we  
18 don't have that kind of weight, and our decisions  
19 don't have that kind of weight. We will be reviewed  
20 and our decision will be reviewed if the applicant  
21 appeals our decision, and the applicant has given us,  
22 I would say, strong evidence that there is not going  
23 to be an appeal of our decision. So I wouldn't be so  
24 cautious about every single word we say. I think

1 it's critical, as has been pointed out to us, that  
2 our decision be grounded in the law behind 40B, and  
3 that is exactly what Judi is advocating for.

4           It's a very different way of approaching  
5 than when you're litigating, and I say that having  
6 clerked in the Superior Court and Supreme Judicial  
7 Court before I became a real estate lawyer. This is  
8 not a court of law, and I don't think it's  
9 appropriate to treat it that way. We are not in an  
10 antagonistic relationship with the applicant. We are  
11 here representing the town, and we are here to make  
12 sure that the town gets the best it can get out of  
13 this project. It's a very different world.

14           MS. POVERMAN: Lark, I have to disagree.  
15 And just because we may not be in conflict with the  
16 developer does not mean that this case will not be  
17 contested. I think we have to be very -- as a  
18 litigator with more than 30 years of experience, I am  
19 very careful about what something says. And this is  
20 an opinion. It is a decision. So let me tell you,  
21 I -- if we take out "The board finds that," I would  
22 have less of a problem with "to the extent that the  
23 conditions imposed may render the project uneconomic,  
24 the boards finds that" --

1 MS. SCHNEIDER: It's almost that we have to  
2 make this finding in order to --

3 (Multiple parties speaking.)

4 MS. BARRETT: There's nothing in the law  
5 that says you have to review a pro forma. There's  
6 nothing in the statute that says you have to do that.

7 MS. POVERMAN: But why do we -- there's  
8 nothing for us --

9 MS. BARRETT: Because it's in support of a  
10 decision that you are asserting.

11 MS. PALERMO: Can I ask a process question?

12 MS. BARRETT: Sure.

13 MS. PALERMO: You were discussing the fact  
14 that we're going through these findings, and then  
15 we're going to talk about -- I assume, having -- this  
16 is my first time going through this on this side of  
17 the table. I assume that we're then going to go  
18 through the rest of the decision and talk about what  
19 support or opinions we have about it.

20 So rather than getting into the weeds on  
21 this language, can we move on? Is that a reasonable  
22 thing to do? And then come back and have this  
23 discussion?

24 MR. GELLER: I don't know that they are --



1 I don't know that you need to go through -- this is  
2 our third time looking at this. I don't know that  
3 you need to go through the conditions.

4 MS. PALERMO: This is the first on this  
5 language. Okay.

6 MR. GELLER: Right. But I don't know that  
7 you need to go through the conditions before you go  
8 back to these because I think that including these  
9 within the findings are part of the underpinning of  
10 our decision. Whether they are pronounced or not,  
11 these are the assumptions we make when we are making  
12 the decisions and inserting the conditions. I think  
13 we're --

14 MS. SCHNEIDER: This is a necessary  
15 predicate to get into the conditions, which is that  
16 we are finding that if we impose the following  
17 conditions on the project, it makes the project  
18 consistent with local needs and also --

19 MR. GELLER: We're simply logically laying  
20 out the basis for the decision and the conditions.

21 MS. PALERMO: No. I do understand that,  
22 and I'm just assuming that if we think about what the  
23 conditions are, it sort of leads back to the  
24 findings.

1 MR. GELLER: I'm not sure that that's going  
2 to be as crystal clear as you might like it to be to  
3 support the findings. I think the findings can  
4 independently be reviewed.

5 I mean, I don't have an issue with any of  
6 the recommended findings. Because if I look at each  
7 one of them and if I look at them and break them into  
8 each specific sentence, is it, for me, a true  
9 statement of what is the underpinning for a decision  
10 that I would make? Okay? So I don't have an issue.  
11 I don't think it is a false statement. So the issue  
12 about, how can we say that? We haven't been provided  
13 any testimony about the financial condition, or -- I  
14 don't think that's what you should be focused on.

15 MS. POVERMAN: Well, the way -- this would  
16 make me happy, although I know you guys would see it  
17 as splitting hairs. If we simply said, "To the  
18 extent the conditions may render this project  
19 uneconomic, the board finds that the local concerns  
20 outweigh the potential benefits of affordable units."  
21 I just find it -- I do not see us as having been  
22 presented with any economic information, so I  
23 personally find it improper to say that the board  
24 found anything --

1 MS. SCHNEIDER: Well, I'm prepared to make  
2 that finding right now, if that would make you  
3 comfortable, and we can all talk about it. I mean,  
4 typically in 40B -- and I don't know how things have  
5 gone on 40 Centre, but if you are proposing to an  
6 applicant --

7 And, Mr. Engler, you and I had this  
8 conversation about another project the other night.  
9 You can feel free and back me up on this if you want  
10 to. If the board is looking at imposing conditions  
11 on a project that the applicant believes is going to  
12 render it uneconomic, you better believe that  
13 Mr. Engler is going to be hopping up and down and  
14 saying, we're going to go to pro forma review --

15 MS. BARRETT: He has done it before.

16 MS. SCHNEIDER: -- because it is our  
17 position -- the applicant's position -- that the  
18 conditions that you are imposing are rendering this  
19 project uneconomic.

20 MR. GELLER: Which was Judi's point.

21 MS. SCHNEIDER: Right. We are now in our  
22 third round of review of the conditions to this  
23 project, and we've not heard a peep out of the  
24 applicant's team trying to go to pro forma review or

1 otherwise objecting to any of the proposed conditions  
2 as something that's going to render the project  
3 uneconomic or otherwise unbuildable.

4           So the hearing is still open. We can ask  
5 the applicant if they are intending to assert you  
6 uneconomic conditions here.

7           MS. POVERMAN: Well, actually, if we just  
8 ask the applicant, does he think the project is  
9 economically feasible, that will be fine, as long as  
10 we have something on the record.

11           MS. SCHNEIDER: I mean, again, I feel like  
12 based on the way the proceedings have gone, we can  
13 infer that and I would be very comfortable saying  
14 that in this decision and also defending that in  
15 court if we have to.

16           MS. BARRETT: The project must be economic  
17 because the subsidizing agency found that it is.

18           MS. POVERMAN: No. It cannot -- the agency  
19 that has to find that is the one that actually funds  
20 it, and it has to find that at the time of funding,  
21 not at the time of giving a PEL.

22           MR. GELLER: The absence of the applicant's  
23 objection allows the board to infer from that --  
24 because we are not the ones who say, no, that renders

1 the project economically --

2 MS. SCHNEIDER: That's their role to say --

3 MR. GELLER: So the absence of --

4 MS. POVERMAN: I see I'm out-ruled, but I  
5 do not see the absence of an objection as inferable.  
6 But I will give you that.

7 Moving on to 25, I would eliminate the last  
8 three lines starting with "... especially given the  
9 project changes the applicant has agreed to make,  
10 specifically the redesign of the building and  
11 improvements to the site layout in direct response to  
12 the concerns of the board and other parties in  
13 interest." I don't see why that's necessary at all.

14 MS. BARRETT: Did the applicant not make  
15 changes in response to concerns that were raised?

16 MS. POVERMAN: Why is that necessary?

17 MS. BARRETT: Because that's part of what  
18 the board is finding in order to conclude the  
19 granting of the permit subject to the following  
20 conditions is appropriate.

21 MS. PALERMO: I think it also sort of  
22 acknowledges what I was trying express, and it is the  
23 difference between litigation and what we're doing.  
24 And what we are doing, again, is not adversarial.

1 Our role is not to be adversarial. Our role is to  
2 represent the town and try to work with the developer  
3 to achieve a common goal. It's a very different  
4 situation. And in this instance, we are  
5 acknowledging that this developer tried to work with  
6 the community and with us to achieve a common goal of  
7 having a good project that provides affordable  
8 housing in Brookline.

9           It may not be the case with many other  
10 developments, but it is with this one. And I  
11 personally believe it's reasonable and perfectly  
12 appropriate to acknowledge the fact that this  
13 developer made significant changes to the design of  
14 the project in order to accommodate the desires and  
15 needs of the neighborhood and us. And that's all  
16 this is doing.

17           MS. POVERMAN: Well, I think this has  
18 nothing to do with local concerns. And although --  
19 and I think we have voiced multiple times our  
20 appreciation for the work that the developer has  
21 done. I don't think it has any position being here.  
22 And my concern is that if we put it in there, we're  
23 going to find other developers who have absolutely  
24 not been cooperative.

1 MS. SCHNEIDER: Then we wouldn't put it  
2 that statement --

3 MS. PALERMO: We wouldn't put the  
4 language --

5 MS. POVERMAN: I just don't see it as  
6 necessary. I'm not going to jump up and down and  
7 scream. I just do not see it as necessary.

8 MS. SCHNEIDER: I think, Kate, the only  
9 think I would add -- and I think this is some of  
10 what --

11 Lark, just raise your finger.

12 -- is that it is a balancing that we're  
13 supposed to be doing. And I think if you look at  
14 what that sentence is trying to convey, there were  
15 concessions made for local concerns. Maybe not all  
16 local concerns were fully satisfied, but the  
17 balancing did occur.

18 MS. POVERMAN: What concerns me about this  
19 is to say that the local concerns do not outweigh the  
20 need for affordable housing, especially given what  
21 the developer has given us. Local concerns and the  
22 balance of affordable housing should have nothing to  
23 do with what concessions we've been given by the  
24 developer. Those balances exist regardless of what

1 those concessions are. Why should it be affected?

2 MR. GELLER: Because what the developer  
3 does is attempt to ameliorate the effects on local  
4 concerns. And in this case, that's what the  
5 developer did, so we're simply reciting that.

6 MS. POVERMAN: Okay. Actually, I agree  
7 with that. You're right. I agree.

8 MR. GELLER: That's all we're saying.

9 MS. POVERMAN: I agree. That makes sense.

10 MR. GELLER: Anything else?

11 MS. POVERMAN: That's it.

12 MR. GELLER: Okay. Let's go to conditions.

13 Paragraph 1, just add a comma after the  
14 5,000 -- 5 comma 000.

15 Paragraph 2, instead of referring to  
16 "retail and office tenants," shouldn't we be  
17 referring to "the commercial space"?

18 MS. MORELLI: Yes.

19 MR. GELLER: Paragraph 3, I don't want to  
20 get too caught up in the method of how people acquire  
21 the right. So whether it's by license, lease, or any  
22 other method --

23 MS. SCHNEIDER: Do you want to just say  
24 "provided"?



1 MR. GELLER: Yeah.

2 MS. POVERMAN: I have two more parking  
3 issues, and one is based on the notes I took at the  
4 last meeting, which is that we specify that parking  
5 at 49 Coolidge is to be used only by office  
6 employees.

7 MS. MORELLI: So if I were to say "Parking  
8 at 49 Coolidge should be used solely by employees of  
9 the project," is that too general?

10 MS. POVERMAN: Who's going to be working --  
11 is it the applicant's employees who will be working  
12 in 49 Coolidge?

13 MR. SHEEN: So there are four -- the  
14 question has been asked about the four spaces --  
15 tandem spaces at 49 Coolidge. The intention of that  
16 is for the employees of the commercial space --

17 MS. POVERMAN: Okay. "So retail employees  
18 only"?

19 MS. SCHNEIDER: "The commercial space."

20 MR. GELLER: I don't want to characterize  
21 it necessarily as --

22 MS. POVERMAN: Good point. Yeah.

23 MS. BARRETT: You could just say  
24 "nonresidential space."

1 MS. SCHNEIDER: Even better.

2 MS. POVERMAN: And at the last hearing, the  
3 applicant specified that three parking spaces shall  
4 be provided at no cost to affordable housing tenants  
5 on a first-come, first-served basis? Didn't you  
6 specify that?

7 MR. SHEEN: The way the -- the way that  
8 the -- our understanding of the affordable rent, if  
9 the affordable rents were to include a rental parking  
10 space, that the affordable rent will be reduced  
11 accordingly. So whether it's --

12 MS. POVERMAN: I'm not following that.

13 MR. SHEEN: So, for example, if one -- if  
14 an affordable unit is charged \$800 for the rent, it  
15 reduces by the utility allowance as well as parking  
16 charges if that unit rents a parking space. So  
17 effectively it has no bearing on the affordable rent  
18 because it's --

19 MS. BARRETT: What the tenant is paying is  
20 the same.

21 MR. SHEEN: Yes, exactly.

22 MR. ENGLER: Well, there's a little aspect  
23 of that -- first of all, the subsidizing agency  
24 decides. And if parking is -- the only option for

1 parking is under the building and you're charging for  
2 it, that's going to come off their rent. If the  
3 tenant has other parking options, like outside space  
4 or on the site, and chooses to pay underneath the  
5 building, that's their call and it doesn't come off  
6 the rent. But that's up to the subsidizing agency to  
7 review the final plans and decide how the  
8 affordability rents are set and how parking works  
9 into that or not. So in this case, if there's no  
10 other parking available, it's very likely that it's  
11 free in your mind because it's really being deducted  
12 from the rent.

13 MS. POVERMAN: Okay. Because,  
14 realistically, if someone's paying \$500 in rent, to  
15 pay \$250 to park someplace else is not --

16 MR. ENGLER: Correct. I wouldn't say it's  
17 free, because that's an option that may not be the  
18 way it's worded. It's taken care of in the  
19 affordable rent.

20 MS. POVERMAN: How would we deal with that,  
21 if at all, in this --

22 MS. SCHNEIDER: I don't think it's a town  
23 thing. I think that's the subsidizing agency.

24 MS. POVERMAN: Okay.

1 MR. GELLER: Paragraph 5, "The open space  
2 on the site shall be used for" -- you've got the word  
3 "quiet."

4 MS. SCHNEIDER: That's Lark's.

5 MS. PALERMO: I said "quiet enjoyment."

6 MR. GELLER: I don't know what "quiet  
7 enjoyment" is, but okay.

8 MS. PALERMO: Well, it's a typical term  
9 used, and it is quiet enjoyment.

10 MR. GELLER: " -- solely by the residents  
11 of and employees of commercial tenants of the  
12 project." Are you referring to the leasing phrase  
13 quiet enjoyment?

14 MS. PALERMO: I am.

15 MR. GELLER: I'm not sure you can use it in  
16 this manner the way it's meant in others, but okay.  
17 I'm fine with it.

18 MS. PALERMO: I used it as a legal term  
19 that most people would understand.

20 MR. GELLER: Yeah. I think it means  
21 something else.

22 MS. PALERMO: So residents who live outside  
23 of our project have something to hang their hats on  
24 if there are wild parties going on.

1 MR. GELLER: I'd suggest that using it in  
2 this context is a nonlegal phrase because it doesn't  
3 mean what it means.

4 MS. SCHNEIDER: Are you -- and I don't --  
5 never mind.

6 MR. GELLER: The neighbors just don't want  
7 to hear noise coming from the canyon, is basically  
8 the bottom line.

9 MS. SCHNEIDER: Well, I think that Lark's  
10 point was more that the people who live there  
11 don't -- this is supposed to be, like, a passive  
12 recreation --

13 MR. GELLER: That was my point.

14 MS. PALERMO: Yes.

15 MR. GELLER: Okay. It's passive use.

16 MS. PALERMO: Passive use.

17 MS. MORELLI: Any changes?

18 MS. SCHNEIDER: Do you want to change it to  
19 "passive use"?

20 MS. PALERMO: If it will make everyone  
21 happy.

22 MR. GELLER: I think it means what Lark is  
23 really saying.

24 MS. PALERMO: That's fine.

1 MS. POVERMAN: Paragraph 9, if nobody has  
2 anything before that.

3 MR. GELLER: Yes.

4 MS. POVERMAN: In the third line -- because  
5 we're talking about prior to the issuance of the  
6 building permit, which will be reviewed for  
7 consistency with the plans listed under Item 4.

8 There are multiple plans listed under Item  
9 4 with several dates, so I would specify it as the  
10 site plans, the defined terms, and the architectural  
11 plans, both of which are defined in terms referring  
12 to the ultimate ones that were approved. And it does  
13 not include the landscape plans, since that does not  
14 seem to be included in this one -- in this particular  
15 paragraph.

16 MS. MORELLI: This is in another paragraph.

17 MS. POVERMAN: Right. So it doesn't apply  
18 here to the color of windows and other things being  
19 reviewed. It's not design.

20 MS. MORELLI: So the applicant shall submit  
21 final floor plans and elevations, so it's specifying  
22 the kinds of plans that the assistant director would  
23 have purview --

24 MS. POVERMAN: Right. So in this instance,

1 site plans and architectural plans.

2 MS. MORELLI: So why do you want me -- do  
3 you want me to say, "for consistency with" and  
4 describe those plans? Because we've already  
5 described them in the first sentence.

6 MS. PALERMO: Alternatively, could you just  
7 end it with saying "for consistency with the plans  
8 listed under Item 4 in the decision," and then just  
9 put a period there? Because the building  
10 commissioner is going to review consistency of any of  
11 these applicable plans to what he's looking at.

12 MS. BARRETT: Sometimes the easiest  
13 shorthand is to refer to them as the approved plans.  
14 You just refer to them as the approved plans.

15 MS. MORELLI: So for consistency with the  
16 approved plans.

17 MS. BARRETT: Yeah. And then back earlier  
18 when you list them -- or wherever you're listing them  
19 say, you know, these are basically the plans of  
20 record -- the approved plans for this decision.

21 MS. PALERMO: That's a good idea.

22 MS. POVERMAN: Paragraph 11, just  
23 capitalize "building permit."

24 Paragraph 12, last sentence, "any proposed

1 removal of street trees shall be pursuant to."

2 MS. SCHNEIDER: "Shall be subject to."

3 MS. POVERMAN: Yeah.

4 MR. GELLER: And before that, "construction  
5 and planting additional street trees."

6 MS. MORELLI: I'm not following.

7 MS. SCHNEIDER: Second-to-last line of 12,  
8 planting instead of plant.

9 MR. GELLER: And then at the end of that  
10 same line, "town arborist with all costs related to  
11 performance thereunder borne by the applicant."

12 MS. BARRETT: You actually can just refer  
13 to Chapter 87 as the "Shade Tree Act."

14 MS. POVERMAN: 14A, the end of the second  
15 line, it should be westbound -- "southwestbound side  
16 of Fuller Street between the Fuller/Harvard Street  
17 intersection."

18 Subsection B, three lines down, prior to  
19 the issuance of the building permit," capital P.

20 MR. GELLER: 15B, just swap out "retail and  
21 office space" for "commercial development."

22 MS. SCHNEIDER: Do you want to do that on  
23 15I as well?

24 MR. GELLER: Yes.



1 K, "No food shall be prepared within the  
2 commercial space."

3 MS. MORELLI: Oh, that's right.

4 MR. GELLER: I think the applicant might be  
5 concerned if we remove the kitchens from the  
6 residential units.

7 And then "prospective retail tenants" --

8 MS. SCHNEIDER: I'm sorry. Can we back up  
9 for a second? Is it selectmen's office, or is it the  
10 board of selectmen?

11 MS. POVERMAN: Board of selectmen.

12 MR. GELLER: So in the line before that,  
13 "Prospective retail tenants shall require local  
14 licensing and other approvals related to sale of food  
15 and beverage products as required by local authority,  
16 including, without limitation," and then you  
17 continue on with your language.

18 MS. SCHNEIDER: That's good, Jesse.

19 MS. MORELLI: Can you just read it again?

20 MR. GELLER: I can try. "Prospective  
21 retail tenants shall require local licensing and  
22 other approvals related to sale of food and beverage  
23 products as required by local authority, including,  
24 without limitation" -- and then it picks up.

1 MS. POVERMAN: And then "building  
2 permit" capitalized.

3 MR. GELLER: Okay. In 19, third line,  
4 "building departments, certificate of occupancy  
5 process as verified by," because that sort of picks  
6 up conceptually what's going on.

7 MS. MORELLI: -- "the director of  
8 engineering."

9 MR. GELLER: -- "as verified by the review  
10 and approval of."

11 22, since we have acknowledged the  
12 possibility of multiple COs, do we really mean prior  
13 to the issuance of the first CO, the earliest CO?

14 MS. BARRETT: Sometimes you do. Depends on  
15 the project, but sometimes you do.

16 MR. GELLER: In this case --

17 MS. BARRETT: If there are conditions you  
18 want in place before anybody moves and then before  
19 the project is done, yeah.

20 MR. GELLER: So I think you need to say,  
21 "First C of O."

22 MS. POVERMAN: 25 is capitalized, the  
23 building permit again.

24 I do have a question about 27. Where,

1 Maria, you had a question about whether or not -- so  
2 you say, "When 50 percent of the certificates of  
3 occupancy are issued, the applicant shall demonstrate  
4 to the building commissioner that the project  
5 complies with the town noise bylaw. Pursuant to the  
6 issuance of the final certificate of occupancy, the  
7 applicant shall demonstrate that it complies with the  
8 noise bylaw."

9           What percentage -- is it total occupancy  
10 that the final certificate of occupancy is --

11           MS. MORELLI: Yes.

12           MS. POVERMAN: My concern about that is  
13 this: We don't know exactly what's going to happen  
14 in the housing climate. And let's say the last  
15 apartment isn't filled for a year. Then the noise  
16 review wouldn't be done for a year. So can we have  
17 it at another percentage?

18           MR. GELLER: Well, let's back up a minute.  
19 Because I think you raise a very good point, but  
20 you're also -- the other issue is, again, if there  
21 are multiple COs, then you're going to have  
22 separate -- there are separate requirements for  
23 commercial versus residential space. Therefore, the  
24 logic of residential space is, like our discussion on

1 40 Centre Street, as the building commissioner said,  
2 50 percent is a good point at which to take your  
3 first look.

4 Now, in this case, there may also be a  
5 relevant point to look at the commercial space  
6 because we don't know the order in which they're  
7 going to be producing this stuff.

8 MS. POVERMAN: Good point.

9 MR. GELLER: So in terms of triggers, you  
10 may want separate triggers, one for commercial, one  
11 for residential.

12 MS. SCHNEIDER: I understand your point.  
13 But I guess I'm thinking that given the size of the  
14 commercial space relative to the retail space in this  
15 project, I'm not sure that having a separate  
16 milestone for the commercial --

17 MR. GELLER: Well, the issue is noise.  
18 Let's assume that they come online in August.

19 MS. SCHNEIDER: Right.

20 MR. GELLER: And their commercial tenants  
21 move in first.

22 MS. SCHNEIDER: Right.

23 MR. GELLER: Therefore, their condensers  
24 are functioning for their commercial tenants.

1           Now, yes, it is a fairly limited amount of  
2 square footage, 5,000 square feet, but you still have  
3 noise issues or potential noise issues. So the  
4 question becomes, should that be a trigger point for  
5 the building commissioner to test for dampening or  
6 should it simply float off of whenever he gets  
7 50 percent, 70 percent occupancy in the residential.  
8 It's about noise.

9           MS. SCHNEIDER: Right. But we're really  
10 talking about rooftop mechanicals; right?

11           MR. GELLER: You're talking -- in this  
12 case, you're talking about rooftop mechanicals.

13           MS. PALERMO: Instead of timing to 50  
14 percent of the COs -- because you don't know how many  
15 COs they're going to get. They may get one, they may  
16 get two.

17           MR. GELLER: But that's the suggestion of  
18 the building commissioner. That was what he had  
19 suggested.

20           MS. PALERMO: Well, I was going to say --  
21 but it's hard to know what they're going to do.

22           MS. SCHNEIDER: And they may not know now.

23           MS. PALERMO: And they may not know.

24           And as far as occupancy, they're going to

1 get a CO even if they don't have a tenant for an  
2 apartment. They're not going to hold off on getting  
3 their CO because their lender won't let them, so  
4 that's not a way to do it.

5 But possibly, if you did it with square  
6 footage, you could say, you know, prior to the  
7 issuance -- maybe prior to the issuance of a final  
8 certificate of occupancy, that they'll have to  
9 demonstrate that it complies. And that means they  
10 won't get the final C of O, and it may be the only  
11 C of O they go for.

12 MR. GELLER: Let me make a suggestion. I  
13 think that this is something that Dan Bennett should  
14 really look at and respond. And point out to him the  
15 possibility in this case, unlike, for instance,  
16 40 Centre Street, there is a possibility that the  
17 commercial spaces are in use before the residential  
18 spaces.

19 MS. MORELLI: I want to make a distinction  
20 here. They don't have to be in use. If he wants to  
21 have the building tested and have it all --

22 MR. GELLER: But I don't know what point he  
23 wants that testing to be.

24 MS. MORELLI: But he clearly made the

1 distinction between certificates of occupancy and  
2 actual occupancy. We're not saying 50 percent  
3 occupied. We're 50 percent of the C of Os.

4 MR. GELLER: Right. Because he's using  
5 that as the leverage to make them --

6 MS. MORELLI: Right. So that's -- you're  
7 withholding something really valuable. It could be  
8 the dead of winter. He's going to want all the  
9 condensers fired.

10 MR. GELLER: But which point? What is the  
11 point at which he wants to do this test?

12 MS. MORELLI: I don't understand.

13 MS. PALERMO: Well, I'm still not clear as  
14 to why simply saying that they're going to withhold  
15 the final C of O isn't enough.

16 MS. SCHNEIDER: Why does he need the 50  
17 percent?

18 MR. GELLER: But that was his -- that's  
19 what he prefers, and I don't have a compelling reason  
20 to say to the building commissioner that the logic  
21 doesn't work. So if that's what he prefers, I'm okay  
22 with that piece. The only piece that I question is  
23 50 percent of C of Os is a residential analysis.

24 MS. PALERMO: Well, it's also, as I said,

1 assuming there's going to be multiple C of Os, and  
2 there may not be, so I think we are trying to help  
3 the building commissioner get to where he wants to  
4 be.

5 MR. GELLER: Right.

6 MS. PALERMO: So I think the final C of O  
7 is certainly enough of a threat to make sure that the  
8 building complies with noise requirements. If he  
9 wants a test prior to that, then we could perhaps  
10 include some obligation on the part of the applicant  
11 to demonstrate to the building commissioner at  
12 50 percent -- or after installation of all mechanical  
13 equipment. I mean, he just wants a test point prior  
14 to -- it sounds like that's what the building  
15 commissioner wants.

16 MS. MORELLI: He wants to make sure that  
17 all the mechanicals --

18 (Multiple parties speaking. Interruption  
19 by the court reporter.)

20 MS. MORELLI: The building commissioner's  
21 point is that all mechanical equipment has to be  
22 tested before the final C of O is issued.

23 MS. PALERMO: Well, he has the right to.

24 MS. MORELLI: Absolutely. He's pretty much



1 saying the entire building has to be compliant. In  
2 order for the entire building to be compliant with  
3 the noise bylaw, all of that equipment has to be run.  
4 And it can be the dead of winter. All of the AC  
5 units are going to be run.

6 MS. SCHNEIDER: I think the issue, though,  
7 is the 50 percent --

8 MS. MORELLI: We can take that out. It's  
9 really a vestige of another case, and there's a  
10 reason. There was another case that doesn't have  
11 blanketing condensers, so we're just being extra  
12 cautious. We can take that out, and we can just  
13 start with prior to the issuance --

14 MS. SCHNEIDER: I think that's a great  
15 idea.

16 MS. POVERMAN: What are we taking out?

17 MS. SCHNEIDER: We're taking out the "50  
18 percent."

19 MS. POVERMAN: I disagree. I really  
20 disagree. I don't see any problem with the "prior to  
21 50 percent." I think it's protection for the  
22 neighbors. I mean, I'm not saying I don't have faith  
23 in the developer. I'm not saying that at all. But  
24 you don't want, you know, a really horrible noise

1 system or whatever -- protection in place while full  
2 certificate of occupancy is being -- you know, until  
3 it's not required yet. I think you want to have --

4 MS. MORELLI: Let me make it clear.  
5 They're not asking for a waiver from the noise bylaw,  
6 so it doesn't matter at what point the building is  
7 constructed. If it makes any noise and people  
8 complain, they're going to get -- they are going to  
9 get an inspector out there and they're going to get  
10 cited because they will be in violation.

11 MS. PALERMO: Well, not only that. They  
12 won't get their C of O, which means they won't be  
13 able to put the tenants in the building, which means  
14 their lender will foreclose. That is huge. As long  
15 as they build a building that does not comply with  
16 the noise requirements, they can't use --

17 MS. MORELLI: I really have to step in here  
18 and say we have a process and we have regulations and  
19 we know how to run the town. We don't have to  
20 reinvent the bylaw. And let's just say that the  
21 conditions don't take the place of our regulations.

22 MS. POVERMAN: I fully understand that.

23 MS. MORELLI: Okay.

24 MS. POVERMAN: Two things are driving me.

1 One is that it was the building commissioner's  
2 suggestion; and two, the fact that the neighborhood  
3 is not necessarily going to know when the noise level  
4 is exceeded.

5 We have an incredibly noisy, you know,  
6 building a block and a half away from us, and it is  
7 outrageous at times. I've never called up, because  
8 I'm like, well, maybe it's violating or not. So I  
9 don't think we want to put the onus on the neighbors  
10 to know when the noise violations are being exceeded.

11 MS. MORELLI: Is there any objection to  
12 leaving 50 percent? I don't understand what the  
13 objection is. Does the applicant have an objection?  
14 Does it create confusion?

15 MS. SCHNEIDER: I think it does create  
16 confusion only because I think it's -- in any project  
17 I think it's hard to figure out what the 50 percent  
18 point is and whether there even will be a 50 percent  
19 point at which it could be tested. You know,  
20 sometimes -- you know, sometimes a project, as Lark  
21 said, will just go for one final C of O at the end,  
22 so what does that mean about the 50 percent  
23 requirement if you're only pulling one C of O for the  
24 whole project?

1 MS. MORELLI: Because of the affordable  
2 units, there is like a -- for every four units,  
3 market rate, that's -- so the building commissioner  
4 is going to be giving out certificates piecemeal.

5 MR. GELLER: This is what the building  
6 commissioner wanted, and therefore, let's just ask the  
7 building commissioner.

8 MS. BARRETT: Can I make a suggestion?

9 MR. GELLER: Sure.

10 MS. BARRETT: Just say, "The applicant  
11 shall demonstrate to the building inspector that the  
12 project complies with the town noise bylaw no later  
13 than the issuance of the final certificate of  
14 occupancy or sooner as determined by the building  
15 commission."

16 MR. GELLER: That's fine with me.

17 MS. SCHNEIDER: Or we can just leave it as  
18 is.

19 MS. BARRETT: Let the building commissioner  
20 do his job.

21 MR. GELLER: That's fine with me if that's  
22 all he was trying to achieve by this language,  
23 because this is his language.

24 MS. BARRETT: Let him figure it out. He'll

1 know when -- they actually -- I don't think the board  
2 needs to regulate this. That's my humble opinion.  
3 Let's make it clear that it has to comply, and the  
4 test point will be no later than the issuance of that  
5 last certificate of occupancy or sooner if the  
6 building commissioner determines it needs to be done.  
7 Are you all right with that?

8 MR. GELLER: Out of respect for the  
9 building commissioner, alert him to that changed  
10 language. This is, again, his suggestion.

11 MS. POVERMAN: I think we should just leave  
12 it.

13 MS. SCHNEIDER: We can also just leave it.  
14 I think we were just trying to simplify it.

15 MR. GELLER: He then has to deal with the  
16 issue of the ambiguity of 50 percent.

17 MS. SCHNEIDER: Exactly. That was the  
18 concern, trying to remove that ambiguity,

19 MR. GELLER: Okay. My next comment is in  
20 31.

21 MS. POVERMAN: Yeah. That doesn't belong  
22 with this project.

23 MS. MORELLI: That's not true. So whenever  
24 there is a project that is getting state funding or

1 permitting or licensing, it's up to the subsidizing  
2 agency to send a project notification form to the  
3 Mass. Historical Commission, and the Mass. Historical  
4 Commission will determine if there are any state-  
5 registered properties in the area that could be  
6 adversely affected by --

7 MR. GELLER: That wasn't actually what I  
8 was referring to. It's the question at the end that  
9 needs to come out.

10 MS. MORELLI: I just didn't delete that  
11 because I didn't want to edit his comments.

12 MR. GELLER: My next question is in 32. So  
13 we've added TAP language, but why are we not also --  
14 you know, one of the provisions that typically is  
15 utilized is that commercial tenants -- it will be  
16 included in leases that they will incentivize the use  
17 of passes.

18 MS. MORELLI: I think that's an excellent  
19 thing to add.

20 MS. POVERMAN: So where are we putting  
21 that?

22 MR. GELLER: It will be one of the little  
23 Roman numerals.

24 MS. MORELLI: So included in the leases for

1 the commercial spaces --

2 MR. GELLER: Correct.

3 MS. MORELLI: And could you just finish  
4 that? What do you want to include?

5 MR. GELLER: I want to include -- I'll find  
6 the language. I have to find it. But it's  
7 essentially requiring commercial tenants to subsidize  
8 MBTA passes.

9 MS. MORELLI: Okay.

10 MS. POVERMAN: My comment on 32 --  
11 are you done with 32?

12 MR. GELLER: Yes.

13 MS. POVERMAN: So my comment on 32 is,  
14 again, "building permit" capped.

15 And then three lines down it says --  
16 sentence started, "In accordance with the  
17 Transportation Access Plan guidelines of the town" --  
18 see number -- "of the" -- should it be the town --

19 MS. MORELLI: The town.

20 MS. POVERMAN: Specify town. And it's --  
21 well, plural, "bylaws"; right?

22 MS. SCHNEIDER: No. Singular.

23 MS. POVERMAN: Oh, it's a particular bylaw.  
24 Okay.

1           And then I know we have a disagreement with  
2 the applicant as to the percentage of subsidies to be  
3 provided for the employees' transit cost.

4           MS. MORELLI: I think he's saying that it  
5 would be a total --

6           What was your understanding? Providing --  
7 instead of 50 percent subsidy?

8           MR. SHEEN: I mean, that just seems a bit  
9 arbitrary. We don't know --

10          MR. GELLER: I don't care about his  
11 employees. He's got maybe two employees.

12          MR. SHEEN: I've got two guys.

13          MR. GELLER: Seriously, I'm more concerned  
14 about the commercial tenants.

15          MS. POVERMAN: Okay. But it's the same  
16 issue, though, I mean, whether or not we're promoting  
17 public transportation and requiring subsidies. So  
18 shouldn't he be required to give some sort of  
19 subsidy?

20          MS. SCHNEIDER: Well, I think we are  
21 requiring him to provide some sort of subsidy. We're  
22 just not specifying the amount.

23          MS. POVERMAN: Okay. And then the bicycle  
24 racks, I agree that 40 is too many, even if that was



1 what was provided on the plans.

2 MS. MORELLI: I'm just saying -- it's just  
3 a reminder to myself. It's because of the conflict  
4 of the plan. I just want to update the plans, and I  
5 might ask the developer to update the plans to be  
6 consistent --

7 MR. BROWN: We'll go to 30.

8 MS. MORELLI: That's all I'm saying.

9 MS. POVERMAN: Okay, 34. So starting the  
10 sentence, "The affordable units shall be dispersed  
11 throughout the project and shall have the same  
12 bedroom ratio or mix as" -- instead of "the other  
13 units," say the "market-rate units."

14 MS. POVERMAN: 40 is just a question of who  
15 monitors the reports with distributor of community  
16 development.

17 MS. MORELLI: Sorry. What number?

18 MS. POVERMAN: Number 40. "For the period  
19 in which the project is being monitored by the  
20 subsidizing agency, upon the town's request the" --

21 MR. GELLER: It should be the owner.

22 MS. POVERMAN: Do you want to capitalize  
23 "building permit" again in paragraph 44?

24 MS. MORELLI: Yeah. I've made a note of

1 the styling.

2 MS. POVERMAN: Okay. I'll stop mentioning  
3 it, then.

4 MR. GELLER: My next one is 51B.

5 MS. POVERMAN: Hold on a second.

6 Okay, 46. "Fire safety: Prior to the  
7 issuance of a building permit, the fire chief or his  
8 designee shall review and approve the final site  
9 plan." Get rid of, "including without limitation,"  
10 because it doesn't make any sense there -- "to ensure  
11 the fences and landscaping."

12 MS. SCHNEIDER: Do you want to get rid of  
13 "including without limitation," or do you want to  
14 move it to after "ensure"?

15 MS. POVERMAN: "To ensure, including  
16 without limitation" -- yeah, sure.

17 Okay, 47, the last line above "building and  
18 fire codes," it says, "direct alarm notification to  
19 the fire department designed in accordance with the  
20 latest versions" -- add an S -- "of the building and  
21 fire codes."

22 Okay. On to more excitement, 51C.

23 MR. GELLER: I'm going to B.

24 MS. POVERMAN: Oh, okay.

1 MR. GELLER: The second line, "lighting  
2 plans and compliance with the site plan review  
3 checklist," which is what 19 is really about.

4 MS. POVERMAN: What? The site plan review  
5 checklist?

6 MR. GELLER: Uh-huh.

7 MS. POVERMAN: Okay. Ready for C? "It has  
8 paid all fees and funded all improvements required  
9 pursuant to Condition 14 and, if applicable,  
10 Condition 12." Condition 12 relates to the street  
11 tree, so I don't think it's applicable.

12 MR. GELLER: It refers to cost, in that  
13 section, that would be borne by the applicant.  
14 That's what it's referring to.

15 MS. POVERMAN: Okay. Got it.

16 MR. GELLER: 51G, "The chief of  
17 environmental health has reviewed and determined  
18 compliance with the rubbish and recycling plan."

19 MS. MORELLI: Well, it's not compliance  
20 with the plan. It's actually approved -- it's in  
21 compliance with the city's sanitation code. I mean,  
22 they're presenting a plan in 15, but he's going to be  
23 reviewing that and he can certainly change his mind  
24 if he finds for any reason that it's noncompliant.

1 MR. GELLER: Well, here's what 15 says:  
2 "Prior to the issuance of a building permit, the  
3 applicant shall submit a rubbish/recycling plan  
4 schedule to the chief of environmental health for  
5 review and determination of compliance with town  
6 regulations."

7 MS. SCHNEIDER: Right. But then he's going  
8 to approve that plan, which is what I think Maria is  
9 saying in this -- in F -- I'm sorry, G.

10 MR. GELLER: Okay. But I think he's also  
11 determining compliance.

12 MS. SCHNEIDER: Right. But I think he's  
13 not going to approve a plan until he's made a  
14 determination of compliance.

15 MR. GELLER: I assume that's correct.

16 MS. SCHNEIDER: Right.

17 MS. POVERMAN: Paragraph 52 talks about,  
18 "During construction, the applicant shall conform  
19 with all state and federal laws regarding air  
20 quality, etc."

21 Second sentence, "The applicant shall at  
22 all times use reasonable means to minimize  
23 inconvenience to residents" -- add "and  
24 businesses" -- "in the general area."

1 In 53, three lines down in parentheses, it  
2 says, "The condition of pavement surfaces of such  
3 routes before and after construction to be  
4 documented." That is contained in paragraph 57, so I  
5 think it's not necessary.

6 57 says, "Prior to commencement of  
7 construction, the applicant shall provide the  
8 director of transportation with a report and  
9 photographs of the condition of paved surfaces along  
10 truck routes before construction commencement and  
11 then again prior to issuance of a C of O to ensure  
12 construction traffic does not adversely affect the  
13 pavement."

14 MS. MORELLI: Okay.

15 MS. POVERMAN: Okay. And survey -- next,  
16 "survey of existing trees on the site and measures to  
17 ensure tree protection," I believe that's also  
18 covered someplace else because the arborist  
19 consultant --

20 MS. MORELLI: What number?

21 MS. POVERMAN: 53, directly following the  
22 "condition of pavement surfaces," and after  
23 "construction to be documented," there will be "a  
24 survey of existing trees on the site and measures to

1 ensure tree protection during construction."

2 MS. MORELLI: So what was mentioned is  
3 street trees, so I'm not sure what you're referring  
4 to. There's a difference between street trees and  
5 trees on the site. What this is talking about is a  
6 survey of existing trees on the site.

7 MS. POVERMAN: Oh, okay.

8 MS. MORELLI: And there's no other survey  
9 except for the street trees.

10 MS. POVERMAN: Okay. Good point.

11 Oh, and 55 I had a question. So "The  
12 applicant shall keep in optimum working order any and  
13 all construction equipment that makes sounds." Do we  
14 want to add that the applicant will make sure that  
15 the construction equipment conforms with all  
16 applicable noise bylaws?

17 MR. GELLER: No.

18 MS. POVERMAN: No? Okay. That's all I  
19 have.

20 MR. GELLER: That's all I have.

21 Anybody else?

22 MS. SCHNEIDER: No.

23 MR. GELLER: Does the applicant have  
24 anything to add?

1 MR. SHEEN: No.

2 MR. GELLER. Maria, anything anyone else?

3 MS. MORELLI: No. I do want to just  
4 acknowledge that the applicant is going to contribute  
5 \$10,000 towards the upgrade of a traffic signal at  
6 Harvard and Fuller Street. Even though we got a  
7 fairly low bid, he's still committed to contributing  
8 \$10,000 for that, which may cover most of the cost,  
9 and DPW just wanted to acknowledge that and thank the  
10 applicant.

11 I think the -- I wanted just to also point  
12 out that you do -- in addition to Exhibit 1, which is  
13 the waivers, that you have Exhibit 2, which is the  
14 terms for the replacement regulatory agreement. You  
15 do need to update those cross-refs.

16 MR. GELLER: And that's been reviewed by  
17 town counsel?

18 MS. MORELLI: It has, correct.

19 And then Exhibit 3 is the notice of the  
20 hearing.

21 MS. POVERMAN: Okay. One typo -- sorry --  
22 on the terms to be included in the replacement  
23 regulatory agreement. Number one, under "Subsidizing  
24 regulatory agreement," one, two, three, four, it

1 says, "The project which, inter alia, will set" -- I  
2 think it's "forth" instead of "set for the certain  
3 restrictions."

4 MS. MORELLI: So in terms of next steps --

5 MR. GELLER: I was just getting there. So  
6 it seems to me -- obviously, there needs to be  
7 another cleanup of the decision. We're fine, I  
8 think, subject to a vote on the waiver requests.

9 Let me suggest to the board that we are at  
10 a point in this hearing where I think we can close  
11 the testimony portion and move on to the 40 days to  
12 clean up the decision. So in my quest for democracy,  
13 I just want to make sure everybody is all right with  
14 that.

15 MS. SCHNEIDER: Yes.

16 MS. POVERMAN: Yes.

17 MS. PALERMO: Yes.

18 MR. GELLER: So what we're going to do is  
19 we're closing the hearing portion --

20 MS. BARRETT: Closing the public hearing.

21 MR. GELLER: -- closing the public hearing  
22 portion. And what this means -- for those of you who  
23 are familiar with 40B, or for those of you who are  
24 not -- is that we will no longer be able to take



1 testimony from any source, and the board will have a  
2 period of 40 days to deliberate and finalize the  
3 draft that we've been talking about.

4 KAREN: I have a question.

5 MR. GELLER: Is it for our expert?

6 KAREN: Yes.

7 MR. GELLER: Karen of Babcock.

8 KAREN: Yes. I'm always put in the middle  
9 of things, and I really don't want to be there. My  
10 income has declined and the 40B promise --

11 MR. GELLER: Karen, this does not pertain  
12 to the topic at hand.

13 KAREN: I don't see the promise of being  
14 included as a low-income tenant.

15 MR. GELLER: Karen, thank you.

16 Do you have a question that pertains to the  
17 process?

18 MS. SHAW: Before we close this topic, I  
19 just want to bring up the point of the coffee shop  
20 that's across the street.

21 MS. SCHNEIDER: I'm sorry. Could you just  
22 provide your name and address?

23 MS. SHAW: I'm Sloat Shaw, Thorndike  
24 Street.

1           And there's a coffee shop that's right  
2 across the street from the project that hasn't been  
3 able to get seats for its area the entire time it's  
4 been there. It's a neighborhood beloved coffee shop.  
5 And listening to the 40B get space for its food space  
6 doesn't seem accurate, it doesn't seem fair. They're  
7 just coffee and they bring in sweets. And I wondered  
8 about that kind of equity because they've been denied  
9 because they're, like, conflicting with Kupel's  
10 outdoor seating and other coffee shops in the area.  
11 So that's something that I wanted to bring up to this  
12 point. I thought it was applicable because it's  
13 right across the street.

14           MS. SCHNEIDER: I just want to clarify. I  
15 think your question is have we granted any rights to  
16 this project for outdoor seating on the sidewalk.  
17 And there was a discussion that there is a separate  
18 town licensing process that would have to occur for  
19 them to have any kind of restaurant or cafe space,  
20 and if they did want to be using sidewalks, it's a  
21 separate licensing process that occurs wholly outside  
22 of the purview of this board.

23           MS. SHAW: Right. But this coffee shop's  
24 not even allowed to have seats inside the coffee shop

1 because it was --

2 MS. SCHNEIDER: Right. But that's --

3 MR. GELLER: It's a separate licensing  
4 issue.

5 MS. SHAW: I just wanted to bring that up,  
6 just as a thought.

7 MR. GELLER: Sure. Okay.

8 Next, Maria, what do we have?

9 MS. BARRETT: You need to actually close  
10 the hearing.

11 MR. GELLER: Anybody?

12 MS. SCHNEIDER: I move to close the public  
13 hearing on 420 Harvard Street.

14 MS. PALERMO: I second it.

15 MR. GELLER: All in favor?

16 (All affirmative.)

17 MS. POVERMAN: I have a question. Now that  
18 we've made a decision, is the alternate's role done?  
19 If we're granting the comprehensive permit --

20 MS. BARRETT: You haven't voted to grant  
21 it.

22 MS. POVERMAN: Never mind. Excuse me,  
23 never mind.

24 (Discussion held amongst the board.)

1 MS. MORELLI: So we'll have a public  
2 meeting on January 23rd at 7:00.

3 MR. GELLER: Okay. Thank you, everyone.

4 (Proceedings adjourned at 8:47 p.m.)

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

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

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

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

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

13 Dated this 10th day of January, 2017.

14 

15  
16 

---

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

18  
19  
20  
21  
22  
23  
24

<hr/> <p style="text-align: center;"><b>\$</b></p> <hr/> <p><b>\$10,000</b> 79:5,8</p> <p><b>\$250</b> 51:15</p> <p><b>\$500</b> 51:14</p> <p><b>\$800</b> 50:14</p> <hr/> <p style="text-align: center;"><b>0</b></p> <hr/> <p><b>000</b> 48:14</p> <hr/> <p style="text-align: center;"><b>1</b></p> <hr/> <p><b>1</b> 48:13 79:12</p> <p><b>1/2</b> 7:10,13,21</p> <p><b>11</b> 27:8 55:22</p> <p><b>12</b> 16:7 27:8 55:24 56:7 75:10</p> <p><b>13</b> 16:19 21:10 27:5</p> <p><b>14</b> 75:9</p> <p><b>14A</b> 56:14</p> <p><b>15</b> 8:21 75:22 76:1</p> <p><b>15B</b> 56:20</p> <p><b>15I</b> 56:23</p> <p><b>16</b> 27:9</p> <p><b>17</b> 4:16</p> <p><b>18.83</b> 11:3 12:3</p>	<p><b>19</b> 17:20 28:19 58:3 75:3</p> <hr/> <p style="text-align: center;"><b>2</b></p> <hr/> <p><b>2</b> 7:13,21 10:5,11,15,23 11:14,18,20,22 12:21, 23 13:1,3,7,9,13,15,19, 23 16:20 48:15 79:13</p> <p><b>20</b> 17:22 29:1,2</p> <p><b>2016</b> 4:16 5:14 17:20 27:20</p> <p><b>21</b> 31:5</p> <p><b>22</b> 31:22 58:11</p> <p><b>23</b> 32:13,16</p> <p><b>23rd</b> 84:2</p> <p><b>24</b> 32:14 33:4 35:20 36:16, 22</p> <p><b>25</b> 35:20 45:7 58:22</p> <p><b>26</b> 35:3</p> <p><b>27</b> 32:14 35:3 58:24</p> <p><b>28</b> 5:14 27:20</p> <p><b>28th</b> 4:11 5:2</p> <hr/> <p style="text-align: center;"><b>3</b></p> <hr/> <p><b>3</b> 7:10,13,21 14:12,13,14, 24 48:19 79:19</p> <p><b>30</b> 39:18 73:7</p> <p><b>31</b> 69:20</p>	<p><b>32</b> 70:12 71:10,11,13</p> <p><b>34</b> 73:9</p> <p><b>3:30</b> 8:22</p> <p><b>3:35</b> 14:5</p> <hr/> <p style="text-align: center;"><b>4</b></p> <hr/> <p><b>4</b> 7:15,21 17:19 54:7,9 55:8</p> <p><b>40</b> 7:7 8:7 11:7,24 12:3 36:9 43:5 60:1 62:16 72:24 73:14,18 80:11 81:2</p> <p><b>40B</b> 5:16 22:2 25:19 33:18 39:2 43:4 80:23 81:10 82:5</p> <p><b>420</b> 3:5 5:16 83:13</p> <p><b>44</b> 73:23</p> <p><b>46</b> 74:6</p> <p><b>47</b> 74:17</p> <p><b>49</b> 49:5,8,12,15</p> <hr/> <p style="text-align: center;"><b>5</b></p> <hr/> <p><b>5</b> 14:24 48:14 52:1</p> <p><b>5,000</b> 14:15 48:14 61:2</p> <p><b>5.30.2A1</b> 5:6</p> <p><b>50</b> 17:24 59:2 60:2 61:7,13 63:2,3,16,23 64:12 65:7,17,21 67:12,17,18, 22 69:16 72:7</p>	<p><b>51B</b> 74:4</p> <p><b>51C</b> 74:22</p> <p><b>51G</b> 75:16</p> <p><b>52</b> 76:17</p> <p><b>53</b> 77:1,21</p> <p><b>55</b> 78:11</p> <p><b>56.10</b> 12:9</p> <p><b>57</b> 77:4,6</p> <p><b>58</b> 12:4</p> <hr/> <p style="text-align: center;"><b>6</b></p> <hr/> <p><b>6</b> 7:10 9:20 16:4 18:2</p> <hr/> <p style="text-align: center;"><b>7</b></p> <hr/> <p><b>70</b> 61:7</p> <p><b>7:00</b> 84:2</p> <p><b>7:03</b> 3:2</p> <hr/> <p style="text-align: center;"><b>8</b></p> <hr/> <p><b>87</b> 56:13</p> <p><b>8:47</b> 84:4</p> <hr/> <p style="text-align: center;"><b>9</b></p> <hr/> <p><b>9</b> 21:5 54:1</p> <p><b>90</b> 6:24</p>
--	---	--	--

<p><b>96-gallon</b> 5:22 6:7 7:4</p> <hr/> <p style="text-align: center;"><b>A</b></p> <hr/> <p><b>A.1</b> 10:5</p> <p><b>AA.2</b> 13:17</p> <p><b>able</b> 66:13 80:24 82:3</p> <p><b>above-noted</b> 5:19</p> <p><b>absence</b> 44:22 45:3,5</p> <p><b>absolutely</b> 8:11 38:4 46:23 64:24</p> <p><b>abuts</b> 9:21 10:1</p> <p><b>abutting</b> 27:3</p> <p><b>AC</b> 65:4</p> <p><b>Access</b> 71:17</p> <p><b>accommodate</b> 46:14</p> <p><b>accurate</b> 19:15 82:6</p> <p><b>achieve</b> 46:3,6 68:22</p> <p><b>acknowledge</b> 35:1 46:12 79:4,9</p> <p><b>acknowledged</b> 58:11</p> <p><b>acknowledges</b> 45:22</p> <p><b>acknowledging</b> 46:5</p> <p><b>acquire</b> 48:20</p> <p><b>acquired</b> 6:3,10</p> <p><b>Act</b> 56:13</p>	<p><b>acting</b> 18:8</p> <p><b>active</b> 16:21</p> <p><b>actual</b> 63:2</p> <p><b>add</b> 14:17 15:21 16:9,13 17:23 27:7,14 28:23 47:9 48:13 70:19 74:20 76:23 78:14,24</p> <p><b>added</b> 70:13</p> <p><b>addition</b> 8:24 16:9 79:12</p> <p><b>additional</b> 4:8 6:2,9,10,18 56:5</p> <p><b>additions</b> 36:11</p> <p><b>address</b> 35:9 37:1 81:22</p> <p><b>addressed</b> 35:6</p> <p><b>adequate</b> 7:1</p> <p><b>adjourned</b> 84:4</p> <p><b>administrative</b> 4:3</p> <p><b>adopt</b> 37:16,20</p> <p><b>adversarial</b> 45:24 46:1</p> <p><b>adversely</b> 70:6 77:12</p> <p><b>advised</b> 5:18</p> <p><b>advocating</b> 39:3</p> <p><b>affect</b> 6:4 77:12</p> <p><b>affirmative</b> 83:16</p> <p><b>affordability</b> 51:8</p>	<p><b>affordable</b> 34:3,8,18 42:20 46:7 47:20,22 50:4,8,9,10, 14,17 51:19 68:1 73:10</p> <p><b>afternoon</b> 3:16 8:23</p> <p><b>agency</b> 4:7 44:17,18 50:23 51:6,23 70:2 73:20</p> <p><b>agree</b> 21:24 36:4,15,17,20,21, 23 48:6,7,9 72:24</p> <p><b>agreed</b> 45:9</p> <p><b>agreement</b> 79:14,23,24</p> <p><b>air</b> 76:19</p> <p><b>alarm</b> 74:18</p> <p><b>alert</b> 69:9</p> <p><b>alia</b> 80:1</p> <p><b>allowance</b> 50:15</p> <p><b>allowed</b> 11:7 29:7 35:16 82:24</p> <p><b>allows</b> 44:23</p> <p><b>Allston</b> 18:14</p> <p><b>alternate's</b> 83:18</p> <p><b>Alternatively</b> 55:6</p> <p><b>amazed</b> 33:7 35:18</p> <p><b>ambiguity</b> 69:16,18</p> <p><b>ameliorate</b> 48:3</p> <p><b>amount</b> 8:1 11:3 61:1 72:22</p>	<p><b>analysis</b> 63:23</p> <p><b>anchored</b> 35:20</p> <p><b>antagonistic</b> 39:10</p> <p><b>anybody</b> 32:21 58:18 78:21 83:11</p> <p><b>apartment</b> 26:23 59:15 62:2</p> <p><b>apologize</b> 12:19</p> <p><b>appeal</b> 38:23</p> <p><b>appeals</b> 5:14 38:17,21</p> <p><b>applicable</b> 28:24 55:11 75:9,11 78:16 82:12</p> <p><b>applicant</b> 6:11 15:1 16:5 17:20 30:8 31:6,8 35:14 38:1, 20,21 39:10 43:6,11 44:5,8 45:9,14 50:3 54:20 56:11 57:4 59:3,7 64:10 67:13 68:10 72:2 75:13 76:3,18,21 77:7 78:12,14,23 79:4,10</p> <p><b>applicant's</b> 5:2 27:6 43:17,24 44:22 49:11</p> <p><b>application</b> 14:22 16:18</p> <p><b>applied</b> 29:12 34:15,22</p> <p><b>apply</b> 54:17</p> <p><b>appreciation</b> 46:20</p> <p><b>approaching</b> 39:4</p> <p><b>appropriate</b> 8:3 18:6,15 34:23 39:9 45:20 46:12</p> <p><b>approval</b></p>
--	---	--	--

58:10	60:18 76:15	<b>basically</b> 53:7 55:19	14:11
<b>approvals</b> 57:14,22	<b>assuming</b> 41:22 64:1	<b>basis</b> 5:24 41:20 50:5	<b>blanketing</b> 65:11
<b>approve</b> 34:20 74:8 76:8,13	<b>assumptions</b> 41:11	<b>BB.1</b> 13:19	<b>block</b> 67:6
<b>approved</b> 7:1 54:12 55:13,14,16, 20 75:20	<b>atlas</b> 24:18	<b>bearing</b> 50:17	<b>board</b> 5:13 22:20 25:9 26:17 27:22 28:3 32:13,16,18 33:1,22 34:4,11 35:5,7 36:24 37:4,16 38:17 39:21 42:19,23 43:10 44:23 45:12,18 57:10, 11 69:1 80:9 81:1 82:22 83:24
<b>approximately</b> 14:4	<b>attempt</b> 48:3	<b>bedroom</b> 73:12	<b>board's</b> 21:17 37:19
<b>arbitrary</b> 72:9	<b>August</b> 60:18	<b>believe</b> 15:19 36:12 43:12 46:11 77:17	<b>boards</b> 32:17 39:24
<b>arborist</b> 56:10 77:18	<b>authority</b> 57:15,23	<b>believes</b> 43:11	<b>body</b> 26:1 38:7,14
<b>architectural</b> 14:21 26:22 54:10 55:1	<b>available</b> 17:22 51:10	<b>belong</b> 69:21	<b>Boehmer</b> 21:6,13 26:18
<b>architecturally</b> 21:22 22:17,22 23:5 26:14	<hr/> <b>B</b> <hr/>	<b>beloved</b> 82:4	<b>bold</b> 14:20
<b>architecture</b> 23:1	<b>Babcock</b> 81:7	<b>benefits</b> 42:20	<b>borne</b> 56:11 75:13
<b>area</b> 18:22 19:12 20:24 22:7, 11,14,16,22 23:9,17 24:3,6,15 25:8 26:9 35:12 38:12,15 70:5 76:24 82:3,10	<b>back</b> 21:12 25:14 40:22 41:8, 23 43:9 55:17 57:8 59:18	<b>Bennett</b> 62:13	<b>borrow</b> 32:6
<b>argued</b> 17:12 38:14	<b>balance</b> 47:22	<b>best</b> 19:21 39:12	<b>Boston</b> 19:23
<b>asked</b> 49:14	<b>balances</b> 47:24	<b>better</b> 23:19 25:8 43:12 50:1	<b>Boston/brookline</b> 18:10 19:12 20:23
<b>asking</b> 23:14 38:1 66:5	<b>balancing</b> 33:18,19 34:18 47:12, 17	<b>beverage</b> 57:15,22	<b>bottom</b> 53:8
<b>aspect</b> 50:22	<b>BARRETT</b> 17:6 20:15,19 21:17,19 22:10,21 23:7,16 24:6, 21,24 25:5 26:8,15 29:20 32:11,14 33:5,7 35:3,24 36:3 37:24 38:4 40:4,9,12 43:15 44:16 45:14,17 49:23 50:19 55:12,17 56:12 58:14, 17 68:8,10,19,24 80:20 83:9,20	<b>beyond</b> 34:13	<b>Boxborough</b> 33:14
<b>assert</b> 34:15 44:5	<b>base</b> 37:21	<b>bicycle</b> 72:23	<b>break</b> 30:17 42:7
<b>asserting</b> 40:10	<b>based</b> 44:12 49:3	<b>bid</b> 79:7	<b>Brendan</b> 5:3
<b>assistance</b> 17:4		<b>big</b> 25:17 26:9 32:11	<b>bring</b> 23:18 81:19 82:7,11 83:5
<b>assistant</b> 54:22		<b>bigger</b> 7:17,22	<b>broadly</b> 24:4
<b>assume</b> 14:11 22:14 40:15,17		<b>bins</b> 6:7	
		<b>bit</b> 29:17 72:8	
		<b>blame</b>	



<p><b>Brookline</b> 18:10,14 19:13 20:24 22:20 46:8</p> <p><b>BROWN</b> 73:7</p> <p><b>build</b> 66:15</p> <p><b>building</b> 5:4,5,7 12:8 16:10 21:14 22:16,24 26:9,23 28:5 45:10 51:1,5 54:6 55:9,23 56:19 58:1,4,23 59:4 60:1 61:5,18 62:21 63:20 64:3,8,11,14,20 65:1,2 66:6,13,15 67:1, 6 68:3,5,7,11,14,19 69:6,9 71:14 73:23 74:7,17,20 76:2</p> <p><b>building's</b> 5:22</p> <p><b>buildings</b> 19:24 22:3,8 24:22 25:1,4,6 26:10</p> <p><b>buildings,'</b> 21:23</p> <p><b>business</b> 9:20,24 24:9,20</p> <p><b>businesses</b> 76:24</p> <p><b>buttons</b> 30:22</p> <p><b>bylaw</b> 59:5,8 65:3 66:5,20 68:12 71:23</p> <p><b>bylaws</b> 15:2 25:21 71:21 78:16</p> <hr/> <p style="text-align: center;"><b>C</b></p> <hr/> <p><b>C.1</b> 10:7</p> <p><b>cafe</b> 8:16 29:14 82:19</p> <p><b>cafes</b> 30:2,4,9</p> <p><b>calculated</b> 5:4</p>	<p><b>calculation</b> 4:24</p> <p><b>call</b> 15:24 51:5</p> <p><b>called</b> 15:17 67:7</p> <p><b>calling</b> 22:16</p> <p><b>can't</b> 20:1 24:5 27:10 35:13 66:16</p> <p><b>cans</b> 7:17</p> <p><b>canyon</b> 53:7</p> <p><b>capacity</b> 7:3</p> <p><b>capital</b> 16:5,18 56:19</p> <p><b>capitalize</b> 55:23 73:22</p> <p><b>capitalized</b> 58:2,22</p> <p><b>capped</b> 71:14</p> <p><b>care</b> 51:18 72:10</p> <p><b>careful</b> 39:19</p> <p><b>carry</b> 7:24</p> <p><b>case</b> 25:18,19 36:13 38:13 39:16 46:9 48:4 51:9 58:16 60:4 61:12 62:15 65:9,10</p> <p><b>cases</b> 35:6</p> <p><b>catch</b> 9:4</p> <p><b>caught</b> 48:20</p> <p><b>caused</b> 33:8</p>	<p><b>cautious</b> 38:24 65:12</p> <p><b>CC'D</b> 4:11</p> <p><b>CC.2</b> 13:21</p> <p><b>Centre</b> 7:7 8:7 36:9 43:5 60:1 62:16</p> <p><b>certain</b> 3:22 15:14 34:5 80:2</p> <p><b>certainly</b> 64:7 75:23</p> <p><b>certificate</b> 58:4 59:6,10 62:8 66:2 68:13 69:5</p> <p><b>certificates</b> 59:2 63:1 68:4</p> <p><b>chance</b> 9:2</p> <p><b>change</b> 32:22 53:18 75:23</p> <p><b>changed</b> 69:9</p> <p><b>changes</b> 9:12 28:18 45:9,15 46:13 53:17</p> <p><b>changing</b> 22:6</p> <p><b>Chapter</b> 33:18 56:13</p> <p><b>character</b> 25:4,5</p> <p><b>characterize</b> 49:20</p> <p><b>charged</b> 50:14</p> <p><b>charges</b> 50:16</p> <p><b>charging</b> 51:1</p> <p><b>checklist</b> 75:3,5</p> <p><b>chief</b> 5:15 74:7 75:16 76:4</p>	<p><b>chooses</b> 51:4</p> <p><b>circulated</b> 3:15,24 14:4</p> <p><b>circumvent</b> 25:20</p> <p><b>circumvents</b> 25:21</p> <p><b>citation</b> 18:16</p> <p><b>cited</b> 66:10</p> <p><b>city's</b> 75:21</p> <p><b>civil</b> 5:2</p> <p><b>clarified</b> 5:3,24 15:12</p> <p><b>clarify</b> 82:14</p> <p><b>clean</b> 80:12</p> <p><b>cleanup</b> 80:7</p> <p><b>clear</b> 11:9 21:19 42:2 63:13 66:4 69:3</p> <p><b>clearer</b> 21:12</p> <p><b>clearly</b> 62:24</p> <p><b>clerked</b> 39:6</p> <p><b>Cliff</b> 18:17 21:5,13</p> <p><b>Cliff's</b> 18:16</p> <p><b>Clifford</b> 26:17</p> <p><b>climate</b> 59:14</p> <p><b>close</b> 80:10 81:18 83:9,12</p> <p><b>closing</b></p>
--	---	---	---

80:19,20,21	16,20,24 62:17 70:15 71:1,7 72:14	<b>conceptually</b> 29:6,11 58:6	<b>conforms</b> 78:15
<b>code</b> 5:6 6:22 75:21	<b>commission</b> 68:15 70:3,4	<b>concern</b> 16:16 24:2 26:8 34:19 46:22 59:12 69:18	<b>confusing</b> 17:18
<b>codes</b> 74:18,21	<b>commissioner</b> 5:4,7 55:10 59:4 60:1 61:5,18 63:20 64:3,11, 15 68:3,6,7,19 69:6,9	<b>concerned</b> 35:8 57:5 72:13	<b>confusion</b> 67:14,16
<b>coffee</b> 6:15 29:10 32:4,5 81:19 82:1,4,7,10,23,24	<b>commissioner's</b> 64:20 67:1	<b>concerns</b> 32:16 34:2,7,9 35:4,5,6, 9,11 36:11 37:2 42:19 45:12,15 46:18 47:15, 16,18,19,21 48:4	<b>conjunction</b> 27:22 28:2,12
<b>coherent</b> 21:22 22:17,22 23:3,6 26:14	<b>commissions</b> 32:17	<b>concessions</b> 47:15,23 48:1	<b>consequences</b> 23:23
<b>colon</b> 17:8	<b>commit</b> 22:20	<b>conclude</b> 45:18	<b>consider</b> 37:9
<b>color</b> 54:18	<b>committed</b> 79:7	<b>conclusion</b> 34:17	<b>considered</b> 15:13
<b>column</b> 11:6	<b>common</b> 46:3,6	<b>condensers</b> 60:23 63:9 65:11	<b>consistency</b> 54:7 55:3,7,10,15
<b>come</b> 25:10,14 40:22 51:2,5 60:18 70:9	<b>community</b> 46:6 73:15	<b>condition</b> 8:21 29:21 31:12 42:13 75:9,10 77:2,9,22	<b>consistent</b> 9:13,17 16:5 20:15,17 32:19 33:2 41:18 73:6
<b>comes</b> 31:12	<b>compact</b> 7:12	<b>conditioned</b> 32:19 33:1	<b>consistently</b> 29:12
<b>comfortable</b> 22:15 43:3 44:13	<b>compact</b> 7:8 8:5,7,10	<b>conditions</b> 3:11 9:9 14:9 28:6 29:17 31:19 32:9 33:8, 10,15,21,22,24 34:10, 24 35:2,12,15,17 36:24 37:5,15,16 39:23 41:3, 7,12,15,17,20,23 42:18 43:10,18,22 44:1,6 45:20 48:12 58:17 66:21	<b>consisting</b> 4:17
<b>coming</b> 12:18 37:19 53:7	<b>compactors</b> 7:8	<b>conditioned</b> 32:19 33:1	<b>consists</b> 19:13,23 20:12,13,24
<b>comma</b> 14:17 48:13,14	<b>compelling</b> 63:19	<b>conditions</b> 3:11 9:9 14:9 28:6 29:17 31:19 32:9 33:8, 10,15,21,22,24 34:10, 24 35:2,12,15,17 36:24 37:5,15,16 39:23 41:3, 7,12,15,17,20,23 42:18 43:10,18,22 44:1,6 45:20 48:12 58:17 66:21	<b>consternation</b> 33:9
<b>commas</b> 17:16	<b>complain</b> 66:8	<b>conditions</b> 3:11 9:9 14:9 28:6 29:17 31:19 32:9 33:8, 10,15,21,22,24 34:10, 24 35:2,12,15,17 36:24 37:5,15,16 39:23 41:3, 7,12,15,17,20,23 42:18 43:10,18,22 44:1,6 45:20 48:12 58:17 66:21	<b>constructed</b> 66:7
<b>commencement</b> 77:6,10	<b>compliance</b> 6:21,24 75:2,18,19,21 76:5,11,14	<b>conditioned</b> 32:19 33:1	<b>construction</b> 56:4 76:18 77:3,7,10, 12,23 78:1,13,15
<b>comment</b> 27:5 29:3 69:19 71:10, 13	<b>compliant</b> 65:1,2	<b>configuration</b> 26:21	<b>consultant</b> 9:11 77:19
<b>comments</b> 26:19 70:11	<b>complies</b> 59:5,7 62:9 64:8 68:12	<b>confirm</b> 9:16,17	<b>contained</b> 77:4
<b>commercial</b> 6:6,7 18:3,4,7,13,19 19:1,2,18,20,24 20:16, 19 21:1,22 22:13,19,22, 24 23:1,4,6,7,9,10 24:3, 6,14,22 25:1,4,6,15,16 27:1 31:10 32:2 48:17 49:16,19 52:11 56:21 57:2 59:23 60:5,10,14,	<b>comply</b> 66:15 69:3	<b>confirms</b> 5:8	<b>containment</b> 6:2,9
	<b>comprehensive</b> 14:22 33:10 34:12 83:19	<b>conflict</b> 39:15 73:3	<b>contested</b> 39:17
	<b>compressed</b> 7:12	<b>conflicting</b> 82:9	<b>context</b> 22:3 36:8 53:2
		<b>conform</b> 76:18	<b>contextual</b> 22:7

<b>continue</b> 3:19 57:17	<b>cover</b> 12:14 79:8	<b>days</b> 6:4 80:11 81:2	37:17
<b>continuing</b> 3:4	<b>covered</b> 77:18	<b>DD.1</b> 13:23	<b>delta</b> 11:9
<b>contribute</b> 79:4	<b>create</b> 67:14,15	<b>dead</b> 63:8 65:4	<b>democracy</b> 80:12
<b>contributing</b> 79:7	<b>critical</b> 39:1	<b>deal</b> 51:20 69:15	<b>demonstrate</b> 59:3,7 62:9 64:11 68:11
<b>controversy</b> 32:12 35:18,22	<b>croissant</b> 30:10	<b>December</b> 4:11 5:2,14	<b>denied</b> 82:8
<b>conversation</b> 43:8	<b>cross</b> 31:6	<b>decide</b> 51:7	<b>department</b> 5:18 6:12,18,23 16:8 74:19
<b>convey</b> 47:14	<b>Cross-reference</b> 29:20	<b>decides</b> 50:24	<b>departments</b> 6:19 58:4
<b>cooking</b> 29:9 30:20	<b>cross-refs</b> 79:15	<b>decision</b> 3:10,14,17,24 8:10,11, 19,20 9:9 14:2 25:24 28:6 33:11,13 34:20 37:1,15,20 38:20,21,23 39:2,20 40:10,18 41:10, 20 42:9 44:14 55:8,20 80:7,12 83:18	<b>Depends</b> 58:14
<b>Coolidge</b> 49:5,8,12,15	<b>crystal</b> 42:2	<b>decisions</b> 33:10 38:13,18 41:12	<b>describe</b> 23:16 55:4
<b>cooperative</b> 46:24	<b>cubic</b> 7:5	<b>declined</b> 81:10	<b>described</b> 55:5
<b>copy</b> 4:10,20	<b>curbs</b> 7:18	<b>deducted</b> 51:11	<b>design</b> 16:10,13 21:14 26:18 46:13 54:19
<b>corner</b> 15:13	<b>curbside</b> 6:4	<b>defending</b> 44:14	<b>designed</b> 27:20 74:19
<b>correct</b> 5:9 51:16 71:2 76:15 79:18	<b>cure</b> 35:15	<b>defer</b> 25:9	<b>designee</b> 74:8
<b>correspondence</b> 3:21 4:23	<b>customers</b> 31:9	<b>define</b> 29:13	<b>desires</b> 46:14
<b>COS</b> 58:12 59:21 61:14,15	<hr/> <b>D</b> <hr/>	<b>defined</b> 32:20 54:10,11	<b>detail</b> 29:18
<b>cost</b> 50:4 72:3 75:12 79:8	<b>D.2</b> 10:9	<b>defining</b> 18:9 22:4	<b>details</b> 4:3
<b>costs</b> 56:10	<b>dampening</b> 61:5	<b>delete</b> 30:1 70:10	<b>determination</b> 76:5,14
<b>counsel</b> 79:17	<b>Dan</b> 62:13	<b>deliberate</b> 37:14 81:2	<b>determine</b> 70:4
<b>counsel's</b> 9:12	<b>date</b> 16:2	<b>deliberations</b> 37:19	<b>determined</b> 68:14 75:17
<b>course</b> 31:15 35:5	<b>dated</b> 4:11,16 5:3,8	<b>deliberative</b>	<b>determines</b> 69:6
<b>court</b> 25:23 39:6,7,8 44:15 64:19	<b>dates</b> 54:9		<b>determining</b> 76:11
	<b>David</b> 4:12		<b>developer</b>

<p>18:12 25:14,19,20 33:13,14 39:16 46:2,5, 13,20 47:21,24 48:2,5 65:23 73:5</p> <p><b>developers</b> 46:23</p> <p><b>development</b> 12:8 56:21 73:16</p> <p><b>developments</b> 46:10</p> <p><b>didn't</b> 9:23 14:11 50:5 70:10, 11</p> <p><b>difference</b> 7:3 8:4 38:16 45:23 78:4</p> <p><b>different</b> 10:1 24:13 26:10 39:4, 13 46:3</p> <p><b>dimensions</b> 7:19,20</p> <p><b>direct</b> 45:11 74:18</p> <p><b>directly</b> 77:21</p> <p><b>director</b> 54:22 58:7 77:8</p> <p><b>disagree</b> 16:23 17:4 26:4 39:14 65:19,20</p> <p><b>disagreement</b> 72:1</p> <p><b>discuss</b> 36:1</p> <p><b>discussed</b> 8:15</p> <p><b>discussing</b> 40:13</p> <p><b>discussion</b> 3:14,19 40:23 59:24 82:17 83:24</p> <p><b>dispersed</b> 73:10</p> <p><b>distinction</b> 62:19 63:1</p>	<p><b>distributor</b> 73:15</p> <p><b>district</b> 9:20,21 10:1 18:3,5,7,9, 13 21:4,23 22:6,11,12 24:9,20 25:15,16 38:12, 15</p> <p><b>Ditto's</b> 27:10</p> <p><b>document</b> 9:10,13 14:6</p> <p><b>documented</b> 77:4,23</p> <p><b>doesn't</b> 26:9 51:5 53:2 54:17 63:21 65:10 66:6 69:21 74:10 82:6</p> <p><b>doing</b> 24:12 45:23,24 46:16 47:13</p> <p><b>don't</b> 9:20 14:8 15:1 17:6,17 18:8,15 19:9 20:2 22:18,19 23:21,24 24:18,19,21 25:7 26:5, 12,15 30:7,22 31:3 33:5,19 34:13 36:1,12, 20 38:18,19 39:8 40:24 41:1,2,6 42:5,10,11,14 43:4 45:13 46:21 47:5 48:19 49:20 51:22 52:6 53:4,6,11 59:13 60:6 61:14 62:1,20,22 63:12, 19 65:20,22,24 66:19, 21 67:9,12 69:1 72:9,10 75:11 81:9,13</p> <p><b>Donuts</b> 30:21</p> <p><b>DPW</b> 79:9</p> <p><b>Dr</b> 3:22 4:2 5:11 32:7</p> <p><b>draft</b> 3:10 4:1,2 81:3</p> <p><b>drive</b> 24:14</p> <p><b>driveway</b> 27:20 28:16</p>	<p><b>driving</b> 24:10 66:24</p> <p><b>dumpster</b> 7:10</p> <p><b>dumpsters</b> 7:9</p> <p><b>Dunkin'</b> 30:21</p> <hr/> <p style="text-align: center;"><b>E</b></p> <hr/> <p><b>E.1</b> 10:11</p> <p><b>earlier</b> 3:21 55:17</p> <p><b>earliest</b> 58:13</p> <p><b>earning</b> 17:23</p> <p><b>easiest</b> 55:12</p> <p><b>economic</b> 37:7 42:22 44:16</p> <p><b>economically</b> 37:10 44:9 45:1</p> <p><b>edit</b> 70:11</p> <p><b>editorial</b> 24:1</p> <p><b>effectively</b> 50:17</p> <p><b>effects</b> 48:3</p> <p><b>effort</b> 23:18</p> <p><b>eight</b> 5:22 7:4</p> <p><b>either</b> 9:16 11:7 17:16 19:2 29:12</p> <p><b>elevations</b> 54:21</p> <p><b>eligibility</b> 4:15</p>	<p><b>eliminate</b> 27:23 45:7</p> <p><b>Eliminating</b> 28:21</p> <p><b>employees</b> 49:6,8,11,16,17 52:11 72:11</p> <p><b>employees'</b> 72:3</p> <p><b>endure</b> 35:16</p> <p><b>engineer</b> 5:2</p> <p><b>engineering</b> 58:8</p> <p><b>Engler</b> 33:12 43:7,13 50:22 51:16</p> <p><b>enhance</b> 28:7</p> <p><b>enjoyment</b> 52:5,7,9,13</p> <p><b>ensure</b> 7:1 74:10,14,15 77:11, 17 78:1</p> <p><b>entire</b> 65:1,2 82:3</p> <p><b>environmental</b> 5:15 16:14 75:17 76:4</p> <p><b>environments</b> 6:21</p> <p><b>equipment</b> 64:13,21 65:3 78:13,15</p> <p><b>equity</b> 82:8</p> <p><b>equivalent</b> 38:11</p> <p><b>especially</b> 45:8 47:20</p> <p><b>essential</b> 34:6</p> <p><b>essentially</b> 33:17 35:16 71:7</p> <p><b>establishment</b> 6:16</p>
--	--	---	---

<p><b>establishments</b> 30:3,19</p> <p><b>estate</b> 39:7</p> <p><b>euphemism</b> 18:21</p> <p><b>evening</b> 3:3,5 27:13</p> <p><b>event</b> 26:6</p> <p><b>everybody</b> 80:13</p> <p><b>evidence</b> 37:5,7,8,22,23 38:3,22</p> <p><b>exactly</b> 24:2 32:8 39:3 50:21 59:13 69:17</p> <p><b>example</b> 18:12 50:13</p> <p><b>exceeded</b> 67:4,10</p> <p><b>excellent</b> 70:18</p> <p><b>exception</b> 6:13 29:10 32:3</p> <p><b>excitement</b> 74:22</p> <p><b>excluding</b> 30:2</p> <p><b>exclusive</b> 24:12</p> <p><b>Excuse</b> 83:22</p> <p><b>Exhibit</b> 79:12,13,19</p> <p><b>exist</b> 35:12,15 47:24</p> <p><b>existing</b> 77:16,24 78:6</p> <p><b>experience</b> 39:18</p> <p><b>expert</b> 81:5</p> <p><b>express</b></p>	<p>45:22</p> <p><b>expressed</b> 26:19 36:23</p> <p><b>extended</b> 23:18</p> <p><b>extends</b> 18:9 19:11,22 20:23 21:3</p> <p><b>extent</b> 39:22 42:18</p> <p><b>extra</b> 65:11</p> <p><b>extraordinaire</b> 9:11</p> <hr/> <p style="text-align: center;"><b>F</b></p> <hr/> <p><b>F.2</b> 10:13</p> <p><b>fact</b> 14:11 40:13 46:12 67:2</p> <p><b>facts</b> 34:16</p> <p><b>fair</b> 82:6</p> <p><b>fairly</b> 61:1 79:7</p> <p><b>faith</b> 65:22</p> <p><b>false</b> 42:11</p> <p><b>familiar</b> 25:18 80:23</p> <p><b>far</b> 18:5 35:7,8 61:24</p> <p><b>favor</b> 83:15</p> <p><b>feasibility</b> 37:7</p> <p><b>feasible</b> 37:11 44:9</p> <p><b>federal</b> 76:19</p> <p><b>feel</b> 43:9 44:11</p>	<p><b>fees</b> 75:8</p> <p><b>feet</b> 7:13,15,21 11:3,7 12:1, 3,4 14:15,16 61:2</p> <p><b>fences</b> 74:11</p> <p><b>figure</b> 67:17 68:24</p> <p><b>figuring</b> 21:13</p> <p><b>filled</b> 59:15</p> <p><b>final</b> 51:7 54:21 59:6,10 62:7,10 63:15 64:6,22 67:21 68:13 74:8</p> <p><b>finalize</b> 81:2</p> <p><b>financial</b> 17:3 42:13</p> <p><b>find</b> 20:10 42:21,23 44:19, 20 46:23 71:5,6</p> <p><b>finding</b> 37:18 40:2 41:16 43:2 45:18</p> <p><b>findings</b> 16:20 31:14 34:13,14 37:4 40:14 41:9,24 42:3,6</p> <p><b>finds</b> 32:18 33:1 36:24 37:4 39:21,24 42:19 75:24</p> <p><b>fine</b> 10:14,16,18,22 11:15, 17,19,21 12:22,24 13:2 23:16,20 24:23 33:3 36:3 44:9 52:17 53:24 68:16,21 80:7</p> <p><b>fine-tuned</b> 3:9</p> <p><b>finger</b> 47:11</p> <p><b>finish</b> 9:23 71:3</p>	<p><b>fire</b> 74:6,7,18,19,21</p> <p><b>fired</b> 63:9</p> <p><b>first</b> 9:8,19,21 14:14 16:20 18:3 29:2 33:21 35:19 36:22 40:16 41:4 50:23 55:5 58:13,21 60:3,21</p> <p><b>first-come</b> 50:5</p> <p><b>first-served</b> 50:5</p> <p><b>fit</b> 26:9</p> <p><b>float</b> 61:6</p> <p><b>floor</b> 54:21</p> <p><b>focused</b> 42:14</p> <p><b>following</b> 5:20 41:16 45:19 50:12 56:6 77:21</p> <p><b>food</b> 6:14,16,17 29:8,23 30:13,18,19 31:2 32:4 57:1,14,22 82:5</p> <p><b>food/coffee</b> 6:14</p> <p><b>foot</b> 7:10</p> <p><b>footage</b> 61:2 62:6</p> <p><b>foreclose</b> 66:14</p> <p><b>Forget</b> 12:20</p> <p><b>form</b> 4:1 70:2</p> <p><b>forma</b> 40:5 43:14,24</p> <p><b>forth</b> 80:2</p> <p><b>found</b></p>
---	--	--	---

<p>6:1,8 42:24 44:17</p> <p><b>four</b> 6:7 14:5 28:19 33:8 36:9 49:13,14 68:2 79:24</p> <p><b>free</b> 43:9 51:11,17</p> <p><b>front</b> 8:23</p> <p><b>full</b> 9:21 66:1</p> <p><b>Fuller</b> 27:19 28:15 56:16 79:6</p> <p><b>Fuller/harvard</b> 56:16</p> <p><b>fully</b> 47:16 66:22</p> <p><b>functioning</b> 60:24</p> <p><b>funded</b> 75:8</p> <p><b>funding</b> 44:20 69:24</p> <p><b>funds</b> 44:19</p> <p><b>future</b> 18:12</p>	<p>48:2,8,10,12,19 49:1,20 52:1,6,10,15,20 53:1,6, 13,15,22 54:3 56:4,9, 20,24 57:4,12,20 58:3, 9,16,20 59:18 60:9,17, 20,23 61:11,17 62:12, 22 63:4,10,18 64:5 68:5,9,16,21 69:8,15,19 70:7,12,22 71:2,5,12 72:10,13 73:21 74:4,23 75:1,6,12,16 76:1,10,15 78:17,20,23 79:2,16 80:5,18,21 81:5,7,11,15 83:3,7,11,15 84:3</p> <p><b>general</b> 14:8 24:20 49:9 76:24</p> <p><b>generally</b> 23:24</p> <p><b>generated</b> 8:15</p> <p><b>generating</b> 15:11</p> <p><b>geographically</b> 18:23</p> <p><b>getting</b> 40:20 62:2 69:24 80:5</p> <p><b>give</b> 45:6 72:18</p> <p><b>given</b> 11:4 38:21 45:8 47:20, 21,23 60:13</p>	<p>21,24 62:2 63:8,14 64:1 65:5 66:8,9 67:3 68:4 74:23 75:22 76:7,13 79:4 80:18</p> <p><b>good</b> 3:3 23:24 46:7 49:22 55:21 57:18 59:19 60:2, 8 78:10</p> <p><b>Googled</b> 18:6</p> <p><b>grant</b> 34:11 83:20</p> <p><b>granted</b> 34:4 82:15</p> <p><b>granting</b> 45:19 83:19</p> <p><b>grasp</b> 33:19</p> <p><b>great</b> 9:5 65:14</p> <p><b>grounded</b> 39:2</p> <p><b>guess</b> 23:12 30:8 60:13</p> <p><b>guidelines</b> 71:17</p> <p><b>guys</b> 42:16 72:12</p>	<p><b>hang</b> 52:23</p> <p><b>happen</b> 59:13</p> <p><b>happy</b> 17:12 34:5 42:16 53:21</p> <p><b>hard</b> 31:13 61:21 67:17</p> <p><b>Harvard</b> 3:5 5:16 18:2,4,7,24 19:6,11,22 20:8,22 21:22 22:18,19,22 23:1, 2,6,8,10 24:7,17,22 25:1,4 26:14 27:1 79:6 83:13</p> <p><b>hasn't</b> 38:1 82:2</p> <p><b>hats</b> 52:23</p> <p><b>haven't</b> 37:18 42:12 83:20</p> <p><b>hay</b> 38:16</p> <p><b>hazard</b> 27:23 28:14,16</p> <p><b>He'll</b> 68:24</p>
<hr/> <b>G</b> <hr/>		<hr/> <b>H</b> <hr/>	
<p><b>G.1</b> 10:15</p> <p><b>garbage</b> 7:17</p> <p><b>Geller</b> 3:3,4,7 4:21 5:10 9:6 10:5,7,9,11,13,15,17, 19,21,23 11:1,13,16,18, 20,22 12:21,23 13:1,3, 5,7,9,11,13,15,17,19, 21,23 14:1,13,17 15:10, 15,17,20 16:1,23 17:8, 14 18:16,21 25:13 27:7, 14,18 29:2,6,22 30:12, 15,17 31:3,22,24 32:8, 23 36:7 40:24 41:6,19 42:1 43:20 44:22 45:3</p>	<p><b>giving</b> 3:22 20:11 44:21 68:4</p> <p><b>go</b> 9:2,3 20:21 26:5,7 29:5 36:14,18,19 38:16 40:17 41:1,3,7 43:14,24 48:12 62:11 67:21 73:7</p> <p><b>goal</b> 46:3,6</p> <p><b>going</b> 7:12,22 9:7 16:6 17:19 18:13 21:12,20 26:2 32:6 34:11,20,21 36:19 38:13,22 40:14,15,16, 17 42:1 43:11,13,14 44:2 46:23 47:6 49:10 51:2 52:24 55:10 58:6 59:13,21 60:7 61:15,20,</p>	<p><b>H.1</b> 10:17</p> <p><b>hairs</b> 42:17</p> <p><b>half</b> 67:6</p> <p><b>Hanafin</b> 4:12</p> <p><b>hand</b> 34:16 81:12</p> <p><b>handed</b> 12:11</p> <p><b>handling</b> 6:7</p>	<p><b>he's</b> 21:8,17 27:18 55:11 63:4,8 64:24 72:4,11 75:22 76:7,10,12,13 79:7</p> <p><b>heads</b> 16:8</p> <p><b>health</b> 5:15 6:11,18,22 16:13 75:17 76:4</p> <p><b>hear</b> 53:7</p> <p><b>heard</b> 32:16 33:8 35:10,24 37:6 43:23</p> <p><b>hearing</b> 3:4,8,12 9:18 26:20 44:4 50:2 79:20 80:10, 19,20,21 83:10,13</p>

<p><b>heat</b> 30:9</p> <p><b>heavier</b> 7:11,13</p> <p><b>height</b> 4:24 5:5 11:24 12:6,8,16</p> <p><b>held</b> 83:24</p> <p><b>help</b> 25:9 64:2</p> <p><b>here's</b> 32:15 76:1</p> <p><b>high</b> 7:10,14,21</p> <p><b>higher</b> 11:12</p> <p><b>Historical</b> 70:3</p> <p><b>hit</b> 30:22</p> <p><b>hold</b> 62:2 74:5</p> <p><b>home</b> 7:23 24:10,14</p> <p><b>homes</b> 27:3</p> <p><b>hopefully</b> 3:17</p> <p><b>hopping</b> 43:13</p> <p><b>horrible</b> 65:24</p> <p><b>households</b> 17:23</p> <p><b>housing</b> 6:22 16:22 17:2 34:3,8,19 46:8 47:20,22 50:4 59:14</p> <p><b>huge</b> 20:6 66:14</p> <p><b>humble</b> 69:2</p> <p><b>hyphen</b> 15:6,23</p>	<hr/> <p><b>I</b></p> <hr/> <p><b>I'd</b> 53:1</p> <p><b>I'll</b> 71:5 74:2</p> <p><b>I'm</b> 7:14 12:13 15:3 16:6 17:12,15 22:5 23:12,14 25:9,18 32:6 33:3 36:15 37:20 41:22 42:1 43:1 45:4 47:6 50:12 52:15,17 56:6 57:8 60:13,15 63:13,21 65:22,23 67:8 72:13 73:2,8 74:23 76:9 78:3 81:8,21,23</p> <p><b>I've</b> 33:9 67:7 72:12 73:24</p> <p><b>I.1</b> 10:19</p> <p><b>idea</b> 23:24 29:22 55:21 65:15</p> <p><b>identified</b> 21:8</p> <p><b>identify</b> 21:7</p> <p><b>implies</b> 22:7</p> <p><b>import</b> 29:18</p> <p><b>important</b> 5:12</p> <p><b>impose</b> 41:16</p> <p><b>imposed</b> 33:22 36:24 39:23</p> <p><b>imposing</b> 43:10,18</p> <p><b>impression</b> 20:12</p> <p><b>improper</b> 42:23</p> <p><b>improvements</b> 45:11 75:8</p>	<p><b>inadequate</b> 27:2</p> <p><b>inappropriate</b> 37:9</p> <p><b>incentivize</b> 70:16</p> <p><b>inches</b> 12:9</p> <p><b>include</b> 50:9 54:13 64:10 71:4,5</p> <p><b>included</b> 4:9 38:12 54:14 70:16,24 79:22 81:14</p> <p><b>including</b> 17:2 30:1 41:8 57:16,23 74:9,13,15</p> <p><b>inclusionary</b> 17:2</p> <p><b>income</b> 16:22 17:2 81:10</p> <p><b>incongruous</b> 21:21 22:21 24:24 26:24</p> <p><b>inconvenience</b> 76:23</p> <p><b>incorporated</b> 4:1</p> <p><b>increasing</b> 6:4</p> <p><b>incredibly</b> 67:5</p> <p><b>independent</b> 16:8,10 21:11,14 26:18</p> <p><b>independently</b> 42:4</p> <p><b>infeasible</b> 26:22</p> <p><b>infer</b> 44:13,23</p> <p><b>inferable</b> 45:5</p> <p><b>influence</b> 20:6</p> <p><b>information</b> 42:22</p>	<p><b>initial</b> 4:15</p> <p><b>inserted</b> 9:13</p> <p><b>inserting</b> 41:12</p> <p><b>inside</b> 82:24</p> <p><b>inspector</b> 66:9 68:11</p> <p><b>installation</b> 64:12</p> <p><b>instance</b> 46:4 54:24 62:15</p> <p><b>insulting</b> 34:14</p> <p><b>intending</b> 44:5</p> <p><b>intention</b> 49:15</p> <p><b>inter</b> 80:1</p> <p><b>interest</b> 45:13</p> <p><b>interested</b> 3:17</p> <p><b>interpret</b> 22:12</p> <p><b>Interruption</b> 64:18</p> <p><b>intersection</b> 56:17</p> <p><b>interwoven</b> 24:20</p> <p><b>involved</b> 33:16</p> <p><b>involving</b> 25:24</p> <p><b>irrelevant</b> 31:6</p> <p><b>isn't</b> 12:1 30:14 59:15 63:15</p> <p><b>issuance</b> 54:5 56:19 58:13 59:6</p>
--	--	---	--

<p>62:7 65:13 68:13 69:4 74:7 76:2 77:11</p> <p><b>issue</b> 6:23 17:7,18 22:1 23:12,15 42:5,10,11 59:20 60:17 65:6 69:16 72:16 83:4</p> <p><b>issued</b> 4:14 59:3 64:22</p> <p><b>issues</b> 16:15 36:13 49:3 61:3</p> <p><b>it's</b> 4:18 7:12 8:10,11 9:17 11:5 15:5,16 17:11,17 18:6 19:2,24 21:15 23:16,17,20,24 24:3,4, 8,11,14,24 25:15 26:1, 5,9 27:21 28:15 31:13, 14 35:13 36:19 37:8 38:10,13 39:1,4,8,13 40:1,9 46:3,11 48:21 50:11,18 51:10,11,16, 18,22 52:8,16 53:15 54:19,21 61:8,21 63:24 65:8,21 66:3 67:8,16,17 70:1,8 71:6,20,23 72:15 73:2,3 75:11,14,19,20, 24 77:5 80:2 82:3,4,12, 20 83:3</p> <p><b>Item</b> 54:7,8 55:8</p> <p><b>iteration</b> 3:24</p> <p><b>its</b> 8:8 24:8 26:21 82:3,5</p>	<p><b>Johanna</b> 3:6</p> <p><b>Judi</b> 22:1 39:3</p> <p><b>Judi's</b> 43:20</p> <p><b>judicial</b> 26:1 38:7 39:6</p> <p><b>jump</b> 33:5 47:6</p> <p><b>justified</b> 34:1</p>	<hr/> <p style="text-align: center;"><b>L</b></p> <hr/> <p><b>L-1</b> 24:17</p> <p><b>L-1.0.</b> 24:10</p> <p><b>L.2</b> 11:1</p> <p><b>landscape</b> 54:13</p> <p><b>landscaping</b> 74:11</p> <p><b>language</b> 29:19 32:7 34:21 40:21 41:5 47:4 57:17 68:22, 23 69:10 70:13 71:6</p> <p><b>Lark</b> 3:6 39:14 47:11 53:22 67:20</p> <p><b>Lark's</b> 52:4 53:9</p> <p><b>latest</b> 74:20</p> <p><b>launching</b> 37:17</p> <p><b>law</b> 33:20 34:16,22 35:21 39:2,8 40:4</p> <p><b>laws</b> 76:19</p> <p><b>lawyer</b> 39:7</p> <p><b>lawyers</b> 38:15</p> <p><b>laying</b> 41:19</p> <p><b>layout</b> 45:11</p> <p><b>leads</b> 41:23</p> <p><b>lease</b> 48:21</p> <p><b>leases</b> 70:16,24</p>	<p><b>leasing</b> 52:12</p> <p><b>leave</b> 14:23 17:14 68:17 69:11,13</p> <p><b>leaving</b> 67:12</p> <p><b>legal</b> 52:18</p> <p><b>lender</b> 62:3 66:14</p> <p><b>let's</b> 14:2,16 29:5 48:12 59:14,18 60:18 66:20 68:6 69:3</p> <p><b>letter</b> 4:10,14,15,16,19 5:11 27:10,11,12 32:7</p> <p><b>level</b> 26:6 67:3</p> <p><b>leverage</b> 63:5</p> <p><b>license</b> 48:21</p> <p><b>licensing</b> 57:14,21 70:1 82:18,21 83:3</p> <p><b>lighting</b> 75:1</p> <p><b>limitation</b> 57:16,24 74:9,13,16</p> <p><b>limited</b> 6:14 32:3 61:1</p> <p><b>line</b> 18:10 19:12,23 20:23 21:20 28:21 53:8 54:4 56:7,10,15 57:12 58:3 74:17 75:1</p> <p><b>lines</b> 28:19,20 45:8 56:18 71:15 77:1</p> <p><b>list</b> 3:13 9:7,15,16 17:1 21:10 55:18</p> <p><b>listed</b> 54:7,8 55:8</p>
<hr/> <p style="text-align: center;"><b>J</b></p> <hr/> <p><b>J.1</b> 10:21</p> <p><b>Jacobs</b> 33:14</p> <p><b>January</b> 84:2</p> <p><b>Jesse</b> 3:4,7 57:18</p> <p><b>job</b> 68:20</p>	<hr/> <p style="text-align: center;"><b>K</b></p> <hr/> <p><b>K.1</b> 10:23</p> <p><b>Karen</b> 81:4,6,7,8,11,13,15</p> <p><b>Kate</b> 3:7 14:7 22:5,15 25:11 36:7,9,10,17 47:8</p> <p><b>keep</b> 31:13 78:12</p> <p><b>key</b> 15:3,4,6,16,22</p> <p><b>kind</b> 21:15 23:18,22 34:12 35:13 38:18,19 82:8,19</p> <p><b>kinds</b> 30:18 54:22</p> <p><b>kitchens</b> 32:1 57:5</p> <p><b>know</b> 4:5 14:7,8 15:1 18:14, 22 20:2 23:20 24:10,19 25:7,8 30:10 33:23 40:24 41:1,2,6 42:16 43:4 52:6 55:19 59:13 60:6 61:14,21,22,23 62:6,22 65:24 66:2,19 67:3,5,10,19,20 69:1 70:14 72:1,9</p> <p><b>known</b> 19:12 20:24</p> <p><b>Kupel's</b> 82:9</p>		



<p><b>listening</b> 82:5</p> <p><b>listing</b> 17:9 55:18</p> <p><b>litigating</b> 39:5</p> <p><b>litigation</b> 45:23</p> <p><b>litigator</b> 39:18</p> <p><b>little</b> 29:17 50:22 70:22</p> <p><b>live</b> 52:22 53:10</p> <p><b>load</b> 7:11</p> <p><b>loaded</b> 25:6</p> <p><b>local</b> 15:2 16:16 24:8 25:21 26:18 32:18,20 33:2 34:1,7,9,19 37:1 41:18 42:19 46:18 47:15,16, 19,21 48:3 57:13,15,21, 23</p> <p><b>logic</b> 59:24 63:20</p> <p><b>logical</b> 34:23</p> <p><b>logically</b> 41:19</p> <p><b>long</b> 44:9 66:14</p> <p><b>longer</b> 80:24</p> <p><b>look</b> 4:7 12:10 42:6,7 47:13 60:3,5 62:14</p> <p><b>looking</b> 18:22 29:11 37:15 41:2 43:10 55:11</p> <p><b>lot</b> 12:18 15:13 28:21 30:9</p> <p><b>lots</b> 14:7</p>	<p><b>low</b> 16:22 17:1 79:7</p> <p><b>low-income</b> 81:14</p> <hr/> <p style="text-align: center;"><b>M</b></p> <hr/> <p><b>M.1</b> 11:14</p> <p><b>maintained</b> 6:21</p> <p><b>making</b> 41:11</p> <p><b>Maloney</b> 3:22 4:2 5:14 7:21</p> <p><b>Maloney's</b> 5:11 32:7</p> <p><b>management</b> 16:15</p> <p><b>mandatory</b> 31:20</p> <p><b>manner</b> 52:16</p> <p><b>map</b> 24:18</p> <p><b>Maria</b> 4:3 59:1 76:8 79:2 83:8</p> <p><b>market</b> 68:3</p> <p><b>market-rate</b> 73:13</p> <p><b>Mass</b> 70:3</p> <p><b>Masshousing</b> 4:6,12</p> <p><b>massive</b> 26:21</p> <p><b>matter</b> 66:6</p> <p><b>matters</b> 16:12</p> <p><b>max</b> 11:7</p> <p><b>maximum</b> 11:11,24 12:5,8</p>	<p><b>MBTA</b> 71:8</p> <p><b>Mckenzie</b> 5:3</p> <p><b>mean</b> 20:1 22:3,12,14 30:7,8 36:15 39:16 42:5 43:3 44:11 53:3 58:12 64:13 65:22 67:22 72:8,16 75:21</p> <p><b>means</b> 52:20 53:3,22 62:9 66:12,13 76:22 80:22</p> <p><b>meant</b> 26:16 52:16</p> <p><b>measures</b> 7:1 77:16,24</p> <p><b>mechanical</b> 64:12,21</p> <p><b>mechanicals</b> 61:10,12 64:17</p> <p><b>meeting</b> 49:4 84:2</p> <p><b>member</b> 36:10</p> <p><b>members</b> 36:10,12</p> <p><b>memo</b> 5:8</p> <p><b>mention</b> 8:14 16:6</p> <p><b>mentioned</b> 78:2</p> <p><b>mentioning</b> 74:2</p> <p><b>merits</b> 37:14</p> <p><b>method</b> 48:20,22</p> <p><b>methodology</b> 5:5,9</p> <p><b>MHP</b> 4:16</p> <p><b>microwave</b> 30:11,23</p>	<p><b>middle</b> 81:8</p> <p><b>milestone</b> 60:16</p> <p><b>mind</b> 12:17 51:11 53:5 75:23 83:22,23</p> <p><b>minimize</b> 76:22</p> <p><b>minute</b> 12:19 59:18</p> <p><b>minutes</b> 14:5</p> <p><b>missing</b> 17:16 33:20</p> <p><b>misunderstanding</b> 38:6</p> <p><b>mix</b> 73:12</p> <p><b>model</b> 30:21</p> <p><b>moderate</b> 16:22 17:2</p> <p><b>modify</b> 28:7</p> <p><b>modifying</b> 20:11</p> <p><b>monitored</b> 73:19</p> <p><b>monitors</b> 73:15</p> <p><b>MORELLI</b> 4:4 5:1,13 7:7,19 8:2,9, 18,21 9:3,23 11:5 12:10,13,18 15:5,12,16, 19,23 16:17 18:18,24 19:7,15 20:4 21:8 23:3 24:8,18 26:17 27:12,17 28:1 29:24 32:6 48:18 49:7 53:17 54:16,20 55:2,15 56:6 57:3,19 58:7 59:11 62:19,24 63:6,12 64:16,20,24 65:8 66:4,17,23 67:11 68:1 69:23 70:10,18,24 71:3,9,19 72:4 73:2,8, 17,24 75:19 77:14,20</p>
--	--	---	--

<p>78:2,8 79:3,18 80:4 84:1</p> <p><b>morning</b> 3:15</p> <p><b>move</b> 26:12 40:21 60:21 74:14 80:11 83:12</p> <p><b>moves</b> 58:18</p> <p><b>Moving</b> 45:7</p> <p><b>multiple</b> 25:22 31:18 36:6 40:3 46:19 54:8 58:12 59:21 64:1,18</p> <hr/> <p style="text-align: center;"><b>N</b></p> <hr/> <p><b>N.2</b> 11:16</p> <p><b>name</b> 3:4 16:1 21:10 81:22</p> <p><b>necessarily</b> 37:18 49:21 67:3</p> <p><b>necessary</b> 4:21 26:5 37:1 41:14 45:13,16 47:6,7 77:5</p> <p><b>need</b> 16:9 17:8 21:7 25:2 34:2,7,12,18 41:1,3,7 47:20 58:20 63:16 79:15 83:9</p> <p><b>needed</b> 6:2,9</p> <p><b>needs</b> 32:18,20 33:2 41:18 46:15 69:2,6 70:9 80:6</p> <p><b>neighborhood</b> 6:5 23:19 46:15 67:2 82:4</p> <p><b>neighbors</b> 53:6 65:22 67:9</p> <p><b>never</b> 12:17 21:6 53:5 67:7 83:22,23</p> <p><b>new</b> 28:22</p>	<p><b>night</b> 43:8</p> <p><b>noise</b> 53:7 59:5,8,15 60:17 61:3,8 64:8 65:3,24 66:5,7,16 67:3,10 68:12 78:16</p> <p><b>noisy</b> 67:5</p> <p><b>noncompliance</b> 28:22</p> <p><b>noncompliant</b> 75:24</p> <p><b>nonfood</b> 6:13 32:2</p> <p><b>nonintensive</b> 29:14</p> <p><b>nonlegal</b> 53:2</p> <p><b>nonresidential</b> 49:24</p> <p><b>note</b> 3:20 9:8,24 10:3 12:15 73:24</p> <p><b>noted</b> 12:14</p> <p><b>notes</b> 49:3</p> <p><b>notice</b> 79:19</p> <p><b>notification</b> 70:2 74:18</p> <p><b>notion</b> 29:7</p> <p><b>number</b> 16:19 31:5 71:18 73:17, 18 77:20 79:23</p> <p><b>numbers</b> 14:20</p> <p><b>numerals</b> 70:23</p> <hr/> <p style="text-align: center;"><b>O</b></p> <hr/> <p><b>O.1</b> 11:18 12:21</p>	<p><b>objecting</b> 44:1</p> <p><b>objection</b> 44:23 45:5 67:11,13</p> <p><b>obligation</b> 64:10</p> <p><b>obtain</b> 3:18</p> <p><b>obvious</b> 36:19</p> <p><b>obviously</b> 80:6</p> <p><b>occupancy</b> 6:13 32:3 58:4 59:3,6,9, 10 61:7,24 62:8 63:1,2 66:2 68:14 69:5</p> <p><b>occupied</b> 6:24 63:3</p> <p><b>occur</b> 6:19 47:17 82:18</p> <p><b>occurs</b> 82:21</p> <p><b>October</b> 17:20 27:20</p> <p><b>off-site</b> 29:23</p> <p><b>offers</b> 5:19</p> <p><b>office</b> 6:13,17 9:12 32:3 48:16 49:5 56:21 57:9</p> <p><b>Oh</b> 8:12 9:23 28:17 31:17 57:3 71:23 74:24 78:7, 11</p> <p><b>okay</b> 8:12,13 9:1,5,6 10:4,20 11:10 12:12,17,20 14:5, 19,24 15:20 16:7,17 17:19 18:1,13 19:18 20:10,17,21 26:13 27:17 28:17 29:4,10,14 30:16 31:4,5,17 32:9 33:4,6 36:21 41:5 42:10 48:6,12 49:17 51:13,24 52:7,16 53:15 58:3 63:21 66:23 69:19 71:9,</p> <p>24 72:15,23 73:9 74:2, 6,17,22,24 75:7,15 76:10 77:14,15 78:7,10, 18 79:21 83:7 84:3</p> <p><b>on-site</b> 6:15 29:9 32:4</p> <p><b>once</b> 3:12 6:1</p> <p><b>one-story</b> 18:19 19:8 20:13 24:14</p> <p><b>ones</b> 44:24 54:12</p> <p><b>ongoing</b> 16:21</p> <p><b>online</b> 60:18</p> <p><b>onus</b> 67:9</p> <p><b>open</b> 44:4 52:1</p> <p><b>opinion</b> 25:19 39:20 69:2</p> <p><b>opinions</b> 40:19</p> <p><b>opportunity</b> 3:18</p> <p><b>opposed</b> 22:16 38:12,15</p> <p><b>optimum</b> 78:12</p> <p><b>option</b> 50:24 51:17</p> <p><b>options</b> 51:3</p> <p><b>oral</b> 26:19 27:11</p> <p><b>order</b> 35:4 37:1 40:2 45:18 46:14 60:6 65:2 78:12</p> <p><b>original</b> 26:20 27:2</p> <p><b>Os</b> 63:3,23 64:1</p> <p><b>out-ruled</b> 45:4</p>
---	--	---

<p><b>outdoor</b> 82:10,16</p> <p><b>outrageous</b> 67:7</p> <p><b>outside</b> 51:3 52:22 82:21</p> <p><b>outweigh</b> 34:2,7 42:20 47:19</p> <p><b>outweighs</b> 34:9</p> <p><b>overall</b> 22:3</p> <p><b>overbroad</b> 31:1</p> <p><b>owner</b> 73:21</p> <hr/> <p style="text-align: center;"><b>P</b></p> <hr/> <p><b>P.1</b> 11:20</p> <p><b>p.m.</b> 3:2 84:4</p> <p><b>packet</b> 4:20</p> <p><b>page</b> 9:19,22 14:14,24 21:21</p> <p><b>paid</b> 75:8</p> <p><b>Palermo</b> 3:6 17:11,17 25:11,18, 23 26:4 36:17 38:5,10 40:11,13 41:4,21 45:21 47:3 52:5,8,14,18,22 53:14,16,20,24 55:6,21 61:13,20,23 63:13,24 64:6,23 66:11 80:17 83:14</p> <p><b>paragraph</b> 14:12,13,14 16:7,20 18:2 21:5 27:5,7 28:19 29:19 48:13,15,19 52:1 54:1,15,16 55:22,24 73:23 76:17 77:4</p> <p><b>parcel</b> 4:8,9</p>	<p><b>parcels</b> 4:17</p> <p><b>pardon</b> 34:8</p> <p><b>parentheses</b> 77:1</p> <p><b>park</b> 51:15</p> <p><b>parking</b> 26:22 31:7,9 49:2,4,7 50:3,9,15,16,24 51:1,3, 8,10</p> <p><b>part</b> 16:7 20:15,17 21:1 23:17 35:7 41:9 45:17 64:10</p> <p><b>particular</b> 3:11 8:4 25:12 35:20 54:14 71:23</p> <p><b>parties</b> 25:22 31:18 36:6 40:3 45:12 52:24 64:18</p> <p><b>Partnership</b> 4:6,12</p> <p><b>passes</b> 70:17 71:8</p> <p><b>passive</b> 53:11,15,16,19</p> <p><b>Pat</b> 3:22</p> <p><b>Patrick</b> 5:14 7:21</p> <p><b>paved</b> 77:9</p> <p><b>pavement</b> 77:2,13,22</p> <p><b>pay</b> 51:4,15</p> <p><b>paying</b> 50:19 51:14</p> <p><b>pedestrians</b> 27:24</p> <p><b>peep</b> 43:23</p> <p><b>peer</b></p>	<p>16:9 21:11</p> <p><b>peeve</b> 27:14</p> <p><b>PEL</b> 44:21</p> <p><b>people</b> 3:8,17 9:16 34:5 35:4 48:20 52:19 53:10 66:7</p> <p><b>percent</b> 6:24 17:22,24 59:2 60:2 61:7,14 63:2,3,17,23 64:12 65:7,18,21 67:12, 17,18,22 69:16 72:7</p> <p><b>percentage</b> 59:9,17 72:2</p> <p><b>perfectly</b> 46:11</p> <p><b>performance</b> 56:11</p> <p><b>period</b> 29:24 55:9 73:18 81:2</p> <p><b>permit</b> 6:16,17 14:22,23 22:11 33:10 34:12 35:14 45:19 54:6 55:23 56:19 58:2,23 71:14 73:23 74:7 76:2 83:19</p> <p><b>permitted</b> 30:5</p> <p><b>permitting</b> 70:1</p> <p><b>personally</b> 42:23 46:11</p> <p><b>perspective</b> 22:2</p> <p><b>pertain</b> 81:11</p> <p><b>pertaining</b> 3:23</p> <p><b>pertains</b> 81:16</p> <p><b>pet</b> 27:14</p> <p><b>photographs</b> 77:9</p>	<p><b>phrase</b> 18:4 19:10 52:12 53:2</p> <p><b>pick</b> 3:14</p> <p><b>picked</b> 5:24</p> <p><b>picks</b> 57:24 58:5</p> <p><b>pickup</b> 6:4</p> <p><b>piece</b> 63:22</p> <p><b>piecemeal</b> 68:4</p> <p><b>place</b> 58:18 66:1,21</p> <p><b>plan</b> 6:6 15:3,4,6,7,15,16,18, 22,24 16:2 71:17 73:4 74:9 75:2,4,18,20,22 76:3,8,13</p> <p><b>planning</b> 21:5 26:17</p> <p><b>plans</b> 4:7 5:17,19,21 14:21,23 16:15 27:21 28:7,8,10 51:7 54:7,8,10,11,13, 21,22 55:1,4,7,11,13, 14,16,19,20 73:1,4,5 75:2</p> <p><b>plant</b> 56:8</p> <p><b>planting</b> 56:5,8</p> <p><b>players</b> 33:16</p> <p><b>please</b> 5:18 36:18</p> <p><b>plural</b> 71:21</p> <p><b>plus</b> 12:3</p> <p><b>point</b> 8:6 9:10 20:5,9 22:5 26:11 30:2 33:20 43:20 49:22 53:10,13 59:19</p>
---	--	---	---

<p>60:2,5,8,12 61:4 62:14, 22 63:10,11 64:13,21 66:6 67:18,19 69:4 78:10 79:11 80:10 81:19 82:12</p> <p><b>pointed</b> 39:1</p> <p><b>portion</b> 80:11,19,22</p> <p><b>position</b> 43:17 46:21</p> <p><b>possibility</b> 58:12 62:15,16</p> <p><b>possibly</b> 62:5</p> <p><b>potential</b> 37:16 42:20 61:3</p> <p><b>Poverman</b> 3:7 7:2,16,24 8:6,12,20 9:1,5,19 10:4,6 11:2,10, 24 12:3,7,12,17,20 14:10,14,19 15:9,21 16:4,18,24 17:9,15,19 19:5,9,18,22 20:10,17, 21 21:10,18,20 22:17, 24 23:5 24:2,16,23 25:3 26:1,13 27:4,9,19 28:2, 8,12,17 29:4 30:3 31:5, 17,21,23 32:10,13,15, 24 33:4,6 35:2 36:1,4, 14,18 37:22 38:3,8 39:14 40:7 42:15 44:7, 18 45:4,16 46:17 47:5, 18 48:6,9,11 49:2,10, 17,22 50:2,12 51:13,20, 24 54:1,4,17,24 55:22 56:3,14 57:11 58:1,22 59:12 60:8 65:16,19 66:22,24 69:11,21 70:20 71:10,13,20,23 72:15,23 73:9,14,18,22 74:2,5,15,24 75:4,7,15 76:17 77:15,21 78:7,10, 18 79:21 80:16 83:17, 22</p> <p><b>precedent</b> 18:9</p> <p><b>predicate</b> 41:15</p> <p><b>preferred</b></p>	<p>6:3</p> <p><b>prefers</b> 63:19,21</p> <p><b>preliminary</b> 16:14</p> <p><b>premise</b> 34:10</p> <p><b>preparation</b> 29:9 30:14,20 31:2</p> <p><b>prepare</b> 29:10 30:4</p> <p><b>prepared</b> 6:15 29:23 32:4 43:1 57:1</p> <p><b>present</b> 27:13 28:14</p> <p><b>presented</b> 6:11 42:22</p> <p><b>presenting</b> 75:22</p> <p><b>presents</b> 27:23 28:14,16</p> <p><b>pretty</b> 64:24</p> <p><b>previously</b> 7:5 8:14</p> <p><b>printout</b> 8:23</p> <p><b>prior</b> 54:5 56:18 58:12 62:6,7 64:9,13 65:13,20 74:6 76:2 77:6,11</p> <p><b>pro</b> 40:5 43:14,24</p> <p><b>problem</b> 4:16 25:7 32:21 36:22 37:3 39:22 65:20</p> <p><b>problems</b> 36:2</p> <p><b>procedural</b> 21:9</p> <p><b>procedurally</b> 37:13,21</p> <p><b>proceedings</b> 3:1 31:16 44:12 84:4</p>	<p><b>process</b> 34:15 37:17 40:11 58:5 66:18 81:17 82:18,21</p> <p><b>producing</b> 60:7</p> <p><b>production</b> 30:1,12</p> <p><b>products</b> 29:23 57:15,23</p> <p><b>professional</b> 32:1</p> <p><b>program</b> 16:21</p> <p><b>project</b> 4:7,14,15,17 5:19 8:4 12:6 17:21 20:7 23:18 26:20 27:2 32:19 33:1, 16,23 35:8,13 37:6,8,10 38:2 39:13,23 41:17 42:18 43:8,11,19,23 44:2,8,16 45:1,9 46:7, 14 49:9 52:12,23 58:15, 19 59:4 60:15 67:16,20, 24 68:12 69:22,24 70:2 73:11,19 80:1 82:2,16</p> <p><b>promise</b> 81:10,13</p> <p><b>promotes</b> 17:3,10</p> <p><b>promoting</b> 16:22 17:1 72:16</p> <p><b>pronounced</b> 41:10</p> <p><b>properly</b> 19:10</p> <p><b>properties</b> 18:19 19:2,3,6 23:4,6,7, 10 24:9 27:1 70:5</p> <p><b>property</b> 6:24</p> <p><b>proposed</b> 5:17,23 6:15 8:3 44:1 55:24</p> <p><b>proposes</b> 17:21</p> <p><b>proposing</b> 43:5</p>	<p><b>prospective</b> 57:7,13,20</p> <p><b>protection</b> 34:19 65:21 66:1 77:17 78:1</p> <p><b>provide</b> 31:9 72:21 77:7 81:22</p> <p><b>provided</b> 8:17 42:12 48:24 50:4 72:3 73:1</p> <p><b>provides</b> 46:7</p> <p><b>providing</b> 27:18,19 72:6</p> <p><b>provisions</b> 70:14</p> <p><b>public</b> 16:13 26:20 72:17 80:20,21 83:12 84:1</p> <p><b>pulling</b> 67:23</p> <p><b>punctuation</b> 17:11</p> <p><b>purposes</b> 15:10</p> <p><b>pursuant</b> 56:1 59:5 75:9</p> <p><b>purview</b> 54:23 82:22</p> <p><b>put</b> 14:20 15:6,23 25:16 28:9 29:24 32:24 34:21 46:22 47:1,3 55:9 66:13 67:9 81:8</p> <p><b>putting</b> 33:9 70:20</p> <hr/> <p style="text-align: center;"><b>Q</b></p> <hr/> <p><b>Q.1</b> 12:23</p> <p><b>quality</b> 76:20</p> <p><b>quest</b> 80:12</p>
---	--	--	---

<p><b>question</b> 7:2 30:8 37:13 40:11 49:14 58:24 59:1 61:4 63:22 70:8,12 73:14 78:11 81:4,16 82:15 83:17</p> <p><b>questions</b> 9:17 14:7</p> <p><b>quiet</b> 3:6 52:3,5,6,9,13</p> <hr/> <p style="text-align: center;"><b>R</b></p> <hr/> <p><b>R.1</b> 11:22 13:1</p> <p><b>racks</b> 72:24</p> <p><b>raise</b> 9:16 47:11 59:19</p> <p><b>raised</b> 35:11 36:8,11 45:15</p> <p><b>rate</b> 68:3</p> <p><b>ratio</b> 73:12</p> <p><b>reached</b> 34:16</p> <p><b>read</b> 4:19,21 5:10 15:9 19:10 20:7 27:12 57:19</p> <p><b>reader</b> 21:12</p> <p><b>reads</b> 31:8</p> <p><b>Ready</b> 75:7</p> <p><b>reaffirm</b> 4:14</p> <p><b>real</b> 39:7</p> <p><b>realistically</b> 51:14</p> <p><b>really</b> 17:18 18:20 23:12 35:18 51:11 53:23 58:12 61:9 62:14 63:7</p>	<p>65:9,19,24 66:17 75:3 81:9</p> <p><b>rear</b> 10:2 15:7,13</p> <p><b>reason</b> 63:19 65:10 75:24</p> <p><b>reasonable</b> 40:21 46:11 76:22</p> <p><b>recall</b> 3:8</p> <p><b>receive</b> 3:21</p> <p><b>received</b> 4:9 5:1 7:20</p> <p><b>reciting</b> 48:5</p> <p><b>recommendation</b> 7:4</p> <p><b>recommendations</b> 3:22 4:2 5:20 27:22 28:3,11,13</p> <p><b>recommended</b> 7:5 42:6</p> <p><b>record</b> 3:20 4:19 5:10 27:13 44:10 55:20</p> <p><b>recreation</b> 53:12</p> <p><b>recycling</b> 5:17 8:8 75:18</p> <p><b>red</b> 16:8</p> <p><b>redesign</b> 45:10</p> <p><b>redesigned</b> 20:7</p> <p><b>redline</b> 3:16 9:4 14:5</p> <p><b>reduced</b> 50:10</p> <p><b>reduces</b> 50:15</p> <p><b>redundancy</b> 34:8</p>	<p><b>refer</b> 18:17 22:10 55:13,14 56:12</p> <p><b>referenced</b> 18:18</p> <p><b>referencing</b> 19:3</p> <p><b>referred</b> 18:23</p> <p><b>referring</b> 31:24 48:15,17 52:12 54:11 70:8 75:14 78:3</p> <p><b>refers</b> 27:9 75:12</p> <p><b>reflect</b> 8:24 12:15 28:6</p> <p><b>refreshments</b> 30:4</p> <p><b>regard</b> 5:16 16:12</p> <p><b>regarding</b> 5:15 76:19</p> <p><b>regardless</b> 47:24</p> <p><b>regional</b> 34:2,7,18</p> <p><b>registered</b> 70:5</p> <p><b>regular</b> 7:16</p> <p><b>regulate</b> 69:2</p> <p><b>regulations</b> 15:3 66:18,21 76:6</p> <p><b>regulatory</b> 79:14,23,24</p> <p><b>reinvent</b> 66:20</p> <p><b>related</b> 37:8 56:10 57:14,22</p> <p><b>relates</b> 75:10</p> <p><b>relating</b> 37:7,9</p>	<p><b>relationship</b> 39:10</p> <p><b>relative</b> 60:14</p> <p><b>relatively</b> 5:11</p> <p><b>relevant</b> 60:5</p> <p><b>relied</b> 16:11</p> <p><b>relief</b> 11:3</p> <p><b>remember</b> 27:10 32:12</p> <p><b>reminder</b> 73:3</p> <p><b>removal</b> 3:23 56:1</p> <p><b>remove</b> 57:5 69:18</p> <p><b>render</b> 37:6 39:23 42:18 43:12 44:2</p> <p><b>rendering</b> 43:18</p> <p><b>renders</b> 44:24</p> <p><b>rent</b> 50:8,10,14,17 51:2,6, 12,14,19</p> <p><b>rental</b> 50:9</p> <p><b>rents</b> 50:9,16 51:8</p> <p><b>repeat</b> 29:13</p> <p><b>replacement</b> 79:14,22</p> <p><b>report</b> 18:17 77:8</p> <p><b>reporter</b> 64:19</p> <p><b>reports</b> 73:15</p>
--	--	---	--

<p><b>represent</b> 46:2</p> <p><b>representative</b> 33:12</p> <p><b>represented</b> 33:14</p> <p><b>representing</b> 39:11</p> <p><b>request</b> 6:23 15:2,11 28:23 73:20</p> <p><b>requests</b> 3:9 28:23 80:8</p> <p><b>require</b> 6:16 7:9 57:13,21</p> <p><b>required</b> 57:15,23 66:3 72:18 75:8</p> <p><b>requirement</b> 67:23</p> <p><b>requirements</b> 6:22 10:2 59:22 64:8 66:16</p> <p><b>requiring</b> 71:7 72:17,21</p> <p><b>residential</b> 5:21 19:4,5,23 20:8 57:6 59:23,24 60:11 61:7 62:17 63:23</p> <p><b>residents</b> 26:19 32:17 52:10,22 76:23</p> <p><b>respect</b> 69:8</p> <p><b>respectfully</b> 26:5</p> <p><b>respond</b> 62:14</p> <p><b>response</b> 45:11,15</p> <p><b>responsible</b> 35:14</p> <p><b>rest</b> 40:18</p> <p><b>restaurant</b></p>	<p>82:19</p> <p><b>restaurants</b> 30:1</p> <p><b>restrictions</b> 80:3</p> <p><b>restrictive</b> 24:11</p> <p><b>retail</b> 6:12,14 19:2,8,16,18 20:5,12 30:18 32:3 48:16 49:17 56:20 57:7, 13,21 60:14</p> <p><b>review</b> 3:13,14 40:5 43:14,22, 24 51:7 55:10 58:9 59:16 74:8 75:2,4 76:5</p> <p><b>reviewed</b> 3:9,10,11 4:13 5:19 9:10 38:19,20 42:4 54:6,19 75:17 79:16</p> <p><b>reviewer</b> 16:9,11 21:11,15 26:18</p> <p><b>reviewing</b> 75:23</p> <p><b>reviews</b> 6:18</p> <p><b>revised</b> 3:13 4:7 8:18</p> <p><b>revisions</b> 3:16</p> <p><b>revisit</b> 6:23</p> <p><b>rid</b> 74:9,12</p> <p><b>right</b> 9:23 11:6,12,13 12:7 14:2 19:9 21:18 23:5 26:11 28:18 29:4 30:24 32:1 41:6 43:2,21 48:7, 21 54:17,24 57:3 60:19, 22 61:9,10 63:4,6 64:5, 23 69:7 71:21 76:7,12, 16 80:13 82:1,13,23 83:2</p> <p><b>rights</b> 82:15</p>	<p><b>road</b> 25:14</p> <p><b>role</b> 45:2 46:1 83:18</p> <p><b>Roman</b> 70:23</p> <p><b>rooftop</b> 61:10,12</p> <p><b>rooms</b> 6:20</p> <p><b>round</b> 43:22</p> <p><b>routes</b> 77:3,10</p> <p><b>rubbish</b> 5:17 6:2,20 75:18</p> <p><b>rubbish/recycling</b> 5:23 6:9 76:3</p> <p><b>run</b> 65:3,5 66:19</p> <hr/> <p style="text-align: center;"><b>S</b></p> <hr/> <p><b>S.1</b> 13:3</p> <p><b>safety</b> 16:13 27:23 28:14,16 74:6</p> <p><b>sale</b> 57:14,22</p> <p><b>sales</b> 29:8</p> <p><b>sanitary</b> 6:22</p> <p><b>sanitation</b> 75:21</p> <p><b>satisfied</b> 47:16</p> <p><b>saying</b> 22:16 24:11 36:5,15 43:14 44:13 48:8 53:23 55:7 63:2,14 65:1,22,23 72:4 73:2,8 76:9</p> <p><b>says</b> 12:7 14:15 16:7 17:13 34:21 39:19 40:5,6</p>	<p>71:15 74:18 76:1 77:2,6 80:1</p> <p><b>schedule</b> 76:4</p> <p><b>Schneider</b> 3:6 10:8,10,12,14,16, 18,20,22,24 11:11,15, 17,19,21,23 12:2,5,22, 24 13:2,4,6,8,10,12,14, 16,18,20,22,24 19:20 22:1,15 23:14 28:4,10, 15 29:16 30:6,13,16,24 31:4,11,19 33:3 35:22 37:12 38:9 40:1 41:14 43:1,16,21 44:11 45:2 47:1,8 48:23 49:19 50:1 51:22 52:4 53:4,9,18 56:2,7,22 57:8,18 60:12,19,22 61:9,22 63:16 65:6,14,17 67:15 68:17 69:13,17 71:22 72:20 74:12 76:7,12,16 78:22 80:15 81:21 82:14 83:2,12</p> <p><b>scream</b> 47:7</p> <p><b>Seated</b> 3:5</p> <p><b>seating</b> 82:10,16</p> <p><b>seats</b> 82:3,24</p> <p><b>second</b> 4:8 32:24 37:3 56:14 57:9 74:5 75:1 76:21 83:14</p> <p><b>Second-to-last</b> 56:7</p> <p><b>section</b> 5:6 31:13,14 75:13</p> <p><b>see</b> 25:15 29:20 38:7 42:16, 21 45:4,5,13 47:5,7 65:20 71:18 81:13</p> <p><b>segregated</b> 8:16</p> <p><b>selectmen</b> 57:10,11</p>
--	---	--	--

<p><b>selectmen's</b> 6:17 57:9</p> <p><b>sell</b> 29:22</p> <p><b>send</b> 70:2</p> <p><b>sense</b> 48:9 74:10</p> <p><b>sent</b> 8:22</p> <p><b>sentence</b> 9:21 16:21 17:20 28:20 32:24 36:23 37:3 42:8 47:14 55:5,24 71:16 73:10 76:21</p> <p><b>separate</b> 4:17 59:22 60:10,15 82:17,21 83:3</p> <p><b>separately</b> 8:16</p> <p><b>Seriously</b> 72:13</p> <p><b>serve</b> 30:4</p> <p><b>services</b> 5:15</p> <p><b>set</b> 51:8 80:1,2</p> <p><b>setback</b> 20:9 27:2</p> <p><b>setting</b> 11:11</p> <p><b>Shade</b> 56:13</p> <p><b>Shaw</b> 81:18,23 82:23 83:5</p> <p><b>She's</b> 25:13</p> <p><b>Sheen</b> 4:11 49:13 50:7,13,21 72:8,12 79:1</p> <p><b>sheets</b> 14:20</p> <p><b>shop</b> 6:14 32:4 81:19 82:1,4,</p>	<p>24</p> <p><b>shop's</b> 82:23</p> <p><b>shops</b> 82:10</p> <p><b>short</b> 5:12</p> <p><b>shorthand</b> 55:13</p> <p><b>shouldn't</b> 48:16 72:18</p> <p><b>showed</b> 15:7</p> <p><b>side</b> 15:8,14 40:16 56:15</p> <p><b>sidewalk</b> 82:16</p> <p><b>sidewalks</b> 82:20</p> <p><b>signal</b> 79:5</p> <p><b>significant</b> 18:1 46:13</p> <p><b>significantly</b> 20:14</p> <p><b>simple</b> 34:13,14</p> <p><b>simplify</b> 69:14</p> <p><b>simply</b> 34:24 41:19 42:17 48:5 61:6 63:14</p> <p><b>single</b> 38:24</p> <p><b>single-</b> 27:3</p> <p><b>single-family</b> 7:23</p> <p><b>Singular</b> 71:22</p> <p><b>sit</b> 23:19</p> <p><b>site</b> 15:3,4,6,7,16,22,24</p>	<p>16:10,13 18:2 19:11 20:22 21:3,14 26:21 31:7 45:11 51:4 52:2 54:10 55:1 74:8 75:2,4 77:16,24 78:5,6</p> <p><b>sitting</b> 36:10,12</p> <p><b>situation</b> 46:4</p> <p><b>six-story</b> 26:23</p> <p><b>size</b> 60:13</p> <p><b>Sloat</b> 81:23</p> <p><b>small-scale</b> 24:22 25:1,3,6 26:24</p> <p><b>soft</b> 29:8</p> <p><b>sole</b> 29:9</p> <p><b>solely</b> 49:8 52:10</p> <p><b>somebody</b> 18:12</p> <p><b>someone's</b> 51:14</p> <p><b>someplace</b> 51:15 77:18</p> <p><b>sooner</b> 68:14 69:5</p> <p><b>sorry</b> 12:13 57:8 73:17 76:9 79:21 81:21</p> <p><b>sort</b> 18:8 25:9 30:17 33:8 41:23 45:21 58:5 72:18, 21</p> <p><b>sounds</b> 64:14 78:13</p> <p><b>source</b> 81:1</p> <p><b>southwestbound</b> 56:15</p> <p><b>space</b></p>	<p>27:7 32:2 48:17 49:16, 19,24 50:10,16 51:3 52:1 56:21 57:2 59:23, 24 60:5,14 82:5,19</p> <p><b>spaces</b> 31:10 49:14,15 50:3 62:17,18 71:1</p> <p><b>speaking</b> 25:22 31:18 36:6 40:3 64:18</p> <p><b>spec'd</b> 7:9 8:2</p> <p><b>specific</b> 14:9 24:5 29:13 42:8</p> <p><b>specifically</b> 45:10</p> <p><b>specified</b> 50:3</p> <p><b>specify</b> 11:2,8 49:4 50:6 54:9 71:20</p> <p><b>specifying</b> 54:21 72:22</p> <p><b>spelled</b> 29:17</p> <p><b>spirit</b> 36:23</p> <p><b>splitting</b> 42:17</p> <p><b>square</b> 14:15,16 61:2 62:5</p> <p><b>staff</b> 32:16</p> <p><b>stand</b> 34:21</p> <p><b>start</b> 28:20 65:13</p> <p><b>started</b> 71:16</p> <p><b>starting</b> 28:20 45:8 73:9</p> <p><b>state</b> 6:22 37:9 69:24 76:19</p> <p><b>state-</b> 70:4</p>
---	---	--	---

<p><b>stated</b> 11:5 27:16 31:6,7</p> <p><b>statement</b> 42:9,11 47:2</p> <p><b>states</b> 11:6</p> <p><b>statute</b> 40:6</p> <p><b>step</b> 66:17</p> <p><b>steps</b> 80:4</p> <p><b>stop</b> 74:2</p> <p><b>storage</b> 3:23 6:20</p> <p><b>stormwater</b> 16:15</p> <p><b>story</b> 19:14,17 20:5,6,8,16,20 21:2</p> <p><b>straight</b> 31:13</p> <p><b>street</b> 3:5 5:16 8:7 18:3,4,7 19:1,6,11,22 20:8,22 21:22 22:18,19,23 23:1, 2,4,6,8,11 24:7,17,22 25:1,4 26:14 27:1,20 28:15 36:9 56:1,5,16 60:1 62:16 75:10 78:3, 4,9 79:6 81:20,24 82:2, 13 83:13</p> <p><b>Street's</b> 23:9</p> <p><b>streetscape</b> 19:8</p> <p><b>string</b> 17:1</p> <p><b>strong</b> 19:8 38:22</p> <p><b>strongly</b> 20:7</p> <p><b>structure</b> 21:21 26:24</p>	<p><b>structures</b> 19:13,19,20 20:1,13,16, 19 21:1</p> <p><b>stuff</b> 60:7</p> <p><b>Sturbridge</b> 33:12</p> <p><b>style</b> 26:22</p> <p><b>styling</b> 74:1</p> <p><b>stylistic</b> 14:19</p> <p><b>subject</b> 45:19 56:2 80:8</p> <p><b>submit</b> 54:20 76:3</p> <p><b>submittals</b> 27:15</p> <p><b>submitted</b> 5:7 15:1 17:21</p> <p><b>Subsection</b> 56:18</p> <p><b>subsidies</b> 72:2,17</p> <p><b>subsidize</b> 71:7</p> <p><b>subsidizing</b> 4:6 44:17 50:23 51:6,23 70:1 73:20 79:23</p> <p><b>subsidy</b> 72:7,19,21</p> <p><b>substantive</b> 29:2</p> <p><b>subtract</b> 11:8</p> <p><b>suggest</b> 53:1 80:9</p> <p><b>suggested</b> 3:11 9:12 61:19</p> <p><b>suggestion</b> 61:17 62:12 67:2 68:8 69:10</p> <p><b>suggestions</b> 9:14</p>	<p><b>summary</b> 4:13</p> <p><b>superfluous</b> 27:21 28:1,5</p> <p><b>Superior</b> 39:6</p> <p><b>support</b> 7:11 40:9,19 42:3</p> <p><b>supposed</b> 47:13 53:11</p> <p><b>Supreme</b> 39:6</p> <p><b>sure</b> 7:14 15:3 23:12 24:4 31:1 39:12 40:12 42:1 52:15 60:15 64:7,16 68:9 74:16 78:3,14 80:13 83:7</p> <p><b>surfaces</b> 77:2,9,22</p> <p><b>survey</b> 77:15,16,24 78:6,8</p> <p><b>swap</b> 56:20</p> <p><b>sweets</b> 82:7</p> <p><b>system</b> 66:1</p> <hr/> <p style="text-align: center;"><b>T</b></p> <hr/> <p><b>table</b> 40:17</p> <p><b>take</b> 9:7 14:2,16 16:14 23:21 28:13 31:8 34:13 39:21 60:2 65:8,12 66:21 80:24</p> <p><b>taken</b> 51:18</p> <p><b>talk</b> 22:2 36:7 40:15,18 43:3</p> <p><b>talked</b> 18:24</p> <p><b>talking</b> 17:15 19:1,7,16 20:4</p>	<p>22:8 24:13 54:5 61:10, 11,12 78:5 81:3</p> <p><b>talks</b> 76:17</p> <p><b>tall</b> 18:19 19:14,17 20:13, 16,20 21:2</p> <p><b>tandem</b> 49:15</p> <p><b>TAP</b> 70:13</p> <p><b>team</b> 43:24</p> <p><b>technical</b> 17:3</p> <p><b>tell</b> 18:5 39:20</p> <p><b>telling</b> 26:2</p> <p><b>ten</b> 14:4</p> <p><b>tenant</b> 50:19 51:3 62:1 81:14</p> <p><b>tenants</b> 6:12 48:16 50:4 52:11 57:7,13,21 60:20,24 66:13 70:15 71:7 72:14</p> <p><b>tenants'</b> 6:8</p> <p><b>term</b> 18:7 29:13 32:20 52:8, 18</p> <p><b>terms</b> 7:5 54:10,11 60:9 79:14,22 80:4</p> <p><b>test</b> 33:18,19 34:18 61:5 63:11 64:9,13 69:4</p> <p><b>tested</b> 62:21 64:22 67:19</p> <p><b>testimony</b> 27:11 42:13 80:11 81:1</p> <p><b>testing</b> 62:23</p> <p><b>thank</b></p>
--	--	---	--



<p>4:22 9:6 14:1 27:4 28:17,18 31:21 79:9 81:15 84:3</p> <p><b>Thanks</b> 9:5</p> <p><b>there's</b> 12:18 24:19 26:2 37:23 40:4,5,7 50:22 51:9 64:1 65:9 78:4,8 82:1</p> <p><b>thereunder</b> 56:11</p> <p><b>they'll</b> 30:9 62:8</p> <p><b>they're</b> 7:22 14:8 35:19 60:6 61:15,21,24 62:2 63:14 66:5,8,9 75:22 82:6,9</p> <p><b>they've</b> 4:9 82:8</p> <p><b>thing</b> 40:22 51:23 70:19</p> <p><b>things</b> 17:1,10 31:15 43:4 54:18 66:24 81:9</p> <p><b>think</b> 5:12 7:14 17:11,17 18:6,11,15 19:10,21 21:6,9,11 22:7 23:3,9, 16,20,24 25:2 26:5,8, 10,12,15 27:21 28:4,5 29:6,16 31:3,11,12,13, 14,20 32:1 33:19 34:11 37:8,14,15,19,21 38:5, 24 39:8,17 41:8,12,22 42:3,11,14 44:8 45:21 46:17,19,21 47:8,9,13 51:22,23 52:20 53:9,22 57:4 58:20 59:19 62:13 64:2,6 65:6,14,21 66:3 67:9,15,16,17 69:1,11, 14 70:18 72:4,20 75:11 76:8,10,12 77:5 79:11 80:2,8,10 82:15</p> <p><b>thinking</b> 60:13</p> <p><b>third</b> 41:2 43:22 54:4 58:3</p> <p><b>Thorndike</b> 81:23</p>	<p><b>thought</b> 22:4 82:12 83:6</p> <p><b>threat</b> 64:7</p> <p><b>three</b> 28:20 45:8 50:3 56:18 71:15 77:1 79:24</p> <p><b>three-story</b> 20:2</p> <p><b>time</b> 6:19 8:13 14:12 16:6 18:4 40:16 41:2 44:20, 21 82:3</p> <p><b>times</b> 46:19 67:7 76:22</p> <p><b>timing</b> 61:13</p> <p><b>title</b> 15:15</p> <p><b>titles</b> 14:20</p> <p><b>today</b> 3:21 5:1,3,8 12:11 14:4</p> <p><b>token</b> 34:4</p> <p><b>tonight's</b> 3:12</p> <p><b>topic</b> 81:12,18</p> <p><b>total</b> 59:9 72:5</p> <p><b>totally</b> 20:12 36:4,15</p> <p><b>toter</b> 6:7</p> <p><b>toters</b> 5:22 6:3,10 7:4,13</p> <p><b>town</b> 4:5,11 9:11 16:8,21 18:10 19:12,23 20:23 32:16 35:15 39:11,12 46:2 51:22 56:10 59:5 66:19 68:12 71:17,18, 19,20 76:5 79:17 82:18</p> <p><b>town's</b> 21:18 73:20</p>	<p><b>townhouses</b> 20:2</p> <p><b>traffic</b> 16:9 77:12 79:5</p> <p><b>transit</b> 72:3</p> <p><b>transportation</b> 71:17 72:17 77:8</p> <p><b>trash</b> 3:23 7:8,12 8:5,9,15</p> <p><b>trash/rubbish</b> 6:8</p> <p><b>treat</b> 39:9</p> <p><b>tree</b> 56:13 75:11 77:17 78:1</p> <p><b>trees</b> 56:1,5 77:16,24 78:3,4, 5,6,9</p> <p><b>trial</b> 38:10,11</p> <p><b>tried</b> 46:5</p> <p><b>trigger</b> 28:22 61:4</p> <p><b>triggers</b> 60:9,10</p> <p><b>truck</b> 77:10</p> <p><b>true</b> 42:8 69:23</p> <p><b>try</b> 24:1 46:2 57:20</p> <p><b>trying</b> 23:8 24:14 25:9 43:24 45:22 47:14 64:2 68:22 69:14,18</p> <p><b>two</b> 4:17 7:5 30:18 34:24 35:2,19 36:9 49:2 61:16 66:24 67:2 72:11,12 79:24</p> <p><b>two-family</b> 21:4 27:3</p> <p><b>two-page</b></p>	<p>4:18</p> <p><b>typical</b> 52:8</p> <p><b>typically</b> 43:4 70:14</p> <p><b>typo</b> 79:21</p> <p><b>typology</b> 26:23</p> <p><b>typos</b> 14:10</p> <hr/> <p style="text-align: center;"><b>U</b></p> <hr/> <p><b>U.1</b> 13:7</p> <p><b>Uh-huh</b> 13:4 75:6</p> <p><b>ultimate</b> 54:12</p> <p><b>unbuildable</b> 44:3</p> <p><b>underneath</b> 51:4</p> <p><b>underpinning</b> 41:9 42:9</p> <p><b>understand</b> 4:23 9:20 14:3 17:6 22:5 41:21 52:19 60:12 63:12 66:22 67:12</p> <p><b>understanding</b> 9:9,18 50:8 72:6</p> <p><b>Understood</b> 9:3</p> <p><b>uneconomic</b> 33:24 37:6 38:2 39:23 42:19 43:12,19 44:3,6</p> <p><b>unintended</b> 23:23</p> <p><b>unit</b> 50:14,16</p> <p><b>units</b> 17:22 42:20 57:6 65:5 68:2 73:10,13</p> <p><b>unknown</b></p>
---	---	--	--

<p>33:15 <b>update</b> 4:15 73:4,5 79:15 <b>updated</b> 12:11,13,15 <b>upgrade</b> 5:21 6:6 79:5 <b>use</b> 8:3 18:7 19:9 29:7,14 32:2 52:15 53:15,16,19 62:17,20 66:16 70:16 76:22 <b>utility</b> 50:15 <b>utilized</b> 70:15</p> <hr/> <p style="text-align: center;"><b>V</b></p> <hr/> <p><b>valuable</b> 63:7 <b>variance</b> 9:15 <b>variations</b> 24:13 <b>vendor</b> 6:16 <b>venting</b> 29:9 30:20 <b>verified</b> 58:5,9 <b>version</b> 14:3 27:6 <b>versions</b> 74:20 <b>versus</b> 59:23 <b>vestige</b> 65:9 <b>Village</b> 18:11,14 19:13 20:24 <b>violating</b> 67:8 <b>violation</b> 66:10</p>	<p><b>violations</b> 67:10 <b>voice</b> 38:6 <b>voiced</b> 46:19 <b>vote</b> 80:8 <b>voted</b> 83:20</p> <hr/> <p style="text-align: center;"><b>W</b></p> <hr/> <p><b>W.1</b> 13:9 <b>Wait</b> 32:10 36:17 <b>waiver</b> 3:13 9:7,15 28:23 66:5 80:8 <b>waivers</b> 3:9 12:15 15:2,3,4,6,11, 16,21,22 34:5,6 79:13 <b>waivers-key</b> 15:24 <b>want</b> 3:20 4:18,19 8:6 11:2 14:21 16:3 18:8 19:9 20:3 22:18,19 23:10 29:14,15,18 30:24 43:9 48:19,23 49:20 53:6,18 55:2,3 56:22 58:18 60:10 62:19 63:8 65:24 66:3 67:9 70:11 71:4,5 73:4,22 74:12,13 78:14 79:3 80:13 81:9,19 82:14,20 <b>wanted</b> 4:4 10:2 68:6 79:9,11 82:11 83:5 <b>wants</b> 62:20,23 63:11 64:3,9, 13,15,16 <b>wasn't</b> 70:7 <b>waste</b> 8:1</p>	<p><b>way</b> 19:21 20:11 23:22 24:17 25:20 34:23 39:4, 9 42:15 44:12 50:7 51:18 52:16 62:4 <b>ways</b> 17:12 <b>we'll</b> 3:18 9:4 26:6 73:7 84:1 <b>we're</b> 9:7 11:11 22:8 24:10, 11,13 28:5 29:11 33:19 34:21 37:14,15 40:14, 15,17 41:13,19 43:14 45:23 46:22 47:12 48:5, 8 54:5 61:9 63:2,3 65:11,17 72:16,21 80:7, 18,19 83:19 <b>we've</b> 34:22 37:6 43:23 47:23 55:4 70:13 81:3 83:18 <b>weeds</b> 30:7 40:20 <b>week</b> 8:15 <b>weekly</b> 5:24 6:1 <b>weighed</b> 32:17 35:5 <b>weight</b> 38:18,19 <b>westbound</b> 56:15 <b>what's</b> 23:3 31:5 58:6 59:13 <b>Who's</b> 49:10 <b>wholly</b> 82:21 <b>wild</b> 52:24 <b>windows</b> 54:18 <b>winter</b> 63:8 65:4 <b>withhold</b></p>	<p>63:14 <b>withholding</b> 63:7 <b>won't</b> 62:3,10 66:12 <b>wondered</b> 82:7 <b>wondering</b> 22:6 <b>word</b> 27:16 38:11,15,24 52:2 <b>worded</b> 51:18 <b>wording</b> 23:23 <b>words</b> 26:2 31:2 38:16 <b>wordsmithing</b> 23:22 26:6 <b>work</b> 46:2,5,20 63:21 <b>working</b> 49:10,11 78:12 <b>works</b> 51:8 <b>world</b> 21:13 39:13 <b>worried</b> 25:12,13 <b>worry</b> 23:21 <b>wouldn't</b> 11:12 38:23 47:1,3 51:16 59:16 <b>written</b> 26:19 27:15 <b>wrong</b> 17:5 23:22 <b>wrote</b> 8:10 33:11,13</p> <hr/> <p style="text-align: center;"><b>X</b></p> <hr/> <p><b>X.2</b> 13:11</p>
---	---	---	---

---

**Y**

---

**Y.1**

13:13

**yard**

10:2 15:13,14

**yards**

15:8

**yeah**

19:7 24:23 29:4 49:1,22

52:20 55:17 56:3 58:19

69:21 73:24 74:16

**year**

59:15,16

**years**

33:11 39:18

**you're**

17:4,9 19:16 23:8 24:12

25:12 28:18 31:24

34:20 36:5 38:1 39:5

48:7 51:1 55:18 59:20,

21 61:11,12 63:6 67:23

78:3

**you've**

34:15 36:7 52:2

---

**Z**

---

**Z.1**

13:15

**zone**

24:8

**zoned**

24:9

**zoning**

5:6,13 17:3 22:12

25:20,21 28:22 38:17