



CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139

617-349-6100

2023 APR 25 AM 11:56

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

BZA Application Form

BZA Number: 217962

General Information

The undersigned hereby petitions the Board of Zoning Appeal for the following:

Special Permit: _____

Variance: X

Appeal: _____

PETITIONER: NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY C/O DUFF AND PHELPS C/O Barlo Signs Jenn Robichaud

PETITIONER'S ADDRESS: 158 Greeley st, Hudson, NH 03051

LOCATION OF PROPERTY: 210 Bent St., Cambridge, MA

TYPE OF OCCUPANCY: COMMERICAL

ZONING DISTRICT: Residence C-1 Zone

REASON FOR PETITION:

/Sign/

DESCRIPTION OF PETITIONER'S PROPOSAL:

INSTALLATION OF ONE INTERNALLY ILLUMINATED "V" LOGO WALL SIGN OF 116.43 SF WHERE 60 SF MAX IS PERMITTED; VERTICAL DIMENSION /HORIZONTAL DIMENSION EXCEEDING 30" FOR AN INTERNALLY ILLUMINATED SIGN; WALL SIGN LOCATED GREATER THAN 20' FROM GRADE

SECTIONS OF ZONING ORDINANCE CITED:

Article: 7.000 Section: 7.16.22.C (Wall Sign).

Article: 10.000 Section: 10.30 (Variance).

Original
Signature(s):

Barlo Signs

(Petitioner (s) / Owner)

Barlo Signs, Jenn Robichaud

158 Greeley St (Print Name)

Hudson NH 03051

Address:

Tel. No.

6036200076

E-Mail Address:

jenn@barlosigns.com

Date: 04/25/23

BZA APPLICATION FORM - OWNERSHIP INFORMATION

To be completed by OWNER, signed before a notary and returned to The Secretary of the Board of Zoning Appeals.

I/We VERIZON NEW ENGLAND INC.
(OWNER)

Address: 6 Bowdoin Square, 9th Floor, Boston, MA 02114

State that I/We own the property located at 210 Bent Street, Cambridge, MA, which is the subject of this zoning application.

The record title of this property is in the name of Verizon New England Inc.

*Pursuant to a deed of duly recorded in the date _____, Middlesex South County Registry of Deeds at Book _____, Page _____; or Middlesex Registry District of Land Court, Certificate No. _____ Book _____ Page _____. (SEE ATTACHED FOR DEED INFO.)

John V. DeMent
SIGNATURE BY LAND OWNER OR AUTHORIZED TRUSTEE, OFFICER OR AGENT*

*Written evidence of Agent's standing to represent petitioner may be requested.

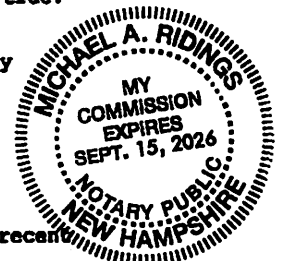
Commonwealth of Massachusetts, County of Middlesex

John V. DeMent, Manager-Real Estate of Verizon New England Inc.

The above-name _____ personally appeared before me, this 27 of March, 2023, and made oath that the above statement is true.

My commission expires Sept. 15, 2026 (Notary Seal).

Notary



• If ownership is not shown in recorded deed, e.g. if by court order, recent deed, or inheritance, please include documentation.

VERIZON NEW ENGLAND INC.

ASSISTANT SECRETARY'S CERTIFICATE

I, Christy K. Reyes, a duly elected and qualified Assistant Secretary of Verizon New England Inc. (the "*Company*"), hereby certify that:

John V. DeMent - Manager-Real Estate is authorized to execute and deliver, on behalf of the Company, the BZA Application Form - Ownership Information in connection with the property located at 210 Bent Street, Cambridge, MA 02138.

IN WITNESS WHEREOF, I have hereunto executed this Certificate this 23rd day of March, 2023.



Christy K. Reyes, Assistant Secretary



Attachment to BZA Application Ownership

Deed Information:

Verizon New England Inc. *f/k/a* New England Telephone and Telegraph Company a New York corporation), by virtue of a deed dated July 24, 1968 and recorded with Middlesex South County Registry of Deeds in Book 11544, Page 511. (See Change of Name Certificate at Book 43813, Page 235, effective as of August 17, 2000.), and by virtue of a deed dated January 10, 1973 and recorded at Book 12363, Page 409 and by virtue of a deed dated December 4, 1973 and recorded at Book 12563, Page 172.

BZA Application Form

SUPPORTING STATEMENT FOR A VARIANCE

EACH OF THE FOLLOWING REQUIREMENTS FOR A VARIANCE MUST BE ESTABLISHED AND SET FORTH IN COMPLETE DETAIL BY THE APPLICANT IN ACCORDANCE WITH MGL 40A, SECTION 10.

- A)** A literal enforcement of the provisions of this Ordinance would involve a substantial hardship, financial or otherwise, to the petitioner or appellant for the following reasons:
- Proposal is the completion of proper branding of this high profile property/business facia which will help to identify Verizon
- B)** The hardship is owing to the following circumstances relating to the soil conditions, shape or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located for the following reasons:
- Verizon's building is large scale and will support our unique identification choice; many properties within the neighborhood do not enjoy the opportunity to identify their business in such a different and attractive way-because they do not share the height or magnitude of Verizon's building
- C) DESIRABLE RELIEF MAY BE GRANTED WITHOUT EITHER:**
- 1)** Desirable relief may be granted without substantial detriment to the public good for the following reasons:
- Our proposal is minimal, and to scale with the facia area proposed
- 2)** Desirable relief may be granted without nullifying or substantially derogating from the intent or purpose of this Ordinance for the following reasons:
- Our proposal is in keeping with the purpose of the sign ordinance in that it 1. Provides for a positive aesthetic quality, 2. Makes the City's commerical area more attractive and enhances the economic climate, 3. Public interest is served by the use of signs by businesses to properly identify their properties and services

***If you have any questions as to whether you can establish all of the applicable legal requirements, you should consult with an attorney.**

BZA Application Form

DIMENSIONAL INFORMATION

Applicant: NEW ENGLAND TELEPHONE AND
TELEGRAPH COMPANY C/O DUFF AND
PHELPS

Present Use/Occupancy: COMMERCIAL

Location: 210 Bent St., Cambridge, MA

Zone: Residence C-1 Zone

Phone: 6036200076

Requested Use/Occupancy: COMMERCIAL

		<u>Existing Conditions</u>	<u>Requested Conditions</u>	<u>Ordinance Requirements</u>	
<u>TOTAL GROSS FLOOR AREA:</u>		NA	NA	NA	(max.)
<u>LOT AREA:</u>		NA	NA	NA	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA: ²</u>		NA	NA	NA	
<u>LOT AREA OF EACH DWELLING UNIT</u>		NA	NA	NA	
<u>SIZE OF LOT:</u>	<u>WIDTH</u>	N/A	N/A	N/A	
	<u>DEPTH</u>	N/A	N/A	N/A	
<u>SETBACKS IN FEET:</u>	<u>FRONT</u>	N/A	N/A	N/A	
	<u>REAR</u>	N/A	N/A	N/A	
	<u>LEFT SIDE</u>	N/A	N/A	N/A	
	<u>RIGHT SIDE</u>	N/A	N/A	N/A	
<u>SIZE OF BUILDING:</u>	<u>HEIGHT</u>	N/A	N/A	N/A	
	<u>WIDTH</u>	N/A	N/A	N/A	
	<u>LENGTH</u>	N/A	N/A	N/A	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>		N/A	N/A	N/A	
<u>NO. OF DWELLING UNITS:</u>		N/A	N/A	N/A	
<u>NO. OF PARKING SPACES:</u>		N/A	N/A	N/A	
<u>NO. OF LOADING AREAS:</u>		N/A	N/A	N/A	
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT</u>		N/A	N/A	N/A	

Describe where applicable, other occupancies on the same lot, the size of adjacent buildings on same lot, and type of construction proposed, e.g; wood frame, concrete, brick, steel, etc.:

COMMERCIAL AREA COMMERCIAL NEIGHBORHOOD

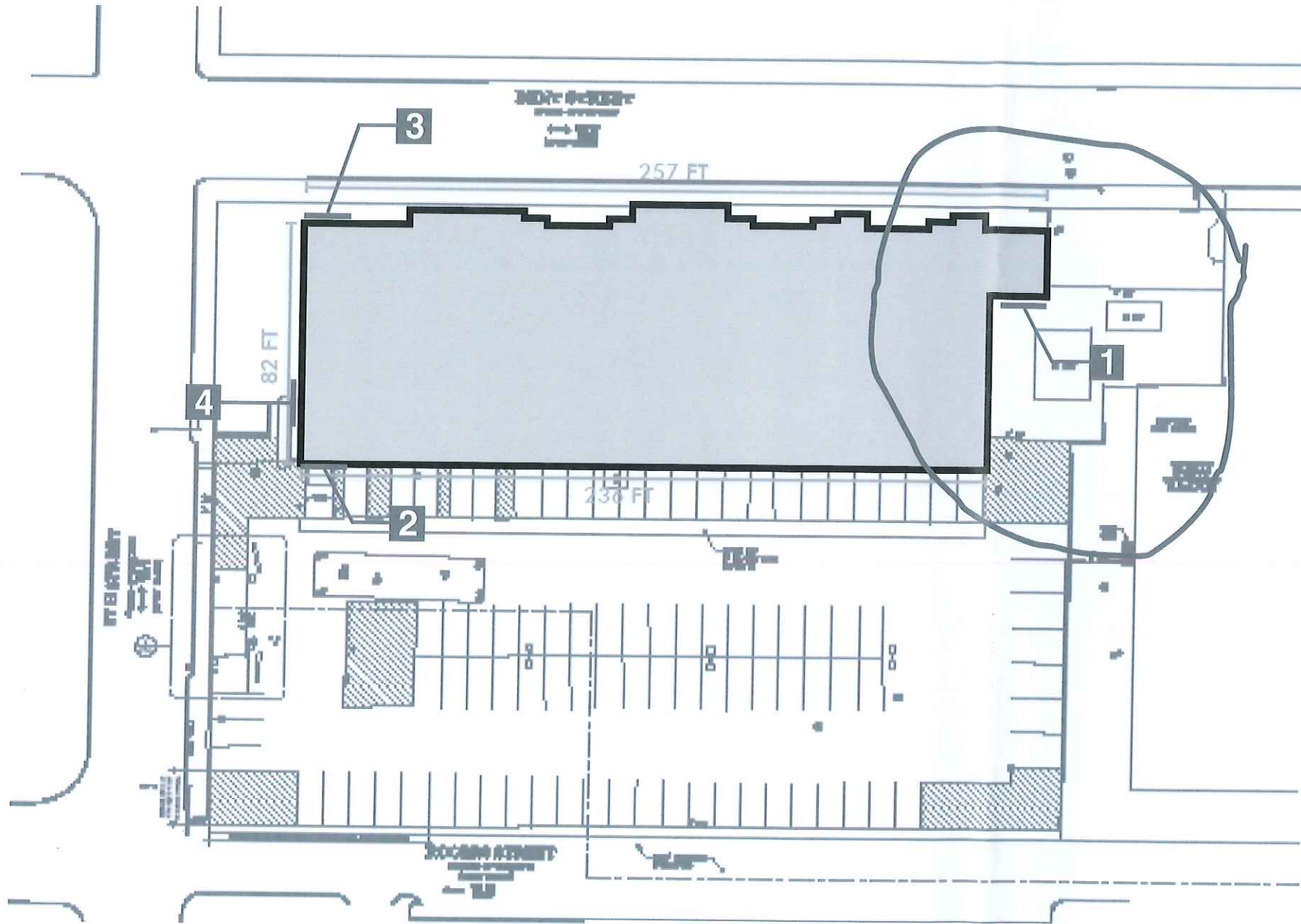
1. SEE CAMBRIDGE ZONING ORDINANCE ARTICLE 5.000, SECTION 5.30 (DISTRICT OF DIMENSIONAL REGULATIONS).
2. TOTAL GROSS FLOOR AREA (INCLUDING BASEMENT 7'-0" IN HEIGHT AND ATTIC AREAS GREATER THAN 5') DIVIDED BY LOT AREA.
3. OPEN SPACE SHALL NOT INCLUDE PARKING AREAS, WALKWAYS OR DRIVEWAYS AND SHALL HAVE A MINIMUM DIMENSION OF 15'.

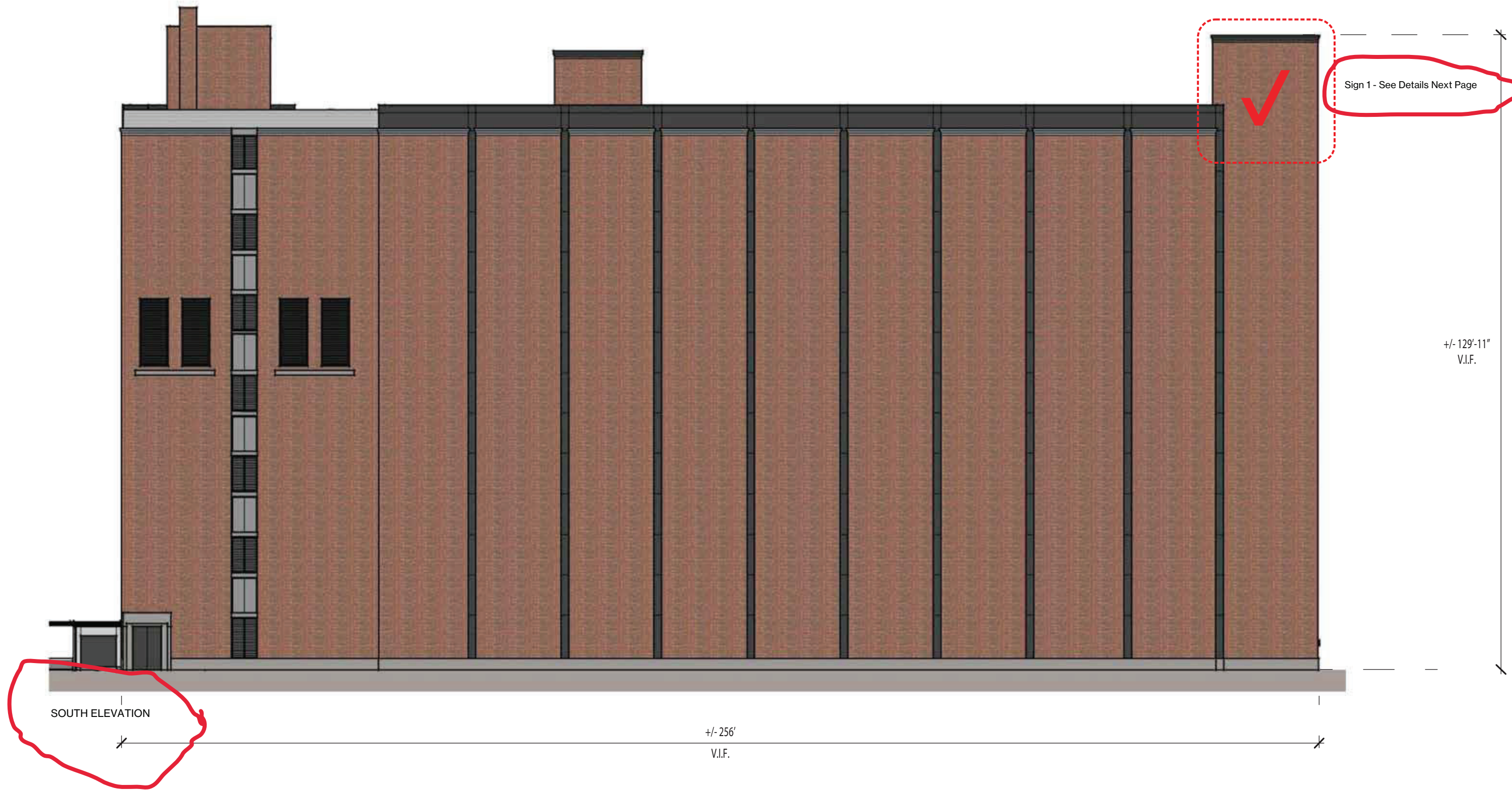
LEGEND

		QTY
1	TOWER WALL SIGN	1
2	EMPLOYEE ENTRANCE VINYL DECAL	2
3	ALUMINIUM LETTER SIGN	1
4	WALL SIGN	1

KEY

SIGN LOCATION —
 BUILDING OUTLINE —





NOTE:
 ALL EXISTING, NON-STANDARD, WINDOW GRAPHICS AND SIGNAGE
 TO BE REMOVED AND REPLACED WITH NEW STANDARD GRAPHICS.



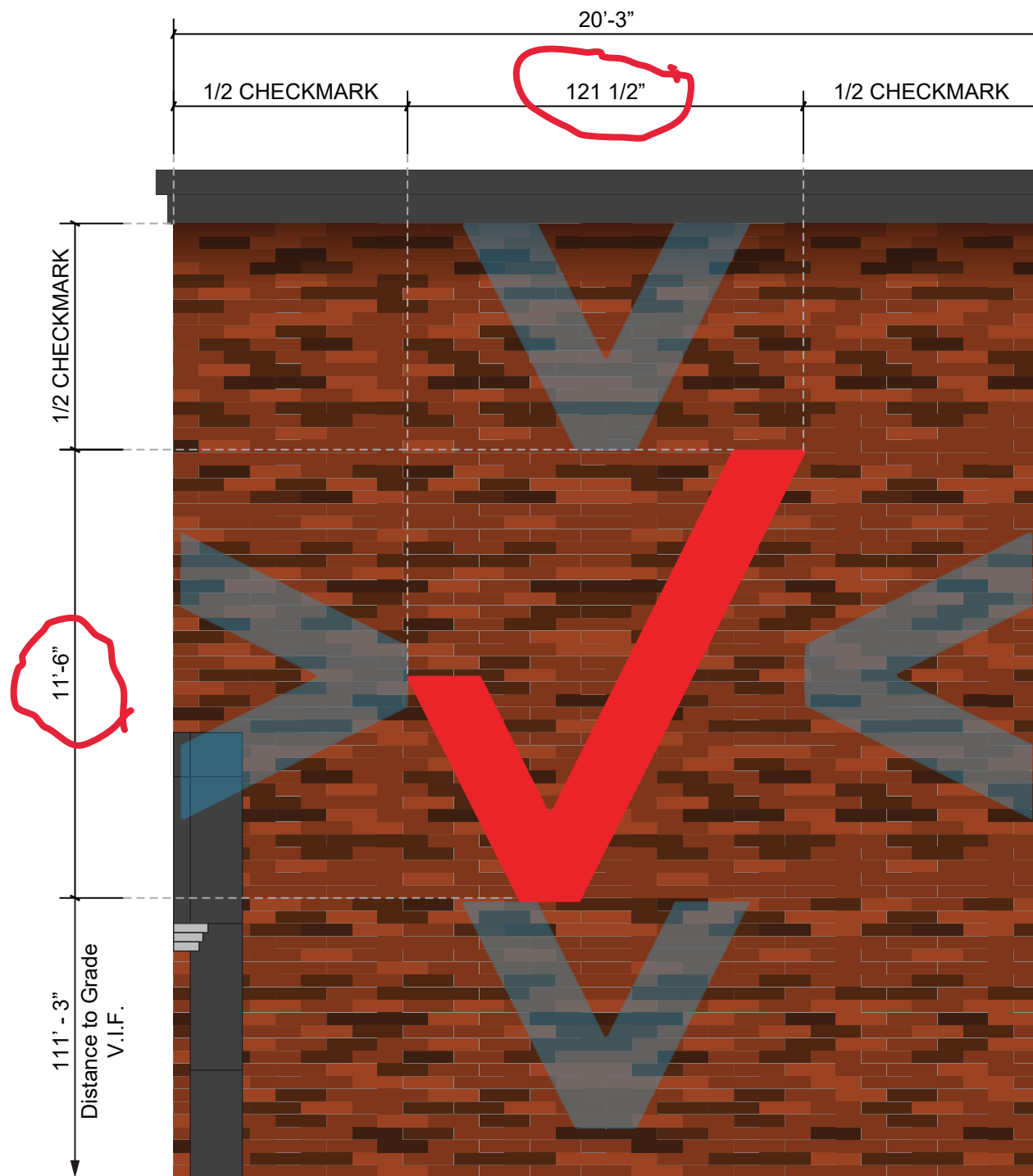
INSTALL ONE ONE INTERNALLY ILLUMINATED CHANNEL LETTER 116.43 SF SIGN ITEM 1

KEY NOTES

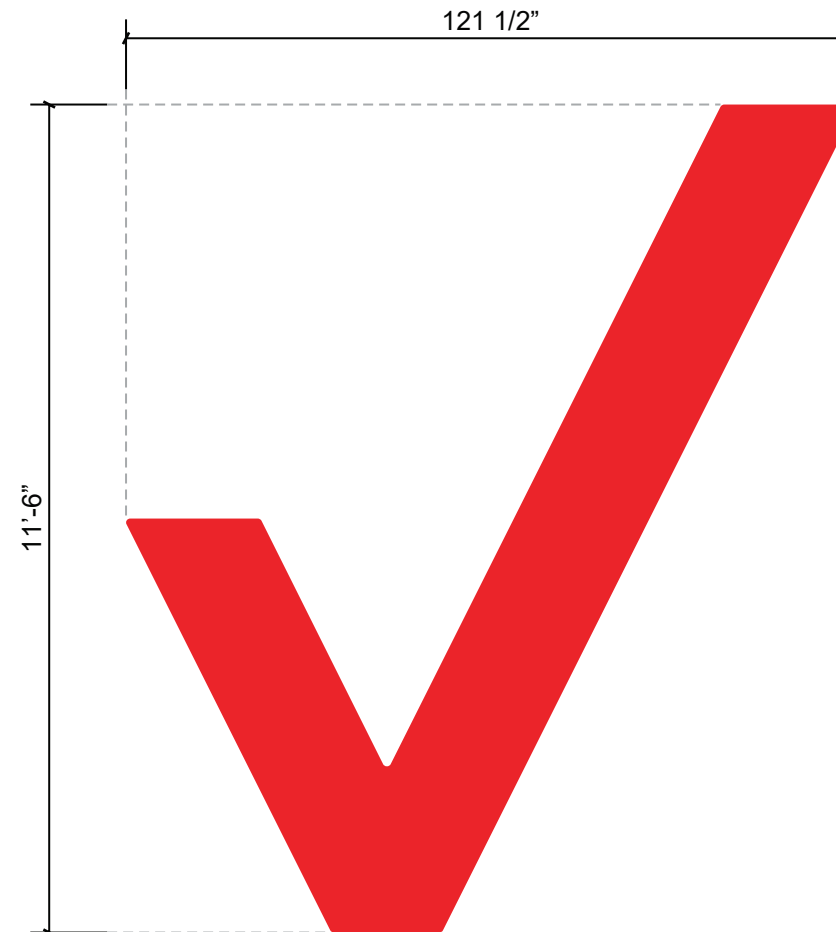
- | | |
|---|--|
| 1 | <p>Fabricated aluminum pan channel letters:</p> <ul style="list-style-type: none"> • 5" deep 0.060" thick aluminum returns painted to match PMS 485C • 1" trim cap painted to match PMS 485C • 0.090" thick aluminum letter backs • 3/16" thick translucent white acrylic faces decorated with 3M translucent Poppy Red vinyl • flush mounted to wall • power supplies remotely mounted in interior stairwell electrical box • approximate sign weight: 20lbs |
|---|--|

COLORS

- A** Matthews Paint t/m PMS 485C - Satin Finish
- B** 3M 3630-143 Poppy Red Translucent Vinyl



A Wall Sign - Elevation View
Scale: 1/4" = 1'-0"



B Wall Sign - Face View
Scale: 3/8" = 1'-0"



STYLISH STUDIOS
CAT

Generator Rentals
CAT

USA



WALK
USED
HERE

verizon

CAT



LOW ZONE
NO STOPPING
←

WALK
ED
SE
HERE

verizon



DO NOT ENTER

ENTRANCE



ONE WAY

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DO NOT
ENTER

DO NOT
ENTER

ENTRANCE

ONE WAY





The Verizon logo, consisting of a red checkmark symbol above the word "verizon" in a white, lowercase, sans-serif font.

**DELIVERY
IN REAR
5TH ST.**
→

**TOW ZONE
EMERGENCY
NO PARKING**

GP
DensGlass
Sheathing

GRANDE GRANDE

Proposed WALL Sign

Area in Square feet: 116.43 Dimensions: 11'6" X 121"

Illumination: Natural Internal External

Height (from ground to the top of the sign): 116'+/-

1. COMPLETE WHEN SIGN IS ACCESSORY TO A FIRST FLOOR STORE

Length in feet of store front facing street: (a) 256. Area of signs allowed accessory to store: outside (1 x a) 256, behind windows (0.5 x a) 128. Area of all existing signs on the store front to remain (including any freestanding sign): _____

permitted: _____ Area of additional signs permitted: _____
ONE INTERNALLY ILLUMINATED WALL SIGN, 32 SF, SIGN ITEM (4), WEST ELEVATION; ONE NON ILLUMINATED WALL SIGN, 19 SF, OVER ENTRANCE, NORTH ELEVATION, SIGN ITEM (3)

2. COMPLETE FOR ANY OTHER SIGN

Length in feet of building facade facing street: (a) _____. Area of signs allowed accessory to the building facade: outside (1 x a) _____, behind windows (0.5 x a) _____. Area of all existing signs on the building facade to remain (including any freestanding sign): _____. Area of additional signs permitted: _____.

SUMMARY OF LIMITATIONS FOR WALL SIGNS (see reverse side for more general summary of the sign regulations; review Article 7.000 of the Zoning Ordinance for all zoning requirements.)
AREA: 60 square feet maximum. **HEIGHT ABOVE THE GROUND:** 20 feet but below the sills of second floor windows. **ILLUMINATION:** Natural or external, or internal illumination with significant limitations. **NUMBER:** No limit.

COMMUNITY DEVELOPMENT DEPARTMENT CERTIFICATION

Sign conforms to requirements of Article 7.000: YES _____ NO

Sign requires a variance from the Board of Zoning Appeal: YES _____ X

Relevant sections: 7.16.22.C

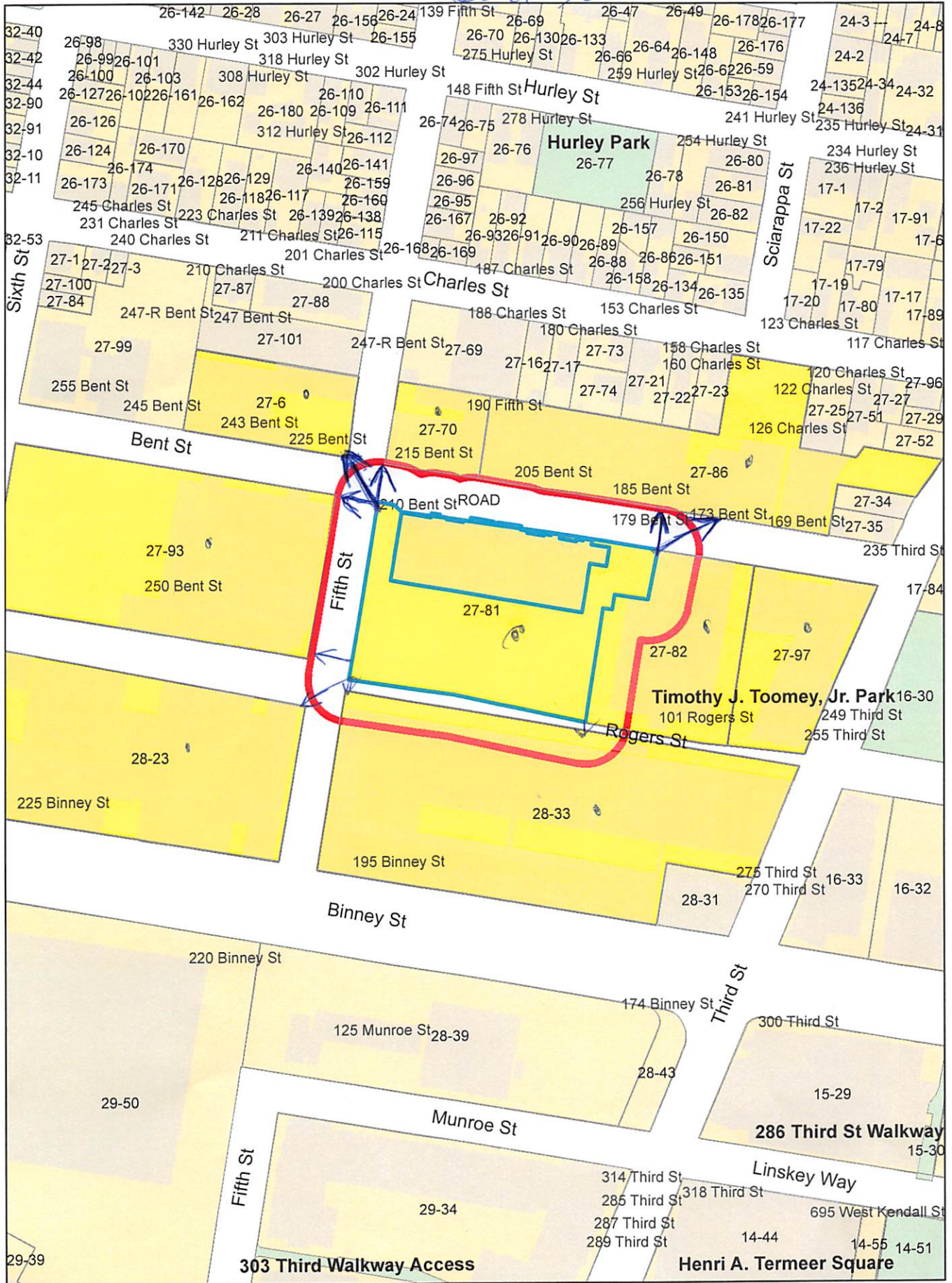
COMMENTS: Wall signs may be no larger than 60sq/ft; proposed wall sign is 116sq/ft. Internally illuminated wall signs must have a vertical or horizontal dimension that does not exceed 30"; proposed sign is 11'x121".

Wall signs must be located no higher than 20' on facade; proposed wall sign is 116' on the facade.

Date: 2-10-23 CDD Representative Daniel Messplay

Digitally signed by Daniel Messplay
DN: cn=Daniel Messplay, o, ou,
email=dmessplay@cambridgema.gov, c=US
Date: 2023.02.10 10:33:52 -05'00'

210 Bent St.



210 Bent St.

27-6
COLEY, SUSAN LOCKWOOD
225 BENT ST., #7
CAMBRIDGE, MA 02141

27-97
EQR-249 THIRD ST LLC
TWO NORTH RIVERSIDE PLAZA, SUITE 400
CHICAGO, IL 60606

Petitioner

BARLO SIGNS
C/O JENN ROBICHAUD
158 GREELEY STREET
HUDSON, NH 03051

27-6
SMITH, BRUCE H. & SOLANGE KHAN SMITH
225 BENT ST., #5
CAMBRIDGE, MA 02141

27-6
FELTES, FRANK E. JR.
225 BENT ST., UNIT #6A
CAMBRIDGE, MA 02141

27-81
NEW ENGLAND TELEPHONE AND TELEGRAPH
COMPANY - C/O DUFF AND PHELPS
P.O BOX 2749
ADDISON, TX 75001

28-33
ASN WORTHINGTON PLACE LLC,
C/O EQR- R.E. TAX DEPARTMENT
P.O. BOX 87407 (29808)
CHICAGO, IL 60680-0407

27-6
PEEPLES, RONALD & DEBORAH PEEPLES
225 BENT ST. UNIT 1
CAMBRIDGE, MA 02139

27-6
YEZERSKI, HOWARD J. & KATHERINE M. YEZERSKI
225 BENT ST., #3
CAMBRIDGE, MA 02139

27-6
SUMMERS, CHRISTOPHER R. & KERRY SUMMERS
225 BENT ST., #2A
CAMBRIDGE, MA 02141

27-70
BASS ROCKS REALTY LLC
75 CAMBRIDGE PARKWAY, SUITE 100
CAMBRIDGE, MA 02142

27-82
CITY OF CAMBRIDGE
C/O HEMA KAILASAM
255 MAIN ST. 8TH FLOOR
CAMBRIDGE, MA 02142

27-86
LOHNES, PAUL R.,
TR. OF THE ALEXANDER GRAHAM BELL TRUST
C/O LAVERTY LOHNES PROP,
75 CAMBRIDGE PARKWAY, SUITE 100
CAMBRIDGE, MA 02142

27-6
REMINGTON, THOMAS F.
NANCY ROTH REMINGTON TRUSTEES
225-243 BENT ST UNIT 4
CAMBRIDGE, MA 02141

27-93
AT&T CORP.
PROPERTY TAX UNIT
P.O. BOX 7207
BEDMINSTER, NJ 07921

27-6
DUGAN, CASEY
243 BENT ST. UNIT 8
CAMBRIDGE, MA 02141

28-23
ARE MA REGION NO 54 LLC
26 N EUCLID AVE
PASADENA, CA 91101

27-6
MORRIS JASON D
225 BENT ST - UNIT 6
CAMBRIDGE, MA 02141

27-6
GREEN, ELIOT & YOLANDA WINBERG
243 BENT ST - UNIT 2
CAMBRIDGE, MA 02141

June 6, 2023

Board of Zoning Appeal
831 Mass. Avenue
Cambridge, MA 02139

Re: Case No. 217962, Verizon New England Inc. - c/o Jenn Robichaud, Agent Barlow Signs

To the Zoning Board of Appeal,

I am writing in opposition to the requested variance for the proposed addition of an illuminated sign on the Verizon building at 210 Bent Street.

I do not believe that sufficient hardship has been demonstrated to permit a huge (~116 sq. ft.) illuminated sign that will be visible for a considerable distance and serves little purpose besides branding and advertising.

Existing compliant signs on the building are adequate for wayfinding and identification. The public interest is not served by the addition of the large, illuminated sign as there is no public access to the building.

From Verizon's petition:

"Verizon's building is large scale and will support our unique identification choice; many properties within the neighborhood do not enjoy the opportunity to identify their business in such a different and attractive way-because they do not share the height or magnitude of Verizon's building"

I got a chuckle out of this one as a resident who lives in the shadow of the "height and magnitude" of this building.

The Verizon building is within the East Cambridge neighborhood and is adjacent to numerous residences. Even so, the sign ordinance applies to the commercial buildings in East Cambridge as well.

From the Cambridge Sign Ordinance:

7.11.2 Purposes. The purposes of this Article are to preserve and enhance the substantial interests of the City of Cambridge in the appearance of the City; to preserve and enhance the public interest in aesthetics; to preserve and increase amenities of the City; **to control and reduce visual clutter and blight**; and to carry out the authority conferred by General Laws Chapter 40A.

I urge you to reject this application as no real hardship has been demonstrated. East Cambridge residents have fought hard to support the intent of the Sign Ordinance and keep our buildings free of superfluous advertising.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ron Peeples', with a long horizontal line extending to the right.

Ron Peeples

243 Bent Street
978 618-9250

mpacheco@cambridgema.gov



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

June 7, 2023

To: The Board of Zoning Appeal

From: The Planning Board

RE: BZA-217962 210 Bent Street

The Planning Board reviewed this BZA application during a meeting on June 6, 2023 and decided to forward the following comments to BZA.

The Board does not recommend granting a variance for the sign as proposed because it does not see a justification to exceed the signage limitations allowed by zoning, which in this case include the height of the sign, the size of the sign, and the dimensional limitations of internally-illuminated wall signs. The Applicant stated that the justification for the request was to increase visibility of its brand. Board members noted longstanding community concerns about large, illuminated wall signs placed at the tops of buildings and did not feel that this particular request justified overturning years of precedence in the City.



City of Cambridge

MASSACHUSETTS

BOARD OF ZONING APPEAL

831 Mass Avenue, Cambridge, MA.
(617) 349-6100

3 Bds

BZA

POSTING NOTICE - PICK UP SHEET

The undersigned picked up the notice board for the Board of Zoning Appeals Hearing.

Name: Steve Dong Date: 5/31/23
(Print)

Address: 210 Bent St.

Case No. BZA-217962

Hearing Date: 6/15/23

Thank you,
Bza Members

Pacheco, Maria

From: Messplay, Daniel
Sent: Tuesday, June 13, 2023 9:12 AM
To: Pacheco, Maria
Cc: carol@carolok.com
Subject: FW: BZA: Verizon "V" Sign, 210 Bent St., Hearing 6/15/23

Importance: High

Hi Maria,

Here is Carol's email to the BZA for reference; see below and please confirm receipt if you are able.

Best,

Daniel

Daniel Messplay, AICP
Acting Director, Zoning & Development
Cambridge Community Development Department
344 Broadway, Cambridge, MA. 02139

From: Carol O'Hare <carol@carolok.com>
Sent: Monday, June 12, 2023 8:38 AM
To: Pacheco, Maria <mpacheco@cambridgema.gov>
Cc: Messplay, Daniel <dmessplay@cambridgema.gov>
Subject: BZA: Verizon "V" Sign, 210 Bent St., Hearing 6/15/23

Dear Mr. Sullivan, Chair, Mr. Monteverde, Vice Chair, and Board of Zoning Appeal Members:

Not this again! Where to start?

Verizon is appealing to the BZA for **3 huge zoning variances** for their internally illuminated, building-top wall sign.¹ Their check-mark sign would far exceed zoning size and above-ground height limits. See application p. 8 (south elevation) and sheet 9 (sign close-up).² Note that there already is a Verizon sign that appears to be zoning-compliant at ground level above an entry door. See application p. 15. <https://tinyurl.com/56n3kapz>

Variances

- Maximum permitted sign size is 60 sq. ft. **Variance requested: 116.43 sq. ft., almost double the permitted size.**
- Maximum permitted vertical or horizontal dimension for internally illuminated sign is 30". **Variance requested: 132"x121" sign, both far longer than the permitted maximum.**
- Maximum permitted above-ground sign height on façade is 20'. **Variance requested: 116' height, which is almost 6 times the permitted height above ground.**

1. Verizon's assertion that the 3 variances are "**minimal, and to scale with the facia area proposed**" does not make it so. In fact, I'd call them "**maximal.**"

2. Verizon claims that their proposed sign will allow their "high profile/business facia" to achieve "proper branding." Huh? And what on earth is "business facia" and "proper branding"? What sign wouldn't qualify for such sign-height and -size variances if you lend credence to those rationales?

3. Verizon claims that their building (being larger in height & “magnitude” than others in their neighborhood) can “support” a sign at its top. If that rationale succeeds, then many taller-than-their-neighbors’ buildings in the city would be eligible for variances for their own building-top signs.

4. Verizon already has or will have its apparently legal, logo sign above a street-level doorway where it can be easily seen by wayfinding pedestrians and drivers/passengers who are unfamiliar with the exact location of Verizon’s building entry. See pp. 15 & 16. <https://tinyurl.com/avzft3p8> In any event, surely Google Maps, Waze or Apple Maps will guide anyone unfamiliar with Verizon’s exact location.³

5. Even if you consider Verizon’s proposed logo/sign to be well designed (I do), that does not satisfy the “substantial hardship” requirement for zoning variances. Namely, the hardship must relate “to the soil conditions, shape or topography of [the] land or structures...” of Verizon’s property, as distinguished from the rest of the zoning district. But Verizon is in the same situation as other business-occupants in their Residence C-1 Zoning District, not distinguishably different.

And, beyond that, why would we ever want to return to the old days/pre-2011 when zoning variances for commercial signs were commonly granted?

6. Verizon is just plain wrong in its assertion that their sign would not nullify or substantially derogate from our Zoning Ordinances intent or purpose. Of course it would.

In support, Verizon claim that their check-mark logo:

- “provides for a positive aesthetic quality” – But again, Verizon already has a sign at street level that does that even better with their logo and their name within easy view. See p. 15.
- “makes the commercial area more attractive and enhances the economic climate.” – Does that mean that all tall buildings in East Cambridge, Central Square and elsewhere should have building-top signs? See list of tallest buildings in Cambridge. <https://tinyurl.com/3rnkwfru>.
- serves the public interest by properly identifying their business and services – Again, Verizon’s street-level sign performs that function for automobile drivers, bicycle riders and pedestrians.

What Verizon is really saying is that they just want to promote their brand lit up and up high with their distinctive check-mark logo.

7. If you approve Verizon’s 3 major variances, you can again expect more sign variance applications to follow. That’s especially likely for properties near areas where Cambridge Redevelopment Authority has jurisdiction because their limitations on signs, including sign height and size, are much more liberal than zoning maximums in the rest of the City. Verizon’s space is outside the CRA’s area and, thus, simply does not qualify for its more permissive zoning limits.

8. And, last but not least, last week the Planning Board opposed Verizon’s variances for their sign.

In short, these 3 variances are major zoning excesses, and they simply do not satisfy zoning-variance requirements. So, I hope the BZA will deny them.

As always, thanks for your time, service and consideration.

Sincerely,

Carol O’Hare
172 Magazine St.

Cc: Daniel Messplay, Acting Director, Zoning & Development, CDD

1.



2. Note that, while Verizon’s application includes a number of irrelevant, building construction images (pp. 10 thru 14), it includes only two depictions of their proposed building-top sign. See pp. 8 & 9.

3 If the City Council chose to amend our the Zoning Ordinance to allow larger, higher signs in the rest of East Cambridge, it could do so. And some of you will remember when zoning variance applications for signs were quite common, which led to the 2011 short-lived Building Identification Sign Zoning Amendment (a/k/a "Microsoft Amendment"). It would have allowed by special permit larger, very high signs in many areas of the City, including along Memorial Dr. and in East Cambridge. But only months after its adoption, the City Council rescinded the Amendment as a result of the citizens' petition signed by thousands of Cambridge residents. That process lasted months and caused name-calling, finger pointing and civic unpleasantness, unusual for that time.

Cc: Daniel Messplay

Pacheco, Maria

From: Jenn Robichaud <Jennifer.Robichaud@Barlosigns.com>
Sent: Tuesday, August 8, 2023 9:51 AM
To: Pacheco, Maria
Subject: Verizon BZA 217962
Attachments: AGENDA.pdf; Waiver for 210 Bent St.pdf

Ms. Pacheco,

Barlo Signs respectfully requests a postponement of their Sept 14 2023 Variance request hearing, to November of 2023.

Our client needs time to further prep regarding concerns brought up by the Board and abutters, and November would be a better date for their Staff.

B A R L O | **JENNIFER ROBICHAUD**
 PERMITS | PLANNING | ZONING
PH: 603-882-2638 x333
Fax: 603-882-7680
www.barlosigns.com



City of Cambridge

MASSACHUSETTS

BOARD OF ZONING APPEAL

831 Mass Avenue, Cambridge, MA.
(617) 349-6100

2023 JUN 27 PM 12:05
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

Board of Zoning Appeal Waiver Form

The Board of Zoning Appeal
831 Mass Avenue
Cambridge, MA 02139

RE: Case # BZA - 217942

Address: 210 Bent St

Owner, Petitioner, or Representative: Jenn Robichaud
(Print Name)

hereby waives the required time limits for holding a public hearing as required by Section 9 or Section 15 of the Zoning Act of the Commonwealth of Massachusetts, Massachusetts General Laws, Chapter 40A. The Owner, Petitioner, or Representative further hereby waives the Petitioner's and/or Owner's right to a Decision by the Board of Zoning Appeal on the above referenced case within the time period as required by Section 9 or Section 15 of the Zoning Act of the Commonwealth of Massachusetts, Massachusetts General Laws, Chapter 40A, and/or Section 6409 of the federal Middle Class Tax Relief and Job Creation Act of 2012, codified as 47 U.S.C. §1455(a), or any other relevant state or federal regulation or law.

Date: 6/16/23

JR
BARLO SIGNS JENN ROBICHAUD
Signature

Pacheco, Maria

From: Carol O'Hare <carol@carolok.com>
Sent: Thursday, September 7, 2023 10:39 AM
To: Pacheco, Maria
Cc: Messplay, Daniel
Subject: Verizon "V" Sign, 210 Bent St., Another Continuance from 6/15/23!

Dear Mr. Monteverde, Chair, Mr. Ng, Vice Chair, and Board of Zoning Appeal Members:

I ask you to deny Verizon's/Barlo Signs' request for a **second continuance** of the BZA's hearing on their 3 major zoning variances for their Verizon sign. They suggest sometime in November would suit them..

I agree with the Planning Board's recommendation. There is no legal or practical justification for the 3 major variances. And there's no justification for an additional 2-month continuance. (What have they been doing during the more than 2 months continuance they've already had?)

For your easy reference, I'm including below a copy of my June 12 email.

Thanks for your time and attention.

Sincerely,

Carol O'Hare
172 Magazine St.

Cc: Daniel Messplay, Acting Director, Zoning & Development, CDD

From: Carol O'Hare [mailto:carol@carolok.com]
Sent: Monday, June 12, 2023 8:38 AM
To: 'Pacheco, Maria'
Cc: 'Messplay, Daniel'
Subject: BZA: Verizon "V" Sign, 210 Bent St., Hearing 6/15/23

Dear Mr. Sullivan, Chair, Mr. Monteverde, Vice Chair, and Board of Zoning Appeal Members:

Not this again! Where to start?

Verizon is appealing to the BZA for **3 huge zoning variances** for their internally illuminated, building-top wall sign.¹ Their check-mark sign would far exceed zoning size and above-ground height limits. See application p. 8 (south elevation) and sheet 9 (sign close-up).² Note that there already is a Verizon sign that appears to be zoning-compliant at ground level above an entry door. See application p. 15. <https://tinyurl.com/56n3kapz>

Variances

- Maximum permitted sign size is 60 sq. ft. **Variance requested: 116.43 sq. ft., almost double the permitted size.**
- Maximum permitted vertical or horizontal dimension for internally illuminated sign is 30". **Variance requested: 132"x121" sign, both far longer than the permitted maximum.**
- Maximum permitted above-ground sign height on façade is 20'. **Variance requested: 116' height, which is almost 6 times the permitted height above ground.**

1. Verizon's assertion that the 3 variances are "**minimal, and to scale with the facia area proposed**" does not make it so. In fact, I'd call them "**maximal.**"

2. Verizon claims that their proposed sign will allow their "high profile/business facia" to achieve "proper branding." Huh? And what on earth is "business facia" and "proper branding"? What sign wouldn't qualify for such sign-height and -size variances if you lend credence to those rationales?

3. Verizon claims that their building (being larger in height & “magnitude” than others in their neighborhood) can “support” a sign at its top. If that rationale succeeds, then many taller-than-their-neighbors’ buildings in the city would be eligible for variances for their own building-top signs.

4. Verizon already has or will have its apparently legal, logo sign above a street-level doorway where it can be easily seen by wayfinding pedestrians and drivers/passengers who are unfamiliar with the exact location of Verizon’s building entry. See pp. 15 & 16. <https://tinyurl.com/avzft3p8> In any event, surely Google Maps, Waze or Apple Maps will guide anyone unfamiliar with Verizon’s exact location.³

5. Even if you consider Verizon’s proposed logo/sign to be well designed (I do), that does not satisfy the “substantial hardship” requirement for zoning variances. Namely, the hardship must relate “to the soil conditions, shape or topography of [the] land or structures...” of Verizon’s property, as distinguished from the rest of the zoning district. But Verizon is in the same situation as other business-occupants in their Residence C-1 Zoning District, not distinguishably different.

And, beyond that, why would we ever want to return to the old days/pre-2011 when zoning variances for commercial signs were commonly granted?

6. Verizon is just plain wrong in its assertion that their sign would not nullify or substantially derogate from our Zoning Ordinances intent or purpose. Of course it would.

In support, Verizon claim that their check-mark logo:

- “provides for a positive aesthetic quality” – But again, Verizon already has a sign at street level that does that even better with their logo and their name within easy view. See p. 15.
- “makes the commercial area more attractive and enhances the economic climate.” – Does that mean that all tall buildings in East Cambridge, Central Square and elsewhere should have building-top signs? See list of tallest buildings in Cambridge. <https://tinyurl.com/3rnkwfru>.
- serves the public interest by properly identifying their business and services – Again, Verizon’s street-level sign performs that function for automobile drivers, bicycle riders and pedestrians.

What Verizon is really saying is that they just want to promote their brand lit up and up high with their distinctive check-mark logo.

7. If you approve Verizon’s 3 major variances, you can again expect more sign variance applications to follow. That’s especially likely for properties near areas where Cambridge Redevelopment Authority has jurisdiction because their limitations on signs, including sign height and size, are much more liberal than zoning maximums in the rest of the City. Verizon’s space is outside the CRA’s area and, thus, simply does not qualify for its more permissive zoning limits.

8. And, last but not least, last week the Planning Board opposed Verizon’s variances for their sign.

In short, these 3 variances are major zoning excesses, and they simply do not satisfy zoning-variance requirements. So, I hope the BZA will deny them.

As always, thanks for your time, service and consideration.

Sincerely,

Carol O’Hare
172 Magazine St.

Cc: Daniel Messplay, Acting Director, Zoning & Development, CDD

1.



2. Note that, while Verizon’s application includes a number of irrelevant, building construction images (pp. 10 thru 14), it includes only two depictions of their proposed building-top sign. See pp. 8 & 9.

3 If the City Council chose to amend our the Zoning Ordinance to allow larger, higher signs in the rest of East Cambridge, it could do so. And some of you will remember when zoning variance applications for signs were quite common, which led to the 2011 short-lived Building Identification Sign Zoning Amendment (a/k/a "Microsoft Amendment"). It would have allowed by special permit larger, very high signs in many areas of the City, including along Memorial Dr. and in East Cambridge. But only months after its adoption, the City Council rescinded the Amendment as a result of the citizens' petition signed by thousands of Cambridge residents. That process lasted months and caused name-calling, finger pointing and civic unpleasantness, unusual for that time.

Cc: Daniel Messplay

1 * * * * *

2 (8:52 p.m.)

3 Sitting Members: Jim Monteverde, Wendy Leiserson, Thomas
4 Miller, Steve Ng, and Carol Agate

5 JIM MONTEVERDE: The next case will be 217962 --
6 210 Bent Street. Jenn Robichaud, are you present? Sorry,
7 William McFadden? Does the proponent wish to present to us
8 what they're asking? This is a variance regarding a sign.
9 Someone there who wants to speak?

10 WILLIAM MCFADDEN: Yes, Mr. Chairman. William
11 McFadden of Barlo Signs. Can everybody hear me?

12 JIM MONTEVERDE: Yep. Thank you.

13 WILLIAM MCFADDEN: We're coming before the Board
14 tonight to seek a variance to allow an illuminated wall sign
15 that's going on the south elevation of 210 Bent Street
16 building, which is the Verizon building.

17 The overall building size is 256' in length, 129'
18 tall. So we're asking to put a building identifier -- just
19 the logo, we're not asking for the word, "Verizon" it's just
20 the logo on the upper tower.

21 If you look at the design, you can kind of see it
22 lower on your screen right now. Just there Verizon

1 checkmark. It's a base-lit illuminated logo. Again,
2 they're renovating the existing building to make visual
3 improvements. And it's more -- this is more of a brand
4 identifier. I would not call it advertising, because it's
5 not stating, you know, the word "Verizon" with the
6 checkmarks, but more of a brand identifier on that.

7 The variance is for the size. The existing
8 allowance is no more than 60 square feet. This is 116
9 square feet, obviously due to the size of the building. So
10 -- the location of the building, so you can get more
11 prominent look to the checkmark.

12 The wall sign, the existing sign allowance: No
13 more than 30", whether that be vertical or horizontal. And
14 again, going back to the size it's 11' by 121". As well,
15 the wall sign can be no higher than 20' on a façade. And
16 this one, we're proposing to put it at 116' on the façade,
17 due to the building size.

18 I believe that --

19 JIM MONTEVERDE: That sums it up?

20 WILLIAM MCFADDEN: Pretty much sums it up. Yes
21 sir.

22 JIM MONTEVERDE: Okay. Thank you. Before I intro

1 the letters we have in the file, any members of the Board
2 have any questions?

3 CAROL AGATE: Yes, I do. I would like to ask Mr.
4 McFadden why is this a hardship if you were to limit the
5 size of it?

6 WILLIAM MCFADDEN: Again, due to the size of the
7 building, I -- you know, they're trying to be a good
8 neighbor with cleaning the building up. And just looking to
9 show who owns the property.

10 CAROL AGATE: Well, you already have a sign on the
11 other side of the building --

12 WILLIAM MCFADDEN: Right --

13 CAROL AGATE: -- and A--

14 WILLIAM MCFADDEN: -- at street level, yes, ma'am.

15 CAROL AGATE: -- and AT&T has a building also as
16 large as your with a big façade and has the same kind of
17 sign in front of the door.

18 WILLIAM MCFADDEN: Correct.

19 CAROL AGATE: So where is the hardship compared to
20 what this other company can do? Actually your competitor?

21 WILLIAM MCFADDEN: This one is facing the south
22 elevation. This client is just trying to get a little bit

1 more visibility in the community, versus what is currently
2 there now at street level.

3 CAROL AGATE: Okay, thank you.

4 JIM MONTEVERDE: Okay. Thank you. Any other
5 questions from any other members of the Board? Nope.
6 Hearing none, let me just read the correspondence we have in
7 the file.

8 From Joseph Rowe (phonetic), dated June 14, 2023,
9 writing to share his opposition. It says, "There is no
10 hardship, and the proposed sign is too large, too high, and
11 should not be internally illuminated."

12 Another one from Carol O'Hare, June 12, 2023.
13 This is on opposition. "The sign far exceeds the zoning size
14 and above the ground floor height. And there's already a
15 Verizon sign that appears to be zoning compliant at ground
16 level."

17 And we have dated February 22, 2023 from the East
18 Cambridge Planning Team, they are writing in opposition of
19 the requested variance for the illuminated sign.

20 And dated June 7, 2023 from the Cambridge Planning
21 Board: "The Board does not recommend granting a variance
22 for the sign as proposed, because it doesn't see

1 justification to exceed the signage limitations allowed by
2 Zoning, which in this case includes the height of the sign,
3 the size of the sign, and the dimensional limitations of
4 internally illuminated signs."

5 Let's see, I have a last one -- is from Ron
6 Peeples, dated June 6, 2023, writing in opposition to the
7 requested variance. I will close public testimony. Is
8 there any discussion from the Board members, or are we ready
9 for a motion?

10 THOMAS MILLER: This is Thomas Miller.

11 JIM MONTEVERDE: Yep.

12 THOMAS MILLER: I agree. I do not think the
13 hardship is well articulated in the application. On the
14 other hand, I do think that it's a very large, nondescript
15 building face. I think the size of the sign is arguably
16 proportional to the -- you know, exposed face of the
17 building wall.

18 And I guess I also question to some extent the
19 principal nature of the opposition to the sign. I mean,
20 historically, commercial signage of this size is ubiquitous.
21 I think of the commercial -- the metropolitan storage on
22 Mass Ave or the Shell sign in Cambridgeport that are now

1 iconic.

2 But I do take note of the uniform opposition from
3 the -- from the public feedback. So I'm interested to hear
4 other comments on this.

5 JIM MONTEVERDE: Yeah. I think beside those other
6 historical precedents that you mention, they're requesting a
7 variance because they don't comply with any of the ordinance
8 requirements in terms of size, dimensional size, height
9 above the ground, or the internal illumination.

10 So I don't think there's any exception in the
11 ordinance to allow for the sign to be -- I think the point
12 is not to be proportional, it's just to either live within
13 those -- the ordinance dimensional requirements or be able
14 to describe why it needs to be larger, higher, internally
15 illuminated and why it's a hardship.

16 STEVEN NG: This is Steve Ng.

17 CAROL AGATE: This is Carol.

18 STEVEN NG: Oh. Go ahead, Carol.

19 CAROL AGATE: Oh. Okay. Well, the neighborhood
20 is mixed. It's not strictly a business neighborhood, there
21 are a lot of residential buildings there. And there's also
22 a lot under construction. So granting a larger sign would

1 set a precedent that would change the entire area.

2 There is -- I didn't see any other signs that were
3 large in that area. All of them seem to comply with the
4 size requirements. And to set a precedent by allowing this
5 huge sign, also the sign would dominate the whole area.

6 And building -- that brick face is illuminated,
7 and in front of the building is a parking lot. So there's
8 this open space, which makes the sign that much more
9 visible, a two-story building across the street, so that
10 also makes the sign more visible. It would really be a boon
11 in advertising to Verizon, but I can't see it as a boon to
12 the neighborhood at all.

13 JIM MONTEVERDE: Thank you, Carol.

14 WILLIAM MCFADDEN: Mr. Chairman, could I ask to
15 withdraw, so that I can go back to the customer to review,
16 based on the comments that I have been hearing? I do take
17 your comments seriously, and I completely get your point. I
18 would like to withdraw at this time.

19 JIM MONTEVERDE: Okay. I think I will propose a
20 motion. If anyone else has any comments, we're going to
21 propose a motion to withdraw?

22 WENDY LEISERSON: Ready for a motion.

1 JIM MONTEVERDE: Do you want to withdraw, or do
2 you want to continue?

3 WILLIAM MCFADDEN: I would like to withdraw at
4 this time.

5 JIM MONTEVERDE: What happens to him if he
6 withdraws?

7 WILLIAM MCFADDEN: Can't come back for two years?
8 Sorry, we can't?

9 JIM MONTEVERDE: Wendy, can you just confirm for
10 us? Chatting here with my associate about the -- what
11 happens if he withdraws. I don't want him to trip up on
12 some requirement that says if you withdraw, you can't come
13 back in two years with anything that's similar.

14 WENDY LEISERSON: Oh. Now's when I wish Andrea
15 were on board. But I think my understanding is -- but I --
16 I would have to look it up, honestly, to confirm. But my
17 gut says that withdrawing is a way to preserve the option of
18 coming back, whereas if we voted on it, that's where the
19 window comes that they can't reintroduce it.

20 JIM MONTEVERDE: They can come back for --

21 WENDY LEISERSON: Yeah.

22 JIM MONTEVERDE: Okay. All right. In that case,

1 I will propose a motion that we vote to withdraw Case
2 217962. Carol?

3 CAROL AGATE: No objection.

4 JIM MONTEVERDE: Thank you. Tom?

5 THOMAS MILLER: Agree.

6 JIM MONTEVERDE: Wendy?

7 WENDY LEISERSON: Agreed.

8 JIM MONTEVERDE: Steven?

9 STEVEN NG: Agree.

10 JIM MONTEVERDE: And Jim Monteverde in favor.

11 [All vote YES]

12 JIM MONTEVERDE: Five affirmative for withdrawal.

13 I understand we have a member of the public who's
14 called in late. We will allow that.

15 We have one?

16 JIM MONTEVERDE: One to join in for public
17 comment.

18 STEPHEN NATOLA: John Hawkinson?

19 JOHN HAWKINSON: Thanks, Mr. Chair. I just wanted
20 to advise you that the ordinance does in fact deem --
21 clearly state withdrawal means they cannot come back for two
22 years. So I do think you might want to vote to reconsider

1 that and then give them a continuance.

2 JIM MONTEVERDE: All right, thank you.

3 WENDY LEISERSON: Thank you, John.

4 JIM MONTEVERDE: Yep. Thank you.

5 WENDY LEISERSON: John, can you -- just while
6 John's on there, can he reference the section he's talking
7 about, if he knows it offhand?

8 JOHN HAWKINSON: I can find it if you give me
9 about 15 seconds.

10 WENDY LEISERSON: Okay.

11 JIM MONTEVERDE: Yeah. While you're doing that,
12 we will eliminate the withdrawal and request a vote --

13 JOHN HAWKINSON: Oh, Section -- Section 10.51
14 says, "The granting of 'leave of withdraw' after application
15 for a variance or special permit has been advertised shall
16 be considered unfavorable action."

17 WENDY LEISERSON: Oh, geez.

18 JIM MONTEVERDE: Okay.

19 WENDY LEISERSON: Well, thank you for bringing
20 that to the Board's attention, John.

21 JOHN HAWKINSON: And that section -- you're
22 welcome. That same section then also defines "unfavorable

1 action" and then indicates why you don't want to do that.

2 JIM MONTEVERDE: Right.

3 WENDY LEISERSON: Okay.

4 JIM MONTEVERDE: Thank you. Thank you, John.

5 JOHN HAWKINSON: You're welcome.

6 JIM MONTEVERDE: So proponent, therefore --

7 WENDY LEISERSON: I've never been the sole lawyer
8 on board, sorry.

9 JIM MONTEVERDE: Yeah. Therefore, we'll strike
10 the withdrawal, I suggest. I mean, it's up to you, the
11 proponent. I would suggest you might want to do a
12 continuance.

13 WILLIAM MCFADDEN: I will take your advice, Mr.
14 Chairman and ask for a continuance.

15 JIM MONTEVERDE: All right. People are getting
16 tired here and they're getting feisty. So we have a date of
17 --

18 CAROL AGATE: September 14?

19 JIM MONTEVERDE: -- July 27, but that's when --

20 CAROL AGATE: Well -- okay.

21 JIM MONTEVERDE: -- or yeah, or we have September
22 14. September 14 work for you?

1 WILLIAM MCFADDEN: I think we can do September 14,
2 sir.

3 JIM MONTEVERDE: Yep. That works, and that works
4 for the other members of the Board. Okay. On a vote to
5 continue this matter, Case 217962, until September 14, 2023?

6 WILLIAM MCFADDEN: Let me look at my --

7 JIM MONTEVERDE: I'll make a motion, then, to
8 continue this matter to September 14, 2023 on the condition
9 that the petitioner change the posting sign to reflect the
10 new date of September 14, 2023 and the time at 6:00 p.m.

11 Also in furtherance that the petitioner sign a
12 waiver to the statutory requirement for a hearing. Said
13 waiver can be obtained from Maria Pacheco or Olivia Ratay at
14 the Inspectional Services Department.

15 And I ask that you sign it and return it to us by
16 a week from this coming Monday. Failure to do so will de
17 facto cause this Board to give an adverse ruling on this
18 particular case.

19 Also, if there are any new submittals or changes
20 to the drawings, that those be on file by 5:00 p.m. on the
21 Monday prior to September 14, 2023 hearing.

22 Also, if there are any changes to the dimensional

1 form, and the supporting statements, they also be changed
2 and submitted along with the new documents.

3 On the motion, then, to continue this matter until
4 September 14, 2023, Steven?

5 STEVEN NG: Yes.

6 JIM MONTEVERDE: Wendy?

7 WENDY LEISERSON: Yes.

8 JIM MONTEVERDE: Tom?

9 THOMAS MILLER: Yes.

10 JIM MONTEVERDE: And Carol?

11 CAROL AGATE: Yes.

12 JIM MONTEVERDE: And Jim Monteverde yes.

13 [All vote YES]

14 JIM MONTEVERDE: That's five in favor. This
15 matter is continued until September 14.

16 And John, thank you for interjecting.

17 WILLIAM MCFADDEN: Thank you, John. Thank you,
18 everybody.

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Pacheco, Maria

From: Joseph Rose <cambridgemoxie@yahoo.com>
Sent: Wednesday, June 14, 2023 9:41 AM
To: Pacheco, Maria
Subject: Opposition to BZA 217962

To the Board of Zoning Appeals,

With respect to BZA 217962, I want to share my opposition to the internally illuminated sign proposed by the developer for 210 Bent St.

There is no hardship presented by this proposal. This building is not an active storefront nor business in need of identification.

This building has long been a looming structure in the neighborhood. Adding an internally illuminated sign, drawing attention to the building from across the river, doesn't speak to the character or intent of the neighborhood. This is not commercial Kendall square. This building sits on the edge of the residential neighborhood. The proposed sign is too large, too high, and should not be internally illuminated.

As a resident of the neighborhood, I oppose this proposal.

Sincerely,

Joe Rose
Spring St.

East Cambridge



Planning Team

A Neighborhood Organization for the Betterment of East Cambridge

February 22, 2023

Cambridge Board of Zoning Appeal
831 Mass Ave
Cambridge, MA 02139

RE: 210 Bent St. (BZA #217962)

Dear Chair Brendan Sullivan; Vice Chair Jim Monteverde; Members Hickey, Ng, and Wernick; and Associate Members Agate, LaRosa, Leiserson, Miller, Miranda, Williams:

The East Cambridge Planning Team (ECPT) is writing in opposition to the requested variance for the proposed addition of an illuminated sign on the Verizon building at 210 Bent Street.

At our June 14, 2023 meeting, we reviewed the application for variances to install an internally illuminated "V" logo wall sign at 210 Bent St. As we understand it, the sign will be 116.43 square feet in area (where 60 square feet is permitted), dimensions will be 138" high (11' 6") and 121 ½" (10' 1 ½") wide (exceeding the 30" limit on the vertical and horizontal dimensions for an internally illuminated sign), and is located at a height of 129 feet 11 inches (where a maximum height of 20 feet is allowed).

We do not believe that sufficient hardship has been demonstrated to permit a huge (~116 sq. ft.) illuminated sign that will be visible for a considerable distance and serves little purpose besides branding and advertising. A motion was unanimously passed at the meeting to that effect.

We have fought hard over the years to enforce the Cambridge sign ordinance, keep our neighborhood free of the visual blight of blatant advertising, and maintain the integrity of its intent.

Very truly yours,

A handwritten signature in black ink, appearing to read 'C. T. Hinds', with a long horizontal flourish extending to the right.

Charles T. Hinds
President, ECPT

1 * * * * *

2 (6:04 p.m.)

3 Sitting Members: Jim Monteverde, Steven Ng, Carol Agate,
4 Thomas Miller, and Wendy Leiserson

5 JIM MONTEVERDE: For case 1, the first case I'm
6 going to call is Case No. 217962 -- 210 Bent Street.

7 And we are -- have received a letter dated August
8 8 from Jenn Robichaud of Barlo Signs. Respectfully request
9 a postponement of their September 14, 2023 variance request
10 hearing to November of 2023. Is there anyone from the
11 petitioner present?

12 [Pause]

13 No? Okay. We can do -- can we notify them of
14 Nove 9? Okay. Can everyone make November 9? Steven?

15 STEVEN NG: Yes. I can attend November 9.

16 JIM MONTEVERDE: Thank you. Carol?

17 CAROL AGATE: I'm curious. Is this automatic that
18 we extend it, or do we consider whether there is a reason
19 for them to continue it again?

20 JIM MONTEVERDE: Since this is the first
21 continuance, we usually grant them that request.

22 CAROL AGATE: Isn't it the second?

1 JIM MONTEVERDE: I beg your pardon -- this is the
2 first continuance.

3 CAROL AGATE: This is the second. They continued
4 it before.

5 JIM MONTEVERDE: They continued previously? Yeah.
6 We heard it first, they continued at that time, that's true.
7 This would be the second continuance. We usually grant the
8 second continuance without much investigation. The third
9 request is the one that we typically question.

10 CAROL AGATE: Okay.

11 JIM MONTEVERDE: Or basically advise them that
12 it's the last time.

13 CAROL AGATE: All right. If that's the way it's
14 done.

15 JIM MONTEVERDE: Yeah. If you don't mind. And
16 plus, there's no one here from the proponent to argue one
17 way or the other. So you're okay with that, Carol?

18 CAROL AGATE: Yes.

19 JIM MONTEVERDE: You can attend?

20 CAROL AGATE: I'll look for it.

21 JIM MONTEVERDE: Tom?

22 THOMAS MILLER: That's fine with me.

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JIM MONTEVERDE: Thank you. Wendy?

WENDY LEISERSON: Yes, that's fine with me.

JIM MONTEVERDE: Thank you. And that's fine for me. So it will be continued to November 9, 2023.