

In The Matter Of:

BROOKLINE ZONING BOARD APPEALS HEARING

PROCEEDINGS - Vol. 7

June 5, 2014

MERRILL CORPORATION

LegalLink, Inc.

101 Arch Street
3rd Floor
Boston, MA 02110
Phone: 617.542.0039
Fax: 617.542.2119

Volume VII

Pages 1-127

Brookline Zoning Board Appeals Hearing

Case Number 20130094

40B Application by Chestnut Hill Realty

The Residences of South Brookline

June 5, 2014 at 7:00 p.m.

Office of Town Counsel

333 Washington Street, 6th floor

Brookline, Massachusetts 02445

Merrill Corporation LegaLink, Inc.

179 Lincoln Street, Suite 401

Boston, Massachusetts 02111

(617) 542-0039 Fax (617) 542-2119

Reporter: Kristen C. Krakofsky

1 Appearances

2 Board Members:

3 Jessie Geller, Chairman

4 Jonathan Book

5 Chris Hussey

6 Mark Zuroff, Associate Member

7 Avi Liss, Associate Member

8

9 Samuel Nagler, Esquire, Krokidas & Bluestein

10 Edith M. Netter, Esquire,

11 Edith M. Netter & Associates, P.C.

12 Alison Steinfeld,

13 Planning & Community Development Director

14 Dan Bennett, Building Commissioner

15 Mel Kleckner, Town Administrator

16

17 Representatives of Chestnut Hill Realty:

18 Joseph Geller

19 Mark Levin

20

21 Members of the Public:

22 Cyril Wolfe, 269 Russett Road

23 Anthony Abner, 265 Russett Road

24 Stephen Chiumenti, 262 Russett Road

1 Judith Leichtner, 121 Beverly Road

2 David King, Mason Terrace

3 Scott Gladstone, 383 Russett Road

4 Irene Scharf, 250 Russett Road

5 Betsy DeWitt, 94 Upland Road

6 Nancy Daly, 161 Russett Road

7 William Pu, 249 Beverly Road

8 Alisa Jonas

9 William Varrell, 45 Asheville Road

10 Robin Koocher, Beverly Road

11

12

13

14

15

16

17

18

19

20

21

22

23

24

1 PROCEEDINGS

2 7:03 p.m.

3 MR. JESSIE GELLER: Good evening, everyone.
4 We're calling to order this continued hearing on the
5 Residences of South Brookline. As people are aware,
6 this is a continuation of a series of hearings we've
7 been holding. This is on a proposed 40B development
8 located in South Brookline.

9 Tonight's hearing is going to be dedicated to,
10 as I understand it, some modifications to the submittal
11 plan. Let me, before we get into the topic at hand,
12 renew introductions: Avi Liss all the way to the left;
13 Mark Zuroff; Jonathan Book; Christopher Hussey; Jessie
14 Geller; and our assistant Edie Netter, who is
15 consulting with us on 40B matters; and legal, Sam
16 Nagler.

17 Tonight's hearing will be in the following
18 order: We will first hear the presentation from
19 Chestnut Hill Realty. We will then hear a report by
20 the planning director, then the Board will have an
21 opportunity to ask questions and hold a discussion
22 based on what it has seen so far. We will then open up
23 the hearing to public testimony.

24 With respect to public testimony, what I would

1 ask people to do, and I said this before, one, listen
2 to what other people have to say; and if you agree with
3 something that someone else has said before you, point
4 to them and say I agree with them. We don't need to
5 hear the same comment several times over, only because
6 it will make for an extremely long hearing. We do want
7 to hear what you have to say, but we also want to be
8 sensitive to time constraints.

9 Also, I would note for people that tonight's
10 hearing is focused on modifications on the plans that
11 were submitted. And therefore, if you do have
12 comments, please focus those comments on the changes to
13 the plan. After public testimony, we will run through
14 a few administrative details.

15 A couple of questions I have for CHR, just
16 preliminarily, is -- I understand that the plan has not
17 been provided a yet for the modifications. I would ask
18 that that be submitted.

19 (Documents submitted.)

20 MR. JESSIE GELLER: I would also note that a
21 model needs to be -- a completed model needs to be
22 submitted by June 6th, that's tomorrow, in order to
23 comply with our time limits. And that would be a
24 bird's eye view as well as a street view.

1 Any other details? I think that's it.

2 Okay. Who's going to speak on behalf of CHR?

3 MR. LEVIN: Good evening, Chairman Geller,
4 board members. I'm Mark Levin, Chestnut Hill Realty.

5 I'd first like to thank the planning staff
6 whose thoughtful input has generated many of the ideas
7 that I'm going to present tonight.

8 Last November we submitted a comprehensive
9 permit application. The Town of Brookline subsequently
10 hired Edith Netter to consult on the 40B process. The
11 Town also hired BETA to do stormwater and traffic peer
12 review and Touloukian & Touloukian to do peer review of
13 the design.

14 The planning staff went on a site walk to view
15 the existing conditions. The planning staff has made a
16 number of suggestions to make modifications to the
17 original plan. Specifically, they emphasized the need
18 to preserve more useable green space in the S7 and thus
19 preserve more of the existing mature trees there. They
20 asked that we eliminate the larger sized units and move
21 units from the S7 to the M5 district. They asked for
22 us to eliminate 1 eight-unit building entirely and
23 reduce the mass of the infill buildings. They asked
24 that we improve the view corridors for the neighbors

1 and increase the setbacks of the buildings and parking
2 wherever possible.

3 Chestnut Hill Realty and the planning staff
4 met over the last few months to discuss how to achieve
5 these goals. Our team has worked very diligently to
6 make modifications to our plan to meet the Town's
7 objectives. We're here presenting these modifications
8 to the ZBA tonight.

9 This is the original site plan. You can see
10 Beverly Road to the north -- this is the west side, the
11 original site plan to the west side -- Beverly Road to
12 the north, Independence Drive to the east. You can see
13 there were 4 eight-unit buildings, 1 four-unit
14 building, for a total of 36 units of which 15 were
15 four-bedrooms, 13 three-bedrooms, 5 two-bedrooms, and 3
16 one-bedrooms. There were also 2 free-standing
17 garages. There was a 20-foot setback behind the
18 buildings and the parking.

19 Here we see the modifications that are under
20 consideration on the west side. There's now 1
21 eight-unit building and 3 four-unit buildings for a
22 total of 20 units. There are no four-bedrooms, there
23 are 10 three-bedrooms, 10 two-bedrooms, and no
24 garages. 1 eight-unit building was removed entirely,

1 four units were moved across the driveway to the M5
2 district, 8 units were relocated to the apartment
3 building in the M5 district.

4 We've added 27 parking spaces and located all
5 of the parking as far from the neighbors as possible by
6 moving closer to Hancock Village. We designed this
7 parking similar to what exists currently at Hancock
8 Village. As you can see, the new result is creating
9 significantly more open space and preserves
10 significantly more mature trees. Joe Geller will speak
11 to that later. He'll also discuss the removal of the
12 retaining wall and the creation of a turn-around for
13 fire trucks. There is now significant green space
14 behind most of the homes on Beverly Road.

15 Here you see the original. This is the
16 original submission -- it's marked incorrectly at the
17 top -- on the east side. You see Russett Road over
18 here. There are 3 eight-unit buildings, one, two, and
19 three; and 4 four-unit buildings, one, two, three,
20 four; totaling 40 units of which 13 were four-bedrooms,
21 15 three-bedrooms, 5 two-bedrooms, 7 one-bedrooms, and
22 there are 5 garages.

23 Now, this is the June 5th modified plan.
24 There's now 1 eight-unit building and 4 four-unit

1 buildings for a total of 24 units of which there are no
2 four-bedrooms, 8 three-bedrooms, 8 two-bedrooms, and 8
3 one-bedrooms. 2 eight-unit buildings were reduced to
4 four-unit buildings by relocating 8 units into the
5 apartment building. All of the units in the 2
6 four-unit building were relocated to the apartment
7 building, thus eliminating these two buildings.
8 Combined, 16 units were moved to the apartment building
9 in the M5.

10 As we looked to the changes of the plan, it
11 became obvious that we needed more parking spaces. In
12 fact, the parking on the east side still does not meet
13 zoning, despite the fact that we've added 57 surface
14 spaces and, again, we moved the parking as far as
15 possible from the neighbors.

16 So let's look at the impacts in the S7. I'll
17 first focus on building mass. We reduced the number of
18 buildings from twelve to eight, and we reduced the
19 number of eight-unit buildings from seven to two while
20 adding 1 four-unit building. The number of apartments
21 in the modifications have been reduced by thirty-six to
22 forty and the building square footage has nearly
23 halved.

24 The stories have dropped from two and a half

1 to two plus a loft enabling to us reduce the height of
2 these buildings by three feet.

3 The free-standing garages have been eliminated
4 completely.

5 The two remaining eight-unit buildings in this
6 plan are located adjacent to Independence Drive, and
7 the reduction in the square footage in the S7 was
8 achieved by moving units to M5 and the deductions of
9 bedrooms. All the buildings in the S7 have you been
10 reduced by three feet.

11 Now, here you have two elevations. The top
12 elevation is a typical eight-unit building in our
13 permit application. It's two and a half stories.
14 Below it is our four-unit building in our modifications
15 under consideration that are two stories plus a loft.
16 The massing was reduced by virtue of the removal of
17 bedrooms in the three- and four-bedroom units and the
18 reduction in height that resulted from going from two
19 and a half stories to two stories plus a loft. We went
20 from seven of the eight-unit buildings above to two by
21 converting 4 eight-unit buildings to four-unit
22 buildings and eliminating 1 eight-unit building
23 entirely.

24 Let's look at the impact on unit types. All

1 28 of the four-bedrooms units have been eliminated and
2 10 of the three-bedroom units have been eliminated as
3 well. There are eight more two-bedrooms units and two
4 less one bedroom-units. In all, there was previously
5 226 bedrooms in the S7. Now there are only 88, for a
6 reduction of 128. The total number of lofts as
7 asterisked above is 22 and the 18 three-bedroom units
8 equal 10 percent of the total project, which is the
9 state requirement by MassDevelopment.

10 The impact on the green space and mature trees
11 on unobstructed views: The functional useable open
12 space has increased by nearly three acres. The useable
13 open space between the 20-foot setback that existed in
14 both plans and 60 feet from the property line has
15 increased by over 300 percent. The building footprints
16 themselves have been reduced by 37 percent, and the
17 covered surfaces, that's the building footprint plus
18 driveways and parking, have reduced by 22 percent. The
19 mature trees saved are now 123, and the linear feet of
20 unobstructed view has nearly doubled while the
21 retaining walls have been reduced significantly. Now
22 unobstructed views are almost 80 percent of the entire
23 length of the property.

24 I'd like to discuss modifications under

1 consideration to the apartment building. These
2 modifications include an added fifth floor to
3 accommodate the 24 units that were removed from the
4 S7. These 24 units are comprised of 19 two-bedrooms
5 and 5 one-bedrooms. We also moved the main entrance to
6 the south side of the building and created an
7 attractive two-story amenity space. We also relocated
8 the garage entrance.

9 Here's an image of the south side of the
10 building with the new amenity space. This is clearly
11 not the final design, but please note that this is not
12 visible from the abutters.

13 Now I'd like to turn over the presentation to
14 Joe Geller who will discuss site modifications.

15 MR. JOE GELLER: Thank you, Mark.

16 So Mark talked about the overall details of
17 the modifications of the plans, so I'm going to talk
18 about some of the more general site circulation, site
19 design, site modifications.

20 So there's general traffic safety improvements
21 that I will show as I go through the plans. We looked
22 at certain things like better emergency vehicle
23 access. We did meet with the director of planning and
24 the fire chief to talk about his concerns about the

1 plan and show him an earlier version of the plan and
2 how we could actually solve some of those, and I'll
3 talk about that in a little more detail.

4 You saw at the last hearing the proposal for
5 traffic calming on Independence Drive, and that would
6 be included in this proposal as well, so we wanted to
7 make sure that you understood that that was integral to
8 what we're proposing as part of the modifications under
9 consideration.

10 And then I'll talk also about potential future
11 access to the VFW Parkway, something that we can
12 consider working with the Town on, although not
13 included in this current plan.

14 So some other modifications: One thing that
15 came up was along the edge of the property, the entire
16 edge of the property both on the east and west side,
17 was adding fencing. That was a consistent fence,
18 six-foot fence all along the edge of the property.
19 It's something that we certainly wanted to do and would
20 like to do.

21 And then also to increase and enhance the
22 landscaping along that property line. We haven't
23 finalized that yet, and we intend to do that as we move
24 forward with these plans as they're being considered.

1 And then Mark talked about mature trees
2 saved. I'll show you where those are and what the
3 significance of that is. And it also -- there were
4 retaining walls shown on the plan originally, one was
5 on the west side and two on the east side. We
6 eliminated the wall on the west side completely, and
7 the walls on the east side, we removed one of them and
8 I'll show you in the plans how we actually still have a
9 wall there but now it's actually designed to have less
10 impact on the abutting properties.

11 One of the things that was talked about a lot
12 in the discussions about the plan was unobstructed view
13 shed, and I think in discussing what that is, it's
14 really that there's no buildings in the area -- in the
15 S7 area to really impact the view from the neighbors
16 both at the ground plane but also in the upper
17 stories. So you can see that sort of these areas here
18 area where we eliminated buildings along the edge of
19 the property and so that view shed is into the current
20 green space, the green space that will be maintained.
21 That was the 79 percent unchanged view shed.

22 The additional mature trees that we saved --
23 you can see we had buildings -- we had buildings in
24 this area and this area before. And so by eliminating

1 those buildings, we're able to save all these trees
2 here, all of these trees in this location here, and
3 then the trees in the back. In the relocation, we were
4 able to actually modify the grading as well to maintain
5 this edge in the buffer on that side there.

6 On the east side, by eliminating the buildings
7 here, here, and here, and the garages, we were able to
8 maintain all of the plantings here by regrading this
9 area and this parking. We don't do anything in this
10 area here, so we maintain all of the trees in this
11 location. This building was eliminated, so we maintain
12 all the trees in that location, and then we were able
13 to grade differently down here because we had a smaller
14 building here and these buildings got relocated so that
15 we end up with more trees saved in this location and
16 currently we're showing trees saved at that point as
17 well.

18 So the total number of trees saved is 123
19 mature trees. And I know that when we walked out on
20 the site there were a lot of concerns about specific
21 trees and so we looked to save as many of those large
22 trees as we could.

23 One of the things that we did talk about was
24 the access to the VFW. So if that was possible, you'd

1 be able to either come in or go out from this point
2 here and that's why this building is located where it
3 is, so that there's potential to have a future access
4 drive here. And that would allow cars to come in this
5 way and go out that way. It's something that we'd
6 consider working with the Town on but we are not
7 proposing as part of the modifications because of the
8 process involved in that.

9 As I said, there's only one retaining wall
10 left on the site now. The plan, as shown, is that you
11 come in off of Asheville here, you turn left into the
12 drive here. Before, the buildings were located here,
13 and then there was a building on an angle here. By
14 moving the drive in this location, we were able to push
15 the buildings farther away from the abutting properties
16 and the wall. Instead of having the wall on the
17 property side, having to grade down to the properties,
18 we ended up building the wall on this side and actually
19 lowering the building here. So we were able to regrade
20 this part of the site.

21 So this wall -- adding a wall on this side,
22 maintaining a wall on this part of the site is actually
23 done so that we can actually have a better relationship
24 to the property line. And the same thing, we've

1 eliminated the wall on this whole edge on this side.

2 So another comment that's been made was about
3 emergency access concerns that the fire chief had. And
4 so in our discussion with the fire chief, one of the
5 things we talked about was the length of this driveway
6 and him having to use the hammerhead turn to get out of
7 that driveway and also the width of this driveway in
8 this whole section, concerns about passing of the fire
9 trucks. You heard that at the last hearing from the
10 deputy chief as well.

11 So what we've done is we've created a
12 traditional turn-around at this location. It takes up
13 more pavement, but we're able to actually get a truck
14 to turn around in that whole area and go back out.
15 We've maintained a 22-foot-wide pavement width there.
16 I think we had shown 20 feet in some locations before.
17 We talked to the chief about a 22-foot or 23-foot-wide
18 pavement, which he was more comfortable with. So we
19 have a 22-foot-wide minimum there. It's wider in
20 certain sections where the parking is shown along the
21 whole -- so when there's parking, it's a little bit
22 wider to pull out of the parking spaces.

23 So we feel we've given a very comfortable
24 driveway in there so the trucks can pass. If a truck

1 pulls up and is working the fire scene, as the chief
2 described to us, they want to be able to get past it,
3 turn around, and get back out so if there's another
4 call or something like that, they can accomplish that.
5 I think we've done that with this plan.

6 We also talked with him at the time about the
7 modification here where now that we're only showing two
8 buildings here and two buildings here and the third
9 building here with an assess drive that came off of
10 Asheville this way, that we still have a hammerhead in
11 this location, still the hammerhead in this location,
12 but we're only servicing fewer buildings.

13 And then his other concern was access to the
14 back of this building, the large building. And so we
15 talked with him about putting a grass-free-type paving
16 system in the back of the building so we still maintain
17 a green space back there, to all intents and purposes
18 appear as a green space, but the grass-free could allow
19 fire-lane access to the back of the building, which he
20 was comfortable with as well. And then, of course, we
21 were able to give access -- at this point he would have
22 direct access onto the VFW in the future.

23 So we had a meeting with him. We'd actually
24 want to go back and show him one more time the final

1 plans, but we think we've addressed the concerns that
2 he had.

3 And this just shows the AutoTURN that you're
4 all now getting very familiar with and how the AutoTURN
5 would work in each one of these points for fire access.

6 Just to kind of wrap up, I think the other
7 issues that have come up in the discussion that we had
8 over the last few months, it's one of the things that
9 the Town had some questions about, was our stormwater
10 management system and use of pervious pavement.

11 We believe we'll be able to -- first of all,
12 we're reducing the amount of pervious surfaces to begin
13 with, so we'll be making improvements to the stormwater
14 system as we proposed it because we'll have less
15 impact. So from the very beginning of the
16 modifications, we're able to address part of those
17 issues. But we also believe, because of the way we can
18 grade the site, because of the additional open space on
19 the site, we're able to modify the stormwater system so
20 that it can be something that we can work with the Town
21 on and I think we can have a better -- the system will
22 address the problems or concerns that people had at
23 some of the hearings.

24 We still believe that the pervious pavement

1 system is a good use of proven technology, but we'll
2 work with the Town on understanding that better.

3 MR. LEVIN: So I just wanted to summarize the
4 modifications presented tonight.

5 We've eliminated 8 units, so the program is
6 now 184 total. We removed 36 units from S7, which now
7 contains 40 units. 28 units were moved into the M.5,
8 4 of which were a four-unit building on the west side,
9 24 on the fifth floor of the apartment building. We
10 removed four buildings from the S7, and we removed 81
11 bedrooms in the aggregate. 128 we were removed from
12 the infill buildings.

13 We removed all seven free-standing garages and
14 we reduced the height of the infill buildings by three
15 feet. We converted 4 eight-unit buildings into
16 four-unit buildings, and we've nearly doubled the
17 linear footage of unobstructed views.

18 As far as the unit types go, as I've
19 mentioned, we've eliminated all the four-bedroom units
20 and we've reduced the three-bedroom units by 10 to 18.
21 There are 22 lofts of which 17 are in the two-bedroom
22 units, four are in the one-bedroom units, and one is in
23 the three-bedroom unit. The affordable units have been
24 reduced by 2 to 37.

1 As far as the site improvements go, as Joe
2 mentioned earlier, we increased the functional useable
3 open space to almost three acres and we saved 123
4 mature trees. We will improve public safety on
5 Independence Drive through traffic calming. Those
6 plans are being worked on in conjunction with BETA.
7 And we've improved stormwater management. There are
8 increased setbacks from neighboring homes. We moved
9 two of the three retaining walls, and we'll improve the
10 fencing and landscaping behind neighboring homes.

11 We look forward to your feedback. There's a
12 lot of information here, but we're more than happy to
13 try to answer any questions you have. I'm happy to say
14 that we ran these modifications by MassDevelopment, and
15 they were received very positively. If you're in
16 agreement, I imagine that the staff will retain the
17 peer reviewers to review these considered
18 modifications.

19 MR. JESSIE GELLER: Thank you. Are there any
20 questions at this point for representatives of CHR on
21 the modifications or on the plan in general?

22 MR. BOOK: Could you spend a couple of minutes
23 and describe the -- sort of the process to provide
24 direct access onto VFW Parkway and, you know, in terms

1 of -- you talked about it as a possibility and I guess
2 I just want to explore for a couple of minutes how
3 likely that possibility could be, how difficult is it,
4 what would prevent -- you know, what would be the
5 obstacles to doing that.

6 MR. JOE GELLER: The process is because it's a
7 DCR roadway which now falls under -- because the DCR
8 and MassHighway and all the other industries combined
9 into the Mass DOT, it requires the Mass DOT highway
10 access program. So there's a rather involved process
11 that goes with that. It's also a historic parkway, so
12 there's concerns and issues with that as well. It's
13 something that -- it's just an involved permitting
14 process. It goes through the state.

15 MR. BOOK: So is the -- I guess I was
16 trying -- is the issue all with, we'll do it if we can
17 get state approvals? I guess I didn't fully understand
18 if you were at a stage in your planning that you were
19 committed to it if it could be done.

20 MR. JOE GELLER: Yes. I think we said that we
21 would work with the Town to achieve that if it was
22 possible to achieve it, but we didn't want to include
23 it in the plans if we couldn't get it achieved.

24 MR. BOOK: Okay. Thank you.

1 MR. JESSIE GELLER: Any other questions?

2 MR. ZUROFF: Yes. You've mentioned height
3 reductions in the smaller buildings, but the apartment
4 building itself, what's the net effect on the apartment
5 building of these modifications?

6 MR. LEVIN: By adding a floor, a fifth floor,
7 what was previously a fourth floor, I would imagine
8 that we're nominally adding 10 to 11 feet in height.

9 MR. ZUROFF: And in terms of driveway access
10 and parking, are you increasing the number of spaces?
11 There's parking under the building; right?

12 MR. LEVIN: There is parking under the
13 building.

14 MR. ZUROFF: So are you increasing the number
15 of spaces commensurate with the number of units?

16 MR. LEVIN: The garage parking count is not
17 changing. The parking that would be -- the additional
18 parking that would be required we envision would be in
19 the lot -- in the lot right here and the spaces that we
20 created on the drive going into the building.

21 MR. ZUROFF: How much of an extension of the
22 footprint is there?

23 MR. LEVIN: Of the building itself?

24 MR. ZUROFF: Yes.

1 MR. LEVIN: None.

2 Well, to the extent that there is the entryway
3 where there's a drive under, there's a nominal increase
4 in the footprint at the amenity space. The second
5 floor, though, would be bigger than the first floor, so
6 it's a footprint -- the square footage that's added is
7 primarily on the second floor.

8 MR. ZUROFF: But you're expanding the
9 footprint because you've got to --

10 MR. LEVIN: Support it, right, where there's a
11 drive through underneath it. As we envision it now,
12 that's underdeveloped.

13 MR. HUSSEY: Where's the main entrance now to
14 the apartment building?

15 MR. LEVIN: On the south side.

16 MR. HUSSEY: Is there a drop off area there as
17 well?

18 MR. LEVIN: Yes, there is.

19 MR. JESSIE GELLER: Mr. Geller, can you speak
20 to the -- you've mentioned the fact that drainage had
21 been improved, although you still firmly believe in
22 pervious pavement. Can you get more into the details
23 of what's been eliminated and how you've addressed it?

24 MR. JOE GELLER: I wish I could. I can get

1 into not very specific details because we're just
2 starting to actually redesign the drainage system. So
3 what we're looking at is how we can do that in a way
4 that responds to some of the concerns.

5 MR. JESSIE GELLER: But is your focus on
6 moving towards a more conversational means of
7 drainage?

8 MR. JOE GELLER: Yes. There may be a
9 combination of conventional and less conventional. But
10 I think that that's what we heard at the meetings, and
11 we heard some concerns from the peer reviewers, so we
12 will work with BETA on this so that we have that review
13 done at the same time.

14 MR. JESSIE GELLER: Okay. And that will be
15 presented to us and we'll have an opportunity to take
16 a look at what alternatives --

17 MR. JOE GELLER: Yes.

18 MR. JESSIE GELLER: Thank you.

19 Anything else?

20 (No response.)

21 There may be, so ...

22 I'd like to call the planning director to
23 provide us with a report at this point.

24 MS. STEINFELD: Thank you, Mr. Chairman.

1 Allison Steinfeld, planning director.

2 During the past few months, representatives of
3 the Town's planning, building, and legal departments
4 along with the Town's legal and planning consultants
5 have been engaged in working sessions with Chestnut
6 Hill Realty over the proposed 40B project at Hancock
7 Village. No members of any elected or appointed boards
8 have participated in these working sessions and staff
9 has not been authorized to negotiate or reach an
10 agreement.

11 The revised plan that Chestnut Hill Realty is
12 presenting tonight has not been endorsed by any
13 representative or body of the town. These working
14 sessions are consistent with the standard 40B process
15 and are, in fact, encouraged by the state.

16 The working sessions have provided the Town's
17 representatives with opportunities to discuss the plan
18 with Chestnut Hill Realty and to encourage Chestnut
19 Hill Realty to prepare a revised plan that address the
20 concerns of the Town and neighborhood. During these
21 working sessions, the Town's representatives were
22 committed to furthering at three fundamental
23 objectives:

24 Number 1, to retain as much useable open space

1 as possible within the greenbelt.

2 Number 2, to reduce the visual impact of the
3 development on the abutting single-family homes.

4 And Number 3, to minimize the impact on the
5 school system as much as possible even though fiscal
6 impacts are beyond the scope of 40B review.

7 Chestnut Hill Realty has made the following
8 changes to the plan:

9 The total number of residential units would be
10 reduced from 192 to 184; the total number of bedrooms
11 would be reduced by 81; 24, three- and four-bedroom
12 units would be converted to one- and two-bedroom units
13 and relocated from the greenbelt to the apartment
14 building. There would be no four-bedroom units.

15 The original 12 residential buildings located
16 in the greenbelt would be reduced to eight. A ninth
17 building, which has four units, would be moved outside
18 the greenbelt in between two existing Hancock Village
19 buildings. The number of eight-unit buildings would be
20 reduced from seven to two.

21 All seven garages have been eliminated from
22 the greenbelt. Approximately three acres of useable
23 open space in the greenbelt would be preserved, along
24 with an additional 84 mature trees.

1 The height of both eight-unit buildings and
2 all 7 four-unit buildings would be reduced by
3 approximately three feet. Two of the three retaining
4 walls would be eliminated.

5 The hammerhead, identified by the fire chief
6 as the most problematic, would be replaced with a
7 turn-around.

8 If the ZBA grants a comprehensive permit,
9 Chestnut Hill Realty would submit an application to
10 MassDOT for a curb cut to provide access to the
11 development from the VFW parkway.

12 Additional surface parking would be
13 introduced, but most parking would be moved away from
14 the single-family abutters and closer to the existing
15 Hancock Village development. Setbacks from the
16 abutting single-family property owners would be
17 increased.

18 There are still many issues to be addressed
19 and resolved. Most notably, Town representatives are
20 concerned about the massing of the apartment building.
21 The Town has engaged an urban design peer reviewer who
22 will be reviewing the site and building design and
23 providing us preliminary comments at the next hearing.

24 The introduction of lofts within 22 units is a

1 concern as these spaces could easily be converted to
2 bedrooms, exacerbating the Town's school space crisis.
3 In addition, parking, traffic, stormwater, drainage,
4 and other development aspects remain under review.

5 However, in view of the significant
6 constraints imposed by Chapter 40B upon municipalities,
7 it is the professional opinion of town staff that
8 overall the revised plan is better than the original
9 plan. Moving forward, peer review of the project will
10 continue and we look forward to comments from the
11 public and guidance from you.

12 Thank you.

13 MR. JESSIE GELLER: Thank you.

14 MR. HUSSEY: Allison, we heard of an
15 architectural consultant that's part of the team now,
16 but we haven't heard from them. Have they been
17 involved in this negotiation, or will they be reporting
18 later on it?

19 MS. STEINFELD: We've had some preliminary
20 discussions with the consultant, but he's not been
21 charged to undertake review until presentation of the
22 alternative plan. We'll, pending your approval, be
23 authorized to begin tomorrow.

24 MR. HUSSEY: Good. Thank you.

1 MS. NETTER: I just wanted to underline that
2 there has been no negotiations during the sessions.
3 There's been conversation, but staff has not been
4 authorized to negotiate on behalf of the Town.

5 MR. HUSSEY: I see. Okay.

6 MS. STEINFELD: And with your permission,
7 Mr. Chairman, if I could just make a note, the planning
8 department will have the plans put online, if not
9 tonight, then certainly first thing in the morning.

10 MR. JESSIE GELLER: Thank you.

11 Members of the Board, we've heard a fair
12 amount of testimony to date and we have yet to hear
13 both the response, the second round on drainage, which
14 is coming up in a future hearing, and we have, as
15 Mr. Hussey just raised, yet to hear from the peer
16 review on design.

17 Having said that, preliminarily, does anyone
18 want to begin the conversation about what we have seen,
19 good, bad, or indifferent, and raise any comments?

20 MR. LISS: Based on the revised site plan?

21 MR. JESSIE GELLER: Based on the revised plan
22 as compared to what we have previously seen, concerns
23 that may still exist, what's good, what's bad.

24 MR. LISS. I'll start. I think I echo the

1 comments of Ms. Steinfeld that overall this is a better
2 plan than the previous plan submitted, if we're basing
3 it on that.

4 Specifically, I commend CHR for changing the
5 hammerhead into a turn-around. That was clearly
6 something that members of our service and the fire
7 department were concerned about, and that was addressed
8 properly.

9 The 22 foot minimum for a pass-through is also
10 very important, and I think it's very clear that
11 entrance and exit was made a very important decision --
12 or an important factor in the safety of not only the
13 residents for, obviously, access, but also for members
14 of the fire department and emergency response teams to
15 get in and out. So I commend that.

16 I think that, overall, saving trees is
17 tremendous, a good use of the space. You know, and the
18 concerns that I reserve are those that Ms. Steinfeld
19 also addressed, that I would like to hear from the
20 urban planner, the peer review on the impact of the
21 larger building.

22 However, considering what they've done on the
23 west side in the S7 district, you know, there is going
24 to be an impact on the M5 and I think that they've done

1 very well with what -- you know, with what they've
2 done.

3 Some of the considerations about impact on
4 schools unfortunately is not something that we can
5 consider, so that I removed from the table, you know,
6 whether fortunate or unfortunate.

7 I like the loft idea. I think it's --
8 personally. But, again, I'm really not an architect.
9 I'm going to look to the urban planner for impact on
10 that. But otherwise, this plan is, yes, better than
11 the previous plan.

12 MR. JESSIE GELLER: Thank you.

13 Anybody else?

14 MR. ZUROFF: I'll chime in and say that I'm
15 impressed that there are significant modifications
16 being proposed.

17 My concern is that, since we don't have the
18 actual design and proposal in front of us, that we have
19 the possibility of having further peer review of the
20 modifications. And we're up against a time deadline
21 and I'm concerned for the Board, that we have enough
22 time and that the other town boards that are involved
23 have enough time to review this and give it proper
24 consideration.

1 Mr. Chairman, are we going to have enough time
2 to consider these modifications?

3 MR. JESSIE GELLER: We will make sure we have
4 enough time.

5 MR. ZUROFF: Well, we may have enough
6 meetings, but I'm questioning whether the peer reviewer
7 is going to have enough.

8 MR. JESSIE GELLER: We are told that the peer
9 reviewer can come in with a preliminary report on
10 the -- I think -- is that correct?

11 MS. NETTER: Correct.

12 MR. JESSIE GELLER: -- on the 19th, which will
13 then be followed with a final report on July 10th,
14 currently July 10th.

15 MR. ZUROFF: If they can meet those
16 deadlines.

17 MR. JESSIE GELLER: That was the basis on
18 which they were engaged, that they would meet the
19 deadline. So yes, we will get both preliminary and
20 final reports back that we can work with. We'll also
21 obviously have the opportunity to re-review drainage.
22 And there will be tweaks. That will have to be
23 flushed, how they're going to deal with this issue of
24 where they're retaining the pervious pavement versus

1 going with a conventional system.

2 MR. ZUROFF: Those are very different
3 designs.

4 MR. JESSIE GELLER: It will all happen within
5 our time frame.

6 MR. ZUROFF: All right. As my final comment,
7 I am still concerned about the apartment building and I
8 am --

9 MR. JESSIE GELLER: Concerned in what way?

10 MR. ZUROFF: Well, it's increasing in size and
11 number of units.

12 And one other concern I have is the
13 affordability factor. I know what they have proposed,
14 and my comment on that, my pronouncement, is that I
15 hope that we can encourage the developer to have
16 consideration for what is affordable. Even if it is
17 South Brookline, it is still -- the purpose of 40B, in
18 my opinion, is to increase affordable housing and the
19 net result is to allow developers to do this. But I'm
20 hopeful that the -- well, we know the sizes of the
21 units have declined, and I'm hoping that that will
22 increase the affordability for the community for those
23 units. It's just my concern, and it's something that
24 hopefully the developer will consider.

1 MR. JESSIE GELLER: Anybody else?

2 MR. HUSSEY: Yes. I'd like to just point out
3 that the reduction in the bedrooms also affects the
4 parking, the amount of parking that's required, so
5 that's an improvement.

6 I am not worried about the peer review. I
7 sure that can be done in time. The major work has been
8 done, so I suspect that we'll be able to meet that
9 deadline.

10 I'd like to make a motion, I guess, such as
11 will be required to start the architectural peer
12 review.

13 MR. LISS: Second it.

14 MR. HUSSEY: I'm not sure what the wording
15 should be, but ...

16 MR. JESSIE GELLER: Motion to engage peer
17 reviewer for review of the design, urban design.

18 MR. HUSSEY: Planning design. Architectural
19 design?

20 MR. JESSIE GELLER: I think it's the entire --

21 MR. HUSSEY: I see a difference between the
22 two, and I'd like to have both words in there if
23 possible, planning and architectural review.

24 MR. JESSIE GELLER: I assume that's correct.

1 MS. STEINFELD: Site and building design
2 review.

3 MR. JESSIE GELLER: Those words work for you?

4 MR. HUSSEY: They work.

5 MR. JESSIE GELLER: Okay. All in favor?

6 THE BOARD: Aye.

7 MR. JESSIE GELLER: They will be engaged
8 effective tomorrow. Thank you.

9 Any other comments?

10 MR. HUSSEY: Just one other question. I know
11 it was mentioned, but what will determine whether
12 you -- or when you make application to the state for
13 the VFW access? That's been mentioned, but I didn't
14 make note about it. But it just would require our
15 approval or state approval or what sets that in motion?

16 MR. LEVIN: I would say that an issuance of a
17 comprehensive permit with conditions that need not be
18 appealed by us. In other words, a project that we can
19 live with and we move forward to get that access.

20 MR. HUSSEY: Approval by this board is what
21 you're referring to?

22 MR. LEVIN: Correct.

23 MR. HUSSEY: Okay. Thank you.

24 MR. LEVIN: I need to interject on the design

1 review. We have, currently, a rudimentary model which
2 we really do not believe is worthy of review. That
3 model would be upgraded to a worthy model by the middle
4 of next week, by Wednesday. I believe that there's
5 enough design elements to be reviewed in the meantime
6 on the architectural side as we've done the
7 architecturals for those infill buildings as well as
8 some basic changes to the five-story building. So I'm
9 just letting you know that the model that we have will
10 be available next Wednesday.

11 MS. NETTER: As you know, we're under
12 stringent constraints as to timing. Those constraints
13 are established by the statute. And our understanding
14 with peer review consultants is that we needed to have
15 that model by tomorrow so that he can perform a
16 preliminary report. As it is, staff has been pushing
17 him very hard to get that initial report since we feel
18 it's very important.

19 So we will see. We are trying to work within
20 those time constraints but, as you know, if the
21 developer cannot provide the information in a fashion
22 that is timely according to the needs of our
23 consultant, we may have to seek additional time, so we
24 have to check with the peer review consultant. We know

1 you're working as hard as you can, but those are our
2 constraints.

3 MR. JESSIE GELLER: Anything else,
4 Mr. Hussey?

5 MR. HUSSEY: No. I think not at this time.

6 MR. JESSIE GELLER: Let me say this: I am
7 glad to see elimination of much of the density. I
8 frankly was not a huge fan of the garages. I thought
9 they took up a lot of space, and I was not clear on
10 what the benefit was. I thought there was a lot of
11 programing within the space. I'm not one that
12 necessarily believes that there needs to be strict
13 adherence to keeping the so-called green space open.

14 On the other hand, it seems to me that there
15 is some degree of consistency with the rough design of
16 Hancock Village that should, to some extent, be adhered
17 to.

18 It seems to me that this modified plan does a
19 better job of at least respecting some degree of open
20 space, less density, so I'm happy to see that.

21 I think the quid pro quo is, of course, that
22 it puts pressure on moving improvements elsewhere, and
23 I'm sure we'll have further comments and discusses
24 about where they've relocated those improvements. But

1 generally I think, in particular, reducing the number
2 of structures and relocating the drives within these
3 areas is an improvement.

4 And I'd also add that one other concern, in
5 particular, that I have from the original plan is the
6 level of pressure for access on Asheville Road. To me,
7 an important piece here is trying to get access
8 directly to VFW Parkway because it clearly takes
9 pressure off of Asheville Road. At least in my view it
10 would. I'm not a traffic engineer, but that seems
11 logical to me, and I would certainly think that that
12 would be a critical component to this. I understand
13 that you're subject to state requirements, and that is
14 not an easy process, but I would certainly expect that
15 that would be something that would be pursued
16 vigorously.

17 As to the rest of it, I, frankly -- although
18 I'm glad to see that you have consulted with the
19 emergency services and have made modifications based on
20 concerns that were raised -- frankly, it seems to me
21 that the Town of Brookline has accepted these
22 hammerhead designs elsewhere within the town, so I was
23 not, frankly, as focused on that as long as emergency
24 vehicles would have the ability to adequately move back

1 and forth.

2 I think those are my preliminary comments.

3 MR. HUSSEY: I'd like to, if I may, Chairman,
4 go back to the issue of the model. There's a deadline
5 tomorrow that the peer reviewer see the model? Is that
6 what you're saying? I'm trying to look for a way
7 around that a little bit.

8 MS. NETTER: As I understand it, staff is,
9 again, trying to strongly encourage this peer review
10 process to begin, and it is critical that the peer
11 reviewer get the information that he needs. Again, we
12 will confirm with the peer reviewer just what he can do
13 within the two-week constraints. That's all we can
14 say.

15 MR. HUSSEY: What I'm wondering about --
16 models in general, quite frankly, are more important to
17 neighborhoods and boards who are not familiar with
18 architectural design than architectures. And I'm
19 wondering if, in fact, the peer reviewer, the
20 architectural peer reviewer can go see the model in the
21 model shop as a way to give them a sense as to how much
22 more they need in order to sign off on it -- not sign
23 off on it, but can get themselves started. That's what
24 I'm looking at.

1 MS. STEINFELD: The urban design peer reviewer
2 engaged by the ZBA has not yet seen this plan. Our
3 intent is to get him as much information tomorrow as
4 possible so he can begin. Clearly, his preference was
5 to have the model. I will talk to him tomorrow once he
6 receives the information that Chestnut Hill Realty is
7 able to provide and then get a better sense of exactly
8 when he has to have the model and also the extent to
9 which his -- how expansive his preliminary report can
10 be in two weeks. But he can't give me that advice
11 until he sees the plan.

12 MR. HUSSEY: Okay. Thank you.

13 MR. JESSIE GELLER: We will now have testimony
14 from the public. Just by a rough showing of hands, how
15 many people would like to speak this evening?

16 So if people would line up to the left. When
17 you speak, start by giving us your name and give us
18 your address. Also, I just would remind people that
19 what we are reviewing tonight are the modified plans,
20 so if you could focus your comment on the modified
21 plan, I would appreciate it. Listen to what other
22 people have to say and if you agree with them, please
23 let us know but we don't need to hear the same
24 commentary opinions.

1 MS. WOLFE: My name is Cyril Wolfe. I live at
2 269 Russet Road. I've lived in Brookline for over 50
3 years. I taught at the Baker School for 25 years. And
4 I think, because of my connection with the school and
5 the area, that Mr. Zuker and Chestnut Hill Realty has
6 been playing with the neighborhood since he came in and
7 he revised the circle in the front of Baker School and
8 put a statue there.

9 When he did that, he never bothered to check
10 and see the significance of that area. That area had
11 trees in it that were planted in memory of children
12 that had died while they were with the Baker School.
13 It was never checked to see what it was all about. The
14 trees were removed.

15 He then was told -- at least there was enough
16 nonsense within the neighborhood to say to him they had
17 to do something and they put the trees back but it
18 wasn't the same because once you've removed -- like in
19 any area like that, you've removed it. It's
20 different.

21 My feeling is that he has no sincere feelings
22 for the Baker School area or for the Town of
23 Brookline.

24 MR. JESSIE GELLER: Thank you.

1 MR. ABNER: My name is Anthony Abner. I live
2 at 265 Russett Road, and I want to talk specifically
3 about the building height issue and the fifth floor,
4 which is really a seventh floor to the apartment
5 building.

6 So I realize nobody here wants to hear about
7 mathematical equations and so on, but if you'll just
8 bear with me for a few minutes while I discuss the
9 formula that Stantec, the architectural firm, used to
10 come up with the height that they think they're allowed
11 to build on.

12 So I'm going to start off with a provocative
13 question, and I'm going to end with two questions.
14 Would it be possible to build a tower with the height
15 of the Hancock Building in the Brookline M05
16 neighborhood, zoned for 35 feet? Could we see this
17 here?

18 Well, let's take a look. The M05 allows 35
19 feet. This is a five-story building now on top of a
20 two-story parking garage. Entry to the garage at
21 Asheville Road is at street level. This is now seven
22 stories above street level, not five. And the building
23 height in the original proposal was 72 feet. Now it
24 will be 83 feet. Okay. And that's in the 35-foot

1 area.

2 So to look at the original plan -- again, we
3 haven't see the new plan -- we have now seven stories
4 above the street level of Asheville Road; correct? The
5 garage entry is on a level here. There are no ramps.
6 This is not an underground garage. It's a garage that
7 has been blasted out of the hillside here. It may be
8 underground at this point, but it's not underground
9 here. And this is what it looks like. Again, we will
10 assume that there is another level up here making it
11 seven stories above the ground level.

12 So how did they get this number? I'm going to
13 show a blowup of this. This is in the original diagram
14 L104. It's on a handout. What they have done is gone
15 to a specific paragraph in the Brookline zoning
16 regulations and then they've measured the distance from
17 here to one of the neighboring lots and used that as
18 their baseline for their calculations.

19 What they have done is to put this into a
20 pseudomathematical formula that says that their maximum
21 building height allowance is the mean natural grade of
22 the lowest abutting lot and -- and one-quarter of the
23 closest distance from the proposed building to the
24 lowest abutting lot plus the 35 feet that's allowed.

1 Is that what the Brookline zoning bylaws say?

2 The answer is absolutely not.

3 What the actual zoning laws say -- and I'm
4 going to omit some of the original part of this in the
5 interest of height -- it says height shall be measured
6 from a level not exceeding the mean grade of the lowest
7 of any lot by more than one-quarter of the distance
8 between the building and said abutting lot lines. So
9 that's where they're getting this 25 percent figure
10 that they used, one-quarter.

11 But look at the diagram that accompanies this.
12 The diagram is actually made to restrict the height of
13 a building on a hill, not to allow them to extend it.
14 What it's saying is that you take this distance from
15 the building to the abutting lots and you measure the
16 distance one-quarter of the way from the building.
17 That's the baseline for the height. That's where you
18 start the 35 feet; that you do not take this distance
19 and divide that by four.

20 So let's go back to their calculation box on
21 that diagram. It's a little bit hard to see, but trust
22 me, what they say is the maximum building height
23 allowance is 299 feet. Now, that's above sea level, so
24 the actual height from Asheville Road, which is at 156

1 feet, means that they can build, by their calculations,
2 143 feet above the mean natural grade. They could
3 build, by their calculations, a 14-story tower in this
4 building.

5 And the key here, again, is that distance.
6 They're taking that distance, dividing by 4, and adding
7 it to the 35 feet, as you can see in the calculation
8 box here. So in other words, the longer the distance
9 to the neighboring lot, the higher a building they can
10 build without limit, according to their calculations.

11 What does this mean? The bylaws limit the
12 height of a building at the top of a hill. Chestnut
13 Hill Realty chooses to believe that this allows them to
14 build a 143-foot tower.

15 So I'd like you to consider the following
16 hypothetical situation: Let's say we have a building
17 13A -- and I realize that's no longer the building
18 name. I don't know what it will be -- and let's say
19 it's in the M05 area. Half a mile away, there is a lot
20 that is 1 foot lower. By their calculations, this
21 would allow a building height of 2,640 divided by 4,
22 plus 35, the height allowed, minus 1 for the 1 foot
23 lower, which would give you a building 694 feet high,
24 basically the height of the Hancock Tower. So if you

1 have that 2,640, divide it by 4, add 35 feet, you get
2 694.

3 Does anybody really believe that this is what
4 Brookline zoning laws mean? Do we want to see a
5 building like that? At a certain private college, they
6 could say, well, we've got the land here. We've got
7 2,640 feet. We can put up a tower of any height we
8 want.

9 So I'm going to end with two questions: Does
10 anyone believe that this is what Brookline bylaws
11 intend?

12 And the second question, which is directed
13 specifically at the Board of Appeals: Does the Zoning
14 Board of Appeals want to establish this precedent of
15 unlimited building height in Brookline? Thank you.

16 MR. CHIUMENTI: Steve Chiumenti, 262 Russet
17 Road, Town Meeting member of Precinct 16.

18 Obviously, I haven't had time to spend time
19 preparing, so I'll be very brief. First, obviously, we
20 don't even yet have exactly the details so we look
21 forward to having the opportunity to comment at some
22 point in the further to the Board.

23 I guess my understanding is now this is the
24 new plan? We're not considering two plans, we're not

1 arguing about plans, but this is going to be a plan
2 that is going to be the plan that we're going to be
3 considering and no longer the old plan?

4 The problem is that obviously now we need to
5 begin reconsidering everything from scratch as far as
6 our review of this thing, and I do appreciate that the
7 Board realizes that this is a problem now for peer
8 review that needs to be redone. And we're going to
9 look forward to all of that being redone from scratch
10 based on what now, I take it, the new plan.

11 I don't quite know what the scope of a
12 preliminary eligibility letter is. It seems to be
13 pretty wide open, but this ranges pretty far from that.
14 I don't know at what point you would insist that
15 someone go back to MassDevelopment and, frankly, get
16 the letter reissued, considering how different it is.

17 But consider that this now is a problem for
18 the Board as far as getting these peer reviews done.
19 And considering that this original plan appears to be
20 abandoned, I wonder if you would consider essentially
21 officially rejecting the existing proposal,
22 understanding that they're submitting a new one and
23 beginning the clock again. I don't understand why it
24 becomes a problem for you and the peer reviewers to

1 catch up with a last-minute change, a very late-in-the-
2 program change of this drastic nature.

3 Now, let me just address the tower briefly.
4 Basically, I was present at the hearing that Judge
5 Brady had on the case that's the Town of Brookline
6 versus MassDevelopment. And that case -- one of the
7 issues really is, what does "preliminary" mean in light
8 of the subsequent regulations and so on.

9 But the point was, in discussing the meaning
10 of "preliminary," the attorney for MassDevelopment,
11 Benjamin Tymann basically said to the judge that
12 MassDevelopment would approve and issue a preliminary
13 eligibility letter for any project that wasn't
14 ridiculous.

15 And that's kind of instructive because the
16 fact of the matter is, the first proposal that CHR made
17 that had this five-story building on top of a two-story
18 parking lot they were going to reject. So
19 MassDevelopment was prepared to say that that was
20 ridiculous.

21 In fact, in the letter that they had prepared
22 to send, that they were about to send before CHR timely
23 withdrew their request, one of the few things they
24 actually mentioned being particularly persuasive was

1 the massing of the project's proposed five-story
2 building, which is inappropriate for the site, was one
3 of the two or three factors they particularly pointed
4 to to reject the initial proposal. And it seems like
5 we've gone a little bit back to its original proposal
6 in some respects with this thing.

7 I wonder whether this thing should be referred
8 back to MassDevelopment for reconsideration given how
9 similar this is to what they were going to reject in
10 the first place.

11 Whatever the one plan is, and I presume it's
12 going to be this new plan, we need to have time to do
13 the process we've all spent an enormous amount of time
14 and energy on so far. Thank you.

15 MR. JESSIE GELLER: Thank you.

16 Before the next person speaks, if Sam Nagler
17 could speak to this issue about the issue of the
18 modifications to the plan and the designated agency.

19 MR. NAGLER: The regulations are pretty clear
20 on this. Even if the comprehensive permit is issued,
21 nothing can be built under the comprehensive permit
22 unless the subsidizing agency gives its final approval,
23 and what they would approve is the actual plan.

24 So even though the Board does not have the

1 power or authority to demand that the applicant go back
2 to MassDevelopment, apparently they have already, which
3 makes sense because they'd essentially be doing this at
4 their own risk if they just kind of proceeded and did
5 not go back to MassDevelopment and then at the end of
6 the process alerted them to the change, sought final
7 approval, and for some reason MassDevelopment didn't
8 approve it.

9 So the bottom line is, the Board cannot force
10 the applicant to go back to MassDevelopment, but it's
11 normally done and apparently it's being done in this
12 case.

13 MR. JESSIE GELLER: Thank you.

14 MS. LEICHTNER: I'm Judith Leichtner. I'm a
15 Town Meeting member from Precinct 16, and I'm at 121
16 Beverly Road. I'm not a direct abutter, just someone
17 who thinks that this process and all of this is just so
18 wrong and I'm trying to represent my neighborhood and
19 the comments that I've received.

20 It's difficult to really comment without lots
21 of time to process. I think this whole procedure of
22 this coming out as a secret and passing one piece of
23 paper is really quite reprehensible. I generally would
24 like to have time to be thoughtful and I'll try to make

1 sure to make sense, as I was jotting things down very
2 quickly.

3 I have a few questions. Ms. Steinfeld
4 referred to this as the revised plan. The applicant
5 refers to this as modifications under consideration.
6 So the question is, is this a new plan? Is this the
7 plan that everyone is looking at? Is this what you're
8 being asked to judge? Or if these are under
9 consideration, are they going to say, oh, no, we don't
10 like this? And do something different.

11 I do have a question about Steve's point about
12 the fact that there should be more time to consider.
13 The fact that they're releasing this modification under
14 consideration this close to the deadline seems not only
15 unfair but unreasonable, and I think you should be
16 asking for more. You should be asking for much more
17 time and give everyone, including the neighborhood and
18 anyone else who wants to look at this and all of the
19 people who have been working on this for over five
20 years, a chance to actually take a look.

21 The fact that -- because there was no
22 publication it was very difficult to get any
23 information out to the neighbors and to tell people to
24 show up from an unknown agenda. Although this isn't a

1 bad crowd, we know that many others wanted to attend
2 but 119 first graders at the Baker School put on their
3 play tonight and the parents were there. Note, I said
4 119 first graders. I know you can't consider schools,
5 but I think you have to know there are 119 first
6 graders already enrolled.

7 I have some concerns about the fact that --
8 this statement that it's better, and I'm fearing that
9 the headline in the Tab will say "better plan
10 introduced" when I think it's only a different plan.
11 Maybe by a strict definition of the word "better" maybe
12 we can say that, but a plan that goes from quite
13 horrendous to terrible, I still think it is pretty
14 lousy.

15 In 1946 the Town came up with a very good plan
16 with the neighbors. With their ZBA, the town officials
17 and the developer came up with something that worked
18 and it worked for 68 years. They created 530
19 affordable units, not 36, 530 affordable units in an
20 area that had only contained a golf course and
21 single-family housing and it was one of the largest
22 developments in Brookline and it fit into the
23 neighborhood.

24 I know you have constraints but I still think

1 that this plan, which was designed to increase parking
2 and roads that Mr. Zuker has always said he wanted and
3 destroying the greenbelt buffer to do it, that's what
4 this is about and I hope that you can do better.

5 This plan requires, as you heard from your
6 consultants, over 20,000 tons of removal of
7 puddingstone rock, places this massive building on top
8 of the highest point of the property, and that building
9 is going to loom over everything else. And I'm not
10 going to go into the details, but it's going to change
11 the visual landscape forever, and it has none of the
12 qualities that the original development -- what made it
13 so successful because they respected the landscaping,
14 they respected the environment, and they respected the
15 town and the neighborhood.

16 I also found that the comments about the
17 objectives of the Planning Department that
18 Ms. Steinfeld read and then the objectives that
19 Mr. Levin said to be really quite different.

20 Mr. Levin said that the Planning Department's
21 objectives were moving units from the S7 to the M5,
22 that the objectives of the Planning Department were
23 removing a building. I don't think that's what the
24 Planning Department is telling us that were their

1 objectives. They said to retain useable open space.

2 I think much more could be done, because a
3 parking lot doesn't look to be like very useable open
4 space. We got a lot of roads and parking. The
5 reduction of -- according to the Planning Department,
6 the reduction of visual impact of the development on
7 abutting single-family homes -- well, there's
8 overwhelming visual impact. It's just incredible on
9 Russett Road. Their houses will change forever.
10 You're basically putting an Avalon Bay behind
11 single-family homes, and that is a change that is
12 incredibly out of proportion. Four stories was
13 terrible, five stories is worse. And as Steve said,
14 MassDevelopment said that was a reason for denial.

15 And, you know, again, we know it's not part of
16 the 40B, but Planning said they wanted to minimize the
17 impact on the schools, but 184 units will bring in
18 hundreds of new kids. And Alan Morris, who you heard
19 from who was the former chair of the school committee,
20 said even with 80 less bedrooms, people in Brookline
21 put children into hallways, into dining rooms, anyplace
22 they can. They put the cots on the floor. And so this
23 will bring in hundreds of new kids. Remember there are
24 already 119 first graders.

1 I hope that the ZBA and the Town realize this
2 and insist that we do better than this. I hope this
3 will try to ensure that any project like this will be
4 as successful as the original project that the Town and
5 the developer agreed to so many years ago.

6 And I know you're really busy, and I
7 appreciate all that you do, but I'm going to ask you to
8 do one more thing. I would ask this board to have one
9 more tour of this site. The last visit you had was on
10 the coldest day of the year. It was ridiculous. The
11 property was frozen and it was barren. And I ask you
12 to request that CHR mark this proposal on the site and
13 when you look at it, you'll see the hills, the trees,
14 and the grass when they're green, and you can fully
15 appreciate what's going to be destroyed. I believe we
16 can do better. I hope that the Town will do better.

17 And just as an aside, they have an awful lot
18 of land and they are insisting on this spot and, again,
19 I think that's reprehensible.

20 MR. KING: My name is David King. I'm a
21 resident of Mason Terrace in North Brookline and vice
22 chair of the Preservation Commission and a member of
23 the Hancock Village Neighborhood Conservation
24 District.

1 In our Preservation Commission, part of our
2 work is to protect cultural resources and as you're
3 aware, the commission has identified Hancock Village as
4 a significant cultural asset in Brookline. It's also
5 been voted eligible for the national register and state
6 register of historic places. I think the history of
7 the development had been described to you, but I would
8 reiterate that it is the largest and most significant
9 garden village housing development in the region.

10 One extraordinary aspect of the original
11 development is the design of the stipulation through
12 the project and the resulting hierarchy of spaces.
13 Cars moved from the major roads like Independence to
14 smaller roads like Thornton and residents could not
15 walk to their apartment. And the building themselves
16 separated a popular vehicular area from a calmer semi-
17 private parking area on the other side. These
18 relationships of public to private, vehicular to
19 pedestrians, are fundamental to the original design
20 and they are turned upside down in this proposal.

21 The greenbelt, which is the garden semiprivate
22 areas in many of these apartments and is also an area
23 for community events and a significant natural resource
24 of the development, is flattened and paved over for the

1 parking and vehicular traffic just like the area on the
2 other side of the building.

3 The new buildings, and especially the new
4 parking are unrelated to the original design concept.
5 Although the density of the development may have
6 changed in the new proposal, the basic design is the
7 same. The apartment building has gotten higher, and
8 the shape has no relation to the original layout of the
9 townhouses around it. It seems like a building
10 designed for another setting. The concern regarding
11 the extraordinary amount of excavation that will be
12 required for building are unchanged.

13 I think, speaking for both commissions, we
14 would like to be involved in the discussions with the
15 architectural peer review of the project. Clearly, the
16 town wants affordable housing, but I believe both
17 commissions are convinced that a more appropriate plan
18 could be developed that would better compliment the
19 qualities of Hancock Village. Thank you.

20 MR. GLADSTONE: Hi. Scott Gladstone,
21 383 Russett Road, Town Meeting member from Precinct 16
22 but speaking for myself tonight.

23 I'd love to have a picture of the revised site
24 plan put up actually in front of me, but the last time

1 I asked for that I was told no, so I want to save Joe
2 and the developers the embarrassment of telling me no,
3 so I won't ask for that. We'll have to use our
4 imagination.

5 A couple people have mentioned that we can't
6 consider school population, but I actually remember a
7 very interesting comment from the chair of the school
8 committee, and I've heard this elsewhere, and maybe
9 counsel can help us out; that while financial impact
10 can't be considered on things like schools, when there
11 is a master plan that's being put into effect to
12 address structural issues in the town and the
13 development is going to negatively impact that master
14 plan, then that is a relevant consideration.

15 And I would ask you to investigate that
16 because we absolutely have a master plan in place to
17 deal with our exploding population problem. This last
18 Town Meeting, of which I'm a member, we borrowed a
19 million dollars to have a feasibility study of growth
20 in place with the Driscoll School because that was the
21 plan. The plan was that it was not an appropriate
22 place for a K through 8 school. The solution,
23 therefore, is to plan out and expand in place.

24 Similarly, there's already in the works a plan

1 to expand the Lawrence School, and I believe we voted
2 a -- some debt authorization for about \$2.5 million to
3 cover the expanding cost of that.

4 So there is a master plan in place and we're
5 actively pursuing it by funding it and hiring design
6 professionals to pursue it. And if this is going to
7 compromise that, I suggest that is something that you
8 could consider. I would ask you to research that
9 issue.

10 Some of the revised plans, which I think is
11 the beginning of a positive conversation but not the
12 end of the conversation, is reminiscent, however, of
13 some of the things that we were a little bit concerned
14 about with respect to what we were looking at a couple
15 of years ago when we had the Hancock Village Planning
16 Committee.

17 We were told that there were going to be a
18 number of one-bedrooms but as we recall, those were
19 extremely large one-bedrooms. They were sort of
20 pushing the square footage of my house, which is sort
21 of a three-bedroom. It's a three-bedroom, sort of a
22 four-bedroom. The issue was being able to just put a
23 heck of a lot of people in that space.

24 We also heard about lofts a couple of years

1 ago. We had the same concern that these were
2 essentially going to be bedrooms for small children,
3 and that's one of the things we were trying to work
4 with the developer to try to minimize as much as
5 possible. Now we're hearing that familiar issue again,
6 and we have the same concerns.

7 I have a question. I hope you ask it. It
8 seems to me that the revised site plan does go beyond
9 the boundaries of this lot that they carved out to
10 lease to the Residents of South Brookline entity. If
11 that's the case, in order to accommodate moving one of
12 the buildings off of the greenbelt that's associated
13 with Beverly more inward to the site, then I would
14 suggest that goes to something that I talked about when
15 the public first had a chance to comment, and
16 reflecting a little bit of what Judith was saying, that
17 there are more appropriate places on the site for some
18 of these buildings. So if they could be expanding this
19 lot even a little bit, then the suggestion really is
20 that they really could use that flexibility to expand
21 it or change it in other ways that are much more
22 appropriate.

23 I would like to see, rather than one building
24 moved to infill, the horseshoe buildings on the west

1 side of the project, I'd like to see all of those
2 horseshoes filled in rather than there being massing.
3 And if you could have it up, I could even walk over and
4 show you what I'm talking, about.

5 MR. JESSIE GELLER: Can you put up the
6 picture, please.

7 MR. GLADSTONE: Thank you. I appreciate
8 that.

9 So what I'm talking about is this infill
10 here. Now, I proposed that as a way to address some of
11 these concerns earlier. So then why cannot this
12 building be pulled down to infill here, that building
13 can pull down and infill here, the building that is
14 blocking everyone's view of the green way from the
15 major artery could be pulled to fill in there.

16 Now, similarly, if you put parking underneath
17 those buildings, as they are proposing that they have
18 to do in the large apartment building, we could
19 eliminate the parking on the access road and make that
20 much, much narrower and preserve much more of that
21 green alleyway for the site line all the way through.
22 Wouldn't that be a nice improvement? And they wouldn't
23 even lose any units that way.

24 Now, the other issue somebody mentioned -- I

1 think it was Judy saying that all of this parking
2 doesn't feel like usable open space. In fact, as you
3 all know, the definition of both landscaped open space
4 and useable open space in our bylaw excludes anything
5 that's designed for parking, so none of that is open
6 space. You really need greenery, you need landscaping,
7 and the more that that can be improved, the more that
8 genuinely would be a benefit and a real improvement to
9 the project.

10 The apartment building: So just from my view
11 also, I was really hoping that if they were going to
12 have a large massing, that they put it where we were
13 first talking about, when we first were looking at this
14 in 2011, which is, they weren't going to take this down
15 and put something here. But even if they don't want to
16 lose housing, if we're going to remove some trees,
17 let's remove some trees in here and we have a nice
18 access from the major artery. It's a much more
19 appropriate place for massing. It's much further away
20 from the F7 area and the existing single-family homes,
21 and because the topography is going to be much less.

22 So, again, I would ask you, could you find out
23 whether this building, in fact, is beyond the current
24 lot lines that they've constructed because if it is

1 over even an inch, that suggests to me that there is
2 some flexibility there. It makes no sense to me anyway
3 whether or not that's true, that there isn't some
4 flexibility, but I hope there is.

5 Also, again, not sure if this is appropriate
6 but I would ask you to ask. Whatever is green at the
7 end of the day, could there be a preservation easement
8 as a requirement of the conditions so that we're not
9 coming back here and doing this again? If we're
10 talking about how to balance the lot or how to
11 unbalance the lot in the least egregious way, let's do
12 it once. And if that's what we all agree on, let's not
13 have an opportunity for it to be out of balance again.

14 So any green space, you know, can you ask for
15 a preservation easement? If this has to stay green now
16 because that's going to stay there, let's keep that
17 green. Let's not create another opportunity for
18 something to once again throw this site even more out
19 of balance.

20 The access to the VFW: If that were there --
21 and I've heard this bandied about before -- then this
22 access to Asheville, which everyone is -- I'm glad to
23 hear, is of concern because of the traffic going up
24 really all the side streets but in particular, I think,

1 Russett Road because that's where the traffic control
2 light is that governs where all the children are
3 walking across to go to the Baker School. If we have
4 an access here, there is the possibility, and probably
5 a smart one, to make this only an emergency access like
6 they supposedly have up here at -- what is it
7 Thornton -- Grassmere.

8 And when we were up there for that really cold
9 day, everyone remembers famously that FedEx truck that
10 just went over the little bumps. So that wasn't a very
11 effective stop. Although now, to the developers'
12 credit, they do have plastic barriers which are easily
13 pushed aside by a fire truck and probably does dissuade
14 cars and delivery trucks. If something similar could
15 happen here, that would be tremendously helpful for the
16 traffic.

17 However, I hope that everyone was listening
18 very, very carefully when the developer talked about --
19 answered your question: Well, what exactly do you mean
20 about when you're going to apply for the application
21 for that curb cut?

22 And I hope you were listening carefully. I'm
23 sure you were. I certainly was. The answer was: If
24 the ZBA approves the project with conditions that are

1 sufficiently doable in the minds of the developer, only
2 then, after the approvals will they make the
3 application.

4 However, if, in their mind, the approval is
5 too onerous for them or they get a denial -- well, of
6 course, if they get a denial, they wouldn't have a
7 reason to do the curb cut. That would be okay too.
8 But if there was an approval with conditions and it's
9 not to their liking such that they have to go to court,
10 all bets are off. There's no curb cut in the VFW.

11 Now, if they really want to make this work,
12 make this okay for the town and the neighborhood, why
13 wouldn't they make that part of the plan now.

14 Of course, if they don't get it, if they get
15 it turned down after pursuing in good faith, you know,
16 we can make accommodations for that in the condition.
17 But to not make a condition or to not even agree that
18 it should be a condition that they make their best
19 efforts as part of the approval seems to me very
20 cynical and really too bad.

21 And, you know, they -- I know a lot of people
22 think that they're threatening and they're holding
23 things over our heads. This is the first time we've
24 actually heard them utter an "If not this, then not

1 this." This is a you-rub-my-back, I-rub-your-back quid
2 pro quo. They don't have to do that, and I wish they
3 wouldn't.

4 Like I said, I like that there's more green
5 space; I like that there are some things smaller; I
6 don't like that some things are larger. It is a good
7 start of a conversation. Unfortunately, there hasn't
8 been any conversation. There's been a take it or leave
9 it.

10 Now they say, okay, well, we're listening.
11 Take or leave this one. But they're not even saying
12 take it, because they're not even sure they're giving
13 it. It depends on how tonight goes, if they get enough
14 feel good, ra, ra, ra.

15 That doesn't feel like a conversation to me.
16 If we had a conversation, maybe we could get
17 somewhere. Thank you.

18
19 MS. SCHARF: Hi. My name is Irene Scharf. I
20 live at 250 Russett Road. I'm an abutter and a
21 Precinct 16 Town Meeting member.

22 My comments are not going to be coherent,
23 because I've been taking a lot of notes for the last
24 couple of hours because while some people had this plan

1 before, the neighbors didn't. And so I really think
2 it's ridiculous and premature for me to try to opine on
3 the various aspects of the so-called conceived
4 modifications or whatever that is. And I guess that
5 really makes my first point.

6 I will try only to repeat if I'm saying
7 something differently than one of the other speakers.
8 I do agree with many of the things that the prior
9 speakers agree with, although I'm not as optimistic as
10 Scott is that we could sit down with this developer and
11 come up with something that would be appropriate for
12 the town because of our five-and-a-half-year history
13 with all of this.

14 I'm a law professor -- fundamental fairness,
15 due process. We're talking about serious property
16 rights; we're talking about serious rights of a town.
17 It's objectionable, to say it mildly, that we are asked
18 to come here tonight with an agenda about a day old on
19 a horrible rainy day with some very elderly people in
20 the neighborhood who do try and come to the meetings
21 when they can and it's impressive that so many have
22 come.

23 But to say we will now have our opportunity to
24 comment, that's cynical. That is really cynical. We

1 need time to look at this. We haven't seen it. A
2 piece of paper was passed around the audience. It's
3 objectionable. And I understand that apparently this
4 board has relatively little power according to the 40B
5 law, but there are some powers that this board has and
6 I, like Judy, would ask you to exercise them.

7 I don't quite understand what Attorney Nagler
8 explained. I am a law professor, so maybe I might
9 understand it better than some people in the audience
10 who aren't. I think -- if I understand what he said, I
11 think I disagree. As I said, I'm not sure I know what
12 he said.

13 760 Code of Mass regulations 56.04 are the
14 regs concerning substantial change from a plan. If you
15 look at paragraph 5, it explains -- and I won't quote
16 it all but I would point it out to you and I'm actually
17 surprised that it did not come up in your conversation
18 tonight -- "If an applicant desires to change access of
19 a proposal that would affect the project's eligibility
20 requirements set forth in 760 CMR 56.041, it shall
21 notify the subsidizing agency in writing of such
22 changes with a copy to the department, chief executive
23 officer of the municipality, and the Board. The
24 subsidizing agency shall, within 15 days" -- blah,

1 blah, blah.

2 If you go back to paragraph 1, it refers to
3 all of the project eligibility requirements, findings
4 in determination that come up in 760 CMR 56.04,
5 paragraph 4.

6 So the attorney for the developer said -- and
7 I appreciate that Mr. Geller acknowledged that there is
8 a lot of information here, and there is. And then the
9 attorney said, we ran these modifications with
10 MassDevelopment and they were received very
11 positively. That's not -- we don't have much to go by
12 here, but we have something. And we are asking you to
13 do what you can with what you have.

14 So that's my new point that I'm making and I
15 will try to add something to some of the other comments
16 others have made.

17 This is either a minor tweak, in which case it
18 can't address the major concerns that have arisen over
19 the last several months, or it's a substantial change
20 and MassDevelopment needs to be given the new plan or
21 whatever it's called and make its approval or rejection
22 or whatever it's going to be. And no doubt it would
23 address the five-story, really seven-story building
24 about which it was about to reject the proposal a year

1 and a half ago.

2 So is it is, or is it ain't? It's one thing
3 or another. We have this new plan, or we may have part
4 of a new plan, or we don't have this full new plan --
5 because we don't -- and we're rejecting this prior
6 plan. We the neighbors, we the people in Brookline
7 don't know. And to wait until tonight when the peer
8 reviewer has apparently less than two weeks from this
9 date to have a final report to you, and to consider
10 expecting that what is due from the very well-financed
11 developer a delay from the model that is due tomorrow,
12 that is not doing all you can do with what you have,
13 the little you have.

14 I don't want to anger you. I don't want to be
15 disrespectful. Just like everyone else, I respect all
16 the time and the work and you're volunteers and I get
17 that. I do that too. But you really have an
18 obligation to do for us what you do have the power to
19 do, and I'm asking to you to take this far more
20 seriously than just coming in here, passing around a
21 piece of paper, and telling us this is our chance to
22 have public comments. And considering expecting a
23 delay when your -- when our peer reviewer needs to do
24 work on this serious, major project, I'm really

1 shocked. I'm really, really disappointed.

2 So I also want to remind you that in prior
3 years CHR was in the driver's seat. They would wait
4 until early August. They would submit a proposal. We
5 would all be on vacation, if we were lucky, kids going
6 back to school, and we'd have to scurry around the
7 neighborhood and try and get people to read the
8 proposal and comment and be here and show up for all
9 the meetings.

10 Right now, you can be more in the driver's
11 seat, and I would ask again that you put yourself there
12 and do what you can do. This is a -- either it's not a
13 substantial change, in which case it doesn't address
14 the serious issues, or if it is, you need to use the
15 law that you do have in your favor.

16 I do also question the penultimate sentence of
17 the planning director's statement in which she said
18 that it's the professional opinion of the town staff.
19 It wasn't a negotiation, although one of our ZBA
20 members actually used your word "negotiation" and, of
21 course, was then corrected. They were not authorized
22 to negotiate. But it was the professional opinion of
23 the town staff. I don't know what that is if it's not
24 a negotiation.

1 So I'm now going to look down. I hope you can
2 bear with me because I have taken a lot of notes but
3 some of my neighbors have mentioned some of the
4 things.

5 Initially, this was all about parking. The
6 developer has wanted to put parking lots and roads on
7 the green space for probably now more than 20 years;
8 succeeded, we don't really know how, in getting a
9 public driveway cracked in the road on Independence --
10 actually, I think I have -- it moved into the
11 neighborhood in the late '80s, I think -- and was
12 never, apparently, able to do anything with that. From
13 the start, this was paving over paradise to put up a
14 parking lot, and that's what we're getting if we're
15 getting this new site plan.

16 So as Scott said -- and I do agree with him on
17 most things -- there are so many things that are
18 reminiscent of projects -- I was on the Hancock Village
19 Planning Committee as well, five years ago. There are
20 so many things here that are reminiscent of issues we
21 studied in depth. And we wrote a report, and the
22 selectmen unanimously agreed with that report -- that
23 they're throwing it at you at the last minute when
24 you're under the gun, that's crazy. You're not under

1 the gun. You've got to put them under the gun.

2 So let's see if I have anything else that has
3 not been mentioned.

4 The VFW exit, I don't know. I don't know
5 anything about that kind of thing. It's the state
6 that's going to have the right to -- I appreciate the
7 thought that it could be a possibility, but it's
8 probably a pretty dangerous possibility. I have no
9 idea. I don't know anything about it or any of those
10 people. I can't imagine that that would be allowed.
11 I'd love it if it would be allowed, if it would be
12 safe, but I really can't imagine that that's going to
13 be a resolution of anything.

14 So for you all to be negotiating with them to
15 give us a comprehensive permit and then, as Scott said,
16 we will go look for this, which is highly unlikely to
17 happen, I think, I think you all might want to have
18 some of your experts check out the likelihood of that
19 happening. And certainly to issue a comprehensive plan
20 when a major aspect of the objection of the safety
21 experts and all are addressed by that afterwards, if
22 that's not a negotiation, again, I don't know what is.

23 The lot line -- I was always curious when
24 sitting in these meetings that CHR's representative

1 would talk about, well, we can't move the lot line.
2 That would move the lot line. Again, is it is, or is
3 it ain't? You can move the lot line, or you can't move
4 the lot line?

5 Now they can move the lot line where they want
6 to, but when others suggest that if they move the lot
7 line, there would be places to put maybe a taller
8 building toward the back of the side or whatever, they
9 can't move the lot line. So if they're moving a lot
10 line, that seems to be a substantial change satisfying
11 at least one of the paragraphs in the CMR that I cited.

12 Let's see. A couple of other things. This
13 whole question about this -- if you give us the
14 comprehensive plan now, we will go and try to get the
15 curb cut. What else that they have not committed to --
16 I've been standing here before. I'm saying the slide
17 said "may," and the lawyer said "will." And what's in
18 writing, you know, definitely trumps what the person
19 said. I pointed this out before. The commitments need
20 to be conditions, I guess, if you're considering that.
21 But whether they will do this, again, I think you
22 should expect that they will. You may be out of the
23 process by that point, but we won't be.

24 And finally, a suggestion for someone -- I was

1 being passed papers as I was standing in line and one
2 suggests that the -- there are a highly underused
3 garages that are on Independence Drive. I think
4 there's two. They're underground garages. That's
5 already a built-up site. They're hardly used. I don't
6 know that CHR is getting substantial funds from that.
7 Why can't that not be a small two-story or something?
8 I'm not going to propose suggestions on design, but why
9 can't that be used to build some other apartment and
10 get rid of this tower or massive Avalon or whatever
11 you're going to call it?

12 So there are other things that I don't know
13 why they haven't considered. Maybe they have. None of
14 the representatives of the community were allowed to be
15 present during these, quote, working sessions, so I
16 don't know what was discussed. But I certainly do hope
17 that you take some power back and do what you can to
18 help us in the neighborhood, help us in Brookline,
19 because as we all know, this is going to have a
20 substantial effect on the town. It already costs us
21 over a million dollars a year, and I really ask you to
22 take some power back and do what you can to help us.

23 MS. DEWITT: My name is Betsy DeWitt. I'm a
24 member of the Board of Selectmen, and I'm speaking on

1 behalf of myself. I live at 94 Upland Road in
2 Brookline.

3 The board is on record as opposing the
4 original application under Chapter 40B for a
5 comprehensive permit for residential units at Hancock
6 Village, and the board has not endorsed this
7 last-minute revised proposal that appears to use lot
8 lines that we were previously told were immovable.

9 This revised proposal has all the same defects
10 as the original. The applicant has chosen the worst
11 location in the entire property to build new
12 construction. This version has the same overall site
13 plan that eliminates the greenbelt buffer that's a
14 significant part of the historic Hancock Village
15 planned garden community. The proposed building
16 locations are not on underutilized or vacant land.
17 They're on the greenbelt. The greenbelt and
18 puddingstone outcropping on which the applicant
19 proposes to build was originally designed to and still
20 does serve as community parkland for residents who have
21 no private outdoor space.

22 Further, this revision adds a fifth floor to a
23 totally out-of-scale multiunit building found on the
24 highest point of the site giving it the massing and

1 appearance of an eight-story building towering over the
2 entire neighborhood of one- and two-story homes. This
3 proposal actually covers more of the greenbelt land for
4 parking than the previous proposal. Where are children
5 able to play soccer in this, quote, usable open space?

6 Although the number of bedrooms is reduced, we
7 know "loft" is a euphemism for sleeping space, also
8 known as a bedroom.

9 Continuing to totally ignore the
10 characteristics that were implemented in the original
11 Hancock Village garden community design by the
12 Frederick Law Olmstead firm with significant areas of
13 open space, preservation of natural resources
14 integrated into the site plan with separation of
15 pedestrian and vehicular uses, this development is not
16 in harmony with Hancock Village as it currently exists
17 or with the neighboring single-family residences.

18 And now we're to understand there will be a
19 hurried and unlikely to be thorough peer review of this
20 substantially changed project of both architecture and
21 site design.

22 Hancock Village has been determined eligible
23 for the National Register of Historic Places and is
24 subject, therefore, to review under the Mass

1 Environmental Policy Act by the Massachusetts Historic
2 Commission. I quote, any new construction project or
3 renovations to existing buildings that require funding,
4 licenses, or permits from any state or governmental
5 agencies must be reviewed by the Massachusetts
6 Historical Commission for impact to historic and
7 archeological properties.

8 In the words of the original eligibility
9 denial letter from MassDevelopment that was
10 mysteriously withdrawn, the words continue to be
11 applicable. It is, quote, not suitable due to the
12 project's complete elimination of the existing
13 greenbelt buffer between the current Hancock Village
14 residences and abutting single-family neighborhood
15 homes and the massing of the project's proposed
16 five-story building, which is generally inappropriate
17 for the site and not well mitigated by topography or
18 other means. As a result, the proposed design should
19 not be built. It actually says it's generally not
20 appropriate.

21 According to the state's own guidelines, this
22 proposed project was not appropriate in February of
23 2013 and it's still not appropriate in June of 2014.
24 How can an inappropriate, badly conceived project,

1 revised but with all the same deficits and fewer
2 affordable units -- that's what 40B's supposed to be
3 all about. What hypocrisy. How can this be considered
4 better? The town deserves better, and I ask the Board
5 of Appeals to demand better.

6 MS. DALY: Hi. I'm Nancy Daly. I'm a member
7 of the Board of Selectmen. I live at 161 Russett Road,
8 and I am speaking for myself because this plan has not
9 been on the Board's agenda.

10 I want to say I am happy to see we're having a
11 discussion about retaining more trees and reducing the
12 number of bedrooms. I still have a number of serious
13 concerns about the project.

14 One, the massing of the apartment building.
15 Secondly the lofts. I too agree, I think that lofts
16 are going to be used as bedrooms. And while I
17 appreciate that you can't discuss the number of kids
18 going to the nearby school, I think that the density of
19 this project, vis-a-vis the density and the surrounding
20 single-family neighborhood is an appropriate subject
21 for discussion for the ZBA and I ask you to consider
22 that.

23 In addition, I am very concerned about traffic
24 going onto these neighboring streets. There are a lot

1 of kids in those houses on those streets, kids walking
2 up to the school up at the top of the hill there, and I
3 think this is going to put a tremendous strain on those
4 neighborhood streets.

5 And finally, I want to say that in terms of
6 the parking there that is in the greenbelt, I'm happy
7 to see the garage is gone. But I want to say that when
8 you're doing a 40B and you're allowed to override all
9 of our local zoning constraints, you do not have to
10 meet our zoning parking requirement. You can have less
11 parking.

12 We just had a vigorous debate at Town Meeting
13 about the Brookline Place project, and the zoning that
14 was on the warrant was considerably less than what is
15 in our zoning code. And people were discussing issues
16 of climate change and concern for the environment and
17 that it's time that we start thinking about zoning that
18 demands management transportation plans and ways to
19 reduce parking. And I would ask you to consider that
20 on this occasion to save more of that open space.

21 And finally, I just want to echo what many of
22 the neighbors have said. I think after people have had
23 an opportunity to really take a look at this and digest
24 it, you need to have another public hearing and an

1 opportunity for people to respond after they've had a
2 chance to really dig in a little bit. Thank you.

3 MR. PU: Hi. I'm Bill Pu. I'm an abutter at
4 249 Beverly Road, and I'm also a Town Meeting member of
5 Precinct 16.

6 So I just wanted to echo what Irene said about
7 this procedural level. I think the way that this plan
8 is being introduced is just -- it's beyond words that,
9 you know, they had this plan, we heard last week, maybe
10 they're going to present it, maybe not, we don't know.
11 And only a few days ago we were told for sure that
12 modifications would be presented.

13 How can we really mobilize a neighborhood
14 response or engage our lawyer to come on such short
15 notice? The ZBA does have many limitations in these
16 procedures, but it can dictate the agenda. And I think
17 that the leeway given here on the agenda, not knowing
18 the agenda until three days before the meeting, is
19 something that should not be allowed.

20 There's been some modifications on this plan,
21 but I think if you start with something really bad and
22 you just tweak it, you can't come out with something
23 good. So this started from an F and it may be an
24 F-plus, but it's still an F. And I don't think we

1 should -- you know, maybe we can give them a pat on the
2 back for getting the plus, but it's still an F. The
3 fundamental flaws have not changed. And, you know, if
4 you're just going to tweak something that's bad, it's
5 not going to get good.

6 I also wanted to echo, just from a practical
7 standpoint, we need to know what we're talking about.
8 So are we talking about this plan, or are we talking
9 about a different plan? I don't know in what way it's
10 done, but the ZBA needs to require that the developer
11 say, this is my plan, Plan A or Plan B. Not, this is
12 proposed modifications for consideration. Let's see
13 what you think. Maybe you'll like it, but then if I
14 don't get what I want, I'm going to withdraw it. It's
15 got to be, you go with this plan or that plan, but we
16 can't have a bait and switch or a, you know, you like
17 this plan but I'm not getting what I want so I'm going
18 to go back to my old plan. We can't have that.

19 Regarding the specifics of the plan, of course
20 we haven't had a chance to really review it, but I just
21 would like to mention a few things.

22 The current Hancock Village is the largest
23 development in Brookline's history. It has 843
24 bedrooms according to our figures. This plan was

1 reduced from 402 bedrooms to 314 bedrooms. In other
2 words, it's a 40 percent expansion of the largest
3 development in Brookline's history. It might sound
4 like maybe the number of units is not that high, but
5 the fact is it's 314 bedrooms.

6 Now, I want to point out on the west side we
7 have this enormous road. How many units are being
8 served by this road? It looks to me like 12. You
9 would build a road over all of that green space to
10 serve 12 units. That just doesn't seem like -- if you
11 were an architecture student, you would not do this.
12 Why do you do this?

13 It's obviously the parking. Why does less
14 units need more parking? It's because they want
15 parking. Why do they want parking? They've always
16 wanted parking for these units. That's been the
17 constant theme of these plans. So I don't know how it
18 can be done but, of course, these parking are supposed
19 to serve these units. But of course, once it's built
20 how are you going to restrict that? The use of the new
21 features of the development should not be used to serve
22 the existing units, since it's supposed to be part of
23 an affordable housing development, but obviously that
24 is the intent.

1 About the five-story apartment building, I
2 just want to reiterate that that's the -- one of the
3 few things in the MassDevelopment denial letter that
4 was not sent was the specific comment that the
5 five-story building was inappropriate, and here we have
6 the five-story building again.

7 And just -- I think this possibility of
8 changing the lot lines that's now come up -- before it
9 was just off the table. Now it seems like maybe we can
10 change the lot lines. So I think now that that's a
11 possibility, maybe we need to just start from the
12 beginning and rethink what is possible if you could,
13 for example, put a building here or something like
14 that. Why put the building in the worst place
15 possible? And then why start to make tweaks to the
16 worst possible design? You should start from a better
17 design and then make tweaks to that.

18 And lastly, just about the design, just to
19 reiterate about this VFW access, I think that the
20 likelihood of that is extremely low and either you
21 should not factor that at all in your deliberations or
22 you should make that a precondition to -- if it really
23 is an important factor in your decision making, that
24 should be a condition of the building. It should not

1 be that you approve it and then maybe they'll apply or
2 they will apply but it probably will get denied; then
3 it should not have been considered in your
4 deliberations because the likelihood is so low that it
5 will get approved.

6 We've heard from the Preservation Commission
7 about this being an historic property. Mass Historical
8 Society still has not provided input or review about
9 this property and so I'm -- I don't really know the
10 rules, but how can we get them involved? Is there a
11 way the ZBA can trigger a review? Is it possible that
12 the reason this VFW access was not requested is because
13 that might trigger an MHC review? So just I'm asking,
14 what can the ZBA do to involve Mass Historic?

15 And finally, I just want to reiterate a point
16 that Scott made that I think that anything that's built
17 here should only be built on the precondition that
18 there's no further development; that whatever you
19 approve should come with the condition that that's the
20 last development that will be permitted on this
21 property. Because that was actually -- or that the
22 development should meet the initial agreement that was
23 made in 1946.

24 Because that was the clear intent of the

1 original construction, and this is a perversion of that
2 agreement which is still being challenged in court.
3 And I think that they should be made to live to the
4 letter of the agreement that was originally established
5 and has been so successful for all these years. Thank
6 you.

7 MS. JONAS: Hi. Alisa Jonas, Precinct 16 Town
8 Meeting member. I'm also kind of all over the place
9 and I've heard a lot of things that other people have
10 said that I would have said. I also somewhat want to
11 echo Irene but say it somewhat differently.

12 I feel very demoralized. I feel that there is
13 an unequal balance between the public and a developer
14 when it comes to the town and when it comes to the
15 state. There are so many conflicts. We have the
16 former chair of the selectmen who represents the
17 developer; we have someone on the MassDevelopment who
18 is in the same law firm as Chestnut Hill Realty; we
19 have -- I'm blanking out.

20 And I feel like there's a level of respect
21 that is given a developer and it is not given to the
22 public. When there are people in the public that
23 misbehave in front of a board, I have seen the board
24 scold them.

1 We have a situation here with the lot lines
2 that people have brought up over and over again. There
3 was the Planning Board and the Zoning Board of Appeals,
4 both of whom asked the developer, why don't you place
5 this development in a better location? And to both the
6 Planning Board and to you, the attorney for the
7 developer said, we cannot change the lot lines. This
8 is our 40B. And now in this proposal, as everyone
9 knows, they have changed the lot lines. Suddenly they
10 have something in the middle of their units.

11 Why haven't you brought that up? Why haven't
12 you questioned them? Why haven't you said, wait a
13 second. You said this and now you're saying this.
14 Either legally you can do one thing or another. And we
15 sit here and we're just flabbergasted that over and
16 over again a developer can make misrepresentations and
17 they are not questioned by the officials who are
18 reviewing them and it's very unsettling.

19 The green space buffer zone, I know,
20 Mr. Geller, you had said that that wasn't so important
21 for you to feel that it should be preserved, but for
22 the neighborhood and for the people who live in that
23 apartment complex, it's very important. It's one of
24 the most beautiful spaces. It's very visible from the

1 street. I've spoken to a lot the people who live in
2 those apartment buildings -- my mother used to live
3 there -- and they told me that they love using that
4 space and that that's the reason they moved in.

5 So it isn't something to take lightly and it
6 is something that was made as a commitment to the
7 neighborhood. It has changed from building this
8 massive development. It's the largest development that
9 has ever been built in Brookline. So I don't
10 understand why this buffer zone is not taken seriously
11 when even the 40B regulations say greenbelt buffer
12 zones are acceptable -- if you read the regs -- and
13 that's why it was denied before it was approved.

14 So I would hope that you would also consider
15 the people who live in that development and the
16 neighborhood and the people who support green space
17 like the Brookline Green Space Alliance who are very
18 concerned about the green belt.

19 And given that, it seems to me -- and since we
20 haven't yet heard why lot lines can't be changed -- it
21 seems they've got the hat out of the box, or whatever
22 the expression is -- now they can locate their units in
23 one of the ugly garages.

24 I also am wondering about the retaining

1 walls. They went from three to one. Do they need
2 retaining walls, or was that just a bogeyman to
3 eliminate so that we can think it's a better project?
4 I'd like someone to explain that to me.

5 Traffic calming, I have heard that we now have
6 plans for traffic calming measures. The issue isn't
7 the calming, the speed, it's the volume. We have small
8 streets. The increase in traffic based on CHR's own
9 consultant is that it goes up by 80 percent. Is that
10 appropriate? It doesn't matter whether they're going
11 five miles an hour or fifty. So traffic calming is not
12 the issue.

13 Which leads me to another problem, which is
14 peer review. Peer review can only look at the
15 information that the CHR consultants have chosen to
16 take and analyze.

17 So, for example, the borings that were done in
18 February to see if there was water. Of course they
19 didn't find water because it was frozen. It was a very
20 cold day. If the neighborhood had not come up -- if
21 some of our neighbors hadn't been running around
22 noticing what they were doing, we wouldn't have even
23 known that that's when the borings were done. It was
24 up to us, the neighbors, over and over again to find

1 the flaws and bring them out.

2 And peer review, they would have just looked
3 at the borings and made an assessment, but our
4 neighbors said, look, you can't look in February. You
5 have to look in April. And I'd like to actually know
6 what the outcome was of the borings in April. Have
7 they been done?

8 The other thing is, again, with the bedrooms.
9 I know there's a decrease in bedroom units. What I'd
10 like to know is, is the decrease the change in the
11 square footage among the apartments? We were also told
12 that the acreage that they've now kept as green space
13 is three acres, but what was it before? What is the
14 difference between the old model and the new model?

15 The neighborhood conservation district, the
16 fact that it is one, has that been considered at all by
17 you in private meetings? I know the problem might be
18 considered. There might be a thought to, oh, well,
19 it's not something that 80 percent of the populous
20 voted on in that area, but I think that particular kind
21 of neighborhood conservation district is like the
22 landmark in Cambridge. It should have been labeled
23 "landmark" and that's some kind of adjustment that we
24 should be making in the law.

1 But what role does that play in the design as
2 well? There are ways of development in that unit that
3 also match the characteristics that are required under
4 the neighborhood conservation district requirements,
5 and I'm wondering if that's something you've looked at
6 yet.

7 I'm also wondering why the agreement that they
8 were aware of -- that is being addressed in the
9 lawsuit, but I would like to know whether any of you
10 have looked at that and made your own assessment of
11 whether you think that's an important criteria
12 especially under the new case law.

13 And finally, I also want to repeat what Betsy
14 DeWitt so eloquently said. We already have a denial.
15 We don't know why the denial was taken out. It does
16 not seem that the denial was removed for any
17 substantive reasons about the quality of the project.
18 And before there was some kind of influence, they were
19 all thinking of their -- it says, "The conceptual site
20 plan is not appropriate for the site due to the
21 elimination by the project of the existing greenbelt
22 buffer between the current Hancock Village residence
23 and the abutting single-family neighborhood homes. The
24 proposed project contains inadequate setbacks. The

1 massing of the proposed five-story building is
2 generally inappropriate, and it's just generally not
3 appropriate for the site because it does not adequately
4 use topography to mitigate impact on surrounding
5 neighborhoods and the proposed building does not
6 integrate well into the existing development pattern in
7 the area."

8 That's as clear as you can get. Doesn't seem
9 like there has to be a big struggle on that issue.
10 Thank you very much.

11 MR. VARRELL: Good evening. My name is
12 William Varrell. I live at 45 Asheville Road. I'm
13 also a professional engineer. I just want to -- I know
14 this isn't a drainage meeting, but a statement was made
15 that porous pavement is a proven system. I just want
16 to be on the record that it's a proven fail three out
17 of four times.

18 And I just want to add again, if there's going
19 to be a whole new drainage design -- I spent about 40
20 hours reviewing the original one, so I'd like have at
21 least a week or two of time to prepare to read through
22 this. I do this on my own time on weekends. If
23 there's a whole new design, I'd just like to be able to
24 get it as soon as possible so I can review it.

1 Secondly, I'd like to endorse the idea of the
2 VFW Parkway opening, and closing Asheville Road. I
3 think one of the things we learned from the traffic
4 study was that traffic on Asheville Road was going to
5 increase by 60 percent, so if they have access to the
6 VFW Parkway, which the traffic engineer said had an
7 unlimited supply in his words or something, that this
8 tiny project wouldn't impact it at all, then they
9 should take advantage of that unlimited supply and
10 close off Asheville, because it was never really
11 permanent in the first place. I don't even know why
12 it's there.

13 Another point I'd like to make is during the
14 traffic study they brought up the point that they had a
15 heavy reliance on satellite parking and they assured us
16 that most of the parking was going to service the
17 building right in front of it. It seems like it's
18 going to this five-story building. They're turning
19 that around and now they are relying heavily on
20 satellite parking.

21 And the point I made at the traffic meeting
22 was that people were double parking on these narrow
23 roads to move groceries and people inside and out. I
24 mean, they might have a few drop-off points for a few

1 people, but there's going to be hundreds and hundreds
2 of cars that are coming in here during rush hour and
3 everything, so not everyone can use that little
4 under-thing that they're going to make to drive in
5 front of the building. So I don't see anything on that
6 plan that looks like a sidewalk or a -- I'm not exactly
7 sure how they're going to get from that huge
8 Target-sized parking they're going to put next to my
9 house.

10 That leads to my next point, which is
11 pedestrian movement. That was another thing that was
12 very important to me at the last meeting, and it seems
13 like it still hasn't been addressed and I guess it just
14 won't be addressed. But how the pedestrians are going
15 to move not only from that parking spot up to the
16 tower, but also from the tower to the park across the
17 street, to the other buildings, the kids going into the
18 neighborhood. I mean, they're trying to integrate this
19 into the neighborhood, so I imagine kids will be going
20 to Asheville, Russett, Bonad, all these other roads.

21 Is this project going to be ADA compliant for
22 handicapped persons? I'm sure they'll have a few spots
23 in front of the building, but will a handicapped person
24 be able to go from the tower to any of the

1 neighborhood? Because there is sidewalk throughout the
2 whole neighborhood.

3 And then finally I just want to say that the
4 tower, four stories was horrible; five stories are just
5 too many people living on top of each other. This is
6 the early spring. Windows are open at bedtime, and
7 right now the traffic is ridiculous outside my window.
8 You can't even go to sleep. I can't wait to put my air
9 conditioner in.

10 And I just think it's just too many people.
11 It's too much of a burden to put on such a small area.
12 You know, the rest of the neighborhood is not disbursed
13 that way and I just think -- considering if this was
14 your neighborhood and this is a stone's throw, this is
15 50 yards from my house, if this was going to be 50
16 yards from your house, five stories, several hundred
17 people, and just realistically as long as you ask
18 yourself that from your point of view, wherever you
19 live, I think we'll all come to the same conclusion
20 that it's just not fair. Thank you

21 MR. GALLITANO: Good evening. My name is Tom
22 Gallitano. I'm a Town Meeting member from Precinct
23 16. I live at 146 Bonad Road where I've lived for 20
24 years, and I'm an attorney in Boston.

1 I won't repeat the comments that have been
2 already made. There have been so many eloquent
3 comments made tonight, and I agree with all of the
4 comments about the continued objectionable nature of
5 this development.

6 When I heard earlier this week that there was
7 a revised plan that was being presented tonight, my
8 initial thought was that the developer finally had
9 heard your concerns and heard the concerns of other
10 commissions and boards in the town and heard the
11 neighbors' concerns and were going to come back with
12 something that would not involve large amounts of
13 building in the greenbelt and would scale back the
14 proposed apartment building.

15 So you can imagine my surprise and my shock
16 and, frankly, discouragement tonight to see this. We
17 have still the entire greenbelt being built over. The
18 increasing of the apartment building, four-stories to
19 five and really seven, is the equivalent, frankly, of a
20 poke in the eye with a sharp stick. It's frankly
21 unthinkable to me given that that exact proposal had
22 been rejected back in February of 2013 by
23 MassDevelopment. It's a mystery I think to all of us.

24 Two comments I want to make specifically:

1 One, it's difficult enough as it is -- you know, I'm
2 not a transportation expert, but I do know a little bit
3 about state permitting, and it's difficult enough as it
4 is to get a curb cut and a road approved to a state
5 road such as the VFW Parkway. I want to remind
6 everybody that what the developer is proposing is not a
7 road. They're proposing a driveway. And the notion
8 that the state is going to approve a curb cut to a
9 driveway is, I think, quite ridiculous. The odds are
10 that that's going nowhere. So we're going to have
11 access to Asheville Road, which presents its own set of
12 problems.

13 And lastly, I know that you're under no
14 obligation to take questions and answer questions from
15 the community tonight, but speaking for myself and I
16 think for pretty much everybody else here, it would be
17 helpful to us if you could at least describe to us the
18 process that the ZBA would go through in terms of
19 testing the developer's theory about what is an
20 allowable height for the apartment complex as compared
21 to what we heard earlier tonight from Dr. Abner, Tony
22 Abner, who was one of the earlier speakers.

23 Again, I know you're under no obligation to
24 respond necessarily, but it would be extremely helpful

1 to the neighbors if you might address that tonight.

2 Thank you.

3 MR. JESSIE GELLER: Anybody else?

4 (No response.)

5 We've had a number of good questions, so we'll
6 give a few answers. In no particular order, let's
7 start with the notion, first of all, that the boundary
8 lines of the parcels have changed.

9 Have the lot lines changed? And if they have
10 changed, what allows you to do this, and what prevents
11 you from expanding them in any other fashion and
12 incorporating other land and moving buildings
13 elsewhere?

14 MR. LEVIN: The lot lines have changed. The
15 lot lines have changed in a manner that do not render
16 the remainder lot nonconforming and, in fact, that is
17 the restriction for moving them, in this case,
18 dramatically as it would render the existing -- or the
19 remaining lot nonconforming.

20 MR. JESSIE GELLER: Do you have a diagram of
21 what -- can you explain to us exactly how it has
22 changed and go into greater detail about the issue with
23 expanding the lot line otherwise.

24 So I understand that you've got potential

1 problems of creating nonconformities for other existing
2 structures as well as infectious invalidity issues.

3 Can you go into that a little bit?

4 MR. JOE GELLER. I'll try. The one place
5 that's been pointed out by a number of people that
6 there was a change in the lot line is right here. The
7 conformance in that area to ensure that the existing
8 buildings stay in conformance with the -- that we don't
9 make them any more nonconforming, the setback, which is
10 something that we -- in the working sessions and the
11 discussions with the building commissioner, we really
12 worked hard to figure out was there any leverage or
13 play in those locations. So the line that goes around
14 each one of these buildings is either a side or a rear
15 setback. There was a lot of discussion about what is
16 what and how this works and we're still discussing that
17 to make sure that the building inspector is in the same
18 place that we are.

19 But we think that we can -- that there was
20 room in this location here to move that line slightly
21 so that we were able to get a building in this one area
22 where there's a wider width between these two
23 buildings. And we still have the setbacks, so the new
24 lease lot line will go right up to that setback line in

1 the corners of this building and the corner of that.
2 And if you look at each one of these spaces, that's the
3 real straining point for the nonconformance.

4 And as we get down in this area, it's also the
5 same thing. We end up with 30 feet on this side, 30
6 feet on this side. I think there's a different
7 dimension here because of the side setback, although
8 that's where we took the buildings, so it became less
9 of an issue.

10 So as you look at the rest of the site, there
11 was mention of things like removing the parking
12 structures and putting in a building. Well, if you
13 remove the parking structures, then you're removing
14 parking. Parking is currently nonconforming. You're
15 making that more nonconforming.

16 So those are the constraints that we kept
17 pushing in and out against as we worked to try to make
18 a 40B lease lot that was consistent with what we were
19 allowed to do. Does that get there?

20 MR. JESSIE GELLER: I understand how you get
21 there. I feel like I need to ask the building
22 commissioner. If he could stand up and speak to this
23 calculation and whether he's reviewed it and where he
24 is in the process of verifying this analysis.

1 MR. BENNETT: Good evening. Dan Bennett,
2 building commissioner.

3 The building department staff, planning staff,
4 and representatives of the developer have met on
5 several occasions to review this issue, and it revolves
6 around 40B rights and 40A rights. And the goal is --
7 or was by the developer, obviously, to preserve their
8 rights under 40B, to develop on the property under 40B
9 rights and not adversely affect or create more
10 nonconformities under the 40A or non-40B parcel.

11 MR. JESSIE GELLER: Because then they have to
12 come in and get relief from us, which they may not get.

13 MR. BENNETT: Right. You're subject to
14 variance and special permits and other review processes
15 under 40A, and you don't get the same protections as
16 they would under 40B.

17 So during a number of these meetings,
18 initially we did identify a number of issues with
19 respect to these lease lot lines and the distances and
20 setbacks that were assumed by the developer. After
21 careful review with staff, we identified these. We
22 met, we showed them to them, and they revised some of
23 those lot lines to, again, not create more
24 nonconformities on the 40A lot. That did open up, on

1 that western parcel, the ability to locate that
2 building. We think at this point that that side is
3 pretty well set.

4 On the other side, there were some issues with
5 respect to, again, lease lot lines around some existing
6 parking areas. Our bylaw specify setbacks to parking
7 lots, parking areas. They revised those around the
8 apartment building, again, to not create more
9 nonconformities.

10 That's pretty much it. At this point, we are
11 still discussing some of the access issues, common
12 drives, and trying to work on seeing how the bylaw
13 affects those issues.

14 And just one other point. The reason that the
15 lease lot line is treated as a lot line is a very
16 unique definition that the Town of Brookline has in
17 their bylaw. We have -- a lot is defined, then it goes
18 A, B, C. C talks about a piece of land that's under a
19 99-year lease with at least 50 years remaining. That
20 would constitute a lot, and in our minds that then
21 creates lot lines, so that's why we have enforced
22 zoning on these lease lot lines as they're regular lot
23 lines for zoning purposes.

24 MR. JESSIE GELLER: Thank you.

1 MR. ZUROFF: I wanted to ask you your opinion
2 on the building height issue.

3 MR. BENNETT: We really haven't looked at that
4 because it's kind of -- it's still been a moving
5 target. We identified that early on in the process,
6 that we felt that the original application -- that we
7 felt that a waiver was necessary. They originally gave
8 an opinion that they met the height requirement. We
9 felt that they did not, initially looking at it very
10 quickly. And based on that, they came in with a waiver
11 request. We have not run numbers or looked at what the
12 difference is between what the zoning bylaw allows and
13 what the applicant is proposing. We can certainly do
14 that and report back to the Board.

15 MR. JESSIE GELLER: Just to touch on that
16 for a moment, my understanding is that the applicant is
17 not asking us -- you know, they're not looking to come
18 in under the notion that they meet the height
19 requirement. They've asked for a variance.

20 MR. ZUROFF: No. I understand that, and I
21 want the audience to understand that too. The request
22 under 40B is to allow things that are not in
23 conformance. That's part of the process.

24 MR. JESSIE GELLER: Right.

1 MR. BENNETT: If the Board would like an
2 answer to how nonconforming it's going to be, we could
3 work on that and let you know.

4 MR. HUSSEY: That was my question, too, the
5 height issue.

6 MR. ZUROFF: Mr. Chairman, I think it's also
7 important that the audience and the public know that
8 the lot lines that we are discussing were created
9 specifically, I believe, unless the developer clarifies
10 it to the contrary -- it's my understanding lot lines
11 were created so that you could justify a 40B
12 application. And the fact that Chestnut Hill Realty or
13 some other entity controls abutting property, which is
14 all part of the Hancock Village development, is
15 irrelevant within the context of a 40B application. Am
16 I correct?

17 MR. JESSIE GELLER: I think so. Sounds like
18 it.

19 MR. ZUROFF: Okay. The point is that, again,
20 this is a creature of statute. This application was
21 born out of the statute, and certain things were done
22 by the developer so that it could qualify under the
23 provisions of the statute, and that's why we're here.

24 MR. JESSIE GELLER: I was more focused on the

1 notion that the reason they've created this shape of
2 the lot was because they don't want to impact the
3 balance of their property.

4 MR. ZUROFF: Exactly.

5 MR. JESSIE GELLER: So as wonderful as the
6 Gladstone proposal may be, the problem is you raise all
7 sorts of other zoning issues.

8 MR. GLADSTONE: I solve could that.

9 MR. JESSIE GELLER: No doubt you could.

10 Other questions we had -- I think, Sam, we had
11 a couple that you need to address.

12 MR. NAGLER: In terms of approaching
13 MassDevelopment and what the applicant needs to do
14 vis-a-vis MassDevelopment, it is clear they do have to
15 notify MassDevelopment that there's been a change. And
16 then at that point it's up to MassDevelopment, not to
17 the Board, to MassDevelopment to decide whether the
18 change is substantial. And normally they would
19 define -- either the comprehensive permit is granted or
20 the parties go before the Housing Appeals Committee.

21 If they determine it's substantial, either the
22 applicant or the selectmen or the Board of Appeals
23 could ask for an immediate determination.

24 But at the end of the day, they have to have

1 the approval of MassDevelopment because if they don't,
2 they go to the building inspector and say, okay, here
3 are detailed plans -- let's say the comprehensive
4 permit is granted -- we've gotten a comprehensive
5 permit, here are detailed plans, please give us a
6 building permit. The building inspector is required
7 under the regulations to determine that the plans are
8 consistent with the final approval granted by
9 MassDevelopment.

10 So even if, you know, the comprehensive permit
11 is granted, you can't get a building permit unless the
12 building inspector can make the determination that
13 whatever plans are in front of them have been approved
14 by MassDevelopment.

15 If it's still not clear, I'm happy to answer
16 it.

17 MR. JESSIE GELLER: Let me ask it a different
18 way.

19 Does the ZBA have the authority to say, stop
20 the proceeding, go back to MassDevelopment, and get
21 MassDevelopment to reauthorize this?

22 MR. NAGLER: No.

23 MR. JESSIE GELLER: Does the ZBA have the
24 ability to somehow, while hearing this, to submit this

1 to MassDevelopment? Is it anywhere within our
2 purview?

3 MR. NAGLER: The ZBA can -- once the request
4 has been submitted, can ask MassDevelopment -- I'll
5 read it to you from the regs.

6 If the subsidizing agency -- that's
7 MassDevelopment -- finds that the changes are
8 substantial, it shall ordinarily defer any review
9 except if the applicant, the chief executive officer,
10 of the municipality or the Town -- that's the Board of
11 Selectmen -- or the Board requests otherwise -- so
12 either the board has issued a comprehensive permit or
13 the application's been denied, then the applicant can
14 lodge an appeal to the Housing Appeals Committee at
15 which time the subsidizing agency shall make that
16 determination.

17 So if and when the request is submitted to
18 MassDevelopment and MassDevelopment says, yes, this is
19 a substantial change, it's in MassDevelopment's
20 purview, not the Board's, at that time.

21 But if MassDevelopment says, yes, this is a
22 substantial change but we are just going to defer
23 review, we're going to wait to do it later, that's when
24 the Board can step in and say, no, MassDevelopment,

1 make that determination now, as can the selectmen, as
2 can the applicant.

3 MR. JESSIE GELLER: But we don't have the
4 ability to stop the process?

5 MR. NAGLER: Correct.

6 Also, there was a question about Mass
7 Historic.

8 MR. JESSIE GELLER: Okay.

9 MR. NAGLER: Approval by a separate statute,
10 totally separate from 40B, approval of Mass Historic is
11 absolutely required for this project. The applicant is
12 required to submit something called a project
13 notification form to Mass Historic, and it makes a
14 determination under its statute.

15 The Board cannot deny the comprehensive permit
16 because that determination has not been made yet, but
17 it can condition -- it can specifically make as a
18 condition to the comprehensive permit that this
19 permission, this approval be obtained from Mass
20 Historic.

21 Frankly, even if it didn't make that a
22 condition, the project cannot go forward unless Mass
23 Historic gives approval.

24 MR. LISS: So for clarification, the Historic

1 Commission can essentially say no and 40B rules have to
2 essentially take that and swallow it and that's it.

3 MR. NAGLER: If the Historic Commission says,
4 no, the project can't be built for reasons having
5 nothing to do with 40B, it can't be built for reasons
6 of an historic statute.

7 MR. JESSIE GELLER: So we don't have the
8 ability to say go to Mass Historic?

9 MR. NAGLER: No. Not first. We can condition
10 the comprehensive permit --

11 MR. JESSIE GELLER: I understand that.

12 MR. NAGLER: -- to any grant of the
13 comprehensive permit.

14 MR. JESSIE GELLER: But they're subject to it
15 anyway?

16 MR. NAGLER: Correct.

17 MR. BOOK: Can I just ask for clarification?

18 Is the developer obligated to go to
19 MassDevelopment with the change now, or can they wait
20 until after the Board has ruled on the comprehensive
21 permit?

22 MR. NAGLER: The regs aren't clear on the
23 timing. I would say it would be preferable, just
24 speaking from the developers' standpoint, before they

1 spend time, effort, money, whatever to get a reading
2 from MassDevelopment, but the regs are not specific on
3 the time frame.

4 MR. BOOK: I don't know if that counts as a
5 formal process.

6 MR. NAGLER: It's an informal discussion, but
7 it's a formal process, submitting notice to
8 MassDevelopment.

9 UNIDENTIFIED AUDIENCE MEMBER: Question,
10 please?

11 MR. JESSIE GELLER: Yes.

12 UNIDENTIFIED AUDIENCE MEMBER: Has the
13 original proposal been withdrawn?

14 MR. JESSIE GELLER: Well, that's a good
15 question. Let me rephrase it, if I may.

16 Is this plan that you are submitting, the
17 revised plan, is this now the official plan?

18 MR. O'FLAHERTY: No.

19 MR. ZUROFF: The question is, at what point
20 does it become the official application that we're
21 acting on?

22 MR. O'FLAHERTY: My name is Kevin O'Flaherty.
23 I'm one of the lawyers from Goulston & Storrs for the
24 developers.

1 The position of the developer is as follows:
2 What we propose -- the revised plan under consideration
3 sets forth a plan that, if this Board agrees to it, we
4 would accept and not appeal.

5 In other words, what we tried to do was listen
6 to the town planning group that met with our client and
7 to the other members of the town staff that met and
8 take into consideration the concerns that were raised
9 and to come back with a plan that we thought addressed
10 them as we heard them. And what we've done is
11 basically put that plan out, and we called it
12 "modifications under consideration." The consideration
13 really is for you all.

14 I will say this on the record: If this Board
15 accepted those modifications and included them in a
16 comprehensive permit that would effectively condition
17 the original submission to comply with this, the
18 developer would be satisfied.

19 So I don't think I can be more clear than that
20 right now, and I think properly that's the process,
21 because what we did was submit an original application
22 with an original proposal. What happens in the context
23 of 40B throughout the Commonwealth in almost every
24 situation is when those original plans are submitted,

1 boards like you, you know, on the basis of your review,
2 the Town's review, public comment, there's a push and
3 pull. They make adjustments, they make
4 recommendations.

5 There's an iterative process that at the end
6 of the day, the original plan remains the original plan
7 and what happens is it gets modified in the context of
8 the Board's action and the original plan gets
9 conditioned to match the conditions that the Board
10 wants to adopt.

11 What we're putting forth here is a plan which
12 I would say embodies the conditions, if you will, that
13 the developer would be prepared to accept and not
14 appeal. Is that roughly clear?

15 MR. NAGLER: Well, I don't think that's
16 tenable as a practical matter. There has to be a plan
17 to be deliberated. And I'm just quoting from the
18 Board's local rules. It states that the applicant
19 submits a revised plan for the Board's consideration
20 and said plan is the plan that's the subject to the
21 Board's hearing and deliberation. Any application
22 shall be deemed to be revised to reflect such revised
23 plans subject to the forgoing provisions which are set
24 forth in the paragraph.

1 MR. O'FLAHERTY: I'm sorry. You were reading
2 from what?

3 MR. NAGLER: From the local 40B rules.

4 MR. ZUROFF: Well, you know, that issue aside,
5 I think something's got to be under consideration.

6 MR. LISS: Practically, why are we having a
7 peer review of this stuff and spending time and money
8 if essentially this is, A, this is not the plan; and B,
9 it's not firm before us? So what are we doing?

10 MR. O'FLAHERTY: Let me answer the first
11 question I think you had first -- well, the second
12 question.

13 It is before you. I think what I'm trying to
14 say is that what we've shown here is a plan we're
15 prepared to accept. So in other words, it's a firm
16 plan in that regard. It's as if we went and marked up
17 the original plan and said here are the changes we're
18 proposing that we think meet the concerns of the
19 planning body and we're telling --

20 MR. LISS: We get that. If we want this, this
21 is the one that's going to go. But we're employing
22 peer review to review this and we're spending time and
23 we're building models and we're discussing here now
24 almost on three hours. Why have a peer review if we

1 cannot edit this further? That's a pretty good
2 question, I think.

3 MS. NETTER: First of all, I have never, and
4 I've doing this many, many years, seen an applicant
5 come in with a plan revision and say, gee, we're going
6 to submit this if you approve it as is; otherwise we're
7 back with our original application. That's number 1.
8 This is not the 40B practice.

9 Number 2 is, as Attorney Nagler said, the
10 Zoning Board's rules clearly provide that once there is
11 a revised plan it's a substitute for the original
12 plans.

13 Number 3 is that, as you know as well as I do,
14 that 40B is governed -- the review process -- by a
15 180-day limit and there is no possible way to apply
16 that limit if a town is being told we don't know which
17 plan is at play. If you give us Plan B lock, stock,
18 and barrel, that's the plan; otherwise we go back to
19 the original plan.

20 So the short story is, you have, as our
21 understanding, submitted a revised plan and that is the
22 plan that is going to be subject to review.

23 And if that is not the case, you need to be
24 make absolutely clear, because that is contrary to any

1 discussions that have occurred during the working
2 sessions.

3 MR. O'FLAHERTY: Well, I -- are you calling on
4 somebody else?

5 MR. NAGLER: If it's okay with the Chairman, I
6 wanted to ask the town administrator to --

7 MR. O'FLAHERTY: Did you want me to try to
8 respond to your questions, or do you want to hear from
9 them first?

10 MS. NETTER: It's up to the Chairman.

11 MR. JESSIE GELLER: Is this on this specific
12 topic?

13 MR. KLECKNER: Yes.

14 MR. JESSIE GELLER: Okay. So why don't we
15 hear your response.

16 MR. KLECKNER: My name is Mel Kleckner. I'm
17 the town administrator. And at our great peril, we
18 have been engaging in these working sessions with the
19 developer in good faith to try to make this a better
20 project for the town.

21 It's mind boggling to me. I'm not a lawyer,
22 so I have no idea what was said, but I have -- I'm
23 appalled. And we said this to the developer, that we
24 didn't want to engage our time and effort if there was

1 no commitment to try to make this better. I have no
2 idea what that means, that this is a plan under
3 consideration, and we'll consider taking it off the
4 table. That is very upsetting to me. I want to say
5 that publicly.

6 MR. JESSIE GELLER: I'd like to give
7 Mr. O'Flaherty ...

8 MR. O'FLAHERTY: Can I have one second?

9 MR. JESSIE GELLER: Yes.

10 MR. ZUROFF: If I understand what the
11 developer is saying, I think the developer is saying to
12 us that what he's put before us today is a set of
13 conditions which he is asking us to impose and accept
14 his project with those conditions and not with any
15 other conditions. So it's an alternate proposal.

16 MR. JESSIE GELLER: No. I disagree with
17 that.

18 MR. ZUROFF: Well, I'm asking if that's what
19 he's proposing.

20 MR. O'FLAHERTY: What we're saying is that
21 we're certainly prepared to accept what you just said.
22 We're certainly prepared to accept that. We understand
23 that the process will continue, that there will be
24 revisions that perhaps will be suggested, that there

1 will be further analysis done. We understand that.
2 And that there may be requests from the Board, from
3 their peer reviewers that we consider other
4 modifications. We'll certainly consider them in good
5 faith.

6 I just want to be clear, I guess is what I'm
7 trying to do is to be clear that what we put out here
8 today is what we think would work for us, what we think
9 we could agree to if that's where the Board came out.

10 Does it mean that this is the gauntlet, that
11 there could be no other modifications?

12 No, it doesn't mean that. There may be other
13 things that people want to ask us to consider, we
14 consider them, and they're perfectly acceptable. They
15 would be additional conditions or additional
16 modifications. I want to be clear on that.

17 The other point, to get back to Ms. Netter and
18 Attorney Nagler, we would -- having heard what you read
19 from the Brookline local bylaws and regulations about
20 40B, I understand your position. We'll accept that
21 this is under your regulations, under your ordinance
22 for a revised plan or whatever the word was that was in
23 the ordinance. I don't remember it. And that will go
24 from here on the revised plan.

1 MR. JESSIE GELLER: So this is the revised
2 plan of which we are --

3 MR. O'FLAHERTY: As defined in your regs,
4 which I wasn't aware of until now.

5 So I think, you know, that's what we're
6 subject to; that's what we'll live by. But I do want
7 to be clear that what we think we've produced at this
8 point, which we understand is going to be subject to
9 review and the like, is a plan that we think, if that's
10 the way it came out, we would certainly accept it
11 obviously, because now it's the plan we propose.

12 MR. ZUROFF: So the application before the
13 Board is this plan that you submitted tonight?

14 MR. O'FLAHERTY: Yes.

15 MR. BOOK: The plan had been withdrawn?

16 MR. O'FLAHERTY: Yes.

17 MR. ZUROFF: So, Mr. Nagler, does the plan
18 that's before the Board have to be submitted in total,
19 like all of the other materials that we've considered?
20 If this is the new plan, do we need all of the
21 materials submitted in support of it?

22 MR. NAGLER: Ultimately, you're going to want
23 to see -- some of the existing site conditions haven't
24 changed, but ultimately, I don't think you just stop

1 the hearings until you get every piece of paper that
2 goes with this complication. But ultimately, you're
3 going to want to see the enumerated items in the
4 regulations so you can make an informed decision --
5 that have changed as a result of this complication.

6 MR. ZUROFF: Then under those circumstances
7 where there is so much more material that has to be
8 submitted to us and subject to peer review, do we have
9 the right to say to the developer we need to extend the
10 time?

11 MR. NAGLER: That's a very complicated
12 question.

13 MS. NETTER: I believe, and my recommendation
14 is that -- I hear what you're saying and it's one of
15 the things I wrote down -- is we need to chart
16 exactly -- I mean, we can't predict exactly, but we
17 have been working on this. The staff is constantly
18 redoing it -- but how many hearings are needed, how
19 much information is required, and put a chart together
20 and see what's possible without having to rush you and
21 giving the public adequate time to consider the plan.

22 And by the way, perhaps people didn't hear,
23 but at the beginning Chairman Geller had said, yes,
24 you've just gotten this plan. However, at the next

1 hearing there will be another opportunity to comment
2 and you will have opportunities to comment throughout
3 this public hearing process, so I believe you will have
4 adequate time to review this plan and give your
5 thoughtful input. So the short story is, we'll look at
6 it, come back to you and see. But yes, if we need more
7 time we will request it, and I'd be surprised if the
8 applicant didn't grant it.

9 MR. ZUROFF: Thank you.

10 MS. KOOSHER: Hi. I'm Robin Koocher, 285
11 Beverly Road, and I want to thank you because this is
12 the first time for all of these meetings that we have
13 heard a conversation -- it was commented before. You
14 now get a glimpse of what we've been dealing with for
15 five and a half years, because getting a straight
16 answer is virtually impossible and you just commented
17 that just an answer in terms of the 180 days is
18 complicated. And I understand that, you know, you have
19 to look at things.

20 But the comment that was made before regarding
21 those -- and you'll forgive me if I forgot the name --
22 but the -- what was supposed to be presented to you by
23 tomorrow, which is what? The structure?

24 MR. JESSIE GELLER: The model.

1 MS. KOOSHER: The model. And you said that
2 was the deadline.

3 Why can't it be the deadline? This, again, is
4 what we have dealt with, this kind of slippery back and
5 forth and kind of confusion and we don't know -- I
6 mean, Ms. Steinfeld said 83 trees would be saved;
7 Mr. Geller said one-hundred-and-something others. When
8 asked about specifics in terms of how far back would
9 things be moved, I didn't hear specific numbers. This
10 is now the new plan. Why don't we have those answers
11 for you to deliberate about and consider, and to those
12 of us who have been dealing with this, and the rest of
13 Brookline, everybody who will be affected, to know
14 these things.

15 And so what just happened here, I certainly
16 hope we will continue to see where --

17 MR. JESSIE GELLER: I'm sorry. What is the
18 question?

19 MS. KOOSHER: Will we be able to hear, for
20 example, the building commissioner explain in English
21 for those of us -- you know, perhaps you understand
22 it. We don't. And also for these two people to
23 explain, you know, more about what the process is.

24 And we just saw a change from -- the new plan

1 would incorporate this newer plan, and then now this
2 plan is the plan and the old plan from yesterday is not
3 the plan. And this is what I'm talking about. This is
4 what's confusing. And I'm a fairly intelligent
5 person. So is everybody else in this room. And we
6 need to understand these things. You know, we can read
7 a plan. I've read every plan for five years. Do I
8 understand all of it? No. But this is what we've been
9 looking for. Please give us more of it. Thank you.

10 MR. JESSIE GELLER: Other questions? Any
11 others? Announcements? No?

12 Actually, you were wrong. I hate to even
13 suggest that you were wrong.

14 MS. NETTER: No, you don't.

15 MR. JESSIE GELLER: I did not mention that at
16 the next hearing, which is on the 19th, we will hear
17 the preliminary review from peer review on urban
18 design -- however you want to phrase that term,
19 Mr. Hussey. I don't want to get taken down by you.
20 And after the preliminary report by our peer reviewer,
21 the public will have an opportunity to provide comments
22 on that preliminary report.

23 MS. NETTER: Excuse me. I knew it was your
24 thinking.

1 MR. JESSIE GELLER: It was my thinking.

2 The hearing after that hearing, which is July
3 10th, we are tentatively thinking now that that will be
4 the revisitation of stormwater. Is that still
5 correct?

6 MS. STEINFELD: We were actually thinking that
7 it would be the final report of the urban design.

8 MR. JESSIE GELLER: Assuming he's far enough
9 along, it will be the final report of urban design,
10 depending on time constraints.

11 Any stormwater, or are we just going to push
12 that off one week or whatever --

13 MS. STEINFELD: We can discuss it, but I would
14 suggest pushing it up.

15 MR. JESSIE GELLER: Okay. So we're hoping to
16 get urban design in both preliminarily in the 19th and
17 then final on July the 10th and then move on to the
18 revisitation of the stormwater.

19 And again, when we hear stormwater, the public
20 will have an opportunity to speak at that point based
21 on the reports that we get.

22 UNIDENTIFIED AUDIENCE MEMBER: Are you going
23 to plan another visit?

24 MR. JESSIE GELLER: That was a great

1 suggestion, so I give you great credit for that. It's
2 been something that's sort of been nagging in my mind
3 because I was so cold by the end of that site I'm not
4 sure what I saw.

5 UNIDENTIFIED AUDIENCE MEMBER: It looks a lot
6 different right now.

7 MR. JESSIE GELLER: So yes, I actually think
8 that would be an excellent proposal and we'll make
9 those arrangements. I don't know that -- can we pick a
10 date now or --

11 UNIDENTIFIED AUDIENCE MEMBER: Can you come
12 during rush hour to see what our neighborhood is like
13 and how long it takes us to get out?

14 MR. JESSIE GELLER: Wasn't the last one during
15 rush hour?

16 MR. LISS: 8:30 a.m. we were there.

17 MR. JESSIE GELLER: It would be 8:30.

18 UNIDENTIFIED AUDIENCE MEMBER: That's after
19 the school rush hour.

20 UNIDENTIFIED AUDIENCE MEMBER: That's too
21 late.

22 UNIDENTIFIED AUDIENCE MEMBER: 7:30 would be
23 better.

24 MR. LISS: For who?

1 MR. JESSIE GELLER: We will work out a date
2 for a new site visit, and we will make it clear to the
3 public when that is and figure out a time and a date
4 and a location where to meet. We will make those
5 arrangements and announce them.

6 There being nothing else, motion to adjourn?

7 Seconded.

8 All in favor?

9 Continued to June 19th.

10 (Proceedings suspended at 9:58 p.m.)

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 of
7 my shorthand notes so taken.

8 Dated this 17th day of June, 2014.

9 _____

10 Kristen Krakofsky, Notary Public

11 My commission expires November 3, 2017.

12
13
14
15
16
17
18
19
20
21
22
23
24

A			
abandoned 48:20	accommodate 12:3 61:11	19:16,22 26:19 41:18 49:3 59:12 62:10	84:23
ability 39:24 103:1 107:24 109:4 110:8	accommodations 66:16	70:18,23 72:13 99:1 106:11	agencies 79:5
able 15:1,4,7,12 16:1,14,19 17:13 18:2,21 19:11 19:16,19 35:8 41:7 60:22 73:12 78:5 93:23 95:24 100:21 122:19	accompanies 45:11	addressed 19:1 24:23 28:18 31:7 31:19 74:21 92:8 95:13,14 112:9	agency 50:18,22 69:21,24 108:6,15
Abner 2:23 43:1,1 98:21,22	accomplish 18:4	adds 77:22	agenda 52:24 68:18 80:9 82:16,17,18
absolutely 45:2 59:16 109:11 115:24	achieve 7:4 22:21,22	adequate 120:21 121:4	aggregate 20:11
abutter 51:16 67:20 82:3	achieved 10:8 22:23	adequately 39:24 93:3	ago 56:5 60:15 61:1 71:1 73:19 82:11
abutters 12:12 28:14	acknowledged 70:7	adhered 38:16	agree 5:2,4 41:22 64:12 66:17 68:8,9 73:16 80:15 97:3 118:9
abutting 14:10 16:15 27:3 28:16 44:22,24 45:8 45:15 55:7 79:14 92:23 105:13	acreage 91:12	adherence 38:13	agreed 56:5 73:22
accept 112:4 113:13 114:15 117:13,21,22 118:20 119:10	acres 11:12 21:3 27:22 91:13	adjacent 10:6	agreement 21:16 26:10 86:22 87:2,4 92:7
acceptable 89:12 118:14	Act 79:1	adjourn 126:6	agrees 112:3
accepted 39:21 112:15	acting 111:21	adjustment 91:23	ain't 71:2 75:3
access 12:23 13:11 15:24 16:3 17:3 18:13,19 18:21,22 19:5 21:24 22:10 23:9 28:10 31:13 36:13,19 39:6 39:7 62:19 63:18 64:20,22 65:4,5 69:18 85:19 86:12 94:5 98:11 103:11	action 113:8	adjustments 113:3	air 96:8
	actively 60:5	administrative 5:14	Alan 55:18
	actual 32:18 45:3,24 50:23	administrator 2:15 116:6,17	alerted 51:6
	ADA 95:21	adopt 113:10	Alisa 3:8 87:7
	add 39:4 47:1 70:15 93:18	advantage 94:9	Alison 2:12
	added 8:4 9:13 12:2 24:6	adversely 102:9	alleyway 62:21
	adding 9:20 13:17 16:21 23:6 23:8 46:6	advice 41:10	Alliance 89:17
	addition 29:3 80:23	affect 69:19 102:9	Allison 26:1 29:14
	additional 14:22 19:18 23:17 27:24 28:12 37:23 118:15,15	affordability 34:13,22	allow 16:4 18:18 34:19
	address	affordable 20:23 34:16,18 53:19 53:19 58:16 80:2	

<p>45:13 46:21 104:22 allowable 98:20 allowance 44:21 45:23 allowed 43:10 44:24 46:22 74:10,11 76:14 81:8 82:19 101:19 allows 43:18 46:13 99:10 104:12 alternate 117:15 alternative 29:22 alternatives 25:16 amenity 12:7,10 24:4 amount 19:12 30:12 35:4 50:13 58:11 amounts 97:12 analysis 101:24 118:1 analyze 90:16 anger 71:14 angle 16:13 announce 126:5 Announcements 123:11 answer 21:13 45:2 65:23 98:14 105:2 107:15 114:10 121:16,17 answered 65:19 answers 99:6 122:10</p>	<p>Anthony 2:23 43:1 anybody 32:13 35:1 47:3 99:3 anyplace 55:21 anyway 64:2 110:15 apartment 8:2 9:5,6,8 12:1 20:9 23:3,4 24:14 27:13 28:20 34:7 43:4 57:15 58:7 62:18 63:10 76:9 80:14 85:1 88:23 89:2 97:14,18 98:20 103:8 apartments 9:20 57:22 91:11 appalled 116:23 apparently 51:2,11 69:3 71:8 73:12 appeal 108:14 112:4 113:14 appealed 36:18 Appeals 1:5 47:13,14 80:5 88:3 106:20,22 108:14 appear 18:18 appearance 78:1 Appearances 2:1 appears 48:19 77:7 applicable 79:11 applicant 51:1,10 52:4 69:18 77:10,18 104:13,16 106:13,22 108:9,13 109:2,11 113:18</p>	<p>115:4 121:8 application 1:7 6:9 10:13 28:9 36:12 65:20 66:3 77:4 104:6 105:12,15 105:20 111:20 112:21 113:21 115:7 119:12 application's 108:13 apply 65:20 86:1,2 115:15 appointed 26:7 appreciate 41:21 48:6 56:7,15 62:7 70:7 74:6 80:17 approaching 106:12 appropriate 58:17 59:21 61:17,22 63:19 64:5 68:11 79:20,22,23 80:20 90:10 92:20 93:3 approval 29:22 36:15,15,20 50:22 51:7 66:4,8,19 70:21 107:1,8 109:9 109:10,19,23 approvals 22:17 66:2 approve 49:12 50:23 51:8 86:1 86:19 98:8 115:6 approved 86:5 89:13 98:4 107:13 approves 65:24 approximately 27:22 28:3 April 91:5,6 archeological 79:7</p>	<p>architect 32:8 architectural 29:15 35:11,18,23 37:6 40:18,20 43:9 58:15 architecturals 37:7 architecture 78:20 84:11 architectures 40:18 area 14:14,15,18,24,24 15:9,10 17:14 24:16 42:5,10,10,19,22 44:1 46:19 53:20 57:16,22 58:1 63:20 91:20 93:7 96:11 100:7,21 101:4 areas 14:17 39:3 57:22 78:12 103:6,7 arguing 48:1 arisen 70:18 arrangements 125:9 126:5 artery 62:15 63:18 Asheville 3:9 16:11 18:10 39:6,9 43:21 44:4 45:24 64:22 93:12 94:2,4 94:10 95:20 98:11 aside 56:17 65:13 114:4 asked 6:20,21,23 52:8 59:1 68:17 88:4 104:19 122:8 asking 52:16,16 70:12 71:19 86:13 104:17 117:13</p>
---	---	---	--

<p>117:18 aspect 57:10 74:20 aspects 29:4 68:3 assess 18:9 assessment 91:3 92:10 asset 57:4 assistant 4:14 Associate 2:6,7 associated 61:12 Associates 2:11 assume 35:24 44:10 assumed 102:20 Assuming 124:8 assured 94:15 asterisked 11:7 attend 53:1 attorney 49:10 69:7 70:6,9 88:6 96:24 115:9 118:18 attractive 12:7 audience 69:2,9 104:21 105:7 111:9,12 124:22 125:5,11,18,20,22 August 72:4 authority 51:1 107:19 authorization</p>	<p>60:2 authorized 26:9 29:23 30:4 72:21 AutoTURN 19:3,4 available 37:10 Avalon 55:10 76:10 Avi 2:7 4:12 aware 4:5 57:3 92:8 119:4 awful 56:17 Aye 36:6 a.m 125:16</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p>B 83:11 103:18 114:8 115:17 back 15:3 17:14 18:3,14,16 18:17,19,24 33:20 39:24 40:4 42:17 45:20 48:15 50:5,8 51:1,5,10 64:9 70:2 72:6 75:8 76:17,22 83:2,18 97:11,13,22 104:14 107:20 112:9 115:7,18 118:17 121:6 122:4,8 bad 30:19,23 53:1 66:20 82:21 83:4 badly 79:24 bait 83:16 Baker 42:3,7,12,22 53:2 65:3 balance</p>	<p>64:10,13,19 87:13 106:3 bandied 64:21 barrel 115:18 barren 56:11 barriers 65:12 based 4:22 30:20,21 39:19 48:10 90:8 104:10 124:20 baseline 44:18 45:17 basic 37:8 58:6 basically 46:24 49:4,11 55:10 112:11 basing 31:2 basis 33:17 113:1 Bay 55:10 bear 43:8 73:2 beautiful 88:24 bedroom 78:8 91:9 bedrooms 10:9,17 11:5 20:11 27:10 29:2 35:3 55:20 61:2 78:6 80:12,16 83:24 84:1 84:1,5 91:8 bedroom-units 11:4 bedtime 96:6 beginning 19:15 48:23 60:11</p>	<p>85:12 120:23 behalf 6:2 30:4 77:1 believe 19:11,17,24 24:21 37:2,4 46:13 47:3,10 56:15 58:16 60:1 105:9 120:13 121:3 believes 38:12 belt 89:18 benefit 38:10 63:8 Benjamin 49:11 Bennett 2:14 102:1,1,13 104:3 105:1 best 66:18 BETA 6:11 21:6 25:12 bets 66:10 Betsy 3:5 76:23 92:13 better 12:22 16:23 19:21 20:2 29:8 31:1 32:10 38:19 41:7 53:8,9,11 54:4 56:2,16,16 58:18 69:9 80:4,4,5 85:16 88:5 90:3 116:19 117:1 125:23 Beverly 3:1,7,10 7:10,11 8:14 51:16 61:13 82:4 121:11 beyond 27:6 61:8 63:23 82:8 big 93:9 bigger 24:5</p>
---	---	--	--

<p>Bill 82:3 bird's 5:24 bit 17:21 40:7 45:21 50:5 60:13 61:16,19 82:2 98:2 100:3 blah 69:24 70:1,1 blanking 87:19 blasted 44:7 blocking 62:14 blowup 44:13 Bluestein 2:9 board 1:5 2:2 4:20 6:4 30:11 32:21 36:6,20 47:13 47:14,22 48:7,18 50:24 51:9 56:8 69:4 69:5,23 76:24 77:3,6 80:4,7 87:23,23 88:3 88:3,6 104:14 105:1 106:17,22 108:10,11 108:12,24 109:15 110:20 112:3,14 113:9 118:2,9 119:13 119:18 boards 26:7 32:22 40:17 97:10 113:1 Board's 80:9 108:20 113:8,18 113:19,21 115:10 body 26:13 114:19 bogeyman 90:2 bogging 116:21</p>	<p>Bonad 95:20 96:23 Book 2:4 4:13 21:22 22:15 22:24 110:17 111:4 119:15 borings 90:17,23 91:3,6 born 105:21 borrowed 59:18 Boston 1:17 96:24 bothered 42:9 bottom 51:9 boundaries 61:9 boundary 99:7 box 45:20 46:8 89:21 Brady 49:5 brief 47:19 briefly 49:3 bring 55:17,23 91:1 Brookline 1:5,8,12 4:5,8 6:9 34:17 39:21 42:2,23 43:15 44:15 45:1 47:4,10,15 49:5 53:22 55:20 56:21 57:4 61:10 71:6 76:18 77:2 81:13 89:9,17 103:16 118:19 122:13 Brookline's 83:23 84:3 brought</p>	<p>88:2,11 94:14 buffer 15:5 54:3 77:13 79:13 88:19 89:10,11 92:22 build 43:11,14 46:1,3,10,14 76:9 77:11,19 84:9 building 2:14 6:22 7:14,21,24 8:3,24 9:5,6,7,8,17 9:20,22 10:12,14,22 11:15,17 12:1,6,10 15:11,14 16:2,13,18 16:19 18:9,14,14,16 18:19 20:8,9 23:4,5 23:11,13,20,23 24:14 26:3 27:14,17 28:20 28:22 31:21 34:7 36:1 37:8 43:3,5,15 43:19,22 44:21,23 45:8,13,15,16,22 46:4,9,12,16,17,21 46:23 47:5,15 49:17 50:2 54:7,8,23 57:15 58:2,7,9,12 61:23 62:12,12,13,18 63:10 63:23 70:23 75:8 77:15,23 78:1 79:16 80:14 85:1,5,6,13,14 85:24 89:7 93:1,5 94:17,18 95:5,23 97:13,14,18 100:11 100:17,21 101:1,12 101:21 102:2,3 103:2 103:8 104:2 107:2,6 107:6,11,12 114:23 122:20 buildings 6:23 7:1,13,18,21 8:18 8:19 9:1,3,4,7,18,19 10:2,5,9,20,21,22 14:14,18,23,23 15:1 15:6,14 16:12,15 18:8,8,12 20:10,12 20:14,15,16 23:3</p>	<p>27:15,19,19 28:1,2 37:7 58:3 61:12,18 61:24 62:17 79:3 89:2 95:17 99:12 100:8,14,23 101:8 built 50:21 79:19 84:19 86:16,17 89:9 97:17 110:4,5 built-up 76:5 bumps 65:10 burden 96:11 busy 56:6 bylaw 63:4 103:6,12,17 104:12 bylaws 45:1 46:11 47:10 118:19</p> <hr/> <p style="text-align: center;">C</p> <hr/> <p>C 1:21 103:18,18 127:1 calculation 45:20 46:7 101:23 calculations 44:18 46:1,3,10,20 call 18:4 25:22 76:11 called 70:21 109:12 112:11 calling 4:4 116:3 calmer 57:16 calming 13:5 21:5 90:5,6,7,11 Cambridge 91:22 careful 102:21</p>
---	---	---	--

<p>carefully 65:18,22</p> <p>cars 16:4 57:13 65:14 95:2</p> <p>carved 61:9</p> <p>case 1:6 49:5,6 51:12 61:11 70:17 72:13 92:12 99:17 115:23</p> <p>catch 49:1</p> <p>certain 12:22 17:20 47:5 105:21</p> <p>certainly 13:19 39:11,14 65:23 74:19 76:16 104:13 117:21,22 118:4 119:10 122:15</p> <p>certainty 30:9</p> <p>certify 127:3</p> <p>chair 55:19 56:22 59:7 87:16</p> <p>Chairman 2:3 6:3 25:24 30:7 33:1 40:3 105:6 116:5,10 120:23</p> <p>challenged 87:2</p> <p>chance 52:20 61:15 71:21 82:2 83:20</p> <p>change 49:1,2 51:6 54:10 55:9 55:11 61:21 69:14,18 70:19 72:13 75:10 81:16 85:10 88:7 91:10 100:6 106:15 106:18 108:19,22 110:19 122:24</p> <p>changed</p>	<p>58:6 78:20 83:3 88:9 89:7,20 99:8,9,10,14 99:15,22 119:24 120:5</p> <p>changes 5:12 9:10 27:8 37:8 69:22 108:7 114:17</p> <p>changing 23:17 31:4 85:8</p> <p>Chapter 29:6 77:4</p> <p>characteristics 78:10 92:3</p> <p>charged 29:21</p> <p>chart 120:15,19</p> <p>check 37:24 42:9 74:18</p> <p>checked 42:13</p> <p>Chestnut 1:7 2:17 4:19 6:4 7:3 26:5,11,18,18 27:7 28:9 41:6 42:5 46:12 87:18 105:12</p> <p>chief 12:24 17:3,4,10,17 18:1 28:5 69:22 108:9</p> <p>children 42:11 55:21 61:2 65:2 78:4</p> <p>chime 32:14</p> <p>Chiumenti 2:24 47:16,16</p> <p>chooses 46:13</p> <p>chosen 77:10 90:15</p> <p>CHR 5:15 6:2 21:20 31:4 49:16,22 56:12 72:3 76:6 90:15</p>	<p>Chris 2:5</p> <p>Christopher 4:13</p> <p>CHR's 74:24 90:8</p> <p>circle 42:7</p> <p>circulation 12:18</p> <p>circumstances 120:6</p> <p>cited 75:11</p> <p>clarification 109:24 110:17</p> <p>clarifies 105:9</p> <p>clear 31:10 38:9 50:19 86:24 93:8 106:14 107:15 110:22 112:19 113:14 115:24 118:6,7,16 119:7 126:2</p> <p>clearly 12:10 31:5 39:8 41:4 58:15 115:10</p> <p>client 112:6</p> <p>climate 81:16</p> <p>clock 48:23</p> <p>close 52:14 94:10</p> <p>closer 8:6 28:14</p> <p>closest 44:23</p> <p>closing 94:2</p> <p>CMR 69:20 70:4 75:11</p> <p>code</p>	<p>69:13 81:15</p> <p>coherent 67:22</p> <p>cold 65:8 90:20 125:3</p> <p>coldest 56:10</p> <p>college 47:5</p> <p>combination 25:9</p> <p>combined 9:8 22:8</p> <p>come 16:1,4,11 19:7 33:9 43:10 68:11,18,20,22 69:17 70:4 82:14,22 85:8 86:19 90:20 96:19 97:11 102:12 104:17 112:9 115:5 121:6 125:11</p> <p>comes 87:14,14</p> <p>comfortable 17:18,23 18:20</p> <p>coming 30:14 51:22 64:9 71:20 95:2</p> <p>commend 31:4,15</p> <p>commensurate 23:15</p> <p>comment 5:5 17:2 34:6,14 41:20 47:21 51:20 59:7 61:15 68:24 72:8 85:4 113:2 121:1,2 121:20</p> <p>commentary 41:24</p> <p>commented 121:13,16</p> <p>comments 5:12,12 28:23 29:10 30:19 31:1 36:9</p>
---	---	---	--

<p>38:23 40:2 51:19 54:16 67:22 70:15 71:22 97:1,3,4,24 123:21 commission 56:22 57:1,3 79:2,6 86:6 110:1,3 127:11 commissioner 2:14 100:11 101:22 102:2 122:20 commissions 58:13,17 97:10 commitment 89:6 117:1 commitments 75:19 committed 22:19 26:22 75:15 committee 55:19 59:8 60:16 73:19 106:20 108:14 common 103:11 Commonwealth 112:23 127:2 community 2:13 34:22 57:23 76:14 77:15,20 78:11 98:15 compared 30:22 98:20 complete 79:12 completed 5:21 completely 10:4 14:6 complex 88:23 98:20 compliant 95:21 complicated 120:11 121:18 complication 120:2,5</p>	<p>compliment 58:18 comply 5:23 112:17 component 39:12 comprehensive 6:8 28:8 36:17 50:20 50:21 74:15,19 75:14 77:5 106:19 107:3,4 107:10 108:12 109:15,18 110:10,13 110:20 112:16 comprised 12:4 compromise 60:7 conceived 68:3 79:24 concept 58:4 conceptual 92:19 concern 18:13 29:1 32:17 34:12,23 39:4 58:10 61:1 64:23 81:16 concerned 28:20 31:7 32:21 34:7 34:9 60:13 80:23 89:18 concerning 69:14 concerns 12:24 15:20 17:3,8 19:1,22 22:12 25:4 25:11 26:20 30:22 31:18 39:20 53:7 61:6 62:11 70:18 80:13 97:9,9,11 112:8 114:18 conclusion 96:19 condition 66:16,17,18 85:24</p>	<p>86:19 109:17,18,22 110:9 112:16 conditioned 113:9 conditioner 96:9 conditions 6:15 36:17 64:8 65:24 66:8 75:20 113:9,12 117:13,14,15 118:15 119:23 confirm 40:12 conflicts 87:15 conformance 100:7,8 104:23 confusing 123:4 confusion 122:5 conjunction 21:6 connection 42:4 conservation 56:23 91:15,21 92:4 consider 13:12 16:6 32:5 33:2 34:24 46:15 48:17,20 52:12 53:4 59:6 60:8 71:9 80:21 81:19 89:14 117:3 118:3,4 118:13,14 120:21 122:11 considerably 81:14 consideration 7:20 10:15 12:1 13:9 32:24 34:16 52:5,9 52:14 59:14 83:12 112:2,8,12,12 113:19 114:5 117:3 considerations 32:3</p>	<p>considered 13:24 21:17 59:10 76:13 80:3 86:3 91:16,18 119:19 considering 31:22 47:24 48:3,16 48:19 71:22 75:20 96:13 consistency 38:15 consistent 13:17 26:14 101:18 107:8 constant 84:17 constantly 120:17 constitute 103:20 constraints 5:8 29:6 37:12,12,20 38:2 40:13 53:24 81:9 101:16 124:10 constructed 63:24 construction 77:12 79:2 87:1 consult 6:10 consultant 29:15,20 37:23,24 90:9 consultants 26:4 37:14 54:6 90:15 consulted 39:18 consulting 4:15 contained 53:20 contains 20:7 92:24 context 105:15 112:22 113:7 continuation</p>
---	--	--	---

<p>4:6 continue 29:10 79:10 117:23 122:16 continued 4:4 97:4 126:9 Continuing 78:9 contrary 105:10 115:24 control 65:1 controls 105:13 conventional 25:9,9 34:1 conversation 30:3,18 60:11,12 67:7 67:8,15,16 69:17 121:13 conversational 25:6 converted 20:15 27:12 29:1 converting 10:21 convinced 58:17 copy 69:22 corner 101:1 corners 101:1 Corporation 1:15 correct 33:10,11 35:24 36:22 44:4 105:16 109:5 110:16 124:5 127:6 corrected 72:21 corridors 6:24 cost</p>	<p>60:3 costs 76:20 cots 55:22 counsel 1:10 59:9 count 23:16 counts 111:4 couple 5:15 21:22 22:2 59:5 60:14,24 67:24 75:12 106:11 course 18:20 38:21 53:20 66:6,14 72:21 83:19 84:18,19 90:18 court 66:9 87:2 127:1 cover 60:3 covered 11:17 covers 78:3 cracked 73:9 crazy 73:24 create 64:17 102:9,23 103:8 created 12:6 17:11 23:20 53:18 105:8,11 106:1 creates 103:21 creating 8:8 100:1 creation 8:12 creature 105:20 credit</p>	<p>65:12 125:1 crisis 29:2 criteria 92:11 critical 39:12 40:10 crowd 53:1 cultural 57:2,4 curb 28:10 65:21 66:7,10 75:15 98:4,8 curious 74:23 current 13:13 14:19 63:23 79:13 83:22 92:22 currently 8:7 15:16 33:14 37:1 78:16 101:14 cut 28:10 65:21 66:7,10 75:15 98:4,8 cynical 66:20 68:24,24 Cyril 2:22 42:1</p> <hr/> <p style="text-align: center;">D</p> <hr/> <p>Daly 3:6 80:6,6 Dan 2:14 102:1 dangerous 74:8 date 30:12 71:9 125:10 126:1,3 Dated 127:8 David 3:2 56:20 day</p>	<p>56:10 64:7 65:9 68:18 68:19 90:20 106:24 113:6 127:8 days 69:24 82:11,18 121:17 DCR 22:7,7 deadline 32:20 33:19 35:9 40:4 52:14 122:2,3 deadlines 33:16 deal 33:23 59:17 dealing 121:14 122:12 dealt 122:4 debate 81:12 debt 60:2 decide 106:17 decision 31:11 85:23 120:4 declined 34:21 decrease 91:9,10 dedicated 4:9 deductions 10:8 deemed 113:22 defects 77:9 defer 108:8,22 deficits 80:1 define 106:19 defined</p>
---	--	---	--

<p>103:17 119:3 definitely 75:18 definition 53:11 63:3 103:16 degree 38:15,19 delay 71:11,23 deliberate 122:11 deliberated 113:17 deliberation 113:21 deliberations 85:21 86:4 delivery 65:14 demand 51:1 80:5 demands 81:18 demoralized 87:12 denial 55:14 66:5,6 79:9 85:3 92:14,15,16 denied 86:2 89:13 108:13 density 38:7,20 58:5 80:18,19 deny 109:15 department 30:8 31:7,14 54:17,22 54:24 55:5 69:22 102:3 departments 26:3 Department's 54:20 depending 124:10 depends</p>	<p>67:13 depth 73:21 deputy 17:10 describe 21:23 98:17 described 18:2 57:7 deserves 80:4 design 6:13 12:11,19 28:21 28:22 30:16 32:18 35:17,17,18,19 36:1 36:24 37:5 38:15 40:18 41:1 57:11 58:4,6 60:5 76:8 78:11,21 79:18 85:16 85:17,18 92:1 93:19 93:23 123:18 124:7,9 124:16 designated 50:18 designed 8:6 14:9 54:1 57:19 58:10 63:5 77:19 designs 34:3 39:22 desires 69:18 despite 9:13 destroyed 56:15 destroying 54:3 detail 13:3 99:22 detailed 107:3,5 details 5:14 6:1 12:16 24:22 25:1 47:20 54:10 determination</p>	<p>70:4 106:23 107:12 108:16 109:1,14,16 determine 36:11 106:21 107:7 determined 78:22 develop 102:8 developed 58:18 developer 34:15,24 37:21 53:17 56:5 61:4 65:18 66:1 68:10 70:6 71:11 73:6 83:10 87:13,17 87:21 88:4,7,16 97:8 98:6 102:4,7,20 105:9,22 110:18 112:1,18 113:13 116:19,23 117:11,11 120:9 developers 34:19 59:2 65:11 110:24 111:24 developer's 98:19 development 2:13 4:7 27:3 28:11,15 29:4 54:12 55:6 57:7 57:9,11,24 58:5 59:13 78:15 83:23 84:3,21,23 86:18,20 86:22 88:5 89:8,8,15 92:2 93:6 97:5 105:14 developments 53:22 DeWitt 3:5 76:23,23 92:14 diagram 44:13 45:11,12,21 99:20 dictate 82:16 died</p>	<p>42:12 difference 35:21 91:14 104:12 different 34:2 42:20 48:16 52:10 53:10 54:19 83:9 101:6 107:17 125:6 differently 15:13 68:7 87:11 difficult 22:3 51:20 52:22 98:1 98:3 dig 82:2 digest 81:23 diligently 7:5 dimension 101:7 dining 55:21 direct 18:22 21:24 51:16 directed 47:12 directly 39:8 director 2:13 4:20 12:23 25:22 26:1 director's 72:17 disagree 69:11 117:16 disappointed 72:1 disbursed 96:12 discouragement 97:16 discuss 7:4 8:11 11:24 12:14 26:17 43:8 80:17</p>
---	--	--	--

<p>124:13 discussed 76:16 discusses 38:23 discussing 14:13 49:9 81:15 100:16 103:11 105:8 114:23 discussion 4:21 17:4 19:7 80:11 80:21 100:15 111:6 discussions 14:12 29:20 58:14 100:11 116:1 disrespectful 71:15 dissuade 65:13 distance 44:16,23 45:7,14,16 45:18 46:5,6,8 distances 102:19 district 6:21 8:2,3 31:23 56:24 91:15,21 92:4 divide 45:19 47:1 divided 46:21 dividing 46:6 doable 66:1 Documents 5:19 doing 22:5 51:3 64:9 71:12 81:8 90:22 114:9 115:4 dollars 59:19 76:21 DOT 22:9,9</p>	<p>double 94:22 doubled 11:20 20:16 doubt 70:22 106:9 Dr 98:21 drainage 24:20 25:2,7 29:3 30:13 33:21 93:14,19 dramatically 99:18 drastic 49:2 Driscoll 59:20 drive 7:12 10:6 13:5 16:4,12 16:14 18:9 21:5 23:20 24:3,11 76:3 95:4 driver's 72:3,10 drives 39:2 103:12 driveway 8:1 17:5,7,7,24 23:9 73:9 98:7,9 driveways 11:18 drop 24:16 dropped 9:24 drop-off 94:24 due 68:15 71:10,11 79:11 92:20</p> <hr/> <p style="text-align: center;">E</p> <hr/> <p>earlier 13:1 21:2 62:11 97:6 98:21,22</p>	<p>early 72:4 96:6 104:5 easement 64:7,15 easily 29:1 65:12 east 7:12 8:17 9:12 13:16 14:5,7 15:6 easy 39:14 echo 30:24 81:21 82:6 83:6 87:11 edge 13:15,16,18 14:18 15:5 17:1 Edie 4:14 edit 115:1 Edith 2:10,11 6:10 effect 23:4 59:11 76:20 effective 36:8 65:11 effectively 112:16 effort 111:1 116:24 efforts 66:19 egregious 64:11 eight 9:18 11:3 27:16 eight-story 78:1 eight-unit 6:22 7:13,21,24 8:18 8:24 9:3,19 10:5,12 10:20,21,22 20:15 27:19 28:1 either</p>	<p>16:1 70:17 72:12 85:20 88:14 100:14 106:19,21 108:12 elderly 68:19 elected 26:7 elements 37:5 elevation 10:12 elevations 10:11 eligibility 48:12 49:13 69:19 70:3 79:8 eligible 57:5 78:22 eliminate 6:20,22 62:19 90:3 eliminated 10:3 11:1,2 14:6,18 15:11 17:1 20:5,19 24:23 27:21 28:4 eliminates 77:13 eliminating 9:7 10:22 14:24 15:6 elimination 38:7 79:12 92:21 eloquent 97:2 eloquently 92:14 embarrassment 59:2 embodies 113:12 emergency 12:22 17:3 31:14 39:19,23 65:5 emphasized 6:17 employing 114:21</p>
--	--	---	---

<p>enabling 10:1 encourage 26:18 34:15 40:9 encouraged 26:15 ended 16:18 endorse 94:1 endorsed 26:12 77:6 energy 50:14 enforced 103:21 engage 35:16 82:14 116:24 engaged 26:5 28:21 33:18 36:7 41:2 engaging 116:18 engineer 39:10 93:13 94:6 English 122:20 enhance 13:21 enormous 50:13 84:7 enrolled 53:6 ensure 56:3 100:7 entire 11:22 13:15 35:20 77:11 78:2 97:17 entirely 6:22 7:24 10:23 entity 61:10 105:13 entrance 12:5,8 24:13 31:11 entry</p>	<p>43:20 44:5 entryway 24:2 enumerated 120:3 environment 54:14 81:16 Environmental 79:1 envision 23:18 24:11 equal 11:8 equations 43:7 equivalent 97:19 especially 58:3 92:12 Esquire 2:9,10 essentially 48:20 51:3 61:2 110:1 110:2 114:8 establish 47:14 established 37:13 87:4 euphemism 78:7 evening 4:3 6:3 41:15 93:11 96:21 102:1 events 57:23 everybody 98:6,16 122:13 123:5 everyone's 62:14 exacerbating 29:2 exact 97:21 exactly 41:7 47:20 65:19 95:6</p>	<p>99:21 106:4 120:16 120:16 example 85:13 90:17 122:20 excavation 58:11 exceeding 45:6 excellent 125:8 excludes 63:4 Excuse 123:23 executive 69:22 108:9 exercise 69:6 exist 30:23 existed 11:13 existing 6:15,19 27:18 28:14 48:21 63:20 79:3,12 84:22 92:21 93:6 99:18 100:1,7 103:5 119:23 exists 8:7 78:16 exit 31:11 74:4 expand 59:23 60:1 61:20 expanding 24:8 60:3 61:18 99:11 99:23 expansion 84:2 expansive 41:9 expect 39:14 75:22 expecting 71:10,22</p>	<p>expert 98:2 experts 74:18,21 expires 127:11 explain 90:4 99:21 122:20,23 explained 69:8 explains 69:15 exploding 59:17 explore 22:2 expression 89:22 extend 45:13 120:9 extension 23:21 extent 24:2 38:16 41:8 extraordinary 57:10 58:11 extremely 5:6 60:19 85:20 98:24 eye 5:24 97:20</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>F 82:23,24 83:2 fact 9:12,13 24:20 26:15 40:19 49:16,21 52:12 52:13,21 53:7 63:2 63:23 84:5 91:16 99:16 105:12 factor 31:12 34:13 85:21,23 factors 50:3 fail</p>
---	--	--	--

<p>93:16 fair 30:11 96:20 fairly 123:4 fairness 68:14 faith 66:15 116:19 118:5 falls 22:7 familiar 19:4 40:17 61:5 famously 65:9 fan 38:8 far 4:22 8:5 9:14 20:18 21:1 48:5,13,18 50:14 71:19 122:8 124:8 farther 16:15 fashion 37:21 99:11 favor 36:5 72:15 126:8 Fax 1:18 fearing 53:8 feasibility 59:19 features 84:21 February 79:22 90:18 91:4 97:22 FedEx 65:9 feedback 21:11 feel 17:23 37:17 63:2</p>	<p>67:14,15 87:12,12,20 88:21 101:21 feeling 42:21 feelings 42:21 feet 10:2,10 11:14,19 17:16 20:15 23:8 28:3 43:16,19,23,24 44:24 45:18,23 46:1 46:2,7,23 47:1,7 101:5,6 felt 104:6,7,9 fence 13:17,18 fencing 13:17 21:10 fewer 18:12 80:1 fifth 12:2 20:9 23:6 43:3 77:22 fifty 90:11 figure 45:9 100:12 126:3 figures 83:24 fill 62:15 filled 62:2 final 12:11 18:24 33:13,20 34:6 50:22 51:6 71:9 107:8 124:7,9,17 finalized 13:23 finally 75:24 81:5,21 86:15 92:13 96:3 97:8 financial 59:9</p>	<p>find 63:22 90:19,24 findings 70:3 finds 108:7 fire 8:13 12:24 17:3,4,8 18:1 19:5 28:5 31:6 31:14 65:13 fire-lane 18:19 firm 43:9 78:12 87:18 114:9,15 firmly 24:21 first 4:18 6:5 9:17 19:11 24:5 30:9 47:19 49:16 50:10 53:2,4,5 55:24 61:15 63:13,13 66:23 68:5 94:11 99:7 110:9 114:10,11 115:3 116:9 121:12 fiscal 27:5 fit 53:22 five 43:22 52:19 55:13 73:19 90:11 96:4,16 97:19 121:15 123:7 five-and-a-half-year 68:12 five-story 37:8 43:19 49:17 50:1 70:23 79:16 85:1,5,6 93:1 94:18 flabbergasted 88:15 flattened 57:24 flaws 83:3 91:1</p>	<p>flexibility 61:20 64:2,4 floor 1:11 12:2 20:9 23:6,6 23:7 24:5,5,7 43:3,4 55:22 77:22 flushed 33:23 focus 5:12 9:17 25:5 41:20 focused 5:10 39:23 105:24 followed 33:13 following 4:17 27:7 46:15 follows 112:1 foot 31:9 46:20,22 footage 9:22 10:7 20:17 24:6 60:20 91:11 footprint 11:17 23:22 24:4,6,9 footprints 11:15 force 51:9 foregoing 127:4,6 forever 54:11 55:9 forgive 121:21 forgoing 113:23 forgot 121:21 form 109:13 formal 111:5,7 former 55:19 87:16</p>
---	---	--	--

<p>formula 43:9 44:20</p> <p>forth 40:1 69:20 112:3 113:11,24 122:5 127:5</p> <p>fortunate 32:6</p> <p>forty 9:22</p> <p>forward 13:24 21:11 29:9,10 36:19 47:21 48:9 109:22</p> <p>found 54:16 77:23</p> <p>four 8:1,20 20:10,22 27:17 45:19 55:12 93:17 96:4</p> <p>fourth 23:7</p> <p>four-bedroom 10:17 20:19 27:11,14 60:22</p> <p>four-bedrooms 7:15,22 8:20 9:2 11:1</p> <p>four-stories 97:18</p> <p>four-unit 7:13,21 8:19,24 9:4,6 9:20 10:14,21 20:8 20:16 28:2</p> <p>frame 34:5 111:3</p> <p>frankly 38:8 39:17,20,23 40:16 48:15 97:16,19 97:20 109:21</p> <p>Frederick 78:12</p> <p>free-standing 7:16 10:3 20:13</p> <p>front 32:18 42:7 58:24</p>	<p>87:23 94:17 95:5,23 107:13</p> <p>frozen 56:11 90:19</p> <p>full 71:4</p> <p>fully 22:17 56:14</p> <p>functional 11:11 21:2</p> <p>fundamental 26:22 57:19 68:14 83:3</p> <p>funding 60:5 79:3</p> <p>funds 76:6</p> <p>further 32:19 38:23 47:22 63:19 77:22 86:18 115:1 118:1</p> <p>furthering 26:22</p> <p>future 13:10 16:3 18:22 30:14</p> <p>F-plus 82:24</p> <p>F7 63:20</p> <hr/> <p style="text-align: center;">G</p> <hr/> <p>Gallitano 96:21,22</p> <p>garage 12:8 23:16 43:20,20 44:5,6,6 81:7</p> <p>garages 7:17,24 8:22 10:3 15:7 20:13 27:21 38:8 76:3,4 89:23</p> <p>garden 57:9,21 77:15 78:11</p> <p>gauntlet 118:10</p>	<p>gee 115:5</p> <p>Geller 2:3,18 4:3,14 5:20 6:3 8:10 12:14,15 21:19 22:6,20 23:1 24:19 24:19,24 25:5,8,14 25:17,18 29:13 30:10 30:21 32:12 33:3,8 33:12,17 34:4,9 35:1 35:16,20,24 36:3,5,7 38:3,6 41:13 42:24 50:15 51:13 62:5 70:7 88:20 99:3,20 100:4 101:20 102:11 103:24 104:15,24 105:17,24 106:5,9 107:17,23 109:3,8 110:7,11,14 111:11 111:14 116:11,14 117:6,9,16 119:1 120:23 121:24 122:7 122:17 123:10,15 124:1,8,15,24 125:7 125:14,17 126:1</p> <p>general 12:18,20 21:21 40:16</p> <p>generally 39:1 51:23 79:16,19 93:2,2</p> <p>generated 6:6</p> <p>genuinely 63:8</p> <p>getting 19:4 45:9 48:18 73:8 73:14,15 76:6 83:2 83:17 121:15</p> <p>give 18:21 32:23 40:21 41:10,17 46:23 52:17 74:15 75:13 83:1 99:6 107:5 115:17 117:6 121:4 123:9 125:1</p>	<p>given 17:23 50:8 70:20 82:17 87:21,21 89:19 97:21</p> <p>gives 50:22 109:23</p> <p>giving 41:17 67:12 77:24 120:21</p> <p>glad 38:7 39:18 64:22</p> <p>Gladstone 3:3 58:20,20 62:7 106:6,8</p> <p>glimpse 121:14</p> <p>go 12:21 16:1,5 17:14 18:24 20:18 21:1 40:4,20 45:20 48:15 51:1,5,10 54:10 61:8 65:3 66:9 70:2,11 74:16 75:14 83:15,18 95:24 96:8 98:18 99:22 100:3,24 106:20 107:2,20 109:22 110:8,18 114:21 115:18 118:23</p> <p>goal 102:6</p> <p>goals 7:5</p> <p>goes 22:11,14 53:12 61:14 67:13 90:9 100:13 103:17 120:2</p> <p>going 4:9 6:2,7 10:18 12:17 23:20 31:23 32:9 33:1,7,23 34:1 43:12 43:13 44:12 45:4 47:9 48:1,2,2,8 49:18 50:9,12 52:9 54:9,10 54:10 56:7,15 59:13</p>
---	---	--	---

<p>60:6,17 61:2 63:11 63:14,16,21 64:16,23 65:20 67:22 70:22 72:5 73:1 74:6,12 76:8,11,19 80:16,18 80:24 81:3 82:10 83:4,5,14,17 84:20 90:10 93:18 94:4,16 94:18 95:1,4,7,8,14 95:17,19,21 96:15 97:11 98:8,10,10 105:2 108:22,23 114:21 115:5,22 119:8,22 120:3 124:11,22</p> <p>golf 53:20</p> <p>good 4:3 6:3 20:1 29:24 30:19,23 31:17 53:15 66:15 67:6,14 82:23 83:5 93:11 96:21 99:5 102:1 111:14 115:1 116:19 118:4</p> <p>gotten 58:7 107:4 120:24</p> <p>Goulston 111:23</p> <p>governed 115:14</p> <p>governmental 79:4</p> <p>governs 65:2</p> <p>grade 15:13 16:17 19:18 44:21 45:6 46:2</p> <p>graders 53:2,4,6 55:24</p> <p>grading 15:4</p> <p>grant 110:12 121:8</p> <p>granted 106:19 107:4,8,11</p>	<p>grants 28:8</p> <p>grass 56:14</p> <p>Grassmere 65:7</p> <p>grass-free 18:18</p> <p>grass-free-type 18:15</p> <p>great 116:17 124:24 125:1</p> <p>greater 99:22</p> <p>green 6:18 8:13 11:10 14:20 14:20 18:17,18 38:13 56:14 62:14,21 64:6 64:14,15,17 67:4 73:7 84:9 88:19 89:16,17,18 91:12</p> <p>greenbelt 27:1,13,16,18,22,23 54:3 57:21 61:12 77:13,17,17 78:3 79:13 81:6 89:11 92:21 97:13,17</p> <p>greenery 63:6</p> <p>groceries 94:23</p> <p>ground 14:16 44:11</p> <p>group 112:6</p> <p>growth 59:19</p> <p>guess 22:1,15,17 35:10 47:23 68:4 75:20 95:13 118:6</p> <p>guidance 29:11</p> <p>guidelines 79:21</p>	<p>gun 73:24 74:1,1</p> <hr/> <p style="text-align: center;">H</p> <hr/> <p>half 9:24 10:13,19 46:19 71:1 121:15</p> <p>hallways 55:21</p> <p>halved 9:23</p> <p>hammerhead 17:6 18:10,11 28:5 31:5 39:22</p> <p>Hancock 8:6,7 26:6 27:18 28:15 38:16 43:15 46:24 56:23 57:3 58:19 60:15 73:18 77:5,14 78:11,16,22 79:13 83:22 92:22 105:14</p> <p>hand 4:11 38:14</p> <p>handicapped 95:22,23</p> <p>handout 44:14</p> <p>hands 41:14</p> <p>happen 34:4 65:15 74:17</p> <p>happened 122:15</p> <p>happening 74:19</p> <p>happens 112:22 113:7</p> <p>happy 21:12,13 38:20 80:10 81:6 107:15</p> <p>hard 37:17 38:1 45:21 100:12</p> <p>harmony 78:16</p>	<p>hat 89:21</p> <p>hate 123:12</p> <p>headline 53:9</p> <p>heads 66:23</p> <p>hear 4:18,19 5:5,7 30:12,15 31:19 41:23 43:6 64:23 116:8,15 120:14,22 122:9,19 123:16 124:19</p> <p>heard 17:9 25:10,11 29:14 29:16 30:11 54:5 55:18 59:8 60:24 64:21 66:24 82:9 86:6 87:9 89:20 90:5 97:6,9,9,10 98:21 112:10 118:18 121:13</p> <p>hearing 1:5 4:4,9,17,23 5:6,10 13:4 17:9 28:23 30:14 49:4 61:5 81:24 107:24 113:21 121:1,3 123:16 124:2 124:2</p> <p>hearings 4:6 19:23 120:1,18</p> <p>heavily 94:19</p> <p>heavy 94:15</p> <p>heck 60:23</p> <p>height 10:1,18 20:14 23:2,8 28:1 43:3,10,14,23 44:21 45:5,5,12,17 45:22,24 46:12,21,22 46:24 47:7,15 98:20 104:2,8,18 105:5</p>
---	---	--	--

<p>help 59:9 76:18,18,22</p> <p>helpful 65:15 98:17,24</p> <p>He'll 8:11</p> <p>Hi 58:20 67:19 80:6 82:3 87:7 121:10</p> <p>hierarchy 57:12</p> <p>high 46:23 84:4</p> <p>higher 46:9 58:7</p> <p>highest 54:8 77:24</p> <p>highly 74:16 76:2</p> <p>highway 22:9</p> <p>hill 1:7 2:17 4:19 6:4 7:3 26:6,11,18,19 27:7 28:9 41:6 42:5 45:13 46:12,13 81:2 87:18 105:12</p> <p>hills 56:13</p> <p>hillside 44:7</p> <p>hired 6:10,11</p> <p>hiring 60:5</p> <p>historic 22:11 57:6 77:14 78:23 79:1,6 86:7,14 109:7,10,13,20,23,24 110:3,6,8</p> <p>Historical 79:6 86:7</p> <p>history 57:6 68:12 83:23 84:3</p> <p>hold</p>	<p>4:21</p> <p>holding 4:7 66:22</p> <p>homes 8:14 21:8,10 27:3 55:7 55:11 63:20 78:2 79:15 92:23</p> <p>hope 34:15 54:4 56:1,2,16 61:7 64:4 65:17,22 73:1 76:16 89:14 122:16</p> <p>hopeful 34:20</p> <p>hopefully 34:24</p> <p>hoping 34:21 63:11 124:15</p> <p>horrendous 53:13</p> <p>horrible 68:19 96:4</p> <p>horseshoe 61:24</p> <p>horseshoes 62:2</p> <p>hour 90:11 95:2 125:12,15 125:19</p> <p>hours 67:24 93:20 114:24</p> <p>house 60:20 95:9 96:15,16</p> <p>houses 55:9 81:1</p> <p>housing 34:18 53:21 57:9 58:16 63:16 84:23 106:20 108:14</p> <p>huge 38:8 95:7</p> <p>hundred 96:16</p> <p>hundreds 55:18,23 95:1,1</p>	<p>hurried 78:19</p> <p>Hussey 2:5 4:13 24:13,16 29:14,24 30:5,15 35:2,14,18,21 36:4 36:10,20,23 38:4,5 40:3,15 41:12 105:4 123:19</p> <p>hypocrisy 80:3</p> <p>hypothetical 46:16</p> <hr/> <p style="text-align: center;">I</p> <hr/> <p>idea 32:7 74:9 94:1 116:22 117:2</p> <p>ideas 6:6</p> <p>identified 28:5 57:3 102:21 104:5</p> <p>identify 102:18</p> <p>ignore 78:9</p> <p>image 12:9</p> <p>imagination 59:4</p> <p>imagine 21:16 23:7 74:10,12 95:19 97:15</p> <p>immediate 106:23</p> <p>immovable 77:8</p> <p>impact 10:24 11:10 14:10,15 19:15 27:2,4 31:20 31:24 32:3,9 55:6,8 55:17 59:9,13 79:6 93:4 94:8 106:2</p> <p>impacts</p>	<p>9:16 27:6</p> <p>implemented 78:10</p> <p>important 31:10,11,12 37:18 39:7 40:16 85:23 88:20,23 92:11 95:12 105:7</p> <p>impose 117:13</p> <p>imposed 29:6</p> <p>impossible 121:16</p> <p>impressed 32:15</p> <p>impressive 68:21</p> <p>improve 6:24 21:4,9</p> <p>improved 21:7 24:21 63:7</p> <p>improvement 35:5 39:3 62:22 63:8</p> <p>improvements 12:20 19:13 21:1 38:22,24</p> <p>inadequate 92:24</p> <p>inappropriate 50:2 79:16,24 85:5 93:2</p> <p>inch 64:1</p> <p>include 12:2 22:22</p> <p>included 13:6,13 112:15</p> <p>including 52:17</p> <p>incorporate 123:1</p> <p>incorporating 99:12</p> <p>incorrectly</p>
---	---	---	---

<p>8:16 increase 7:1 13:21 24:3 34:18 34:22 54:1 90:8 94:5 increased 11:12,15 21:2,8 28:17 increasing 23:10,14 34:10 97:18 incredible 55:8 incredibly 55:12 Independence 7:12 10:6 13:5 21:5 57:13 73:9 76:3 indifferent 30:19 industries 22:8 infectious 100:2 infill 6:23 20:12,14 37:7 61:24 62:9,12,13 influence 92:18 informal 111:6 information 21:12 37:21 40:11 41:3,6 52:23 70:8 90:15 120:19 informed 120:4 initial 37:17 50:4 86:22 97:8 initially 73:5 102:18 104:9 input 6:6 86:8 121:5 inside 94:23 insist 48:14 56:2 insisting</p>	<p>56:18 inspector 100:17 107:2,6,12 instructive 49:15 integral 13:7 integrate 93:6 95:18 integrated 78:14 intelligent 123:4 intend 13:23 47:11 intent 41:3 84:24 86:24 intents 18:17 interest 45:5 interesting 59:7 interject 36:24 introduced 28:13 53:10 82:8 introduction 28:24 introductions 4:12 invalidity 100:2 investigate 59:15 involve 86:14 97:12 involved 16:8 22:10,13 29:17 32:22 58:14 86:10 inward 61:13 Irene 3:4 67:19 82:6 87:11 irrelevant</p>	<p>105:15 issuance 36:16 issue 22:16 33:23 40:4 43:3 49:12 50:17,17 60:9 60:22 61:5 62:24 74:19 90:6,12 93:9 99:22 101:9 102:5 104:2 105:5 114:4 issued 50:20 108:12 issues 19:7,17 22:12 28:18 49:7 59:12 72:14 73:20 81:15 100:2 102:18 103:4,11,13 106:7 items 120:3 iterative 113:5 I-rub-your-back 67:1</p> <hr/> <p style="text-align: center;">J</p> <hr/> <p>Jessie 2:3 4:3,13 5:20 21:19 23:1 24:19 25:5,14 25:18 29:13 30:10,21 32:12 33:3,8,12,17 34:4,9 35:1,16,20,24 36:3,5,7 38:3,6 41:13 42:24 50:15 51:13 62:5 99:3,20 101:20 102:11 103:24 104:15,24 105:17,24 106:5,9 107:17,23 109:3,8 110:7,11,14 111:11,14 116:11,14 117:6,9,16 119:1 121:24 122:17 123:10,15 124:1,8,15 124:24 125:7,14,17 126:1</p>	<p>job 38:19 Joe 8:10 12:14,15 21:1 22:6,20 24:24 25:8 25:17 59:1 100:4 Jonas 3:8 87:7,7 Jonathan 2:4 4:13 Joseph 2:18 jotting 52:1 judge 49:4,11 52:8 Judith 3:1 51:14 61:16 Judy 63:1 69:6 July 33:13,14 124:2,17 June 1:9 5:22 8:23 79:23 126:9 127:8 justify 105:11</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p>K 59:22 keep 64:16 keeping 38:13 kept 91:12 101:16 Kevin 111:22 key 46:5 kids 55:18,23 72:5 80:17 81:1,1 95:17,19 kind</p>
---	---	--	--

<p>19:6 49:15 51:4 74:5 87:8 91:20,23 92:18 104:4 122:4,5</p> <p>King 3:2 56:20,20</p> <p>Kleckner 2:15 116:13,16,16</p> <p>knew 123:23</p> <p>know 15:19 21:24 22:4 31:17,23 32:1,5 34:13,20 36:10 37:9 37:11,20,24 41:23 46:18 48:11,14 53:1 53:4,5,24 55:15,15 56:6 63:3 64:14 66:15,21,21 69:11 71:7 72:23 73:8 74:4 74:4,9,22 75:18 76:6 76:12,16,19 78:7 82:9,10 83:1,3,7,9,16 84:17 86:9 88:19 91:5,9,10,17 92:9,15 93:13 94:11 96:12 98:1,2,13,23 104:17 105:3,7 107:10 111:4 113:1 114:4 115:13 115:16 119:5 121:18 122:5,13,21,23 123:6 125:9</p> <p>knowing 82:17</p> <p>known 78:8 90:23</p> <p>knows 88:9</p> <p>Koocher 3:10 121:10,10 122:1 122:19</p> <p>Krakofsky 1:21 127:1,10</p> <p>Kristen 1:21 127:1,10</p> <p>Krokidas</p>	<p>2:9</p> <hr/> <p style="text-align: center;">L</p> <hr/> <p>labeled 91:22</p> <p>land 47:6 56:18 77:16 78:3 99:12 103:18</p> <p>landmark 91:22,23</p> <p>landscape 54:11</p> <p>landscaped 63:3</p> <p>landscaping 13:22 21:10 54:13 63:6</p> <p>large 15:21 18:14 60:19 62:18 63:12 97:12</p> <p>larger 6:20 31:21 67:6</p> <p>largest 53:21 57:8 83:22 84:2 89:8</p> <p>lastly 85:18 98:13</p> <p>last-minute 49:1 77:7</p> <p>late 73:11 125:21</p> <p>late-in-the 49:1</p> <p>law 68:14 69:5,8 72:15 78:12 87:18 91:24 92:12</p> <p>Lawrence 60:1</p> <p>laws 45:3 47:4</p> <p>lawsuit 92:9</p> <p>lawyer 75:17 82:14 116:21</p>	<p>lawyers 111:23</p> <p>layout 58:8</p> <p>leads 90:13 95:10</p> <p>learned 94:3</p> <p>lease 61:10 100:24 101:18 102:19 103:5,15,19 103:22</p> <p>leave 67:8,11</p> <p>leeway 82:17</p> <p>left 4:12 16:10,11 41:16</p> <p>legal 4:15 26:3,4</p> <p>LegalLink 1:15</p> <p>legally 88:14</p> <p>Leichtner 3:1 51:14,14</p> <p>length 11:23 17:5</p> <p>letter 48:12,16 49:13,21 79:9 85:3 87:4</p> <p>letting 37:9</p> <p>let's 9:16 10:24 43:18 45:20 46:16,18 63:17 64:11,12,16,17 74:2 75:12 83:12 99:6 107:3</p> <p>level 39:6 43:21,22 44:4,5 44:10,11 45:6,23 82:7 87:20</p> <p>leverage 100:12</p>	<p>Levin 2:19 6:3,4 20:3 23:6 23:12,16,23 24:1,10 24:15,18 36:16,22,24 54:19,20 99:14</p> <p>licenses 79:4</p> <p>light 49:7 65:2</p> <p>lightly 89:5</p> <p>likelihood 74:18 85:20 86:4</p> <p>liking 66:9</p> <p>limit 46:10,11 115:15,16</p> <p>limitations 82:15</p> <p>limits 5:23</p> <p>Lincoln 1:16</p> <p>line 11:14 13:22 16:24 41:16 51:9 62:21 74:23 75:1,2,3,4,5,7 75:9,10 76:1 99:23 100:6,13,20,24,24 103:15,15</p> <p>linear 11:19 20:17</p> <p>lines 45:8 63:24 77:8 85:8 85:10 88:1,7,9 89:20 99:8,9,14,15 102:19 102:23 103:5,21,22 103:23 105:8,10</p> <p>Liss 2:7 4:12 30:20,24 35:13 109:24 114:6 114:20 125:16,24</p> <p>listen 5:1 41:21 112:5</p> <p>listening</p>
--	--	--	---

<p>65:17,22 67:10 little 13:3 17:21 40:7 45:21 50:5 60:13 61:16,19 65:10 69:4 71:13 82:2 95:3 98:2 100:3 live 36:19 42:1 43:1 67:20 77:1 80:7 87:3 88:22 89:1,2,15 93:12 96:19,23 119:6 lived 42:2 96:23 living 96:5 local 81:9 113:18 114:3 118:19 locate 89:22 103:1 located 4:8 8:4 10:6 16:2,12 27:15 location 15:2,11,12,15 16:14 17:12 18:11,11 77:11 88:5 100:20 126:4 locations 17:16 77:16 100:13 lock 115:17 lodge 108:14 loft 10:1,15,19 32:7 78:7 lofts 11:6 20:21 28:24 60:24 80:15,15 logical 39:11 long 5:6 39:23 96:17 125:13 longer 46:8,17 48:3</p>	<p>look 9:16 10:24 21:11 25:16 29:10 32:9 40:6 43:18 44:2 45:11 47:20 48:9 52:18,20 55:3 56:13 69:1,15 73:1 74:16 81:23 90:14 91:4,4,5 101:2,10 121:5,19 looked 9:10 12:21 15:21 91:2 92:5,10 104:3,11 looking 25:3 40:24 52:7 60:14 63:13 104:9,17 123:9 looks 44:9 84:8 95:6 125:5 loom 54:9 lose 62:23 63:16 lot 14:11 15:20 21:12 23:19,19 38:9,10 44:22,24 45:7,8 46:9 46:19 49:18 55:3,4 56:17 60:23 61:9,19 63:24 64:10,11 66:21 67:23 70:8 73:2,14 74:23 75:1,2,3,4,5,6 75:9,9 77:7 80:24 85:8,10 87:9 88:1,7,9 89:1,20 99:9,14,15 99:16,19,23 100:6,15 100:24 101:18 102:19,23,24 103:5 103:15,15,17,20,21 103:22,22 105:8,10 106:2 125:5 lots 44:17 45:15 51:20 73:6 103:7 lousy 53:14 love</p>	<p>58:23 74:11 89:3 low 85:20 86:4 lower 46:20,23 lowering 16:19 lowest 44:22,24 45:6 lucky 72:5 L104 44:14 <hr/> <p style="text-align: center;">M</p> <hr/> <p>M 2:10,11 main 12:5 24:13 maintain 15:4,8,10,11 18:16 maintained 14:20 17:15 maintaining 16:22 major 35:7 57:13 62:15 63:18 70:18 71:24 74:20 making 19:13 44:10 70:14 85:23 91:24 101:15 management 19:10 21:7 81:18 manner 99:15 mark 2:6,19 4:13 6:4 12:15 12:16 14:1 56:12 marked 8:16 114:16 Mason 3:2 56:21 mass 6:23 9:17 22:9,9 69:13</p> </p>	<p>78:24 86:7,14 109:6 109:10,13,19,22 110:8 Massachusetts 1:12,17 79:1,5 127:3 MassDevelopment 11:9 21:14 48:15 49:6 49:10,12,19 50:8 51:2,5,7,10 55:14 70:10,20 79:9 85:3 87:17 97:23 106:13 106:14,15,16,17 107:1,9,14,20,21 108:1,4,7,18,18,21 108:24 110:19 111:2 111:8 MassDevelopment's 108:19 MassDOT 28:10 MassHighway 22:8 massing 10:16 28:20 50:1 62:2 63:12,19 77:24 79:15 80:14 93:1 massive 54:7 76:10 89:8 master 59:11,13,16 60:4 match 92:3 113:9 material 120:7 materials 119:19,21 mathematical 43:7 matter 49:16 90:10 113:16 matters 4:15 mature 6:19 8:10 11:10,19 14:1,22 15:19 21:4</p>
---	---	--	---

<p>14:1,22 15:19 21:4 27:24 maximum 44:20 45:22 mean 44:21 45:6 46:2,11 47:4 49:7 65:19 94:24 95:18 118:10 118:12 120:16 122:6 meaning 49:9 means 25:6 46:1 79:18 117:2 measure 45:15 measured 44:16 45:5 measures 90:6 meet 7:6 9:12 12:23 33:15 33:18 35:8 81:10 86:22 104:18 114:18 126:4 meeting 18:23 47:17 51:15 58:21 59:18 67:21 81:12 82:4,18 87:8 93:14 94:21 95:12 96:22 meetings 25:10 33:6 68:20 72:9 74:24 91:17 102:17 121:12 Mel 2:15 116:16 member 2:6,7 47:17 51:15 56:22 58:21 59:18 67:21 76:24 80:6 82:4 87:8 96:22 111:9,12 124:22 125:5,11,18,20,22 members 2:2,21 6:4 26:7 30:11</p>	<p>31:6,13 72:20 112:7 memory 42:11 mention 83:21 101:11 123:15 mentioned 20:19 21:2 23:2 24:20 36:11,13 49:24 59:5 62:24 73:3 74:3 Merrill 1:15 met 7:4 102:4,22 104:8 112:6,7 MHC 86:13 middle 37:3 88:10 mildly 68:17 mile 46:19 miles 90:11 million 59:19 60:2 76:21 mind 66:4 116:21 125:2 minds 66:1 103:20 minimize 27:4 55:16 61:4 minimum 17:19 31:9 minor 70:17 minus 46:22 minute 73:23 minutes 21:22 22:2 43:8 misbehave 87:23 misrepresentations</p>	<p>88:16 mitigate 93:4 mitigated 79:17 mobilize 82:13 model 5:21,21 37:1,3,3,9,15 40:4,5,20,21 41:5,8 71:11 91:14,14 121:24 122:1 models 40:16 114:23 modification 18:7 52:13 modifications 4:10 5:10,17 6:16 7:6 7:7,19 9:21 10:14 11:24 12:2,14,17,19 13:8,14 16:7 19:16 20:4 21:14,18,21 23:5 32:15,20 33:2 39:19 50:18 52:5 68:4 70:9 82:12,20 83:12 112:12,15 118:4,11,16 modified 8:23 38:18 41:19,20 113:7 modify 15:4 19:19 moment 104:16 money 111:1 114:7 months 7:4 19:8 26:2 70:19 morning 30:9 Morris 55:18 mother 89:2 motion</p>	<p>35:10,16 36:15 126:6 move 6:20 13:23 36:19 39:24 75:1,2,3,3,5,6 75:9 94:23 95:15 100:20 124:17 moved 8:1 9:8,14 12:5 20:7 21:8 27:17 28:13 57:13 61:24 73:10 89:4 122:9 movement 95:11 moving 8:6 10:8 16:14 25:6 29:9 38:22 54:21 61:11 75:9 99:12,17 104:4 multiunit 77:23 municipalities 29:6 municipality 69:23 108:10 mysteriously 79:10 mystery 97:23 M.5 20:7 M05 43:15,18 46:19 M5 6:21 8:1,3 9:9 10:8 31:24 54:21</p> <hr/> <p style="text-align: center;">N</p> <hr/> <p>nagging 125:2 Nagler 2:9 4:16 50:16,19 69:7 106:12 107:22 108:3 109:5,9 110:3,9,12 110:16,22 111:6 113:15 114:3 115:9</p>
---	--	---	--

<p>116:5 118:18 119:17 119:22 120:11</p> <p>name 41:17 42:1 43:1 46:18 56:20 67:19 76:23 93:11 96:21 111:22 116:16 121:21</p> <p>Nancy 3:6 80:6</p> <p>narrow 94:22</p> <p>narrower 62:20</p> <p>national 57:5 78:23</p> <p>natural 44:21 46:2 57:23 78:13</p> <p>nature 49:2 97:4</p> <p>nearby 80:18</p> <p>nearly 9:22 11:12,20 20:16</p> <p>necessarily 38:12 98:24</p> <p>necessary 104:7</p> <p>need 5:4 6:17 36:17,24 40:22 41:23 48:4 50:12 63:6,6 69:1 72:14 75:19 81:24 83:7 84:14 85:11 90:1 101:21 106:11 115:23 119:20 120:9 120:15 121:6 123:6</p> <p>needed 9:11 37:14 120:18</p> <p>needs 5:21,21 37:22 38:12 40:11 48:8 70:20 71:23 83:10 106:13</p> <p>negatively 59:13</p>	<p>negotiate 26:9 30:4 72:22</p> <p>negotiating 74:14</p> <p>negotiation 29:17 72:19,20,24 74:22</p> <p>negotiations 30:2</p> <p>neighborhood 26:20 42:6,16 43:16 51:18 52:17 53:23 54:15 56:23 66:12 68:20 72:7 73:11 76:18 78:2 79:14 80:20 81:4 82:13 88:22 89:7,16 90:20 91:15,21 92:4,23 95:18,19 96:1,2,12 96:14 125:12</p> <p>neighborhoods 40:17 93:5</p> <p>neighboring 21:8,10 44:17 46:9 78:17 80:24</p> <p>neighbors 6:24 8:5 9:15 14:15 52:23 53:16 68:1 71:6 73:3 81:22 90:21,24 91:4 97:11 99:1</p> <p>net 23:4 34:19</p> <p>Netter 2:10,11 4:14 6:10 30:1 33:11 37:11 40:8 115:3 116:10 118:17 120:13 123:14,23</p> <p>never 42:9,13 73:12 94:10 115:3</p> <p>new 8:8 12:10 44:3 47:24 48:10,22 50:12 52:6 55:18,23 58:3,3,6</p>	<p>70:14,20 71:3,4,4 73:15 77:11 79:2 84:20 91:14 92:12 93:19,23 100:23 119:20 122:10,24 126:2</p> <p>newer 123:1</p> <p>nice 62:22 63:17</p> <p>ninth 27:16</p> <p>nominal 24:3</p> <p>nominally 23:8</p> <p>nonconformance 101:3</p> <p>nonconforming 99:16,19 100:9 101:14 101:15 105:2</p> <p>nonconformities 100:1 102:10,24 103:9</p> <p>nonsense 42:16</p> <p>non-40B 102:10</p> <p>normally 51:11 106:18</p> <p>north 7:10,12 56:21</p> <p>notably 28:19</p> <p>Notary 127:2,10</p> <p>note 5:9,20 12:11 30:7 36:14 53:3</p> <p>notes 67:23 73:2 127:7</p> <p>notice 82:15 111:7</p> <p>noticing 90:22</p> <p>notification</p>	<p>109:13</p> <p>notify 69:21 106:15</p> <p>notion 98:7 99:7 104:18 106:1</p> <p>November 6:8 127:11</p> <p>number 1:6 6:16 9:17,19,20 11:6 15:18 23:10,14 23:15 26:24 27:2,4,9 27:10,19 34:11 39:1 44:12 60:18 78:6 80:12,12,17 84:4 99:5 100:5 102:17,18 115:7,9,13</p> <p>numbers 104:11 122:9</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>objection 74:20</p> <p>objectionable 68:17 69:3 97:4</p> <p>objectives 7:7 26:23 54:17,18,21 54:22 55:1</p> <p>obligated 110:18</p> <p>obligation 71:18 98:14,23</p> <p>obstacles 22:5</p> <p>obtained 109:19</p> <p>obvious 9:11</p> <p>obviously 31:13 33:21 47:18,19 48:4 84:13,23 102:7 119:11</p> <p>occasion 81:20</p> <p>occasions</p>
--	--	---	--

<p>102:5 occurred 116:1 odds 98:9 Office 1:10 officer 69:23 108:9 official 111:17,20 officially 48:21 officials 53:16 88:17 oh 52:9 91:18 okay 6:2 22:24 25:14 30:5 36:5,23 41:12 43:24 66:7,12 67:10 105:19 107:2 109:8 116:5,14 124:15 old 48:3 68:18 83:18 91:14 123:2 Olmstead 78:12 omit 45:4 once 41:5 42:18 64:12,18 84:19 108:3 115:10 onerous 66:5 one-bedroom 20:22 one-bedrooms 7:16 8:21 9:3 12:5 60:18,19 one-hundred-and-s... 122:7 one-quarter 44:22 45:7,10,16 online</p>	<p>30:8 open 4:22 8:9 11:11,13 19:18 21:3 26:24 27:23 38:13,19 48:13 55:1,3 63:2,3,4,5 78:5,13 81:20 96:6 102:24 opening 94:2 opine 68:2 opinion 29:7 34:18 72:18,22 104:1,8 opinions 41:24 opportunities 26:17 121:2 opportunity 4:21 25:15 33:21 47:21 64:13,17 68:23 81:23 82:1 121:1 123:21 124:20 opposing 77:3 optimistic 68:9 order 4:4,18 5:22 40:22 61:11 99:6 ordinance 118:21,23 ordinarily 108:8 original 6:17 7:9,11 8:15,16 27:15 29:8 39:5 43:23 44:2,13 45:4 48:19 50:5 54:12 56:4 57:10,19 58:4,8 77:4,10 78:10 79:8 87:1 93:20 104:6 111:13 112:17,21,22 112:24 113:6,6,8</p>	<p>114:17 115:7,11,19 originally 14:4 77:19 87:4 104:7 outcome 91:6 outcropping 77:18 outdoor 77:21 outside 27:17 96:7 out-of-scale 77:23 overall 12:16 29:8 31:1,16 77:12 override 81:8 overwhelming 55:8 owners 28:16 O'Flaherty 111:18,22,22 114:1,10 116:3,7 117:7,8,20 119:3,14,16</p> <hr/> <p style="text-align: center;">P</p> <hr/> <p>Pages 1:2 paper 51:23 69:2 71:21 120:1 papers 76:1 paradise 73:13 paragraph 44:15 69:15 70:2,5 113:24 paragraphs 75:11 parcel 102:10 103:1 parcels</p>	<p>99:8 parents 53:3 park 95:16 parking 7:1,18 8:4,5,7 9:11,12 9:14 11:18 15:9 17:20,21,22 23:10,11 23:12,16,17,18 28:12 28:13 29:3 35:4,4 43:20 49:18 54:1 55:3,4 57:17 58:1,4 62:16,19 63:1,5 73:5 73:6,14 78:4 81:6,10 81:11,19 84:13,14,15 84:15,16,18 94:15,16 94:20,22 95:8,15 101:11,13,14,14 103:6,6,7 parkland 77:20 parkway 13:11 21:24 22:11 28:11 39:8 94:2,6 98:5 part 13:8 16:7,20,22 19:16 29:15 45:4 55:15 57:1 66:13,19 71:3 77:14 84:22 104:23 105:14 participated 26:8 particular 39:1,5 64:24 91:20 99:6 particularly 49:24 50:3 parties 106:20 pass 17:24 passed 69:2 76:1</p>
--	--	---	---

<p>passing 17:8 51:22 71:20</p> <p>pass-through 31:9</p> <p>pat 83:1</p> <p>pattern 93:6</p> <p>paved 57:24</p> <p>pavement 17:13,15,18 19:10,24 24:22 33:24 93:15</p> <p>paving 18:15 73:13</p> <p>pedestrian 78:15 95:11</p> <p>pedestrians 57:19 95:14</p> <p>peer 6:11,12 21:17 25:11 28:21 29:9 30:15 31:20 32:19 33:6,8 35:6,11,16 37:14,24 40:5,9,10,12,19,20 41:1 48:7,18,24 58:15 71:7,23 78:19 90:14,14 91:2 114:7 114:22,24 118:3 120:8 123:17,20</p> <p>pending 29:22</p> <p>penultimate 72:16</p> <p>people 4:5 5:1,2,9 19:22 41:15,16,18,22 52:19 52:23 55:20 59:5 60:23 66:21 67:24 68:19 69:9 71:6 72:7 74:10 81:15,22 82:1 87:9,22 88:2,22 89:1 89:15,16 94:22,23 95:1 96:5,10,17 100:5 118:13 120:22</p>	<p>122:22</p> <p>percent 11:8,15,16,18,22 14:21 45:9 84:2 90:9 91:19 94:5</p> <p>perfectly 118:14</p> <p>perform 37:15</p> <p>peril 116:17</p> <p>permanent 94:11</p> <p>permission 30:6 109:19</p> <p>permit 6:9 10:13 28:8 36:17 50:20,21 74:15 77:5 106:19 107:4,5,6,10 107:11 108:12 109:15,18 110:10,13 110:21 112:16</p> <p>permits 79:4 102:14</p> <p>permitted 86:20</p> <p>permitting 22:13 98:3</p> <p>person 50:16 75:18 95:23 123:5</p> <p>personally 32:8</p> <p>persons 95:22</p> <p>persuasive 49:24</p> <p>perversion 87:1</p> <p>pervious 19:10,12,24 24:22 33:24</p> <p>phrase 123:18</p> <p>pick</p>	<p>125:9</p> <p>picture 58:23 62:6</p> <p>piece 39:7 51:22 69:2 71:21 103:18 120:1</p> <p>place 50:10 59:16,20,22,23 60:4 63:19 81:13 85:14 87:8 88:4 94:11 100:4,18 127:5</p> <p>places 54:7 57:6 61:17 75:7 78:23</p> <p>plan 4:11 5:13,16 6:17 7:6 7:9,11 8:23 9:10 10:6 13:1,1,13 14:4 14:12 16:10 18:5 21:21 26:11,17,19 27:8 29:8,9,22 30:20 30:21 31:2,2 32:10 32:11 38:18 39:5 41:2,11,21 44:2,3 47:24 48:1,2,3,10,19 50:11,12,18,23 52:4 52:6,7 53:9,10,12,15 54:1,5 58:17,24 59:11,14,16,21,21,23 59:24 60:4 61:8 66:13 67:24 69:14 70:20 71:3,4,4,6 73:15 74:19 75:14 77:13 78:14 80:8 82:7,9,20 83:8,9,11 83:11,11,15,15,17,18 83:19,24 92:20 95:6 97:7 111:16,17,17 112:2,3,9,11 113:6,6 113:8,11,16,19,20,20 114:8,14,16,17 115:5 115:11,17,17,18,19 115:21,22 117:2 118:22,24 119:2,9,11 119:13,15,17,20</p>	<p>120:21,24 121:4 122:10,24 123:1,2,2 123:2,3,7,7 124:23</p> <p>plane 14:16</p> <p>planned 77:15</p> <p>planner 31:20 32:9</p> <p>planning 2:13 4:20 6:5,14,15 7:3 12:23 22:18 25:22 26:1,3,4 30:7 35:18,23 54:17,20,22 54:24 55:5,16 60:15 72:17 73:19 88:3,6 102:3 112:6 114:19</p> <p>plans 5:10 11:14 12:17,21 13:24 14:8 19:1 21:6 22:23 30:8 41:19 47:24 48:1 60:10 81:18 84:17 90:6 107:3,5,7,13 112:24 113:23 115:12</p> <p>planted 42:11</p> <p>plantings 15:8</p> <p>plastic 65:12</p> <p>play 53:3 78:5 92:1 100:13 115:17</p> <p>playing 42:6</p> <p>please 5:12 12:11 41:22 62:6 107:5 111:10 123:9</p> <p>plus 10:1,15,19 11:17 44:24 46:22 83:2</p> <p>point 5:3 15:16 16:1 18:21 21:20 25:23 35:2</p>
---	---	--	---

<p>44:8 47:22 48:14 49:9 52:11 54:8 68:5 69:16 70:14 75:23 77:24 84:6 86:15 94:13,14,21 95:10 96:18 101:3 103:2,10 103:14 105:19 106:16 111:19 118:17 119:8 124:20</p> <p>pointed 50:3 75:19 100:5</p> <p>points 19:5 94:24</p> <p>poke 97:20</p> <p>Policy 79:1</p> <p>popular 57:16</p> <p>population 59:6,17</p> <p>populous 91:19</p> <p>porous 93:15</p> <p>position 112:1 118:20</p> <p>positive 60:11</p> <p>positively 21:15 70:11</p> <p>possibility 22:1,3 32:19 65:4 74:7 74:8 85:7,11</p> <p>possible 7:2 8:5 9:15 15:24 22:22 27:1,5 35:23 41:4 43:14 61:5 85:12,15,16 86:11 93:24 115:15 120:20</p> <p>potential 13:10 16:3 99:24</p> <p>power 51:1 69:4 71:18 76:17 76:22</p>	<p>powers 69:5</p> <p>practical 83:6 113:16</p> <p>Practically 114:6</p> <p>practice 115:8</p> <p>precedent 47:14</p> <p>Precinct 47:17 51:15 58:21 67:21 82:5 87:7 96:22</p> <p>precondition 85:22 86:17</p> <p>predict 120:16</p> <p>preferable 110:23</p> <p>preference 41:4</p> <p>preliminarily 5:16 30:17 124:16</p> <p>preliminary 28:23 29:19 33:9,19 37:16 40:2 41:9 48:12 49:7,10,12 123:17,20,22</p> <p>premature 68:2</p> <p>prepare 26:19 93:21</p> <p>prepared 49:19,21 113:13 114:15 117:21,22</p> <p>preparing 47:19</p> <p>present 6:7 49:4 76:15 82:10</p> <p>presentation 4:18 12:13 29:21</p> <p>presented 20:4 25:15 82:12 97:7 121:22</p>	<p>presenting 7:7 26:12</p> <p>presents 98:11</p> <p>preservation 56:22 57:1 64:7,15 78:13 86:6</p> <p>preserve 6:18,19 62:20 102:7</p> <p>preserved 27:23 88:21</p> <p>preserves 8:9</p> <p>pressure 38:22 39:6,9</p> <p>presume 50:11</p> <p>pretty 48:13,13 50:19 53:13 74:8 98:16 103:3,10 115:1</p> <p>prevent 22:4</p> <p>prevents 99:10</p> <p>previous 31:2 32:11 78:4</p> <p>previously 11:4 23:7 30:22 77:8</p> <p>primarily 24:7</p> <p>prior 68:8 71:5 72:2</p> <p>private 47:5 57:17,18 77:21 91:17</p> <p>pro 38:21 67:2</p> <p>probably 65:4,13 73:7 74:8 86:2</p> <p>problem 48:4,7,17,24 59:17 90:13 91:17 106:6</p> <p>problematic 28:6</p>	<p>problems 19:22 98:12 100:1</p> <p>procedural 82:7</p> <p>procedure 51:21</p> <p>procedures 82:16</p> <p>proceeded 51:4</p> <p>proceeding 107:20</p> <p>proceedings 4:1 126:10 127:4</p> <p>process 6:10 16:8 21:23 22:6 22:10,14 26:14 39:14 40:10 50:13 51:6,17 51:21 68:15 75:23 98:18 101:24 104:5 104:23 109:4 111:5,7 112:20 113:5 115:14 117:23 121:3 122:23</p> <p>processes 102:14</p> <p>produced 119:7</p> <p>professional 29:7 72:18,22 93:13</p> <p>professionals 60:6</p> <p>professor 68:14 69:8</p> <p>program 20:5 22:10 49:2</p> <p>programing 38:11</p> <p>project 11:8 26:6 29:9 36:18 49:13 56:3,4 57:12 58:15 62:1 63:9 65:24 70:3 71:24 78:20 79:2,22,24 80:13,19 81:13 90:3 92:17,21,24 94:8</p>
--	--	--	---

<p>95:21 109:11,12,22 110:4 116:20 117:14</p> <p>projects 73:18</p> <p>project's 50:1 69:19 79:12,15</p> <p>pronouncement 34:14</p> <p>proper 32:23</p> <p>properly 31:8 112:20</p> <p>properties 14:10 16:15,17 79:7</p> <p>property 11:14,23 13:15,16,18 13:22 14:19 16:17,24 28:16 54:8 56:11 68:15 77:11 86:7,9 86:21 102:8 105:13 106:3</p> <p>proportion 55:12</p> <p>proposal 13:4,6 32:18 43:23 48:21 49:16 50:4,5 56:12 57:20 58:6 69:19 70:24 72:4,8 77:7,9 78:3,4 88:8 97:21 106:6 111:13 112:22 117:15 125:8</p> <p>propose 76:8 112:2 119:11</p> <p>proposed 4:7 19:14 26:6 32:16 34:13 44:23 50:1 62:10 77:15 79:15,18 79:22 83:12 92:24 93:1,5 97:14</p> <p>proposes 77:19</p> <p>proposing 13:8 16:7 62:17 98:6,7 104:13 114:18 117:19</p>	<p>protect 57:2</p> <p>protections 102:15</p> <p>proven 20:1 93:15,16</p> <p>provide 21:23 25:23 28:10 37:21 41:7 115:10 123:21</p> <p>provided 5:17 26:16 86:8</p> <p>providing 28:23</p> <p>provisions 105:23 113:23</p> <p>provocative 43:12</p> <p>pseudomathematical 44:20</p> <p>Pu 3:7 82:3,3</p> <p>public 2:21 4:23,24 5:13 21:4 29:11 41:14 57:18 61:15 71:22 73:9 81:24 87:13,22,22 105:7 113:2 120:21 121:3 123:21 124:19 126:3 127:2,10</p> <p>publication 52:22</p> <p>publicly 117:5</p> <p>puddingstone 54:7 77:18</p> <p>pull 17:22 62:13 113:3</p> <p>pulled 62:12,15</p> <p>pulls 18:1</p> <p>purpose 34:17</p> <p>purposes</p>	<p>18:17 103:23</p> <p>pursue 60:6</p> <p>pursued 39:15</p> <p>pursuing 60:5 66:15</p> <p>purview 108:2,20</p> <p>push 16:14 113:2 124:11</p> <p>pushed 65:13</p> <p>pushing 37:16 60:20 101:17 124:14</p> <p>put 30:8 42:8,17 44:19 47:7 53:2 55:21,22 58:24 59:11 60:22 62:5,16 63:12,15 72:11 73:6,13 74:1 75:7 81:3 85:13,14 95:8 96:8,11 112:11 117:12 118:7 120:19</p> <p>puts 38:22</p> <p>putting 18:15 55:10 101:12 113:11</p> <p>P.C 2:11</p> <p>p.m 1:9 4:2 126:10</p> <hr/> <p style="text-align: center;">Q</p> <hr/> <p>qualify 105:22</p> <p>qualities 54:12 58:19</p> <p>quality 92:17</p> <p>question 36:10 43:13 47:12 52:6,11 61:7 65:19</p>	<p>72:16 75:13 105:4 109:6 111:9,15,19 114:11,12 115:2 120:12 122:18</p> <p>questioned 88:12,17</p> <p>questioning 33:6</p> <p>questions 4:21 5:15 19:9 21:13 21:20 23:1 43:13 47:9 52:3 98:14,14 99:5 106:10 116:8 123:10</p> <p>quickly 52:2 104:10</p> <p>quid 38:21 67:1</p> <p>quite 40:16 48:11 51:23 53:12 54:19 69:7 98:9</p> <p>quo 38:21 67:2</p> <p>quote 69:15 76:15 78:5 79:2 79:11</p> <p>quoting 113:17</p> <hr/> <p style="text-align: center;">R</p> <hr/> <p>ra 67:14,14,14</p> <p>rainy 68:19</p> <p>raise 30:19 106:6</p> <p>raised 30:15 39:20 112:8</p> <p>ramps 44:5</p> <p>ran 21:14 70:9</p> <p>ranges 48:13</p>
---	---	--	--

<p>reach 26:9</p> <p>read 54:18 72:7 89:12 93:21 108:5 118:18 123:6,7</p> <p>reading 111:1 114:1</p> <p>real 63:8 101:3</p> <p>realistically 96:17</p> <p>realize 43:6 46:17 56:1</p> <p>realizes 48:7</p> <p>really 14:14,15 32:8 37:2 43:4 47:3 49:7 51:20 51:23 54:19 56:6 61:19,20 63:6,11 64:24 65:8 66:11,20 68:1,5,24 70:23 71:17,24 72:1,1 73:8 74:12 76:21 81:23 82:2,13,21 83:20 85:22 86:9 94:10 97:19 100:11 104:3 112:13</p> <p>Realty 1:7 2:17 4:19 6:4 7:3 26:6,11,18,19 27:7 28:9 41:6 42:5 46:13 87:18 105:12</p> <p>rear 100:14</p> <p>reason 51:7 55:14 66:7 86:12 89:4 103:14 106:1</p> <p>reasons 92:17 110:4,5</p> <p>reauthorize 107:21</p> <p>recall 60:18</p>	<p>received 21:15 51:19 70:10</p> <p>receives 41:6</p> <p>recommendation 120:13</p> <p>recommendations 113:4</p> <p>reconsideration 50:8</p> <p>reconsidering 48:5</p> <p>record 77:3 93:16 112:14</p> <p>redesign 25:2</p> <p>redoing 120:18</p> <p>redone 48:8,9</p> <p>reduce 6:23 10:1 27:2 81:19</p> <p>reduced 9:3,17,18,21 10:10,16 11:16,18,21 20:14,20 20:24 27:10,11,16,20 28:2 78:6 84:1</p> <p>reducing 19:12 39:1 80:11</p> <p>reduction 10:7,18 11:6 35:3 55:5 55:6</p> <p>reductions 23:3</p> <p>referred 50:7 52:4</p> <p>referring 36:21</p> <p>refers 52:5 70:2</p> <p>reflect 113:22</p> <p>reflecting 61:16</p> <p>regard</p>	<p>114:16</p> <p>regarding 58:10 83:19 121:20</p> <p>region 57:9</p> <p>register 57:5,6 78:23</p> <p>regrade 16:19</p> <p>regrading 15:8</p> <p>regs 69:14 89:12 108:5 110:22 111:2 119:3</p> <p>regular 103:22</p> <p>regulations 44:16 49:8 50:19 69:13 89:11 107:7 118:19,21 120:4</p> <p>reissued 48:16</p> <p>reiterate 57:8 85:2,19 86:15</p> <p>reject 49:18 50:4,9 70:24</p> <p>rejected 97:22</p> <p>rejecting 48:21 71:5</p> <p>rejection 70:21</p> <p>relation 58:8</p> <p>relationship 16:23</p> <p>relationships 57:18</p> <p>relatively 69:4</p> <p>releasing 52:13</p> <p>relevant 59:14</p> <p>reliance</p>	<p>94:15</p> <p>relief 102:12</p> <p>relocated 8:2 9:6 12:7 15:14 27:13 38:24</p> <p>relocating 9:4 39:2</p> <p>relocation 15:3</p> <p>relying 94:19</p> <p>remain 29:4</p> <p>remainder 99:16</p> <p>remaining 10:5 99:19 103:19</p> <p>remains 113:6</p> <p>remember 55:23 59:6 118:23</p> <p>remembers 65:9</p> <p>remind 41:18 72:2 98:5</p> <p>reminiscent 60:12 73:18,20</p> <p>removal 8:11 10:16 54:6</p> <p>remove 63:16,17 101:13</p> <p>removed 7:24 12:3 14:7 20:6,10 20:10,11,13 32:5 42:14,18,19 92:16</p> <p>removing 54:23 101:11,13</p> <p>render 99:15,18</p> <p>renew 4:12</p> <p>renovations 79:3</p> <p>repeat</p>
--	--	--	--

<p>68:6 92:13 97:1 rephrase 111:15 replaced 28:6 report 4:19 25:23 33:9,13 37:16,17 41:9 71:9 73:21,22 104:14 123:20,22 124:7,9 Reporter 1:21 127:1 reporting 29:17 reports 33:20 124:21 reprehensible 51:23 56:19 represent 51:18 representative 26:13 74:24 representatives 2:17 21:20 26:2,17,21 28:19 76:14 102:4 represents 87:16 request 49:23 56:12 104:11,21 108:3,17 121:7 requested 86:12 requests 108:11 118:2 require 36:14 79:3 83:10 required 23:18 35:4,11 58:12 92:3 107:6 109:11,12 120:19 requirement 11:9 64:8 81:10 104:8 104:19 requirements 39:13 69:20 70:3 92:4</p>	<p>requires 22:9 54:5 research 60:8 reserve 31:18 residence 92:22 residences 1:8 4:5 78:17 79:14 resident 56:21 residential 27:9,15 77:5 residents 31:13 57:14 61:10 77:20 resolution 74:13 resolved 28:19 resource 57:23 resources 57:2 78:13 respect 4:24 60:14 71:15 87:20 102:19 103:5 respected 54:13,14,14 respecting 38:19 requests 50:6 respond 82:1 98:24 116:8 responds 25:4 response 25:20 30:13 31:14 82:14 99:4 116:15 rest 39:17 96:12 101:10 122:12 restrict</p>	<p>45:12 84:20 restriction 99:17 result 8:8 34:19 79:18 120:5 resulted 10:18 resulting 57:12 retain 21:16 26:24 55:1 retaining 8:12 11:21 14:4 16:9 21:9 28:3 33:24 80:11 89:24 90:2 rethink 85:12 review 6:12,12 21:17 25:12 27:6 29:4,9,21 30:16 31:20 32:19,23 35:6 35:12,17,23 36:2 37:1,2,14,24 40:9 48:6,8 58:15 78:19 78:24 83:20 86:8,11 86:13 90:14,14 91:2 93:24 102:5,14,21 108:8,23 113:1,2 114:7,22,22,24 115:14,22 119:9 120:8 121:4 123:17 123:17 reviewed 37:5 79:5 101:23 reviewer 28:21 33:6,9 35:17 40:5,11,12,19,20 41:1 71:8,23 123:20 reviewers 21:17 25:11 48:24 118:3 reviewing 28:22 41:19 88:18 93:20 reviews</p>	<p>48:18 revised 26:11,19 29:8 30:20 30:21 42:7 52:4 58:23 60:10 61:8 77:7,9 80:1 97:7 102:22 103:7 111:17 112:2 113:19,22,22 115:11,21 118:22,24 119:1 revision 77:22 115:5 revisions 117:24 revisitation 124:4,18 revolves 102:5 re-review 33:21 rid 76:10 ridiculous 49:14,20 56:10 68:2 96:7 98:9 right 23:11,19 24:10 34:6 72:10 74:6 94:17 96:7 100:6,24 102:13 104:24 112:20 120:9 125:6 rights 68:16,16 102:6,6,8,9 risk 51:4 road 2:22,23,24 3:1,3,4,5,6 3:7,9,10 7:10,11 8:14 8:17 39:6,9 42:2 43:2,21 44:4 45:24 47:17 51:16 55:9 58:21 62:19 65:1 67:20 73:9 77:1 80:7 82:4 84:7,8,9 93:12 94:2,4 96:23 98:4,5,7</p>
---	--	--	--

<p>98:11 121:11 roads 54:2 55:4 57:13,14 73:6 94:23 95:20 roadway 22:7 Robin 3:10 121:10 rock 54:7 role 92:1 room 100:20 123:5 rooms 55:21 rough 38:15 41:14 roughly 113:14 round 30:13 rudimentary 37:1 ruled 110:20 rules 86:10 110:1 113:18 114:3 115:10 run 5:13 104:11 running 90:21 rush 95:2 120:20 125:12,15 125:19 Russet 42:2 47:16 Russett 2:22,23,24 3:3,4,6 8:17 43:2 55:9 58:21 65:1 67:20 80:7 95:20</p> <hr/> <p style="text-align: center;">S</p> <hr/>	<p>safe 74:12 safety 12:20 21:4 31:12 74:20 Sam 4:15 50:16 106:10 Samuel 2:9 satellite 94:15,20 satisfied 112:18 satisfying 75:10 save 15:1,21 59:1 81:20 saved 11:19 14:2,22 15:15 15:16,18 21:3 122:6 saving 31:16 saw 13:4 122:24 125:4 saying 40:6 45:14 61:16 63:1 67:11 68:6 75:16 88:13 117:11,11,20 120:14 says 44:20 45:5 79:19 92:19 108:18,21 110:3 scale 97:13 scene 18:1 Scharf 3:4 67:19,19 school 27:5 29:2 42:3,4,7,12 42:22 53:2 55:19 59:6,7,20,22 60:1 65:3 72:6 80:18 81:2 125:19</p>	<p>schools 32:4 53:4 55:17 59:10 scold 87:24 scope 27:6 48:11 Scott 3:3 58:20 68:10 73:16 74:15 86:16 scratch 48:5,9 scurry 72:6 sea 45:23 seat 72:3,11 second 24:4,7 30:13 35:13 47:12 88:13 114:11 117:8 Seconded 126:7 Secondly 80:15 94:1 secret 51:22 section 17:8 sections 17:20 see 7:9,12,19 8:8,15,17 14:17,23 30:5 35:21 37:19 38:7,20 39:18 40:5,20 42:10,13 43:16 44:3 45:21 46:7 47:4 56:13 61:23 62:1 74:2 75:12 80:10 81:7 83:12 90:18 95:5 97:16 119:23 120:3 120:20 121:6 122:16 125:12 seeing</p>	<p>103:12 seek 37:23 seen 4:22 30:18,22 41:2 69:1 87:23 115:4 sees 41:11 selectmen 73:22 76:24 80:7 87:16 106:22 108:11 109:1 semi 57:16 semiprivate 57:21 send 49:22,22 sense 40:21 41:7 51:3 52:1 64:2 sensitive 5:8 sent 85:4 sentence 72:16 separate 109:9,10 separated 57:16 separation 78:14 series 4:6 serious 68:15,16 71:24 72:14 80:12 seriously 71:20 89:10 serve 77:20 84:10,19,21 served 84:8 service</p>
---	--	---	--

<p>31:6 94:16 services 39:19 servicing 18:12 sessions 26:5,8,14,16,21 30:2 76:15 100:10 116:2 116:18 set 69:20 98:11 103:3 113:23 117:12 127:5 setback 7:17 11:13 100:9,15 100:24 101:7 setbacks 7:1 21:8 28:15 92:24 100:23 102:20 103:6 sets 36:15 112:3 setting 58:10 seven 9:19 10:20 20:13 27:20,21 43:21 44:3 44:11 97:19 seventh 43:4 seven-story 70:23 shape 58:8 106:1 sharp 97:20 shawl 108:15 shed 14:13,19,21 shock 97:15 shocked 72:1 shop 40:21 short</p>	<p>82:14 115:20 121:5 shorthand 127:7 show 12:21 13:1 14:2,8 18:24 44:13 52:24 62:4 72:8 showed 102:22 showing 15:16 18:7 41:14 shown 14:4 16:10 17:16,20 114:14 shows 19:3 side 7:10,11,20 8:17 9:12 12:6,9 13:16 14:5,5,6 14:7 15:5,6 16:17,18 16:21 17:1 20:8 24:15 31:23 37:6 57:17 58:2 62:1 64:24 75:8 84:6 100:14 101:5,6,7 103:2,4 sidewalk 95:6 96:1 sign 40:22,22 significance 14:3 42:10 significant 8:13 29:5 32:15 57:4,8 57:23 77:14 78:12 significantly 8:9,10 11:21 similar 8:7 50:9 65:14 similarly 59:24 62:16 sincere 42:21 single-family 27:3 28:14,16 53:21</p>	<p>55:7,11 63:20 78:17 79:14 80:20 92:23 sit 68:10 88:15 site 6:14 7:9,11 12:14,18 12:18,19 15:20 16:10 16:20,22 19:18,19 21:1 28:22 30:20 36:1 50:2 56:9,12 58:23 61:8,13,17 62:21 64:18 73:15 76:5 77:12,24 78:14 78:21 79:17 92:19,20 93:3 101:10 119:23 125:3 126:2 sitting 74:24 situation 46:16 88:1 112:24 six-foot 13:18 size 34:10 sized 6:20 sizes 34:20 sleep 96:8 sleeping 78:7 slide 75:16 slightly 100:20 slippery 122:4 small 61:2 76:7 90:7 96:11 smaller 15:13 23:3 57:14 67:5 smart 65:5 soccer</p>	<p>78:5 Society 86:8 solution 59:22 solve 13:2 106:8 somebody 62:24 116:4 something's 114:5 somewhat 87:10,11 soon 93:24 sorry 114:1 122:17 sort 14:17 21:23 60:19,20 60:21 125:2 sorts 106:7 sought 51:6 sound 84:3 Sounds 105:17 south 1:8 4:5,8 12:6,9 24:15 34:17 61:10 so-called 38:13 68:3 space 6:18 8:9,13 11:10,12 11:13 12:7,10 14:20 14:20 18:17,18 19:18 21:3 24:4 26:24 27:23 29:2 31:17 38:9,11,13,20 55:1,4 60:23 63:2,3,4,6 64:14 67:5 73:7 77:21 78:5,7,13 81:20 84:9 88:19 89:4,16,17 91:12</p>
--	--	--	---

<p>spaces 8:4 9:11,14 17:22 23:10,15,19 29:1 57:12 88:24 101:2</p> <p>speak 6:2 8:10 24:19 41:15 41:17 50:17 101:22 124:20</p> <p>speakers 68:7,9 98:22</p> <p>speaking 58:13,22 76:24 80:8 98:15 110:24</p> <p>speaks 50:16</p> <p>special 102:14</p> <p>specific 15:20 25:1 44:15 85:4 111:2 116:11 122:9</p> <p>specifically 6:17 31:4 43:2 47:13 97:24 105:9 109:17</p> <p>specifics 83:19 122:8</p> <p>specify 103:6</p> <p>speed 90:7</p> <p>spend 21:22 47:18 111:1</p> <p>spending 114:7,22</p> <p>spent 50:13 93:19</p> <p>spoken 89:1</p> <p>spot 56:18 95:15</p> <p>spots 95:22</p> <p>spring 96:6</p> <p>square 9:22 10:7 24:6 60:20</p>	<p>91:11</p> <p>staff 6:5,14,15 7:3 21:16 26:8 29:7 30:3 37:16 40:8 72:18,23 102:3 102:3,21 112:7 120:17</p> <p>stage 22:18</p> <p>stand 101:22</p> <p>standard 26:14</p> <p>standing 75:16 76:1</p> <p>standpoint 83:7 110:24</p> <p>Stantec 43:9</p> <p>start 30:24 35:11 41:17 43:12 45:18 67:7 73:13 81:17 82:21 85:11,15,16 99:7</p> <p>started 40:23 82:23</p> <p>starting 25:2</p> <p>state 11:9 22:14,17 26:15 36:12,15 39:13 57:5 74:5 79:4 87:15 98:3 98:4,8</p> <p>statement 53:8 72:17 93:14</p> <p>states 113:18</p> <p>state's 79:21</p> <p>statue 42:8 109:9</p> <p>statute 37:13 105:20,21,23 109:14 110:6</p> <p>stay</p>	<p>64:15,16 100:8</p> <p>Steinfeld 2:12 25:24 26:1 29:19 30:6 31:1,18 36:1 41:1 52:3 54:18 122:6 124:6,13</p> <p>step 108:24</p> <p>Stephen 2:24</p> <p>Steve 47:16 55:13</p> <p>Steve's 52:11</p> <p>stick 97:20</p> <p>stipulation 57:11</p> <p>stock 115:17</p> <p>stone's 96:14</p> <p>stop 65:11 107:19 109:4 119:24</p> <p>stories 9:24 10:13,15,19,19 14:17 43:22 44:3,11 55:12,13 96:4,4,16</p> <p>stormwater 6:11 19:9,13,19 21:7 29:3 124:4,11,18,19</p> <p>Storrs 111:23</p> <p>story 115:20 121:5</p> <p>straight 121:15</p> <p>strain 81:3</p> <p>straining 101:3</p> <p>street 1:11,16 5:24 43:21,22 44:4 89:1 95:17</p>	<p>streets 64:24 80:24 81:1,4 90:8</p> <p>strict 38:12 53:11</p> <p>stringent 37:12</p> <p>strongly 40:9</p> <p>structural 59:12</p> <p>structure 121:23</p> <p>structures 39:2 100:2 101:12,13</p> <p>struggle 93:9</p> <p>student 84:11</p> <p>studied 73:21</p> <p>study 59:19 94:4,14</p> <p>stuff 114:7</p> <p>subject 39:13 78:24 80:20 102:13 110:14 113:20,23 115:22 119:6,8 120:8</p> <p>submission 8:16 112:17</p> <p>submit 28:9 72:4 107:24 109:12 112:21 115:6</p> <p>submits 113:19</p> <p>submittal 4:10</p> <p>submitted 5:11,18,19,22 6:8 31:2 108:4,17 112:24 115:21 119:13,18,21 120:8</p> <p>submitting</p>
---	---	--	--

<p>48:22 111:7,16 subsequent 49:8 subsequently 6:9 subsidizing 50:22 69:21,24 108:6 108:15 substantial 69:14 70:19 72:13 75:10 76:6,20 106:18 106:21 108:8,19,22 substantially 78:20 substantive 92:17 substitute 115:11 succeeded 73:8 successful 54:13 56:4 87:5 Suddenly 88:9 sufficiently 66:1 suggest 60:7 61:14 75:6 123:13 124:14 suggested 117:24 suggestion 61:19 75:24 125:1 suggestions 6:16 76:8 suggests 64:1 76:2 suitable 79:11 Suite 1:16 summarize 20:3 supply 94:7,9</p>	<p>support 24:10 89:16 119:21 supposed 80:2 84:18,22 121:22 supposedly 65:6 sure 13:7 33:3 35:7,14 38:23 52:1 64:5 65:23 67:12 69:11 82:11 95:7,22 100:17 125:4 surface 9:13 28:12 surfaces 11:17 19:12 surprise 97:15 surprised 69:17 121:7 surrounding 80:19 93:4 suspect 35:8 suspended 126:10 swallow 110:2 switch 83:16 system 18:16 19:10,14,19,21 20:1 25:2 27:5 34:1 93:15 S7 6:18,21 9:16 10:7,9 11:5 12:4 14:15 20:6 20:10 31:23 54:21</p> <hr/> <p style="text-align: center;">T</p> <hr/> <p>Tab 53:9 table 32:5 85:9 117:4 take</p>	<p>25:15 43:18 45:14,18 48:10 52:20 63:14 67:8,11,12 71:19 76:17,22 81:23 89:5 90:16 94:9 98:14 110:2 112:8 taken 73:2 89:10 92:15 123:19 127:4,7 takes 17:12 39:8 125:13 talk 12:17,24 13:3,10 15:23 41:5 43:2 75:1 talked 12:16 14:1,11 17:5,17 18:6,15 22:1 61:14 65:18 talking 62:4,9 63:13 64:10 68:15,16 83:7,8,8 123:3 talks 103:18 taller 75:7 target 104:5 Target-sized 95:8 taught 42:3 team 7:5 29:15 teams 31:14 technology 20:1 tell 52:23 telling 54:24 59:2 71:21 114:19 tenable 113:16</p>	<p>tentatively 124:3 term 123:18 terms 21:24 23:9 81:5 98:18 106:12 121:17 122:8 Terrace 3:2 56:21 terrible 53:13 55:13 testimony 4:23,24 5:13 30:12 41:13 testing 98:19 thank 6:5 12:15 21:19 22:24 25:18,24 29:12,13,24 30:10 32:12 36:8,23 41:12 42:24 47:15 50:14,15 51:13 58:19 62:7 67:17 82:2 87:5 93:10 96:20 99:2 103:24 121:9,11 123:9 theme 84:17 theory 98:19 they'd 51:3 thing 13:14 16:24 30:9 48:6 50:6,7 56:8 71:2 74:5 88:14 91:8 95:11 101:5 things 12:22 14:11 15:23 17:5 19:8 49:23 52:1 59:10 60:13 61:3 66:23 67:5,6 68:8 73:4,17,17,20 75:12 76:12 83:21 85:3 87:9 94:3 101:11</p>
--	--	--	--

<p>104:22 105:21 118:13 120:15 121:19 122:9,14 123:6 think 6:1 14:13 17:16 18:5 19:1,6,21 22:20 25:10 30:24 31:10,16 31:24 32:7 33:10 35:20 38:5,21 39:1 39:11 40:2 42:4 43:10 51:21 52:15 53:5,10,13,24 54:23 55:2 56:19 57:6 58:13 60:10 63:1 64:24 66:22 68:1 69:10,11 73:10,11 74:17,17 75:21 76:3 80:15,18 81:3,22 82:7,16,21,24 83:13 85:7,10,19 86:16 87:3 90:3 91:20 92:11 94:3 96:10,13 96:19 97:23 98:9,16 100:19 101:6 103:2 105:6,17 106:10 112:19,20 113:15 114:5,11,13,18 115:2 117:11 118:8,8 119:5 119:7,9,24 125:7 thinking 81:17 92:19 123:24 124:1,3,6 thinks 51:17 third 18:8 thirty-six 9:21 Thornton 57:14 65:7 thorough 78:19 thought 38:8,10 74:7 91:18</p>	<p>97:8 112:9 thoughtful 6:6 51:24 121:5 threatening 66:22 three 8:19,19 10:2,10,17 11:12 20:14 21:3,9 26:22 27:11,22 28:3 28:3 50:3 82:18 90:1 91:13 93:16 114:24 three-bedroom 11:2,7 20:20,23 60:21 60:21 three-bedrooms 7:15,23 8:21 9:2 throw 64:18 96:14 throwing 73:23 time 5:8,23 18:6,24 25:13 32:20,22,23 33:1,4 34:5 35:7 37:20,23 38:5 47:18,18 50:12 50:13 51:21,24 52:12 52:17 58:24 66:23 69:1 71:16 81:17 93:21,22 108:15,20 111:1,3 114:7,22 116:24 120:10,21 121:4,7,12 124:10 126:3 127:5 timely 37:22 49:22 times 5:5 93:17 timing 37:12 110:23 tiny 94:8 today 117:12 118:8 told 33:8 42:15 59:1 60:17</p>	<p>77:8 82:11 89:3 91:11 115:16 Tom 96:21 tomorrow 5:22 29:23 36:8 37:15 40:5 41:3,5 71:11 121:23 tonight 6:7 7:8 20:4 26:12 30:9 41:19 53:3 58:22 67:13 68:18 69:18 71:7 97:3,7,16 98:15,21 99:1 119:13 tonight's 4:9,17 5:9 tons 54:6 Tony 98:21 top 8:17 10:11 43:19 46:12 49:17 54:7 81:2 96:5 topic 4:11 116:12 topography 63:21 79:17 93:4 total 7:14,22 9:1 11:6,8 15:18 20:6 27:9,10 119:18 totaling 8:20 totally 77:23 78:9 109:10 touch 104:15 Touloukian 6:12,12 tour 56:9 tower 43:14 46:3,14,24 47:7 49:3 76:10 95:16,16</p>	<p>95:24 96:4 towering 78:1 town 1:10 2:15 6:9,11 13:12 16:6 19:9,20 20:2 22:21 26:13,20 28:19 28:21 29:7 30:4 32:22 39:21,22 42:22 47:17 49:5 51:15 53:15,16 54:15 56:1 56:4,16 58:16,21 59:12,18 66:12 67:21 68:12,16 72:18,23 76:20 80:4 81:12 82:4 87:7,14 96:22 97:10 103:16 108:10 112:6,7 115:16 116:6 116:17,20 townhouses 58:9 Town's 7:6 26:3,4,16,21 29:2 113:2 traditional 17:12 traffic 6:11 12:20 13:5 21:5 29:3 39:10 58:1 64:23 65:1,16 80:23 90:5,6,8,11 94:3,4,6 94:14,21 96:7 transcript 127:6 transportation 81:18 98:2 treated 103:15 trees 6:19 8:10 11:10,19 14:1,22 15:1,2,3,10 15:12,15,16,18,19,21 15:22 21:4 27:24 31:16 42:11,14,17 56:13 63:16,17 80:11</p>
---	---	---	--

<p>122:6 tremendous 31:17 81:3 tremendously 65:15 tried 112:5 trigger 86:11,13 truck 17:13,24 65:9,13 trucks 8:13 17:9,24 65:14 true 64:3 127:6 trumps 75:18 trust 45:21 try 21:13 51:24 56:3 61:4 68:2,6,20 70:15 72:7 75:14 100:4 101:17 116:7,19 117:1 trying 22:16 37:19 39:7 40:6 40:9 51:18 61:3 95:18 103:12 114:13 118:7 turn 12:13 16:11 17:6,14 18:3 turned 57:20 66:15 turning 94:18 turn-around 8:12 17:12 28:7 31:5 tweak 70:17 82:22 83:4 tweaks 33:22 85:15,17 twelve 9:18 two</p>	<p>8:18,19 9:7,19,24 10:1 10:5,11,13,15,18,19 10:20 11:3 14:5 18:7 18:8 21:9 27:18,20 28:3 35:22 41:10 43:13 47:9,24 50:3 71:8 76:4 93:21 97:24 100:22 122:22 two-bedroom 20:21 27:12 two-bedrooms 7:15,23 8:21 9:2 11:3 12:4 two-story 12:7 43:20 49:17 76:7 78:2 two-week 40:13 Tymann 49:11 types 10:24 20:18 typical 10:12</p> <hr/> <p style="text-align: center;">U</p> <hr/> <p>ugly 89:23 ultimately 119:22,24 120:2 unanimously 73:22 unbalance 64:11 unchanged 14:21 58:12 underdeveloped 24:12 underground 44:6,8,8 76:4 underline 30:1 underneath 24:11 62:16 understand</p>	<p>4:10 5:16 22:17 39:12 40:8 48:23 69:3,7,9 69:10 78:18 89:10 99:24 101:20 104:20 104:21 110:11 117:10,22 118:1,20 119:8 121:18 122:21 123:6,8 understanding 20:2 37:13 47:23 48:22 104:16 105:10 115:21 understood 13:7 undertake 29:21 underused 76:2 underutilized 77:16 under-thing 95:4 unequal 87:13 unfair 52:15 unfortunate 32:6 unfortunately 32:4 67:7 UNIDENTIFIED 111:9,12 124:22 125:5 125:11,18,20,22 unique 103:16 unit 10:24 20:18,23 92:2 units 6:20,21 7:14,22 8:1,2 8:20 9:1,4,5,8 10:8 10:17 11:1,2,3,7 12:3 12:4 20:5,6,7,7,19,20 20:22,22,23 23:15 27:9,12,12,14,17 28:24 34:11,21,23</p>	<p>53:19,19 54:21 55:17 62:23 77:5 80:2 84:4 84:7,10,14,16,19,22 88:10 89:22 91:9 unknown 52:24 unlimited 47:15 94:7,9 unobstructed 11:11,20,22 14:12 20:17 unreasonable 52:15 unrelated 58:4 unsettling 88:18 unthinkable 97:21 upgraded 37:3 Upland 3:5 77:1 upper 14:16 upsetting 117:4 upside 57:20 urban 28:21 31:20 32:9 35:17 41:1 123:17 124:7,9,16 usable 63:2 78:5 use 17:6 19:10 20:1 31:17 59:3 61:20 72:14 77:7 84:20 93:4 95:3 useable 6:18 11:11,12 21:2 26:24 27:22 55:1,3 63:4 uses 78:15</p>
--	---	--	---

<p>utter 66:24</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p>vacant 77:16</p> <p>vacation 72:5</p> <p>variance 102:14 104:19</p> <p>various 68:3</p> <p>Varrell 3:9 93:11,12</p> <p>vehicle 12:22</p> <p>vehicles 39:24</p> <p>vehicular 57:16,18 58:1 78:15</p> <p>verifying 101:24</p> <p>version 13:1 77:12</p> <p>versus 33:24 49:6</p> <p>VFW 13:11 15:24 18:22 21:24 28:11 36:13 39:8 64:20 66:10 74:4 85:19 86:12 94:2,6 98:5</p> <p>vice 56:21</p> <p>view 5:24,24 6:14,24 11:20 14:12,15,19,21 29:5 39:9 62:14 63:10 96:18</p> <p>views 11:11,22 20:17</p> <p>vigorous 81:12</p> <p>vigorously 39:16</p>	<p>VII 1:1</p> <p>village 8:6,8 26:7 27:18 28:15 38:16 56:23 57:3,9 58:19 60:15 73:18 77:6,14 78:11,16,22 79:13 83:22 92:22 105:14</p> <p>virtually 121:16</p> <p>virtue 10:16</p> <p>visible 12:12 88:24</p> <p>visit 56:9 124:23 126:2</p> <p>visual 27:2 54:11 55:6,8</p> <p>vis-a-vis 80:19 106:14</p> <p>volume 1:1 90:7</p> <p>volunteers 71:16</p> <p>voted 57:5 60:1 91:20</p> <hr/> <p style="text-align: center;">W</p> <hr/> <p>wait 71:7 72:3 88:12 96:8 108:23 110:19</p> <p>waiver 104:7,10</p> <p>walk 6:14 57:15 62:3</p> <p>walked 15:19</p> <p>walking 65:3 81:1</p> <p>wall 8:12 14:6,9 16:9,16,16 16:18,21,21,22 17:1</p> <p>walls 11:21 14:4,7 21:9 28:4</p>	<p>90:1,2</p> <p>want 5:6,7 18:2,24 22:2,22 30:18 43:2 47:4,8,14 59:1 63:15 66:11 71:14,14 72:2 74:17 75:5 80:10 81:5,7,21 83:14,17 84:6,14,15 85:2 86:15 87:10 92:13 93:13,15,18 96:3 97:24 98:5 104:21 106:2 114:20 116:7,8,24 117:4 118:6,13,16 119:6,22 120:3 121:11 123:18 123:19</p> <p>wanted 13:6,19 20:3 30:1 53:1 54:2 55:16 73:6 82:6 83:6 84:16 104:1 116:6</p> <p>wants 43:6 52:18 58:16 113:10</p> <p>warrant 81:14</p> <p>Washington 1:11</p> <p>wasn't 42:18 49:13 65:10 72:19 88:20 119:4 125:14</p> <p>water 90:18,19</p> <p>way 4:12 16:5,5 18:10 19:17 25:3 34:9 40:6 40:21 45:16 62:10,14 62:21,23 64:11 82:7 83:9 86:11 96:13 107:18 115:15 119:10 120:22</p> <p>ways 61:21 81:18 92:2</p> <p>Wednesday</p>	<p>37:4,10</p> <p>week 37:4 82:9 93:21 97:6 124:12</p> <p>weekends 93:22</p> <p>weeks 41:10 71:8</p> <p>well-financed 71:10</p> <p>went 6:14 10:19 65:10 90:1 114:16</p> <p>weren't 63:14</p> <p>west 7:10,11,20 13:16 14:5 14:6 20:8 31:23 61:24 84:6</p> <p>western 103:1</p> <p>we'll 19:11,13,14 20:1 21:9 22:16 25:15 29:22 33:20 35:8 38:23 59:3 96:19 99:5 117:3 118:4,20 119:6 121:5 125:8</p> <p>we're 4:4 7:7 13:8 15:1,16 17:13 18:7,12 19:12 19:16,19 21:12 23:8 25:1,3 31:2 32:20 37:11 47:24,24 48:2 48:8 60:4 61:5 63:16 64:8,9 67:10 68:15 68:16 71:5 73:14,14 78:18 80:10 83:7 88:15 98:10 100:16 105:23 108:23 111:20 113:11 114:14,17,19,21,22 114:23,23 115:5,6 117:20,21,22 119:5 124:15</p>
--	--	---	---

<p>we've 4:6 8:4 9:13 16:24 17:11,11,15,23 18:5 19:1 20:5,16,19,20 21:7 29:19 30:11 37:6 47:6,6 50:5,13 66:23 86:6 99:5 107:4 112:10 114:14 119:7,19 121:14 123:8</p> <p>wide 48:13</p> <p>wider 17:19,22 100:22</p> <p>width 17:7,15 100:22</p> <p>William 3:7,9 93:12</p> <p>window 96:7</p> <p>Windows 96:6</p> <p>wish 24:24 67:2</p> <p>withdraw 83:14</p> <p>withdrawn 79:10 111:13 119:15</p> <p>withdrew 49:23</p> <p>Wolfe 2:22 42:1,1</p> <p>wonder 48:20 50:7</p> <p>wonderful 106:5</p> <p>wondering 40:15,19 89:24 92:5,7</p> <p>word 53:11 72:20 118:22</p> <p>wording 35:14</p> <p>words 35:22 36:3,18 46:8 79:8,10 82:8 84:2</p>	<p>94:7 112:5 114:15</p> <p>work 19:5,20 20:2 22:21 25:12 33:20 35:7 36:3,4 37:19 57:2 61:3 66:11 71:16,24 103:12 105:3 118:8 126:1</p> <p>worked 7:5 21:6 53:17,18 100:12 101:17</p> <p>working 13:12 16:6 18:1 26:5,8 26:13,16,21 38:1 52:19 76:15 100:10 116:1,18 120:17</p> <p>works 59:24 100:16</p> <p>worried 35:6</p> <p>worse 55:13</p> <p>worst 77:10 85:14,16</p> <p>worthy 37:2,3</p> <p>wouldn't 62:22,22 66:6,13 67:3 90:22 94:8</p> <p>wrap 19:6</p> <p>writing 69:21 75:18</p> <p>wrong 51:18 123:12,13</p> <p>wrote 73:21 120:15</p> <hr/> <p style="text-align: center;">Y</p> <hr/> <p>yards 96:15,16</p> <p>year 56:10 70:24 76:21</p> <p>years 42:3,3 52:20 53:18</p>	<p>56:5 60:15,24 72:3 73:7,19 87:5 96:24 103:19 115:4 121:15 123:7</p> <p>yesterday 123:2</p> <p>you-rub-my-back 67:1</p> <hr/> <p style="text-align: center;">Z</p> <hr/> <p>ZBA 7:8 28:8 41:2 53:16 56:1 65:24 72:19 80:21 82:15 83:10 86:11,14 98:18 107:19,23 108:3</p> <p>zone 88:19 89:10</p> <p>zoned 43:16</p> <p>zones 89:12</p> <p>zoning 1:5 9:13 44:15 45:1,3 47:4,13 81:9,10,13 81:15,17 88:3 103:22 103:23 104:12 106:7 115:10</p> <p>Zuker 42:5 54:2</p> <p>Zuroff 2:6 4:13 23:2,9,14,21 23:24 24:8 32:14 33:5,15 34:2,6,10 104:1,20 105:6,19 106:4 111:19 114:4 117:10,18 119:12,17 120:6 121:9</p> <hr/> <p style="text-align: center;">\$</p> <hr/> <p>\$2.5 60:2</p> <hr/> <p style="text-align: center;">0</p> <hr/> <p>02111 1:17</p>	<p>02445 1:12</p> <hr/> <p style="text-align: center;">1</p> <hr/> <p>1 6:22 7:13,20,24 8:24 9:20 10:22 26:24 46:20,22,22 70:2 115:7</p> <p>1-127 1:2</p> <p>10 7:23,23 11:2,8 20:20 23:8</p> <p>10th 33:13,14 124:3,17</p> <p>11 23:8</p> <p>119 53:2,4,5 55:24</p> <p>12 27:15 84:8,10</p> <p>121 3:1 51:15</p> <p>123 11:19 15:18 21:3</p> <p>128 11:6 20:11</p> <p>13 7:15 8:20</p> <p>13A 46:17</p> <p>14-story 46:3</p> <p>143 46:2</p> <p>143-foot 46:14</p> <p>146 96:23</p> <p>15 7:14 8:21 69:24</p> <p>156 45:24</p> <p>16</p>
--	---	--	--

9:8 47:17 51:15 58:21 67:21 82:5 87:7 96:23 161 3:6 80:7 17 20:21 17th 127:8 179 1:16 18 11:7 20:20 180 121:17 180-day 115:15 184 20:6 27:10 55:17 19 12:4 19th 33:12 123:16 124:16 126:9 192 27:10 1946 53:15 86:23 <hr/> 2 <hr/> 2 7:16 9:3,5 20:24 27:2 115:9 2,640 46:21 47:1,7 20 7:22 17:16 73:7 96:23 20,000 54:6 20-foot 7:17 11:13 2011 63:14 2013 79:23 97:22	20130094 1:6 2014 1:9 79:23 127:8 2017 127:11 22 11:7,18 20:21 28:24 31:9 22-foot 17:17 22-foot-wide 17:15,19 226 11:5 23-foot-wide 17:17 24 9:1 12:3,4 20:9 27:11 249 3:7 82:4 25 42:3 45:9 250 3:4 67:20 262 2:24 47:16 265 2:23 43:2 269 2:22 42:2 27 8:4 28 11:1 20:7 285 121:10 299 45:23 <hr/> 3 <hr/> 3 7:15,21 8:18 27:4 115:13 127:11 30	101:5,5 300 11:15 314 84:1,5 333 1:11 35 43:16,18 44:24 45:18 46:7,22 47:1 35-foot 43:24 36 7:14 20:6 53:19 37 11:16 20:24 383 3:3 58:21 <hr/> 4 <hr/> 4 7:13 8:19,24 10:21 20:8,15 46:6,21 47:1 70:5 40 8:20 20:7 84:2 93:19 40A 102:6,10,15,24 40B 1:7 4:7,15 6:10 26:6 26:14 27:6 29:6 34:17 55:16 69:4 77:4 81:8 88:8 89:11 101:18 102:6,8,8,16 104:22 105:11,15 109:10 110:1,5 112:23 114:3 115:8 115:14 118:20 40B's 80:2 401 1:16 402 84:1 45	3:9 93:12 <hr/> 5 <hr/> 5 1:9 7:15 8:21,22 12:5 69:15 5th 8:23 50 42:2 96:15,15 103:19 530 53:18,19 542-0039 1:18 542-2119 1:18 56.04 69:13 70:4 56.041 69:20 57 9:13 <hr/> 6 <hr/> 6th 1:11 5:22 60 11:14 94:5 617 1:18,18 68 53:18 694 46:23 47:2 <hr/> 7 <hr/> 7 8:21 28:2 7:00 1:9 7:03 4:2 7:30 125:22 72 43:23
---	---	---	---

760 69:13,20 70:4			
79 14:21			
<hr/> 8 <hr/>			
8 8:2 9:2,2,2,4 20:5 59:22			
8:30 125:16,17			
80 11:22 55:20 90:9 91:19			
80s 73:11			
81 20:10 27:11			
83 43:24 122:6			
84 27:24			
843 83:23			
88 11:5			
<hr/> 9 <hr/>			
9:58 126:10			
94 3:5 77:1			
99-year 103:19			