

PLANNING BOARD FOR THE CITY OF CAMBRIDGE

GENERAL HEARING

Tuesday, September 17, 2013

7:00 p.m.

in

Citywide Senior Center  
806 Massachusetts Avenue  
Cambridge, Massachusetts

Hugh Russell, Chair

H. Theodore Cohen, Vice Chair

William Tibbs, Member

Pamela Winters, Member

Steven Winter, Member

Steven Cohen, Member

Ahmed Nur, Associate Member

Catherine Preston Connolly, Associate Member

Iram Farooq, Acting Deputy Director for  
Community Development

**Community Development Staff:**

Liza Paden

Jeff Roberts

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Permit. The Applicant is Hathaway Partners,  
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Major Amendment to PB#231A, pertaining to  
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**P R O C E E D I N G S**

(Sitting Members: Hugh Russell, H. Theodore Cohen, Pamela Winters, Steven Winter, Steven Cohen, Ahmed Nur.)

HUGH RUSSELL: Good evening. This is a meeting of the Cambridge Planning Board. And the first item on our agenda, which I don't have out of my backpack yet, is Board of Zoning Appeal cases.

LIZA PADEN: Good evening. There is a gentleman here from the telecommunication company. They have an application for two installations, and this is some of the material that I sent to you electronically earlier this week.

HUGH RUSSELL: So is this on our agenda or is this a future....

LIZA PADEN: This is on the agenda under the Board of Zoning Appeal cases. I

didn't list them individually. I sent the materials out to you. One is for the Sancta Maria Hospital, and the other one is for One Broadway.

HUGH RUSSELL: I see a case at One Broadway for Al's Kendall Square Cafe and I don't see a Sancta Maria Hospital. I believe, I believe you that you're going to go before the BZA, I just want to....

LIZA PADEN: I don't understand the question, Hugh.

HUGH RUSSELL: I don't see the cases on the agenda.

LIZA PADEN: No, they're not on the -- they're not on the BZA agenda for the meeting in September, but the Board of Zoning Appeal staff and Inspectional Services has asked that applicants come to the Planning Board as soon as possible so that if there's

anything that requires a second visit to the Planning Board, it can be done before they actually go to the BZA.

HUGH RUSSELL: Thank you.

LIZA PADEN: Okay.

ATTORNEY TIMOTHY TWARDOWSKI: Thank you, Mr. Chairman and members of the Planning Board. For the record, my name is Tim Twardowski of Robinson and Cole representing the applicant Verizon Wireless. By way of clarification, we are on the BZA agenda for October 10th. So we're two meetings out, and Liza was kind enough to put us on the agenda for this evening in the event there wasn't any request from the Board for changes for the two applications before you this evening.

We have two sites. One is, as Liza mentioned, is at 799 Concord Avenue. This is the Sancta Maria Hospital. The second is at

One Broadway. This is an MIT property. For the Board's use I did bring extra copies of the site plans and photo simulations for both of these sites. If the Board has a preference as to which they'd like to hear first, I would be happy to go with whatever order you prefer.

HUGH RUSSELL: Let's start with One Broadway.

ATTORNEY TIMOTHY TWARDOWSKI: Okay, thank you. May I distribute copy of the plans and photo sims?

LIZA PADEN: Yes, go ahead.

HUGH RUSSELL: Steve, you've got all the photo sims?

STEVEN COHEN: Yes, I thought it was a complete set.

(William Tibbs Seated.)

ATTORNEY TIMOTHY TWARDOWSKI: Just

to orient the Board as to the location of the property, this is the subject property here bordered by Broadway, Third Avenue, and Broad Canal Way.

Turning to the next page, which is the roof plan for the location of the various antenna arrays, in this application we are proposing three arrays containing four antennas each. The first antenna array I'd like to point out will be a facade-mount, and this is on the facade facing Third Street. The second array at the top of your sheet is a steel frame mount which faces Broad Canal Way. And the third set of antennas is located on the opposite side of the building facing Broadway. You'll see that in the design plans we've actually proposed three different styles of mountings. The antennas proposed for the Third Street facade



obviously would be facade-mounted. There are several vertical columns, and we're proposing to mount two antennas on either side of the two center most antennas. The antenna array facing Broad Canal is proposed to be a frame mount facing Broad Canal Way. A couple of items I would like to point out with respect to the frame on the antennas, the first is that they are set back approximately 28 feet from the roof edge. So they are set far back. One of the reasons for that you'll notice in the photo simulations is that they're -- they're really not visible from Broad Canal Way. I think in the photo sims we did show one, one location just outside of the Kendall Square garage from where they are visible just to a small extent, but otherwise as you get closer to the property on Broad Canal Way, and even on the plazas across the

street from this property, they're not visible. And the reason for that is the actual setback from the roof edge on this property.

The third array, again, is shown as basically a stealth, a faux penthouse structure. And on sheet Z2 you can see a cutout showing the proposed penthouse, essentially 10 feet wide and 10 feet tall. And the proposal would be to color that penthouse to match an existing rooftop penthouse that is visible in the background from across the street on Broadway. And that is generally the description of the proposed antennas on the site.

Turning to the photo simulations, we've taken a series of four photographs. If you look at page 2 in the photo simulations, we've identified the locations from which

each of these photos were taken. The first was taken across on the opposite side of Broadway, actually at the intersection of Wadsworth and Main.

Photo No. 2 is taken from the plaza also across the street from Broadway. And these two locations are intended to depict the stealth enclosure mounted antennas facing Broadway.

The third antenna location -- or the third photo location as I mentioned previously, was taken just outside the Kendall Square garage elevated platform just beyond where the outdoor seating is located.

And lastly, the fourth photograph was taken on the opposite side of Third Street, and those photographs depict the facade-mounted antennas along the Third Street facade. And as you can see, turning

to pages 3 and 4, you'll see before and after the actual view being the existing conditions. And then on page 4 the proposed view, again, showing the stealth penthouse. And, again, on pages 5 and 6, page 5 being the existing conditions and page 6 being the proposed view, you can see just to the left of that four-story roof structure is the proposed penthouse enclosure for this antenna array.

HUGH RUSSELL: So, I think we should maybe discuss each side as it comes up.

ATTORNEY TIMOTHY TWARDOWSKI: Sure.

HUGH RUSSELL: So, my question is can that stealth penthouse be moved farther back from the face of the building?

STEVEN COHEN: Exactly.

ATTORNEY TIMOTHY TWARDOWSKI:  
Meaning further back from the roof edge?

HUGH RUSSELL: Yes.

ATTORNEY TIMOTHY TWARDOWSKI: I think, and I do have with me this evening a representative from Verizon Wireless including a radio frequency engineer. The placement in its current location is really designed with the height of the antennas in relation to the roof edge in order to get the signal out in that direction. By moving it further back from the roof edge, that would decrease the signal penetration in that direction and it would lessen the effectiveness of this particular site. If you'd like further discussion on this specifically from an RF perspective, I can have Verizon Wireless's radio frequency engineer address that to the Board.

HUGH RUSSELL: Yes, I guess there's an existing penthouse that's set back quite a

bit farther and there's also somewhat taller I believe.

ATTORNEY TIMOTHY TWARDOWSKI: Are you meaning, sir, the penthouse shown on page 4 of 10 in the photo simulations?

HUGH RUSSELL: Yes, that's correct.

ATTORNEY TIMOTHY TWARDOWSKI: Yeah, actually in truth that structure that you see, it is not actually on the roof of this structure. It's on the building on the other side of Broad Canal Way. I actually had the same question when I first looked at the photo simulations because having been to the site and knowing that there wasn't -- there shouldn't have been any rooftop structures that would look like that. I questioned what it was. And as it turns out, that is actually a rooftop penthouse from the building on the opposite side of Broad Canal.

HUGH RUSSELL: I see. That's the one it's on the right-hand side of the 36?

ATTORNEY TIMOTHY TWARDOWSKI: Yeah, exactly that's it.

HUGH RUSSELL: So this picture here shows up just by happenstance --

H. THEODORE COHEN: Is that what we're seeing there?

HUGH RUSSELL: Yes.

H. THEODORE COHEN: I didn't understand.

HUGH RUSSELL: Right.

WILLIAM TIBBS: Hugh, can I ask a question?

HUGH RUSSELL: Please.

WILLIAM TIBBS: Why are they so low? It's unusual to have a building so tall right beside it and have these low antennas on it in our experience at least.

ATTORNEY TIMOTHY TWARDOWSKI: Right, also a very good question. That's one of the first I had when I looked at the site given we have a 16-story portion of this existing structure is basically on the same building. My question was why not go there. And the answer from the RF perspective is that by going up that high on the roof we create an interference issue from the radio frequency propagation from those antennas, so it's actually necessary, in order for the antennas that we're proposing on this site to communicate with existing antennas on other sites in the area, to be at a lower elevation which is why we're proposing to go at these heights. In other words, that we're at here.

PAMELA WINTERS: Can I ask a question, Hugh? Thank you.

So, I'm just -- I'm noticing that



there's like a little nook if you dragged that box over to the left and down about, I don't know, maybe 10 feet. There's that little nook where it wouldn't be showing so much. It wouldn't sort of ruin that straight line of the building. I was wondering if you had thought about putting it somehow that way. This would be on page 4 of 10.

ATTORNEY TIMOTHY TWARDOWSKI: Okay, if I'm understanding correctly, then, you mean kind of that nook that's -- there's the -- it's between the taller structure --

PAMELA WINTERS: That's exactly right.

ATTORNEY TIMOTHY TWARDOWSKI: -- where it steps down to three stories and then down to --

PAMELA WINTERS: Right.

ATTORNEY TIMOTHY TWARDOWSKI: Right.

As I understand it, I don't know if that specific location was considered in the design. What I can tell you is MIT, our landlord, was very intricately involved in the design of these plans in terms of the location, the specific types of antenna configurations, including the stealthing in one place and not in another, in terms of their selections in terms of where we went. Part of the reasoning that they have for these locations as well as the designs, was to protect views from their tenants looking outward through the windows. A lot of the tenants, I believe, on the 16-story building, they would have tenants from the fifth and sixth floors that would be looking out over this lower roof shape, and part of the reason for keeping the antennas in this case further removed from the taller building was to not

block light or views from those windows.

WILLIAM TIBBS: If MIT was involved in these designs and location, I'm not very impressed. And -- no, seriously. When we have a situation, similar situation at Harvard where we asked Harvard to really get involved in helping with the placement, it got, the positions got improved. So I'll let my fellow board members comment, but these aren't just very appealing locations as far as I'm concerned.

STEVEN COHEN: I have another question for you. I see that the stealth penthouse which isn't very stealthy by the way, it's actually composed of four antennae. I'm wondering if you actually look at the other level, that sort of glass penthouse level, right below the roof, there seem to be a steel columns separating the bay. And, you

know, would it be possible, would it be desirable and preferable for us if you put one antenna on each of those steel columns, colored of course the same as the steel column, it might be much less prominent and visible to the -- from the street. Would that work technically from your end?

ATTORNEY TIMOTHY TWARDOWSKI: What I'm understanding, and I can ask my additional representatives from Verizon to address it further, is that we do need the additional height getting on top of the roof in order to get the coverage that's necessary from the site.

STEVEN COHEN: So that's too low and the other building's too high. So you're right at the Goldilocks elevation?

ATTORNEY TIMOTHY TWARDOWSKI:  
Well.....

STEVEN COHEN: Okay.

HUGH RUSSELL: Ahmed.

AHMED NUR: So I understand these are all proposed, but there is really no actual existing antennas on these locations, is there?

ATTORNEY TIMOTHY TWARDOWSKI: That's correct.

AHMED NUR: Okay.

And if I may ask, who is your customer? Why do we need these antennas? Why now at this location?

ATTORNEY TIMOTHY TWARDOWSKI: Right. This is part of Verizon Wireless's goal to improve and expand it's 4G LTE network which is -- really focuses at this point at providing data services to its customers. In the future 4G LTE will also provide voice services. That's not the current state of

the 4G LTE network, but it is the future of 4G LTE.

AHMED NUR: Okay.

And, Hugh, to go along the lines of Bill, here is a perfect example of a honeycomb precast shape building that's all the way up, you know, as high as you want it to be, and yet again we see the magnetic field designers wanted to put these antennas wherever it falls or, you know, wherever they get the maximum strength in. And so I don't know -- this is going to keep on going. This is going to keep on going. But we need -- I honestly think that the city needs to step in and we need to write of language of Zoning on this instead of leaving it in the hands of the Planning Board. I don't want to be the person to design where these antennas should locate. Neither am I educated enough to

figure out where the magnetic field for these antennas are. But they're certainly destroying the fabric of these buildings and the design intent -- the architectural intent of our city. Some, think like Bill said, I mean we're at MIT now and we can design something better. I don't care what it is, just put the antennas in there and then cover it up with something else that looks more acceptable than what it actually -- what we're seeing here.

WILLIAM TIBBS: I also think the, I mean we also see a situation where we have different carriers on different buildings. This is the first carrier on this building and I cannot think but think that with expertise of folks at MIT you can't come up with a way to come up with a structural -- structured way by which you can put antennas

on these buildings which will allow for future antennas to happen. You and others will probably come to MIT to do that in a way that's just, which is just aesthetically better. I mean, it really, this one really bothers me just because of that. They can set an excellent example of -- maybe they have to put some design a framework or something where these things can be added which actually is, you know, blends in with the architecture that they have there. In fact, I must admit I'm not all that -- this is not one of my favorite buildings relative to the additions that was made, but these things are -- and the ones on the column in the last few pages just really jump out.

HUGH RUSSELL: Okay, let's say that we all think that this kind of like sticks out sort of like a thumb, and let's look at



the next two pages that show the antennas that are sitting on a steel frame which is 7 and 8.

I tend to think that on this particular point of view if the antennas were actually matched and colored to the building in kind, they would be not noticeable. But I suspect that from many other points of view that this very kind of utilitarian engineering solution would be quite annoying. I think I would agree with you that the people on the ground, they're going to be relatively difficult to see because of the reasons that you're doing them. I guess at a minimum I think a stealth enclosure would be -- might make more sense here. I guess these are actually quite a bit up in the air over the roof. The roof is -- the antennas are maybe 10 feet above the roof?

ATTORNEY TIMOTHY TWARDOWSKI: Yeah, these are actually on the steel frame mount antennas, what you've just described, is one of the reasons why we went to the steel frame mount design on this particular location. And I think the best depiction of the statistics is shown on sheet Z7 of the site plans. And on that page if you look to the bottom, right corner of the building you'll see the proposed steel frame mount antennas. The elevation of the lower roof is approximately 47 feet, 6 inches. And the center line height of these antennas is at approximately 60 feet, 4 inches. So it's at the top of the antennas we're looking at probably about almost 16 feet above the roof in order to provide the coverage that we need, and that's one of the reasons why the antennas are set back 28 feet. And, again,

the benefit of that setback is that from a street level perspective, the roof edge on the three-story portion of the building does block the view of these antennas. It's only really in that one location just in front of the Kendall Square garage that you can actually see these antennas and actually, you know, in truth be the photograph that you can see in the back that was taken probably with a zoom lens because it's not really that apparent from that perspective. And we have also have just walking through the various plazas on Broad Canal, those are all very tree lined. So even if they were visible from further back, across the way from Broad Canal, the trees block the view from virtually everywhere on the other side of Broad Canal.

HUGH RUSSELL: Right. But if you

happen to live in the new Twining building, you know, in the five or six floors near the bottom of the building, it would be right in your face. Right?

ATTORNEY TIMOTHY TWARDOWSKI: Well, if I could address that. The distance from that building to the location of these antennas is approximately 200 feet. It's actually slightly more than that. So from the perspective of a person looking out that building on to this one, looking at the antennas, it's going to look very small No. 1. But No. 2, it's also, for the most part, going to blend in with the actual building on which it's located in the background as opposed to seeing these antennas protruding skyward from a different perspective.

HUGH RUSSELL: It's just that they're -- the structure is so unsympathetic

to the building that it's attached to.

That's the, I think, will be evident.

ATTORNEY TIMOTHY TWARDOWSKI: Right.

And we did -- just to address that point slightly further. We did propose a stealth enclosure type design for this particular antenna array. And part of the reason that the landlord preferred not to go with that type of a design was first of all, the height of these antennas above the roof level and reaching up to, I think, it's approximately 16 feet. They didn't want to have that tall box looking structure from not only from the perspective of their tenants, but I think to, you know, from the extent of the view from across the street and the tenants of the other building is another concern, that's going to be more obtrusive to their views than an open frame antenna design which we

have here. And we're sympathetic to the Board's preference to not have that type of design, but I think given this specific location relative to the building, I think that is probably the least intrusive design we could come up with here.

HUGH RUSSELL: That might lead us to recommend that the Zoning Board that they deny your application if you can't improve upon it. That would not be something that either of us would like to have happen.

Can we move on to the third one? That is gross, isn't it?

PAMELA WINTERS: Yes, it is.

HUGH RUSSELL: That is different sizes and they're cantilevered and on brackets and they stand off and it looks like somebody didn't put them up right.

ATTORNEY TIMOTHY TWARDOWSKI: If I

may?

HUGH RUSSELL: Yes.

ATTORNEY TIMOTHY TWARDOWSKI: To address this particular design. Again, this was done with input from MIT. And you can see in the background in the photo simulations, set back from the facade of these vertical columns approximately five to six feet is an array of windows from the office that looks over Third Street. And one of the concepts that we had proposed was to essentially box in these antennas to make the columns in these particular locations wider than they exist now. That design, we did actually look at some photo simulations, and from an external perspective looking at the building, looked extremely awkward. The columns did not match with the existing columns. And from the opposite perspective,

from the perspective of the tenant looking out, boxing in those antennas would block light and views from those windows. So from both perspectives, this design was, was the better alternative.

HUGH RUSSELL: So, MIT must really hate this building. It seems to me to be very much engineering driven. There are engineering solutions to all of these things in various degrees unsympathetic to the buildings. You know, perhaps the stealth box being the least unsympathetic, and I wouldn't care to vote between the last two, the both of them are pretty -- it's like -- you know, you hired a company to go up and they stuck something on the building. And my own feeling, I think it's shared by my colleagues is that you need to go back to the drawing board and get somebody who understands



architecture and building to try to come up with something better.

WILLIAM TIBBS: Hugh, I would agree but also based on your testimony a lot of the compromises you would make is because of the tenant's input. So I think you need to go back to your tenant who is MIT and tell them that they need to assist you in doing the same.

HUGH RUSSELL: Yes.

Okay, should we pass on to the next one?

ATTORNEY TIMOTHY TWARDOWSKI: If I may, with respect to the -- I'm not asking the Board to design obviously, but to the extent that we've discussed obviously the proposal and then also boxing in the antennas, can I get any feedback from the Board in terms of what they would prefer to

see in terms of a design approach from these various antenna arrays?

I'm not asking the Board to design the site but I'm trying to be responsive to the Board's desires.

HUGH RUSSELL: Right. If there was an obvious solution and I mean, I think we made several with the stealth antenna, we said, yeah, if you could move it back, that would probably satisfy us. If it was another, you know, that's twice as far back from the edge of the roof, then it's not very visible, we can -- the other two, you know, for the one that's on the frame, find some way to do it that isn't mounted on an exposed steel of frame. It has something to do with the building. Even with the ones that are facing Third Street, trying to find the solution to add antennas that is consistent

with the architecture character of the building. I suspect my colleagues -- I mean, I looked at it and said you put one on each column and make it really pretty, I don't think my colleagues would necessarily go along with that.

WILLIAM TIBBS: No, I think your last comment is how to answer that question which is it should be done in a way at which is compatible with the building. And it might mean you may need to do more than just kind of mount it on something in order to do that.

HUGH RUSSELL: Or it might be that MIT will have to give up a few windows. If the four were mounted in an array and they were set back five feet from the face and they were black, you wouldn't see them. Now they would block somebody's window. And I

expect that MIT is going to be compensated for this installation because that's the way the industry works. And, you know, so that may be a cost that we deal with windows that are blocked. And I don't know what's behind those windows. I don't know if it's the Innovation Center where people come and go, you know, on a weekly basis or whether it's the executive headquarters of Raytheon. I doubt it's the executive headquarters of Raytheon. So I mean, you could have a conversation about is there a solution that may be less ideal from the point of view of looking on the inside, but will work better with the building. So, I hope that -- I think that's as much of an answer that we're going to give you on this one.

Let's hope that Sancta Maria poses easier problems. I don't believe we're --

this is a difficult problem. You know, it's not that you haven't tried. It's just that it's very challenging.

So let's go to the other building.

ATTORNEY TIMOTHY TWARDOWSKI: Thank you, Mr. Chairman.

WILLIAM TIBBS: May I suggest that we not spend as much time on this one as we did on the other one because we do have other business?

HUGH RUSSELL: Well, maybe we need to actually. You know, it's hard, Bill, because we care about this stuff.

WILLIAM TIBBS: I know.

HUGH RUSSELL: And we have a new person appearing before us and so, you know, when some of the regulars come, we can be a bit more telegraphic. But we have to bring the new applicants up to speed.

ATTORNEY TIMOTHY TWARDOWSKI: Thank you, Mr. Chairman. Moving now to the second site. If you prefer, I'll just give a quick overview based on the site plans as to the location of the antennas.

WILLIAM TIBBS: I was going to say we read these a lot so you don't need to go to quite as lengthy explanation.

ATTORNEY TIMOTHY TWARDOWSKI: Okay. For ease of reference, on sheet Z2, which is the roof plan, this shows the entirety of the facility. Just to orient the board members, towards the bottom of the sheet is the, this six-story portion of the building, towards the top of the sheet where the perimeter is cross hatch. This is a two-story portion of the existing building. All three of the antenna arrays are proposed on this location to be located, facade-mounted on existing

penthouses. The first two sets of antenna arrays you'll see at the bottom left corner. The gamma sector and beta sector antennas. The third array is on the penthouse to the far right-hand side of the plan, and that faces in a northeasterly direction.

The ground equipment, for reference, is shown on the left-hand side on the -- of this site plan, and there's an existing garage enclosure that is currently vacant and that will be the location of all the ground support equipment.

Turning to the photo simulations, again, on page 2 of the photo sims, we've outlined the various locations from which these photos were taken.

Turning to the first set of photographs, which are located at pages 3 and 4, these photos were taken from the

perspective of Concord Avenue.

Page 3 shows the existing view.

Page 4 shows the proposed view.

And on top of that, an -- that penthouse, just to the left of that tree, you can see the two arrays on either side of the existing penthouse. In each case we proposed to color the antennas to match the existing background being the brick penthouse structure.

Turning to pages 5 and 6, this is the view facing west from Sunset Road. Page 5 shows the actual view, and page 6 shows proposed view. Again, same scenario. The antennas have been mounted on the facade of the existing penthouse and colored to match the background.

HUGH RUSSELL: Would it be possible to lower the antennas by about one foot so



that they don't poke up over the edge of the roof from this point of view and don't need a stripe matching the flashing on the top of them?

ATTORNEY TIMOTHY TWARDOWSKI: Okay.

I see. So where you see the kind of the grey colored flashing on the top of the penthouse?

HUGH RUSSELL: Yes.

ATTORNEY TIMOTHY TWARDOWSKI: OKAY.

HUGH RUSSELL: If they were slightly below that and they will all blend in better. I mean, this to me seems like a reasonable installation.

H. THEODORE COHEN: I have to say this offended me almost more than anything because it just showed, you know, how unconcerned I think the companies and the engineers are to the buildings they're putting them on. That, why they break the

roof line? Why they can't be below the flashing? Or at a minimal, painted to match the flashing and painted to match the brick which is certainly not optimal, but it just seemed to me somebody said, let me just stick them on here without any thought whatsoever to the building. And I was really very offended by this.

PAMELA WINTERS: Sir, I have a question. Is Verizon responsible for all those other little sticks? Those other little antenna sticking up or not or is that another company?

ATTORNEY TIMOTHY TWARDOWSKI: I think -- if those antennas are visible in an actual view as opposed to simulation, then those are not Verizon antennas.

PAMELA WINTERS: So the little ones that look like --

ATTORNEY TIMOTHY TWARDOWSKI: I'm sorry, what page?

PAMELA WINTERS: Just the first --

HUGH RUSSELL: Page 7 shows them pretty clearly.

PAMELA WINTERS: Yeah.

HUGH RUSSELL: It's up on the hill. It's a good spot for --

ATTORNEY TIMOTHY TWARDOWSKI: Right. Page 7 is an actual photograph. We didn't add anything to it. So those are existing conditions. That's not Verizon equipment up there.

PAMELA WINTERS: It is not Verizon?

ATTORNEY TIMOTHY TWARDOWSKI: It's not.

PAMELA WINTERS: Okay.

Would it be possible for -- I guess this is not your concern, but it would be

really nice for those to disappear. I don't know how they got up there. I can't imagine us saying okay to those.

AHMED NUR: Television.

PAMELA WINTERS: Oh, they're television.

AHMED NUR: Yes, from the eighties.

PAMELA WINTERS: Never mind. Okay.

HUGH RUSSELL: I think the whips are probably some kind radio communication.

WILLIAM TIBBS: Yes.

HUGH RUSSELL: They might belong to the city.

LIZA PADEN: Yes, Pam, excuse me, some of those antennas on the roof those are associated with the hospital function itself.

PAMELA WINTERS: Oh, okay.

LIZA PADEN: So those are not a Special Permit because they serve the

building itself.

PAMELA WINTERS: I understand.

Thank you.

HUGH RUSSELL: Yes.

STEVEN COHEN: So, Mr. Chair, we're okay with this application provided that the antenna be lowered below the roof line and below the cornice line or flashing line or whatever that horizontal line is?

HUGH RUSSELL: Right. I think they have to be probably ideally they would be a foot below the flashing, line that way you from any point of view, but maybe six inches might be enough.

STEVEN COHEN: Yes.

H. THEODORE COHEN: Can they all be the same size?

HUGH RUSSELL: Apparently not. I'm sure that's the answer.

H. THEODORE COHEN: Well, the smaller one could have a faux piece to at least make them appear to be the same size.

PAMELA WINTERS: Ask the question.

WILLIAM TIBBS: And that's exactly what I mean by they can do something, extra to make it look better even though it's not, you know, the fact that they're not the same size. But the smaller ones can have a dummy piece on it to make it look like it's the same size. And I think those, the things like that would just make it better.

AHMED NUR: Hugh, I have a favor to ask. Is there any way we can order maybe someone to come in and educate us on how, what -- you know, in terms of a design of this thing here, I don't know. I don't know why they're vertical. I mean, we have spandrels and horizontal, you know, precast.

Why does it have to be this way? For example, I could have that soffit of wood filled with antennas and they could flash and camouflage like I suppose they do in this stuff. So I wonder it would be great for training purposes for someone to come down and answer a few questions, the design of these antennas.

HUGH RUSSELL: Well, as you may or may not know one of the members of the board works for a company. She's sitting out in the hall because she doesn't engage in these conversations.

AHMED NUR: Oh, okay, so I'll have a word with her.

HUGH RUSSELL: So maybe she can help us to --

AHMED NUR: Yes, that would be great. Thank you.

HUGH RUSSELL: I think I know the answer to the vertical orientation which has to do with trying to get the signal to be a horizontal band. And if you put a multiple things vertically lined up, the interference between them causes the signal pressure to go out in the horizontal band. And that's the sound. And I suspect folks with electromagnetic so that's -- that has to do with -- that's why you see vertical antenna. Because they're trying to minimize the amount of signal that goes in places that isn't useful.

AHMED NUR: Thank you.

HUGH RUSSELL: But that's back to physics 12B in 1961. I did okay but I didn't decide to be a physicist.

ATTORNEY TIMOTHY TWARDOWSKI:

Mr. Chairman, if I may, one of the members



had obviously, as a first priority requested, that the antennas be lowered in order so that they would not protrude into the flashing from the view from the street level. To the extent that that creates an RF issue in terms of being too low to send a signal beyond the roof edge, it is painting the upper portion of the antenna to match the roof that the flashing, is that an acceptable alternative obviously with, you know, if possible, lowering to the greatest extent possible we will happily do that. But to the extent that it's -- degrades the signal quality by lowering it on this, on this building and we would like the option to paint if necessary.

HUGH RUSSELL: My feeling is that if you ask the engineer, he'd always pick the paint and the ugly installation. So for us the paint solution is a very bad compromise.

Putting it where it should be on the building is what we're looking for. You know, when you start to paint patterns on things and it's very dependent. They don't line up and they call attention to themselves.

(Inaudible) is it the kitchen exhaust that had the brick pattern on it, mortar brick joints? I mean, it was like the work of pop art. I think it was Crandall's.

H. THEODORE COHEN: Well, Lesley University has University Hall that came in with faux grout.

HUGH RUSSELL: Their antennas which we don't like the idea.

H. THEODORE COHEN: Oh, that's my all time worst building.

HUGH RUSSELL: Right. So if we just had a 35 foot height limit citywide, we'd get rid of this problem. Then we would be

dealing with faux trees. There's a great row of tree on Route 2 and I think it's hacked on or something like that anyway.

Thank you for your patience. We should really go on to the rest of our business. And we usually give you the all this paperwork back.

ATTORNEY TIMOTHY TWARDOWSKI: I would be happy to take that back.

(Catherine Preston-Connolly Seated).

PAMELA WINTERS: I just have a question about the Back Bay sign, the illuminated signs, the YMCA, that's my only question for the September 26th meeting.

LIZA PADEN: Yes.

HUGH RUSSELL: (Inaudible) The Historic Commission just gave an award to the Y for the restoration of that sign.

LIZA PADEN: So what I'm going to

pass around to you is the proposal for the sign, and what you'll notice is that the proposal for the two Ys is located higher than the second floor sill line, but because of the detail of the brick, there's a ledge that if they tried to put it below that second floor sill line, it's very awkward. They looked at it, they had a number of proposals, and they went to the Historical Commission who reviewed this as well. So because of the way that the building is set up, they're asking for the relief to put it higher up on the building. I believe that actually the top of the sign still is below 20 feet, but because of the way the building's designed, the second floor sill line is lower than that.

HUGH RUSSELL: Are these illuminated?

LIZA PADEN: Yes.

HUGH RUSSELL: They're externally illuminated?

LIZA PADEN: Halo lit.

HUGH RUSSELL: Halo lit. And Charlie actually signed off on this? I mean, I confess I was the architect for that restoration of the facade.

LIZA PADEN: I believe so, yes. I mean these all go to the Historical Commission.

WILLIAM TIBBS: The -- conceptually I don't have a problem with it. But I do have a problem with the logo in that it doesn't seem to sit on the building very well. You know, the fact that it's the way the Y is kind of sitting, but that's my only comment.

HUGH RUSSELL: I'll pass it along.

They're not very large. I just think that they're somewhat unsympathetic.

PAMELA WINTERS: I think it would have been worse if they had YMCA and had all four letters, you know?

HUGH RUSSELL: Well, I mean, in the stone right below it is the sign, the name of the place. So, if they wanted to put like one logo down on one of the tiers next to that, I could see, see that bits and pieces on those tiers. Take this one and move it down there. And take this one and move it down there. That would, I don't know why you need two.

STEVEN WINTER: Mr. Chair.

HUGH RUSSELL: Yes.

STEVEN WINTER: Do they -- are they required to show hardship?

LIZA PADEN: Yes.

WILLIAM TIBBS: Yes. We don't know what that is.

STEVEN WINTER: So we don't know what that is?

HUGH RUSSELL: The hardship is the graphic designer thought this would be a better place. If it's the same as virtually every other sign variance that comes to us.

H. THEODORE COHEN: How are they illuminated? I don't understand.

LIZA PADEN: It's halo lit. So what happens is the lighting is not inside the letter, it's behind the letter and so, it -- of course I can't think of a halo lit sign at the moment.

H. THEODORE COHEN: It says brushed aluminum.

LIZA PADEN: Right. So this is the light comes from not inside the letter but

around it.

HUGH RUSSELL: It's mounted out an inch or two from the face of the building.

H. THEODORE COHEN: Well, that's not what they're showing now.

STEVEN COHEN: The building is actually lit, the letter is a silhouette.

HUGH RUSSELL: Right. So the, the detail of the sign mounting doesn't show a halo mounting. So that's confusing.

WILLIAM TIBBS: Yes.

HUGH RUSSELL: I don't want to get in trouble with Nancy.

AHMED NUR: Right. There's halo lighting is the same we approved for TD Bank over at Concord by the rotary there? Isn't that what it was?

LIZA PADEN: I can't tell you off the top of my head, no. I don't know.



HUGH RUSSELL: It's a common technique (inaudible).

LIZA PADEN: Okay. So what will happen is the light will come out from behind here. This will be what's lit up. And they don't show you that -- they're just showing you how the letter is attached to the building.

H. THEODORE COHEN: Is it going to be behind also?

LIZA PADEN: No. Just the Y.

Any other questions? No?

HUGH RUSSELL: So how do we characterize our reaction to this? Do we wish to send a recommendation to the Board -- the BZA?

STEVEN COHEN: I think several of us thought that there's no reason why that sign wouldn't work on the first floor on either

side of the front door. In fact, it would be more effective. It would be more visible. The small YMCA letters will be readable. I think they're even too small to even be readable at the elevation that's proposed.

HUGH RUSSELL: Okay, so we would recommend that the Board explore that option.

WILLIAM TIBBS: And get a better sense of how it's going to look.

HUGH RUSSELL: Yes, okay.

Are there any other cases?

LIZA PADEN: The one case I did want to bring to your attention to see if you wanted to send a letter of support or comment of support is at 23 Sidney Street which is part of University Park. So in the --

HUGH RUSSELL: The farmer's market.

LIZA PADEN: Farmer's market. So, I didn't know whether or not the Board wanted

to see that as an appropriate use at CIDD?

HUGH RUSSELL: Yes.

LIZA PADEN: Okay, thank you.

STEVEN COHEN: That was easy.

HUGH RUSSELL: All right, now we will return to the item I skipped which is the report from the Deputy Director of the Community Development Department.

IRAM FAROOQ: Thank you so much, Hugh.

So the updates are that your next meeting is October 1st which will be the second hearing for the Skanska project that you'll be hearing today. The Connolly petition is scheduled to come back, and we also will have a hearing for the Walker petition which will be coming for the first time for Special District 2. And there is another case, which my agenda does not have a

lot of detail on, but it is a use amendment case which in due time we will hear more from Liza.

The other October dates are the 22nd and the 29th.

There are a couple of updates from last night's City Council meeting that I wanted to mention. So one is that the City Council adopted an order where they have requested that the city manager set up a task force to study the issue of Net Zero development following through from the Connolly petition and report back to the Council. And those -- but the Council does want, the petition has not been retracted so the Council does want that the hearings continue and discussions on that topic. And to that end they have scheduled a round table meeting on October 10th which will be at three p.m. in Sullivan

Chamber. And there's also, on October 2nd a panel discussion with experts on Net Zero development and renewable energy and that will be at the public library.

So those are related to the Net Zero development.

And then one other thing of interest is that the Boston Properties filed a Zoning petition yesterday which would be some dimensional changes that they are seeking for density, lot area, open space, and parking and loading requirements to make the Ames Street housing possible which is across from the Broad Institute which is something that the city has wanted to see for a while. This is a companion piece to the land acquisition process that's begun and the appraisal -- the first stage is the appraisal process which is ongoing right now, and that will be coming

back to you as well for a hearing after the appraisal piece is concluded.

So those are the updates. Thank you.

HUGH RUSSELL: Okay, thank you very much.

Now we go on to our 7:20 agenda item which is a public hearing, first public hearing of Planning Board case 284, 15-33 Richdale Avenue.

ATTORNEY SEAN HOPE: Good evening, Mr. Chair, members of the Planning Board. For the record, attorney Sean Hope, Hope Legal Law Offices in Cambridge. I'm here on behalf of the applicant Hathaway Partners, LLC. We have here with us tonight the managing member of the LLC, Mr. Robert Wolfe in the back who you will hear from briefly. We also have his partner here Sam Wolfe. And we also have project architect Joel Bargmann

from BH+A Architects in Boston.

This application is requesting Special Permit relief to construct Hathaway Lofts. Hathaway Lofts is a residential development consisting of 54 residential units with 54 parking spaces in compliance bike parking on-site. The lots of the parcels are approximately 42,000 square feet and is sited in the Residence C-1 Zoning District. Adjacent to the site to the south is a series of multi-family residential dwellings. To the north is -- directly abutting the property is the commuter rail train tracks. The site itself is currently, currently improved by an industrial building.

This is the Hathaway Bakery. This was originally constructed in 1910.

Additionally on the site is a paved parking area that currently services the

building. The present uses are a mix of warehouse, storage, and office suites.

Dimensionally the proposed application fully conforms to the base zoning which is a C-1 in terms of height, density, open space, as well as the number of dwelling units. Procedurally the application is requesting a Special Permit pursuant to Article 19.0. The overall GFA exceeds 50,000 square feet which triggers a project review Special Permit by the Planning Board. Also the base zoning allows for a reduction in the rear yard setback of 10 feet. The proposal meets that 10 foot requirement, and then also because the project is in the C-1A residential district and the project proposed more than 12 units, we were required to also apply for a multi-family Special Permit. I would like to now turn it over to Mr. Rob Wolfe.



ROBERT WOLFE: Mr. Chair, members of the Planning Board, thank you for having us here tonight. We're -- I'm a long time Cambridge resident starting in 1950 and live in Cambridge presently. My son Sam over there is my partner and he also lives in Cambridge. This is our town. I have a company that's called The Cambridge Company which is a property renovation and development company. We've done projects in Cambridge starting in 1978 and have done a number of renovation projects and projects involving new construction; primarily commercial, one residential project. So when this building came along, an opportunity of buying this building came along in February of this past year, we were able to put the building under agreement and we started studying immediately what should be done with

it. And having done laboratory buildings and office buildings and residential buildings, we just, we were open minded -- completely open minded. What we knew was we wanted to do a project on this site because it's such a great location in terms of public transit, and the fact that it's a really good residential neighborhood. And I live four blocks from here as well.

When we first looked at the building, we looked and we saw the first component as Sean said it was built in 1910 for Hathaway Bakeries. Hathaway Bakeries expanded rapidly over the years and essentially made a patchwork of additions to the property: 1910, 1913, 1918, 1929, and 1938. The '38 portion is the two-story portion, you can probably see in the elevations that you have of the older building. It doesn't show in

this, because this is our proposed project what you see here in the screen.

In July we met with the -- we invited 125 immediate neighbors who would be in any way affected by anything that was done on this site to a meeting in the building. We also met with the Porter Square Neighborhood Association, and we have met and presented a proposal to the Historical Commission. And we're here to meet with you and receive your feedback and have you ask as many questions as you like. Probably, again, I'm probably talking too much, but I think the real point of this whole project is that we've come up with a combination of a restoration, a renovation of an existing building, of what we think is the oldest and finest features of the building, and put new construction behind it with courtyard, with a significant amount

of open space. There's no grass on this site at all now, and we'll end up with about 24 percent open space and green space, a lot of trees, a lot of softening of the neighborhood, softening of the site and welcoming to a residential development.

Joel Bargmann of Bargmann Henry is here, is an expert on renovation and new construction, and we chose Bargmann Henry over a number of very qualified architects to help us design an appropriate project for the site.

JOEL BARGMANN: My name is Joel Bargmann, Bargmann Henry Architects and I'm going to walk you through the options. We have a few options, I can either do an abbreviated version or we can go through each board that was in your submission. We thought that probably the abbreviated version

was sufficient.

HUGH RUSSELL: So, I would -- let's try that and if they're missing pieces, we'll ask you to fill them in.

JOEL BARGMANN: Okay, so this first slide is context photograph superimposed with the new building right there in the center. The reason that this is submitted is that our parking plan is one car per dwelling unit which complies with the Zoning requirements, but we are not proposing to go above that because of the proximity to public transportation. The numerous car share opportunities that surround the site and the proximity of a number of shopping and other aspects in the neighborhood that we believe the residents will not need to use a car to access.

This is a site plan. This is the

building here. The building actually extends down here, but this is a separate garage component. So the Richdale property is here and that's the existing flat top driveway that you'll see.

These are some of the abutters to the site. So residential neighborhood. Here you have the building itself. And surrounding that building are to the east and to the west, residential properties. On the west of it is what was formerly the Payne Elevator building, that's an industrial building that has been -- I'm sorry, it's here, has been converted to loft apartments. And here it shows the view from the west with the neighborhood context in it. There's a large elevator structure above the garage that's not part of Hathaway Lofts.

And these are pictures of the Hathaway

Loft project; the street view, the eastern looking from the east towards the corner. The building backs onto the railroad tracks. You can see that back view there and you can see elements where the facade has been pulling away from the building and the building structure and it's been reattached with brick ties, relatively massive rip ties. And that's the railroad easement. Right now the building is on the property line and that's the railroad property. The proposed design is set back 10 feet from that line.

Rob alluded to the original building. So this was the original building that was built, and our original building was then added on to as a one-story extension to the east. And then in 1931 to '38 from here over the building was radically adapted from sort of the base system to a two-story system with

a different array of windows, loading docks, etcetera. You can see the characteristic of the building is the windowsills are relatively high above the sidewalk. The sill is at six-foot, four-inches above the sidewalk.

Just as a backdrop, we presented three times to the public as Rob mentioned, and we presented this scheme and I thought it was worth showing you how the design evolved from the public process. Originally we were to keep maintaining seven bays in the middle of the property and then creating the U-shaped structure that surrounded that -- the original seven bays that harkens back to these seven bays here.

In other words, those are the seven bays that are left that hadn't been radically adapted. So these bays are no longer there.



These were the original remaining bays and that was the logic for retaining these seven bays.

And then building a loft, building around it. And the idea was that it was set back and it contributed some green space and set back to Richdale Avenue where right now the building fronts right tight to the street. There's no setback to the existing building.

Through the public process it became apparent that folks felt there should be more of the building retained. So the proposal became to retain the entire one-story section of the building that represented closest proximity to what had been there historically, and then not to retain the portion of the building that had been radically altered. Now, it's true we're not

retaining the entire building, we're retaining the first structural bay from Richdale Avenue back into the property, so this is the end of the first structural bay of the building and we're retaining that portion of it and then proposing to remove the rest of the building and build a new structure behind it.

This is the new site plan and the building steps back from the property line and follows to the 10-foot setback. This is the existing curb cut zone. That's the new curb cut -- or using the existing curb cut and it comes into a garage. And parking is below the building, and there are three stories of housing above that parking. The existing building is this stretch right here and the intersection of the existing building, and the new building becomes the

new entry which is also created by this little plaza on the corner so that as you come down Richdale Avenue, the first impression is of a green space and the combination of the new and the old.

This shows the parking level below grade. They're also spaces for 100 bikes in the building, and just a simple diagram of the building itself of how the apartment lofts work on this footprint.

The section is such that the garage is not quite fully suppressed. This is the garage level and it pokes itself out of the ground three to four feet. And this is the existing building. And then that existing building actually forms the entry into the new structure and then you have the loft buildings built above the parking garage.

This is a view -- on the left is the

existing view looking from the west to the east on Richdale Avenue. And this is a view of what you would see when the -- if the proposed design were constructed.

This little piece here is that garage element that I was referring to. It's attached to the building today. That would be free stranding when the proposal was implemented if it were implemented.

This is that same before and after presentation looking from the east down Richdale Avenue to the west, and there's the restored section of the historic -- I mean of the brick bakery building that -- and loading dock is then replaced with a metal panel that is to evoke the scale of that opening but trying to get the, obviously, the garage door and element off the facade. The facade would be restored. If you had been down to the

site, the brick is in relatively poor condition. It needs to be 100 percent replained. The windowsills need to be 75 percent replaced, the precast sills. The windows are entirely replaced. They're not salvageable. There'll be new windows to match, but they will be metal windows to hatch and flashing essentially to restore that in place reconstruction of the existing structure.

And then this is looking -- backing up a little bit to the hill. As you may know, Richdale Avenue comes, slopes down. The photograph happens to flatten that out. So you see a little bit more of the building above because you're in a higher perspective. And then this is that opening shot that we think gives you the impression that the green space, the new entry, the entry sort of the

intersection of the buildings and the loft building along the street just as it is today only restored.

So that's the summary of the 20-some pages that you have in the handbook.

HUGH RUSSELL: Steve.

STEVEN WINTER: Yes, I have a question. Can you hear me all right? Thank you.

Can you help me understand what One Richdale is, which is your abutter?

JOEL BARGMANN: One Richdale is a condominium property on this end of the building. It's a three-story residential building.

STEVEN WINTER: Is it more than one building?

JOEL BARGMANN: Yes.

STEVEN WINTER: How many -- I see

two, but I, it's hard to see on the --

JOEL BARGMANN: There's one building here. There's another building that snakes down here, and then there's a building down here so it's, I believe, three components.

STEVEN WINTER: So the one that -- what is that building that has the steps in it, the brick building?

JOEL BARGMANN: That's also part of that property.

STEVEN WINTER: Okay. So it's all part of One Richdale?

JOEL BARGMANN: Right. The only one you see from Richdale Avenue is this, which is the one in the corner of our perspective.

STEVEN WINTER: Okay, thank you.

JOEL BARGMANN: Yes, sir.

HUGH RUSSELL: Okay, I have a question but I think it's more to Mr. Wolfe.

The Historic Commission has I think declared the building to be preferably preserved and asked you to reconsider if you can save more of the building. I'm wondering what your intentions are.

ROBERT WOLFE: We actually followed their recommendation because originally we proposed that the project have seven bays of the preserved single-story portion of the building. And they said come back with something different. We came back with something different which was to include the entire single-story portion of the building which a number of people to my understanding thought was the most valuable and preservable part of the asset. We have yet to go back to the Historical Commission with this new plan. We have met with the head of the Commission and staff and showed this new plan.



HUGH RUSSELL: Okay.

ROBERT WOLFE: And I thought the reaction was fairly positive.

HUGH RUSSELL: Okay. I think it would be helpful for us to get a reaction from the Historical Commission if it's a favorable reaction.

H. THEODORE COHEN: So do I understand that the letter was not based on the plans before us, but on the earlier plan that just showed the seven bays?

ROBERT WOLFE: That's correct.

STEVEN WINTER: Mr. Chair, I don't know how these microphones are working. How many bays are saved? There are 22. Mr. Sullivan's letter mentioned the first plan which was seven of the 22 bays, he would like to see more. How many did we retain?

ROBERT WOLFE: Well, we retained 12.

The other ones, the balance of the 10 are in the two-story portion of the building between 1931 and '38 so they're essentially gone.

STEVEN WINTER: Got it. Thank you.

HUGH RUSSELL: Are there other questions?

Ahmed, yes.

AHMED NUR: I just had a question with respect to the portion of the building that you say, I'm assuming recommendation for the Historical Society, can you put anything on top of that or you're not allowed to do it? You have to keep that roof height, existing roof height?

ROBERT WOLFE: We'd like to keep that roof height because that's the historical structure as it was. I think it would be right now the facade of the building is right up against the sidewalk. There's no

setback at all. And I think if we built something on top of that, it would just become too imposing which is why we proposed the project behind the setback and less visible from the street and more light and air will get into the whole project as a result.

HUGH RUSSELL: This existing building is roughly south of the new building, right?

ROBERT WOLFE: The building faces south. We're looking due north as we look at the building right now.

HUGH RUSSELL: Yes, right.

STEVEN COHEN: Rob, one question or Joel, the entrance element, it looks like a light wood type color. What's the actual material there?

JOEL BARGMANN: Well, it's

essentially a Trespa which is a phenolic resin coating over a (inaudible) so it doesn't weather.

STEVEN COHEN: And it's already on the rest of the structure?

JOEL BARGMANN: That's correct.

STEVEN COHEN: That's correct.

WILLIAM TIBBS: Hugh. Could you explain a little your, the sort of design rationale behind your use of materials and the integration of the existing building with the new building or the lack thereof if that was your intention?

JOEL BARGMANN: Yeah. The intent was not to lower the distinction between what was -- you know, the bakery building and what was the new residential building. So it's a decision and the decision was to use clapboard that was more in keeping with some

of the finishes that you would see historically in that neighborhood as opposed to using a brick facade and went to the wood.

And then the intent with this photograph is to show that the building is pushed back so you don't see all of the materials, but there's -- you can see a basic amount. There's a trim around the windows and trim on the corners that frames the hearty plank materials which is basically put up without seams on it and it looks very nice and crisp. So the extent of signing is actually quite short on the building before it's interrupted by another material, and in this case the balcony section.

WILLIAM TIBBS: So, your sort of overall attitude is to have your -- have the new building be perceived as very separate from the existing building and the existing

building to be perceived as kind of still there?

JOEL BARGMANN: That's correct.

HUGH RUSSELL: Okay, are we ready to go on to the public testimony part?

PAMELA WINTERS: Can I just make a comment?

HUGH RUSSELL: Please.

PAMELA WINTERS: I'm sorry. It's rare that we get a five-page memo from Charlie Sullivan. And in the memo he says that he could -- is considering this building eligible for nomination to the national register of historic places as well as consideration for designation as a Cambridge landmark. And so I'm just -- I guess the question that I have for you is do you think that it's worthwhile doing this or are you having ongoing conversations with the

Historic Commission? You know, I'm -- I hate to see historic places, you know, in the city disappear, and I'm just wondering, you know, what your rationale is.

ROBERT WOLFE: I personally also hate to see historical places in Cambridge disappear. If you look at the number of projects I've done in East Cambridge, the Nicholson, 58 Charles Street, very similar projects were restored. The property on the corner of Concord and Huron Avenue, which is a former elementary school building, which is the same thing. That's my (inaudible) and that's the approach I like to take. Given that this is -- we had some design issues here. Given the depth of the building and the length, I'm sorry, I may not be answering your question about historical, but I will get there. We found that this could be an

office building. It's an office building now. It's not the use that the Zoning requires or allows in the neighborhood and it's a non-conforming use. And the building is so deep, it's almost 120 feet deep, that if you take the existing building and try to put residential units into it, in this residential neighborhood, you end up with units with a lot of depth, no light, and no air. Even if you put an atrium in the middle -- we did studies. We have studies that we can show you where we have a PNR in our material that we gave you that show how bowling alley like these residential units are. So that's what we first looked at.

It's ongoing discussions with Historical Commission. We met with Charlie Sullivan and staff -- how long ago? Ten days ago? Yeah, ten days, ten days, two weeks



ago. We went through this -- showed him this material. We weren't actually in front of the Historical Commission, but we wanted to get his feedback because he's the man. And he said this could just very well take it over the edge. So that's where we left it with him. We have a date with them in the future, so we'll go back and present again.

It was recommended to us by a number of people that we come before the Planning Board to solicit your thoughts and responses.

PAMELA WINTERS: Thank you.

HUGH RUSSELL: So the process of the public hearing is that I will call people's names and ask you to come to the microphone to speak. I have a list here. The list poses me a few problems because about half the people haven't designated whether they wish to speak or not. So I'll be asking

people if they're wanting to speak when their name comes up if they haven't checked off the appropriate box.

FROM THE AUDIENCE: Where's the list to add our names?

HUGH RUSSELL: So, if you just continue to listen that question will be answered.

So we'll go through the list. When the list is done, then I'll ask if anyone else wishes to speak. When you do come to speak, we ask you to come to the microphone to give your name and address, to spell your name unless there is no possibility of it being misspelled. Our recorder likes to have things be perfectly accurate. And then we'll observe our time limit of three minutes for speaking. And Pam is our timekeeper and she'll start making signals and plenty of

faces at you when three minutes are up. And after about three and a half minutes we'll start getting a little more aggressive. There are a lot of people here and that allows everybody sort of an equal chance to speak.

So, first name on my list is Arlene Miller. And the second will be Marion Foster.

ARLENE MILLER: My name is Arlene Miller. It's A-r-l-e-n-e M-i-l-l-e-r and I live at 75 Richdale Avenue, unit 10, which is the Payne Elevator building that was renovated into lofts from having been an elevator factory.

So, three minutes. First thing is I recognize that change is going to happen. There's no way that things stay the same as they've always been, and I also recognize

that housing is a good thing. New housing is a good thing, but I also encourage you to proceed with caution. Pam, you had raised the issue of the Historical Commission not having really worked their process yet, and when on one side you have a commission that's looking at possibly designating this as a landmark building and on the other side you have someone who is proposing housing that would actually drop a very big building in an existing space on a street that was not constructed for this density. So in looking at the drawings we now have the building that is three stories high. Before it was at best two stories. We're up to 54 units. The street is a quite narrow street. Right now there's tremendous problems during snowstorms, during flooding. The way these cars will all exit, I can easily see traffic

problems where Richdale hits Upland Road and at the Walden Road as well. All buildings are not the same. I'm not an architect or an engineer, but I know you have the building that has very little use. Maybe there are five toilets, for instance, in that building and now we're going to add 54 units and it will be at least over 120 tenants. There will be more than 54 cars and it just continues. So I guess my hope for you in listening to how carefully you worked with Verizon and how cautious you were and thoughtful about looking at the impact of towers, I have a great deal of respect for what I saw here tonight. I never been here before. That you also approach this, I really ask you as a resident of that street, the Historical Commission is looking at preserving that not only the building but the

integrity of the neighborhood which is a historic neighborhood as well.

So thank you.

HUGH RUSSELL: Thank you.

Marion Foster.

MARION FOSTER: I'm Marion Foster.

It's M-a-r-i-o-n. That's my correct spelling of my first name. I live at 75 Richdale Avenue in the Payne project building, the former elevator building.

HUGH RUSSELL: Excuse me, could the petitioner put up the one of the overall views so we could just see the -- maybe the one you just skipped through. Right.

MARION FOSTER: It's to the left of the main property that we're discussing.

HUGH RUSSELL: Right. That white rectangle just to the left.

MARION FOSTER: One morning at three

a.m. late last autumn I was awakened by a terrible storm and I looked out the window and saw swirling waters. Richdale Avenue was lapping at our doors. I went downstairs and outside pushing against water and water up to my knees. Richdale Avenue is very prone to flooding. It has a combined sewer and runoff pipe, large pipe, dating back probably before -- from before 1900. In flooding situations, and we're getting more and more severe storms, there's the health problem of sewerage coming up into the street, and we've had water into our buildings. We've had sewerage backups, and I'm very concerned that an increase in density without first separating the sewer pipe from the runoff system would be a disaster in the making.

So, I know that it's now required to separate these two systems in other parts of

Cambridge throughout the city, but it has to be done not all at once. We're low on the list on Richdale Avenue. I think perhaps referring to the Department of Public Works about this would be very important.

Thank you.

HUGH RUSSELL: Thank you.

Next name is Sally Lynns (phonetic).

Do you wish to speak?

UNIDENTIFIED AUDIENCE MEMBER: No, thank you.

HUGH RUSSELL: Ellen Wolfe.

UNIDENTIFIED AUDIENCE MEMBER: No, thank you.

HUGH RUSSELL: Chris Lutz.

CHRIS LUTZ: Hi I'm also a residents of 75 rich Dale Avenue. My name is Chris Lutz, C-h-r-i-s L-u-t-z. And first of all, I have a question, and perhaps I'm the only one



in this whole room who doesn't know the difference, but between a special -- the difference between a Special Permit and a Variance. Could you be able to tell us that?

HUGH RUSSELL: Sir -- if you'd like to stop the clock.

CHRIS LUTZ: Thank you.

HUGH RUSSELL: So a Special Permit is written in such a way that there are criteria set up. The Board reviews those criteria, and in this case the criteria mostly Chapter 19, but also in the chapter for the multi-family review. If a building meets those criteria, we are obligated to grant the permit. And so it's like, there's a set of rules. If you meet the rules. Now the reason it's a Special Permit rather than as of right, you might ask, is because it gets complicated and they feel that it takes

nine people to make that decision. Or at least a vote of five of us to do that.

So a Variance is a case where the project does not meet the rules and you go to the Zoning Board of Appeal and say, well, it doesn't meet the rules. Having just been there a month ago myself for an addition to my house, and most of the buildings in the city are non-conforming to the present rules, and all the ones that were built before the rules were written, and if you try to change a building like that, you almost always have to come and get a Variance. So they're not asking for Variances here. They're -- they claim that they've met all the rules and it's up to us to try to determine if we think that's correct.

CHRIS LUTZ: Okay.

HUGH RUSSELL: We can start the

clock again.

CHRIS LUTZ: Okay. I have just three points I want to make.

One is that I feel from studying the proposal that I got on-line through a link a few weeks ago, about a week ago, that the new plan overwhelms the site and it's sort of like in popular jargon -- it's sort of like, it feels like a McMansion. There's nothing around. There's very little green space around. There's a token amount now between AZ Auto Center and the new building and there's a little bit at the other end. There's going to be nothing along the tracks. And you'll notice that Richdale, 75 Richdale has a garden that we got -- where we use the railroad right of way. And we created a very nice green space. And it's also nice for the people across the tracks. And one of the

things I noticed in the presentation was that no mention was made of the back side of the building and what it consists of, what it looks like, what it does in terms of privacy for people on the other side, and it doesn't seem to take into consideration -- it's all talking about what's on Richdale.

My next point is I don't believe that the building respects the existing setbacks. And I'm not an architect and I probably can't discuss that in great detail, but it seems as though it squeezes the building very close to the tracks and what impact, again, does that have on our neighbors across the way? They are actually -- it's more or less like a wide street there. And they're not that far away from the -- from this new big building which is going to be much higher than what's there now.

No. 3, I feel that the -- a new building has little respect for what I call the industrial brick element with factory windows in the length of the entire block from the bakery to AZ Auto Center, which is that segment of the new project with the line going vertically up through it just to the right of our building at 75 Richdale Avenue. And then 75 Richdale Avenue, the old Payne Elevator building is all brick. We've respected the architecture. We've put in windows that are in accord with what was there before. And it seems to me that the element of the -- the previous -- if we could say that this is going to go through, the previous Hathaway Bakery is really, I can't say, maybe our friends on the other side can tell us, but it seems as though it's only perhaps at most 15 or 20 percent of the

building that's actually being preserved. It seems like most of it's being demolished, destroyed, and to me it's hardly respecting the historic importance of what was there.

And --

PAMELA WINTERS: Could you wind down your comments?

CHRIS LUTZ: And it's a bit overwhelming.

PAMELA WINTERS: Could you wind down your comments?

CHRIS LUTZ: Yes, I'm done.

HUGH RUSSELL: Gene Hull, do you wish to speak?

GENE HULL: Yes. I'm -- my name is Gene Hull. First name is G-e-n-e. Last name is H-u-l-l. I forgot to check the yes box. We're brand new to the community. We just moved in at the end of July, and I just met

some of my neighbors tonight and also a little earlier. I would just like to second the comments that they made. And I feel there will be a detrimental impact to the quality of life in the neighborhood that we found so charming that attracted us to the neighborhood in the first place. Again, I seconded everything that my neighbors have said. I would like to put that on the record briefly.

Thank you.

WILLIAM TIBBS: Can you tell us where do you live?

GENE HULL: Sorry. That would help. 75 Richdale Avenue, unit 5, in the same building as my neighbors.

HUGH RUSSELL: Next name is Peter Miller.

PETER MILLER: I have some drawings

that I think will allow me to speak more quickly.

HUGH RUSSELL: Sure.

PETER MILLER: I'm Peter Miller, M-i-l-l-e-r and I live at 46 Porter Road. And that's across the tracks kind of directly across that oddly shaped building. It's kind of directly opposite the middle of the existing -- I'm sorry, the middle tending right of the existing structure. And so what I wanted to talk about was just to kind of articulate some of the issues of sunlight and shade and mass and height. And, again, I plead my ignorance. I don't know the details of the Zoning. I just went and sketched out where the sunlight works out to be now and where the shadows fall, and that's the best I can figure through the plans on-line. The way that it works out. This is kind of



December, not the worst of it, but winter.

And then on the second page I tried to capture what you get and show what happens if you make a 45-foot building that's got the setbacks without the relief that's being sought tonight. And it's a little bit more shadow. It hangs the shadow cast a little bit above the existing structure and they run a little bit longer.

The third page is showing what you get with the design that's in front of us all tonight. And I -- my kind of sense of it you see the shadows reach all the way across, in fact, over the entirety of the first floor of this low two-story industrial structure. And the caption I have for this is the abutters will hibernate in their winter cave for a couple of months, the entirety of the rear property and all the first floor windows

which is where we really live, will be in deep shadow and darkness. And so, you know, that's kind of the sunlight and winter question. There's just a visual mass issue that I've tried to show the last two which is I showed the existing building and the visual height, how much above the, you know, the horizon it is. And it's 14 degrees. I'm an engineer. And if you take one which is 45 feet high and at the setback, it's a little higher. It's 17 degrees. The proposed structure as viewed from, you know, my place or those of my neighbors, it's 27 degrees high. And I don't know if you ever tried to crane your head up, you're hard pressed to look up at 45 degrees. This is most of your visual field will now be this building where I think there are 24 balconies. So my gut sense is there is going to be something nice

that can be done, but I think they're reaching for a little bit too much and they're trying to resolve all the problems at the front of the building by pushing to the rear and it has consequences. The building in this stretch, they're ones the city actually designated as artists' live/work spaces in 1984. And I think putting a building so close is just detrimental for that purpose. Some great work has been done to the building that I live in and the others as well, so I don't want to see that undermined. So, you know, that's, that's really the mainstay of what I wanted to present. And I think, you know, obviously I'm not in favor of it as done. My sense is that they're nice, but probably not with 54 units. My guess is it will be much more circle in at that fashion and that's it.

Thank you.

HUGH RUSSELL: Thank you.

Arthur Wilson. Do you want to speak?

Priscilla Smith Bracket (phonetic)?

UNIDENTIFIED AUDIENCE MEMBER: No,  
thank you.

HUGH RUSSELL: Tabatha Veeres?

TABATHA VEERES: I'm Tabatha,  
T-a-b-a-t-h-a, Veeres, V-e-e-r-e-s. I  
actually wasn't planning to speak, but I  
think there's a couple of -- I'm at 75  
Richdale Avenue, also. And I think there's a  
couple of things that need to be pointed out.  
One of which is that our building that is  
just to the left, which actually is very  
similar in size if you remove the parking lot  
and the A to Z Auto slice of that other  
building, is 17 units. 17. So when I heard  
there was a building being developed

next-door that was 54 units, my jaw dropped. I just figured okay, they must be applying for 54 units because they figured somebody's going to cut it in half and they're going to get 27 units or whatever. I think it's just unimaginable that that kind of density can be added in this very intimate neighborhood. And some of the photographs were a little misleading because the little triple deckers that are next-door to this building were made to look really large the way that they were photographed. I mean, whatever they're going to do with this building would be really imposing. And the traffic patterns are already really, really a problem there. So, just a little bit of a reality check in the scale. And actually one other thing is I -- my understanding maybe from the Cape is that when you have a non-conforming pre-existing

structure with a setbacks are really not what would ever be acceptable today, that they can be grandfathered in, but usually at least on the Cape, you don't let somebody just then go up from there. It's like you get the footprint but you don't also get to build on top of it more floor.

So, thank you.

HUGH RUSSELL: That's also true here. They're not actually building on -- they're taking a building, they're demolishing almost all of it, leaving the historic remnant along Richdale Avenue and then they're building a conforming building behind. Now you may be appalled at what is conforming in the city, but they're representing it's conforming and I believe them.

TABATHA VEERES: The previous

speaker said it was going to be taller and the shadows.

UNIDENTIFIED AUDIENCE MEMBER: The other side of Richdale is 45 feet, the side -- opposite side is a 35-foot, 1A. I believe that's right, or A-1; is that correct?

HUGH RUSSELL: I don't actually -- I think it's probably C-1 across the street.

UNIDENTIFIED AUDIENCE MEMBER: Yes, that's what I meant, and it's 45 feet.

HUGH RUSSELL: Right. The point of the Zoning along Richdale Avenue was to encourage people to convert the industrial uses to residential uses. And at the time it was put in place, which was perhaps a dozen years ago, maybe a little longer, I think it was still in the '90s, it was felt that you had to give a certain incentive to people to make this deal financially feasible otherwise

they would just keep the commercial use, you know -- I mean, it's -- I don't think anybody claims the building is a, you know, a high quality first class office building. And I mean I've heard testimony that's not the case, but when you compare the building that's getting kind of not terribly good rents but it's there with having to tear it down and having to build a new building, it was the judgment of the City Council and this Board who recommended the Zoning that the height of the building, you know, was like 10 feet taller than the Zoning across the street. The permitted number of dwelling units is greater. And it's been through, this Zoning and similar Zoning goes all the way down the railroad tracks, both this track and the next track that's up next to Harvey Street, and we have seen a number of



buildings along both of them. So they -- the strategy has actually been effective in that the industrial properties are being then largely converted to residential properties. The buildings are, as you note, different in scale than the buildings that are facing you across the street. And so that's, that's what we have to address here.

Shall we get back to the testimony?

Where was I? Elaine Spatz-Rabinowitz.

ELAINE SPATZ-RABINOWITZ: Hi. I'm Elaine Spatz-Rabinowitz. E-l-a-i-n-e and then S-p-a-t-z-R-a-b-i-n-o-w-i-t-z and I'm at 75 Richdale Avenue and I actually have no prepared speech. I didn't think I was going to talk, but I just wanted to since we don't have a way to vote, I wanted to say that I am totally in harmony with all my colleagues at 75 Richdale Avenue. I think they've made

wonderful points. I think that what is being proposed is simply too monolithic for that street. That street is quite treacherous. We have an extra treachery because we drive out from the AZ Auto Center. They always have cars parked where they're not supposed to, so we have one hazard there.

Then we have a second hazard as we pass that curb going up to Upland, and it's quite a dangerous corner. It's very small. A lot of cars are coming down, and it's just not a safe place to put 54 more units. And I also want to borrow one of your terms, Mr. Russell, when you talked about unsympathetic antenna, and I think that this building is -- the way it's designed now, is unsympathetic not only to the neighborhood but to itself. In other words, the new and the old parts just don't make sense to me.

But I mean the main thing -- I would be happy if it were just the top were taken off. And as you said, it's an economic issue. It's having to spend enough money for the real estate so that you have to just pack in the apartments. And then that's, it's just a bad bargain.

Thank you.

HUGH RUSSELL: Thank you.

John Louis, do you wish to speak?

Elizabeth Stern says she wishes to speak.

ELIZABETH STERN: It's Elizabeth with a Z and Stern with the least number of letters. And I live at 20 Cambridge Terrace. And I've been a resident in Cambridge since 1950, so but not at Cambridge Terrace.

My main concern, which has been addressed to some extent, is population

density. And second, the massive appearance of the added structures. I went out and walked Buena Vista, Cambridge Terrace, and Richdale which comprise of small residential neighborhoods. I counted the units, including the new units in the Otis Elevator building. I actually got 18. There are a total of -- and I may have gotten it one or two off, but there are a total of 116 units, mainly two-bedroom units because they're -- except for maybe the few buildings which are two-family and then you tend to have a third bedroom on the third floor -- the third attic. So that's a total of 116 units. Hathaway proposes to increase this by just about 50 percent. I think that the impact of that on the entire neighborhood will be abysmal in every way possible. Parking, traffic, noise, congestion, sewerage,

transients, it's 54 units of not owner-occupied which never leads to a very good upkeep. So that -- now I had thought that the reason that 33 Richdale was higher, was for commercial purposes, I didn't realize as you pointed out, that it was to encourage rental or residential units, but -- and I'm all for more residential and rental units in Cambridge, but I think that this building is trying to accomplish it with a sledge hammer by adding 54 units to this small residential neighborhood of three-story wooden structures.

I don't know if my time is up. Let me see. And I -- my thought had been before I heard why it was 45 feet, was that it was zoned at 45 feet for commercial purposes. And I thought this whole neighborhood is no longer commercial. There's one little store

up at the corner which is well used, being renovated, and then there's the A-1 Auto thing which is kind of an anomaly at this point, but it's there. And I thought if the far side of Richdale were rezoned to be 35 feet, then maybe they'd have to cut off the top floor and the whole massiveness would decrease.

Furthermore, I noticed that in the floor -- the elevations, the section elevations of the building -- okay, one second. The interior height of these three stories is ten feet. We live in an eight-foot high apartment and it's quite generous. I don't know why they have to have ten feet -- foot ceilings, nor do I know why the parking has to be half above ground which all of which elevates the entire structure. So I also second everything that everybody

else has said, and I strongly opposed to the structure in its present shape.

HUGH RUSSELL: Thank you.

Daniel Ranalli.

DANIEL RANALLI: Yes, D-a-n-i-e-l R-a-n-a-l-l-i. I too live in 75 Richdale Ave. Sometimes in the morning when I walk up Richdale Ave. to go to the subway stop, I count the number of cars that are backed up on Upland? Have you ever used the Porter Square traffic system? Usually two cars can get out while the light's green and then it turns red and then it's gridlocked. Some mornings there are 20 cars on Upland backed up all the way up the street. 54 units, what do you think that will do to the traffic situation there? It's also a very narrow street. A truck and a car can't pass when there are cars parked on both sides of the

road without one vehicle pulling into a hopefully open space of which I don't think there will be very many once a unit this size is built. I too feel as though it would be great if the building were preserved, but this reminds me of a John Ford western where you saw the facade of the building and it's glued on and what's behind it is nothing. So there's no real remaining building here. What we have is the brick facade. And also, I'll end with another sort of metaphorical comment, which is I always love places that are named after the things they destroy. These aren't lofts. So it's like Pine Ridge Brook. You know for sure there's no pines, there's no ridge, and there's no brook after they build it. After you build Hathaway Lofts there's no lofts. We have little tiny apartments. Did you see the floor plan? So



the building that I'm in, 17, 18 it's complicated. 18 units, whatever it is, it's a building almost comparable in size, and we manage to make it work. A corridor down the middle, larger units. There's no, there's a considerable amount of interest and demand every time somebody knows you live there and say oh, let me know if something comes up. People like units like that. It's not necessary to build 54 units in a very small residential neighborhood.

Thank you.

HUGH RUSSELL: Thank you.

So, Liza, is there a second list or should we go straight to asking?

LIZA PADEN: Nobody signed up on it.

HUGH RUSSELL: Okay, so now, can I have a show of hands of who would like to speak?

(Show of hands.)

HUGH RUSSELL: So I think we'll start in this direction and go around that way. So we'll start with you, sir. But it's not cast in stone.

CHRISTOPHER DAHL: Chris Dahl, D-a-h-l. I live at 54 Regent Street which is across the railroad tracks from this development. And my concern really is about the height. It's 54 feet. I look to the shadow traces on-line, my property will be in the shadow in the winter. We will be overlooked where we're not overlooked now. So I'll be losing privacy. And I think that there's 54 feet is the issue maybe with the setback as well all driven by the desire to have these 54 units.

HUGH RUSSELL: Thank you.

Yes, Ma'am. I think your hand was

next.

CAROL COHEN: My name is Carol Cohen. C-a-r-o-l. Like that, Cohen. I live at 40 Porter Road and I work there. It's one of four artists live/work units which was established in 1982 when four of us were able to buy a little industrial building after that side of the tracks. Our side was down zoned to residential and it's been great. It's a wonderful neighborhood to be in. And where I am which is right across the tracks from that building that we're talking about, I'm an abutter. As far as I know -- the railroad tracks go down the middle. Maybe you call me an abutter of abutter. Anyway, I'm right over there unless the railroad counts. By anyway....

I think there are some good things about this project. I think we'll make more

use of an old building or at least a little bit of an old building since the developers want to demolish most of the original building. We know the Cambridge Historical Commission declared it preferably preserved. I think that means the developers are encouraged to keep most of the old building and restore it. And I love keeping that old gritty industrial look in North Cambridge. It's appropriate to the area. But what I object to about the proposed building is overall the sheer size and depth and width and massiveness of it. And 54 units, everyone's saying this, I'm saying it, too, at least 100 new apartment dwellers is a very large number of new residents in a small neighborhood all at once. It's just too big.

Specifically I want to talk about the rear setback. The original building's north

wall was set back more or less 10 feet. I mean, zero to 10 feet from the rear property line. The developers want the property to have the same, the minimum required 10 foot little setback line from the property line. Let them redesign that back wall somewhat further from the rear boundary line. After all, they're demolishing almost the whole building. It's not like they have to follow the original line. They can build the rear wall anywhere they want. They can build it definitely further in than 10 feet, that's for sure. The new building would be 45 feet high, everyone is saying, more than twice the height it is now. Three stories, plus an underground garage. This means that there will be a shadow line, and the plans on-line -- there's a page of shadow studies, and you can see where that line -- in mid-winter we

would have no sun in our back windows, and these are four artist units, it would be dim for several weeks across mid-winter. And there would be a noise problem because with a 45-foot high wall, that close across from us, we'd get more reflected to train noise. Everyone gets a certain train noise back there, but high wall, we're gonna get a lot more noise.

Give us a legal required setback, that would be great, 65 feet. We won't have a shadow problem. Reflective noise would be less. The problems would be solved. In some way I feel the proposed building is just too big for the neighborhood and should be redesigned smaller with fewer apartments, not lofts, and with a larger north side setback. Sure, let's have the development happen, but somewhat smaller.

Thank you.

HUGH RUSSELL: Thank you. Yes,  
Ma'am.

PEGGY PHILLIPS: Peggy, P-e-g-g-y  
Phillips, P-h-i-l-l-i-p-s, and I live at 75  
Richdale Ave. I think everybody's been  
making very good points. I agree with all of  
that. I wanted to just address a little  
further the problem, traffic. I know they  
were talking about how they felt they were  
okay with just one parking space per unit  
because we have the subway station and  
there's some ZipCar locations. But I'll tell  
you the subway station actually brought a  
parking problem to our street. A number of  
years ago we had to go to the city to get  
permit only parking signs down our street  
because a lot of people were coming in and  
parking on our street all day long and taking

the subway in town. There were no streets for us that live on the street -- I mean, yeah, no parking spaces. And then we have A to Z Auto and they leave their cars out on the street. They have a triple decker across the street that has a large parking space that they've used, but that's been sold and that's going to be torn down and make condos. I think they're losing that as well. So they'll be taking up more spaces on the street. We've addressed that to the city many times saying that we can't get parking because A to Z Auto is always leaving its cars on the street, but it keeps going on. And the winter, the winter is horrible going down that street. Like right now, like Dan said, if you go down that street and there's another car coming, you better pull over. Hopefully you will find a spot. And we



recently took away two more spaces because of the drain issue. I mean, the flooding was so bad it was going up inside cars parked on the street. So we lost two more spaces because we're not going to allow anyone to park over those drains anymore. But in the winter, even in snow emergencies, the people don't move their car. And, again, I personally have called the city. I'm not proud of this, but just to say can you get those people to move their car, they're left there. And once they're snowed in, they don't move. And it's a zig-zag of one car only down that street. So I just am horrified to think of how many cars are going to be there and how bad it's going to be. It's already so dangerous. We have paint -- you know, there's no parking on either side of our driveway when you pull out because you can't see cars coming, but people

park there anyway. And there's always accidents. And it's just, it's just way out of scale. This whole thing is just really not something we can handle in our neighborhood.

HUGH RUSSELL: Thank you.

Anyone else from this section? Yes.

LIZ VANDERMARK: I'm Liz Vandermark, L-i-z V-a-n-d-e-r-m-a-r-k. And I live at 33 Cambridge Terrace, which is the street that diagonally goes in to Richdale coming out roughly at the center of the proposed project. And I concur entirely with everything that's been said. One of the wonderful things about our neighborhood is the access to public transportation. The diversity of the community that lives there, both the mix of long-time residents and more transient keeps it an energetic place. The

artists who are really essential to disappearing and incredibly valuable part of the identity of Cambridge that must be supported and the legacy of your work in 1982 is, you know, one of the things that contributes to the value of the neighborhood today And the greater Cambridge community as well.

I just would like to point out that there are a fewer than 54 residential units on Cambridge Terrace which is sort of two blocks long. It is a one way street. The only egress from the bottom half of it is onto Richdale. The images that you have seen tonight do not depict the narrowness of the street as it is experienced by all of the residents. I think Daniel Ranalli spoke to that. There are two cars travelling in opposite directions cannot pass each other

for well over 50 percent of the length of that street. That curve, as others have pointed out, is a significant safety issue. The -- so the scale of this project raises a lot of concerns. I also would like to say that it's a safety issue as well if the egress from a one way street and from many of the -- much of the neighborhood is limited by the railroad tracks. It's essentially a wall. And so there are fewer ways to compensate for a building that is out of scale as this building is.

I'd like to shoot a few holes in the green space argument because at present if you stand near the corner of Upland and Richdale and you walk down Richdale, you actually have an incredible view not only of the sky but of large trees that you can see on the other side of the existing structure,

33 Cambridge Terrace. All of that would be lost to abutters and people in the neighborhood. And so the quality of green space might actually be diminished despite the attempts to make some landscaping efforts on the facade.

Thank you very much.

HUGH RUSSELL: Thank you. Sir.

EVAN GERBER: Hi, everybody. Thanks for the opportunity to talk. My name is Evan Gerber. I live at 34 Cambridge Terrace. And I'm also here on behalf of my incredibly pregnant wife who is like I'm not leaving the house. Thank you. With that said, I just want to echo what everybody said. I think it's fantastic. I think there's been a great analytical argument up until this point. Those guys have done a very good job at presenting their case. But confession, I

used to work in advertising and I would put together decks that would tell a great story. And sometimes the story's positioned in a certain way, and when I look at this, I think with my advertising hat on, although I try not to wear it, there's a Mark Twain quote. He once said: There are lies, damn lies, and statistics. And we're talking about a lot of statistics here, and quite frankly as a Cambridge resident, I question a bunch of them. I'm going to guess if we're all from Cambridge, we're not always the best parkers in the world. We put our cars where we want. And when we say a one-to-one relationship for 54 people to end up with parking spots, it's probably not going to be that much when we start to think about more than one driver in a given apartment, (inaudible) and never mind winter and snow and this, that, and the

other.

And I think about it and I think it comes down to the core problem or the challenge that you're hearing from the residents which is simply that this is a lot of people. It's probably too many people. And from that you see it's not quite in harmony with the rest of the neighborhood. All of the problems with traffic, with sanitation, with infrastructure, with getting up to Porter Square, parking, all these things come from that. Never mind the aesthetic concerns from people on the other side of the tracks, figuratively speaking, or everybody who is doing that work. And so I would encourage you guys to think about that. Not to mention the questions that are coming from the historical perspective.

There has to be a happier balance

between a profitable building, because there needs to be something there and it should be profitable and the needs of the people who already live there and what we as a whole want Porter Square and Cambridge to be like.

So with that said, thank you very much.

HUGH RUSSELL: Thank you.

So now I think we're into this section.

Yes, sir.

STEVE PERRY: Hi. My name is Steve Perry. I live at 24 Cambridge Terrace. And I wish more of us had come out to us because 75 Richdale is making us look meager. I've lived at 24 Cambridge Terrace for 27 years my husband Oliver Radford. And for those 27 years, 75 Richdale has been a lovely, quiet neighbor. I come out of my front door everyday, I see that building, and I've been looking at it for 27 years. So, I'm sort of



siding with Charlie Sullivan. It's going to become housing, there's no question about that. And housing is next to motherhood. But that having been said, I have to say that having an office in 33 Richdale, it's a vital office building, it's virtually full, it has a very low vacancy rates. It's full of people who come to work by the T, they come to work by foot, they come to work by bike. Some come by car, but not many because the parking lot's small. I mean, you have to pay for parking. So, we tend to be, I think, an awfully green environment in the building as it is. And everyone's there to work. So we're quiet. We're a quiet neighbor. And building on what everyone else has said, I think the traffic that's going to be engendered by this new project, it will generate a substantial change to the -- to

our established neighborhood. Now, I think I stole all those words as closely as I could from the form that has to be filled out for a Special Permit. So I believe that the traffic that's gonna be generated will generate a substantial change to our established neighborhood. We've been hearing about neighborhood, neighborhood. Elizabeth Stern was terrific in counting the number of apartments. We're a neighborhood. We can be referred to in lots of ways. We're not Upland road. We're not Avon Hill because even though we may be on the slope, and we know that geologically we are Avon Hill, when I've had the chance of meeting someone from Avon Hill, they quickly say, oh, oh, you're not in my -- I mean, you live in a lovely neighborhood. And the argument about the depth of the building, I think 75 Richdale

has put that topic to rest. The building is as deep. The building has one-story and two-story portions. They made it work for housing. The notion that the existing building can't be made to work for housing, it's an industrial building, similar depth. I'm an architect. I can't believe that. You know, I just -- you know, if I tried that line and first year in studio, I would have been run out by a rail from the professor.

So the last thing I think I want to say tonight is the scale of the project is just too big. It isn't -- it's the size of it, but it's the scale. Right now when I walk down Cambridge Terrace and I look at 33 Richdale, there's a different scale to that bakery. And it's -- I could say it's cathedral like. It's tall. The one-story portion is tall. The new building as

proposed is going to be a 45-foot high wall, it's 300 feet wide. 45 feet tall, 300 feet wide. That's a huge difference from the face of the building now.

Thank you.

HUGH RUSSELL: Thank you.

Yes, Ma'am in the back.

REBECCA LISTFIELD: Hello. I'm Rebecca Listfield spelled R-e-b-e-c-c-a L-i-s-t-f-i-e-l-d. I live at 4 Cambridge Terrace which is right across the street from the front of the building. And there was a really good picture in the plan that didn't show up in the presentation of the front of the building, and I was wondering if someone can put that up if anyone is still here from -- I guess not. I guess they left.

Anyway, I think that that picture really showed the scale of the new building

compared to the old building. Right now it's just a one-story building that we're looking at straight on. We can see the sky. We can see trees. We can see things on the other side of the tracks. With the new building, it's going to be twice as high as it is now. We probably won't be able to see the sky from our windows anymore. Right now we can open our windows and it's very quiet. We don't hear anything. Probably with a new building, I think if 120 people moved in across the street from you, you'd probably be upset that maybe it would be a little louder. I think we're also facing a really big loss of privacy just due to the fact that there's going to be 54 more apartments less than 100 feet away from our house. So I think it's too big and I'm not excited about it and I hope you guys see that also.

HUGH RUSSELL: Thank you.

BART BUSSINK: My name is Bart Bussink, B-a-r-t B-u-s-s-i-n-k. We live at 56 Regent Street which is directly across the tracks from this building. Could I start with a question? Which is on the 10-foot setback are you required to give this permit if they meet that or is that a discretion of the Special Permit granting authority?

HUGH RUSSELL: There's some general criteria which are sort of is this a good idea? And so we're not required to give that unless we think it's a good idea.

BART BUSSINK: So it's at the Board's discretion essentially?

HUGH RUSSELL: Well, there's language in 10.46 I think it is of the Ordinance but it's very general criteria. So we have more discussion on that.

BART BUSSINK: Right, okay. I'm in the development business myself so I understand some of the concerns of the developer, but also the neighborhood. Frankly, we live across the tracks so we're not going to comment on the view from Richdale but we definitely do agree with the statements made about the shadows that this is going to cast across the tracks. We also were the ones who planted a lot of the trees along the other side of the tracks which have blended, blend a green element to the view from Richdale over the top of the building, current building, that has been mentioned a couple of times.

I have a couple of general comments about the building plan which is that after careful consideration I think these guys have essentially proposed the absolute max on

every single thing they could; the height, the number of units, and everything else. I don't think that's necessarily essential in this site. You may have to grant on those, you know, 54 units and the height limit may not have any discretion there. On the other hand, you may have discretion on the 10-foot setback which might be able to get some concessions on this matter. I think the facade 300 feet long, 45 feet tall facing us across the tracks is massive and will reduce our privacy etcetera, etcetera. I see they have a floor to floor height on this of about 12-foot, 4. I believe, allowing for a 10-foot interior height on each of the units, while we also built, quote, unquote, loft-style units, our highest ceilings generally are nine feet. We also don't use 2.2 feet per floor for floor structures. I



think the whole thing could be reduced by five feet easily while keeping the same number of units. Maybe also the garage could be sunk somewhat deeper into the ground which might also reduce the height overall to let's say 38 feet or something like that. I also think that many Zoning Ordinances have a 45-degree incline from the street that the building has to stay under, and I think for instance, the units, the third floor units on the rear could be forced to be set back, let's say, 10 or 15 feet which would reduce the shadow impact also while keeping the same number of units.

Anyway, I'm not rendering an opinion on the number of units per se.

HUGH RUSSELL: Okay, thank you.

Anyone else over on this side of the room?

LIZ MOORE: I'm Liz Moore,  
M-o-o-r-e. One of the things that hasn't  
been mentioned is the fact that these being  
rental units, the likelihood of there being  
more than two people in each unit is fairly  
great. And I gather that they're supposed to  
be quite nice units, and since they're big,  
they probably will be relatively expensive  
and that means more students there probably  
which means more noise, more cars despite the  
fact that there's all this possibility of  
public transit. I think students have a  
tendency to like to have cars, to be able to  
get out of the city or go wherever they want  
to go so that the impact isn't just 54 units,  
it is considerably more than that when you  
come down to a number of people who will be  
involved.

Thank you.

HUGH RUSSELL: Thank you.

Does anyone else wish to speak?

Yes, sir. Councillor Kelley.

COUNCILLOR CRAIG KELLEY: Good evening. My name is Craig Kelley. I live at 6 St. Gerard Terrace. I used to live just down the street on Porter Road. I think that there are a couple of things for the Board to consider.

The first is the 10-foot setback as you noted earlier, Mr. Chair, that's discretionary. And from my way of thinking there's no need to bigger the building when it's discretionary. Sometimes Special Permits really aren't that discretionary. You know, they're large project review, for example, is kind of just kicking around the idea. That's very different in my opinion from the changing of the setback. I

understand it doesn't reach the level of a Variance, but nonetheless, I -- from my view at any rate, the Zoning would be something you would be cautious about going all the way down to 10 feet. You know, whether it's 20 feet or 30 feet, I can't say. But 10 feet is a really narrow setback for something this size.

And the second thing I would say is this is just up the street from Porter Square. And when you think about this project, I urge you to consider the ongoing projects. We have the Art Institute of Boston moving in to move in the church shortly. The KayaKa Hotel, if they haven't started demolition there, they shut down the restaurant. And I believe you will in the next couple of weeks see the permit application for the 20-odd unit Bob Slade

building. And as we see those projects go up and the project that is going to at some point going to this property as well, we're going to see different pressures put on the neighborhood. And I urge you to keep that in mind when you think about what this project would do and how best it would fit with the future neighborhood, not necessarily what's there, but what's planned, what's in process, and what's likely to come down the path.

And the third thing, I have said this before, and I will say it again, that I think the Council is a little bit lost on this one and we're looking to you for guidance. The idea that we need to push residential on these formerly commercial properties adjacent to these railroad lines, whether they're spur lines or deadlines or used lines as in the case here, I think that's an artifact from an

industrial time of, you know, 20 years ago or 10 years ago. It doesn't reflect today's reality of a white hut residential market in Cambridge, and I think that as you review all the various Special Permits and listen to people coming to speak without them, and it's not just this property but there have been similar discussions adjacent to the bike path and also down in Cambridgeport adjacent to the line there. I see the trend. And I think that you see the trend as well. Perhaps you can work with the Community Development Department and help us as a City Council and as a city rethink whether this is really how we want to incentivize things.

Thank you very much.

HUGH RUSSELL: Thank you.

Does anyone else wish to speak?

(No Response.)

HUGH RUSSELL: Thank you then.

So it's 9:30. We have other items on our agenda. We probably need to take a break.

Do we want to try to make any comments at this time and conclude that before the break?

STEVEN WINTER: I think that would be difficult, Mr. Chair, to wrap it up at a decent hour, but I'm willing to listen to my colleagues.

PAMELA WINTERS: I think -- I mean I have three million comments to make. So, I don't know if my other, if my colleagues have several comments to make. I don't just have one or two.

HUGH RUSSELL: So one of our options is to simply say we've heard the testimony, we'll put it on the agenda, and discuss it at

a later date.

PAMELA WINTERS: Yes.

HUGH RUSSELL: I think that seems to be what people want to do. That's what we will do.

You all of course want to know what that date is. I have no idea. It probably will be roughly a month from now, but that scheduling is done by the staff and you will be notified if you signed up. You will be notified if you give Liza Paden your contact information if it isn't already on this sheet, and --

H. THEODORE COHEN: And people can look on the website.

HUGH RUSSELL: If you're, if you like to look on the websites to find things, you can probably find it there, too. So we're going to then close this part of the



meeting. We'll take a ten-minute break and come back and try to whip through the other agenda items.

Thank you very much for coming and thank you for your comments.

(A short recess was taken.)

HUGH RUSSELL: Okay, we're back in session and next is our 8:30 hearing. Something's happened to the clocks. It's a Major Amendment to Planning Board case 231A which is basically a request to show parking for 59 First Street. And so I believe Mr. Galluccio is going to be the first speaker.

ATTORNEY ANTHONY GALLUCCIO: I didn't have enough time, Mr. Chairman.

HUGH RUSSELL: I think you've seen Sue Clippinger's recommendation?

ATTORNEY ANTHONY GALLUCCIO: We

have.

HUGH RUSSELL: And she's sitting over there. In general we rely enormously on Sue's judgment on cases like this. And so you can perhaps go through this pretty quickly.

ATTORNEY ANTHONY GALLUCCIO: And, Mr. Chair, I would be happy to defer to Ms. Clippinger. If she wanted to speak first, I can defer.

HUGH RUSSELL: No, you can present.

ATTORNEY ANTHONY GALLUCCIO: Okay. Thank you, Mr. Chairman and Honorable Members of the Planning Board. We have a Major Amendment before you this evening. This is our first public hearing, and I'd like to get right to the presentation. I think it's -- it will be pretty self-explanatory.

The Major Amendment relates strictly to

parking, and I'll get into that in just a moment. Just for purposes of Zoning history, as many of the Board members may remember, this amendment -- this PUD District Special Permit was approved in 2008. It actually expired and had to be re-filed in identical form in 2010 and was approved again exactly as it was approved in 2008.

A Minor Amendment in 2012 was approved which removed an off-street requirement for four parking spaces and related to bicycle parking. The PUD, just for purposes of an update so that the Board has some sense of what has gone on, the residential component at 159 First Street is currently under construction for 115 rental units. Also included is 3800 square feet of retail. It includes 64 parking spaces on-site. It's scheduled for delivery to come on the market

in the fall of 2014.

65 Bent Street was completed in the first quarter of 2013, is ready for lab and office, but one half of the building has been tenanted and looking forward to the complete -- it being completely tenanted.

29 Charles Street, as you know, was a commercial parking lot under the original Special Permit, allowed to continue to be used for commercial parking with a plan for eight town homes to be created with eight parking spaces. That lot was helpful obviously during the construction period and has been utilized as stated. Again, the plan is to develop that for town homes.

The amendment summary is fairly straight forward. The number of parking spaces as originally approved doesn't change. The ratios do change. The original Special

Permit had an obligation to provide one parking space per unit. That condition will continue. The amendment really relates to 22 parking spaces that now sit on the commercial site, on the lab site. Seven were inside the tub and 15 were on the surface. Those parking spaces would become -- would be utilized by the commercial component, not the residential component. In the original Special Permit those 22 spaces were utilized for the residential building at 159 First Street.

The PTDM plan remains intact. The PTDM plan was reviewed with 94 spaces -- contemplated 94 spaces, so the plan actually is still relevant in all the conditions that existed within that would stay the same. Just getting into the parking ratios as they change, for point of reference, the most

recent Kendall Square PUD that was passed, adopted a 0.8 ratio for lab. The Alexandria Zoning is a 0.9. The new ratio for the lab component at Bent Street if the Major Amendment were adopted, would go to 0.87. It's currently at 0.66. We believe the 0.66 is just -- it's an artificially low ratio in comparison to what the market demands are so we sit in between those two numbers. It would go from 72 spaces to 94.

The reduction accessory parking for residential would go from 86 to 64 in terms of the base zoning. The -- which is currently now a 0.75. So it would go to a 0.56.

Where the Traffic Department has been helpful, and I would say we've had -- I had a number of meetings with traffic over the last year just to sort of get comfort level with

the amendment, the Traffic and Parking has through their letter and through our conversations come up with a letter of comments and recommendations that we agree with and think makes sense. As I said, the ratio for residential would be 0.56 by way of Major Amendment, but there would be a requirement for the residential parcel to provide up to 0.68 for a minimum of three years which is an additional 15 spaces. They would have to come forward and show a lease for those commercial spaces prior to the lab site being able to utilize the 22 spaces. So that was, that was a recommendation by Traffic and Parking. The spaces, the off-site 15 spaces would have to be priced at no more than the on-site spaces. The obligation would provide one to one if there was a demand for such, would be maintained

from the original Special Permit.

So it's a little tricky in that the original -- we haven't removed any of the original conditions from that Special Permit so they remain intact, but there is this new requirement to stay and provide up to 0.68 for at least three years. There would be review process and monitoring so that if there were, if there were a filing -- I should just say traffic also requests that in the Major Amendment, a Minor Amendment would be required to alleviate the burden of the lease. They would look at a number of factors, including registration of vehicles, the application for resident stickers, and looking at existing lease. So they would be able to monitor what the activity is. And if the activity, if the number of registered vehicles was over 0.56, then the assumption



is that they would make a recommendation to the Board that the lease be maintained and you would not approve any relief for that.

The next slides are just I think helpful graphics that are reminders of what the PUD district is. I think I take no risk in saying that this was a beautifully designed PUD District, very well balanced between commercial, residential with retail component, and some open space. It's kind of a textbook really mixed use PUD District. This just shows the square footage of the three parcels.

And the next one is the parking spaces as approved with 94, 60, and 8 and it shows the 15 surface.

Next is originally approved use of parking spaces and it just, it just illustrates the 22 spaces on the lab site

that were originally slated to be used for the residential which got them up to a 0.75 ratio.

And the last, the last slide just shows -- the last two slides shows the changes, one for Minor Amendment No. 1. And last is our Major Amendment No. 2 which shows the 15 spaces going -- required off-site for the three-year period and the 22 spaces being able to utilize, being able to be utilized by the lab site.

And that concludes the summary.

HUGH RUSSELL: I have a question. You're not permitted to satisfy the 15 spaces at the future townhouse site; is that correct?

ATTORNEY ANTHONY GALLUCCIO: I would let Ms. Clippinger speak to that. I'm not, I'm not completely clear on that, on that

issue.

HUGH RUSSELL: Okay. Because what I'm concerned about is that that lot become a townhouses' and not be permanently parking lot. That was important in the granting of the permit.

So, Sue, do you have an answer to that question? Or would you also like to make any remarks?

SUSAN CLIPPINGER: The townhouse site and the existing commercial lot that's there, the way the existing permit is structured, the proponent can use the commercial parking for three years, and to use it beyond that would require Board approval. And that was --

HUGH RUSSELL: Three years from the occupancy of the buildings?

SUSAN CLIPPINGER: Of the first

building right?

HUGH RUSSELL: Yes.

SUSAN CLIPPINGER: And the purpose at the time that that was done was obviously as you had no buildings with any kind of income, the parking lot has income, but not to encumbered that site for the long term because of the desire to have the townhouses built. In talking through with the proponent, the changes that they were looking at and given the fact that the residential construction has only just now started, but the C of O for the commercial building has already been issued, if it takes a year or two to get all of the housing built, you only have that commercial lot available for one year potentially before you would have to be back before the Board. And I don't think either city staff nor board members

necessarily want to feel that the potential for having townhouses that on that site is being encumbered by the activities and decisions around this accommodation, and because there are other options beyond that lot for finding off street spaces, it seemed wise to leave them alone and not encumber them in any way. So that the goal of having the townhouses at that site were in no way ever jeopardized.

HUGH RUSSELL: Thank you.

Counselor, did you complete your presentation?

ATTORNEY ANTHONY GALLUCCIO: I did. And I'm happy to turn it over to Sue. I think I would just say that the -- there are a number of conditions which I think are thoughtful and make this amendment even more reasonable. I think that the base, the basis

of this is given the proximity to the two major T stops, which are less than 10 minutes walking each way, we think that this ratio works for the residential. Obviously time will tell and it will be closely monitored. And if it doesn't, then parking will be provided. But we think this ratio works, not in every location in Cambridge, but particularly for this location it will. And that, again, that the lab ratio, the new lab ratio is a reasonable one. And happy, Mr. Chairman, to hear obviously the Board has created this district, and happy to hear your feedback on how this may impact the development of 29 Charles and we're here to listen and respond to make you as comfortable as possible.

HUGH RUSSELL: Okay. I would propose we go next to the public testimony

portion.

The process is an unusual process. It's a PUD process in which we hold a first hearing which is tonight. The Board makes a determination of changes that it wishes to have made in that proposal that's brought to us. And the petitioner comes back when they're ready to present those changes tentatively scheduled for I think two weeks from today, because -- and there may not be any changes. But so the idea from the testimony and from our discussion is to sort of say is this the right thing to do? And if not, then what do we want people to consider?

So, does anyone wish to be -- to speak on this matter?

(No Response.)

HUGH RUSSELL: I see no one wishing to speak.

So now we can go to other comments by members of the Board.

CATHERINE PRESTON CONNOLLY: I guess my first question is if these are, if given that the residential and lab projects are now under different ownership, I would like to hear from the owners of the residential project.

HUGH RUSSELL: Sure. And there he is.

ATTORNEY ANTHONY GALLUCCIO:  
Mr. Chair, I should introduce my clients. That's a cardinal sin. If I could just introduce Sean Hurley, the Executive Vice President of Skanska. Also Mark McGowan, Director of Development. And thank you for your introduction. It's a co-application with Urban Spaces Paul Obnibenie, President and also we have Dave Norder (phonetic) here.



HUGH RUSSELL: So Paul bought the apartment side. Have you also brought the townhouse site?

PAUL OGNIBENIE: So just and the apartment site, the town home site, we're in discussions to change that but that's the way it is today.

HUGH RUSSELL: Okay.

CATHERINE PRESTON CONNOLLY: So I guess I see why Skanska would want this. I'm curious as to how you think this is going to work for your project, what concerns you have, if any, and, you know, what you think the, the impact is.

PAUL OGNIBENIE: Thank you. So we're pleased to support and be participating in the application. We found that preliminarily anyway, we have interests from a major tenant who would be interested in

kind of master leasing about half of our building. And the nature of their business is that they're serving corporate residents who perhaps working in all the buildings in the area. And they don't have cars or need parking. So right there we feel like that would reduce the parking demand certainly by 50 percent. So now we're talking about if we went through with that transaction, which isn't certain, but likely, that we'd have approximately 60 units with 64 parking spaces. So given our estimation of where the parking will end up at maybe a 0.5 or a 0.6, we're thinking we may have 30 extra parking space the in the garage. So that's one line of thinking.

Then again of course if the garage, you know, goes to the max, then we'll have plenty of parking spaces. We'll have off site

spaces and other obligations under the Special Permit. So we'll satisfy the parking requirement.

And then I guess the last point is we're especially interested as residential developers in seeing, perhaps like the Board, that the respective town home site get developed. And as part of our discussions, that's something that we would really like to do. I think Skanska's focus is correctly on the large lab project and ours perhaps is more appropriate for a smaller scale residential development like the townhouse site.

CATHERINE PRESTON CONNOLLY: Thank you.

AHMED NUR: I just have a quick clarification for the commercial spaces that would be rented three years. Was that the

Traffic Department's or where is that coming from? What happens to that after three years if they decided to not to rent those commercial spaces? What happens?

ATTORNEY ANTHONY GALLUCCIO: So the obligation to lease the 15 spaces continues until such time there's a Minor Amendment approved alleviating them of all or any portion of those spaces. So the way I've read Traffic's -- and Traffic has been diligent in trying to balance all the, you know, potential impacts, is they're going to look at the 0.56 ratio as the basis appropriately. And if there are more than 0.56 people registering vehicles in the city, out of that address, then they're not going to let the applicant get out of that, those -- that lease obligation.

AHMED NUR: Thank you.

ATTORNEY ANTHONY GALLUCCIO: And they can't use the 22 spaces for commercial purposes until they come forward and show a real lease for a period of no less than three years.

I think -- does that?

AHMED NUR: Thank you.

ATTORNEY ANTHONY GALLUCCIO: I don't usually make the mistake of trying to speak for Sue. So if I speak incorrectly, let me know.

HUGH RUSSELL: Bill.

WILLIAM TIBBS: I remember this obviously when it was -- came before us the first time, and I was less concerned about this rather interesting kind of array of parking particularly when it was under one owner. I think now that it's under multiple owners, and obviously the Special Permit

still applies, it makes it a little tricky. And quite frankly, what I think we wanted to do is avoid a situation where just because you have a special deal with a particular tenant that looks like it's making the numbers lower, being a situation where all of a sudden that tenant goes away and then you -- and that's a problem. But I think if -- from my perspective, I guess, from Traffic and Sue in Traffic and Parking is comfortable with this arrangement, I guess I'm -- like Hugh said earlier, I tend to defer to them. So I think the monitoring for me is very, very important. I always thought the advantage of all of these projects was that we had monitoring PTDM issues, and the whole reason for that is to make these kinds of decisions.

So if, Sue, if you're comfortable that

we're not going to get some false, you know, false monitoring of the situations just because of a particular leasing arrangements and that you have some mechanism to deal with that, then I'm okay with it.

SUSAN CLIPPINGER: Is that a question?

WILLIAM TIBBS: I guess I would like a little reassurance from you even though you're clearly, you know, written it down. Particularly in light of this, you know, having a tenant that might lower the numbers in a way which is unique to that particular situation but might cause it, you know, if we just got regular people renting like a different need and how the monitoring can -- if you're comfortable with that in terms of how you're monitoring it.

SUSAN CLIPPINGER: I'm trying to

speed read the memo while you're talking. You know, I don't think we tried to say exactly how the monitoring will occur, what it will involve. The intention here is that if we're in agreement that the proponent can come back to the Planning Board for a Minor Amendment that would relieve them of the parking, that we've thought about it not just for today but for that longer term and have an understanding of what's happening. So I think, you know, part of the three years that Anthony Galluccio has been referring to has to do with not wanting them to even come talk to us until at least three years have gone by so that we're talking based on at least a little bit of history that we'll also have hopefully information on other things that may be happening in the city and we'll work really hard to try to make sure that we're



looking at the data for more than one data source and have some confidence that what they're saying and what information we have are all in agreement with each other. So that if a change is being made to the obligation, we're comfortable. And it doesn't have to be a zero or 15 change. It could be an intermediate number. So I think, you know, we're going to obviously be very careful. And part of the care also means that because they have to come back to the Board and make their case, that there will be just more than our eyes on the decision making to make sure that everybody's comfortable that this is good going forward.

WILLIAM TIBBS: And I think that this is -- I think this is one of those situations where if you just see the number, it can be misleading. But if you kind of

have the number in a context, i.e. the number of spaces and the number of owners or the number of tenants and stuff like that and begin to correlate, I think as long as that's going, I think that would work.

HUGH RUSSELL: I guess I have a question about 15 spaces which is they're not required to lease 15 spaces that are currently empty in somebody else's parking garage. They're required to provide 15 spaces under the terms, but they don't actually have to pay for those spaces until somebody shows up to park in them. Or do they have to have 15 empty spaces?

SUSAN CLIPPINGER: They have to have 15 empty spaces -- from the C of O, right? From the C of O until the Planning Board relieves them of that obligation.

HUGH RUSSELL: Okay.

ATTORNEY ANTHONY GALLUCCIO: And just, Mr. Chair, on that, Mr. Chair, I think that there is some incentive there if you're already paying for something, to make sure they're used which deals with some of the -- you know, the neighborhood issue of well, how do we know they're going to go use those spaces and not park in the neighborhood? There's clearly incentive to use those. The unique piece about this, and I think it makes everyone a little more comfortable making the argument is that you have such large availability in the commercial garages at First Street and Galleria which other than this particular area, it would be tough to make this case without such availability.

CATHERINE PRESTON CONNOLLY: So I think the incentive of the empty spaces cuts both ways, because on the one hand you have

the incentive not to leave them sitting empty except for if you want to get rid of that obligation, you have an incentive to show that they're not in use. And I guess I have a couple of questions about why we're replacing 22 spaces with 15 and not some other number like 22? I'd also like to get confirmation that the PTDM plan for the RND building does in fact contemplate 94 spaces and not 72. And I wanted to know what happens if down the road the building is converted to condos and -- or on leased spaces? And I wanted to know if there's any limit on the distance from the property that the spaces can be leased?

So I don't know if Anthony or Sue wants to address this? But those are the questions.

ATTORNEY ANTHONY GALLUCCIO: The

only question --

HUGH RUSSELL: Excuse me, Anthony. So this is a two-step process. These could all be questions that could be part of the second presentation.

CATHERINE PRESTON CONNOLLY: Okay, that's fine.

HUGH RUSSELL: Given the hour.

CATHERINE PRESTON CONNOLLY: Yes.

HUGH RUSSELL: And some of our availability to absorb more information.

So any other points that people want to have looked at?

SUSAN CLIPPINGER: Why 15 instead of 22?

CATHERINE PRESTON CONNOLLY: How far away? What happens if they're converted to condos? And does the PTDM plan in fact contemplate 94 spaces?

SUSAN CLIPPINGER: Okay.

HUGH RUSSELL: Okay.

So this is a point where I turn to Les and say Les, what do we have to do right now tonight?

Jeff, do you have the answer to that?

JEFF ROBERTS: So the Planning Board's job tonight is to make a preliminary determination on the PUD Minor Amendment that's essentially to say that the permit's that's requested in this case of the Major Amendment is overall consistent with the construct of the Zoning District and the intent of the Zoning District, and those findings were made for the prior, for the PUD that was granted. All that's changing here is parking. And there is one, one of the considerations is effect on traffic and parking. So that's one aspect that the

Planning Board could focus in on and say that -- say whether or not the Board finds that this change is overall fitting. It remains fitting within the intent of the Zoning. And then that will be written up and provided to the applicant. And then at the next hearing the Board will have an opportunity to make a final decision and impose any conditions on that decision as they would in granting a Special Permit.

HUGH RUSSELL: Okay. So we would like to hear a motion, then, with essentially that Jeff has laid out and as a member of the Board we can just do it. So motion the determination that this is consistent with the PUD plan, and that we have a few questions for which Catherine listed.

So someone make that motion that we approve the -- make the determination that

this is an acceptable amendment.

AHMED NUR: So moved.

HUGH RUSSELL: And is there a second?

Pam.

On the motion, all those in favor.

(Raising hands.)

HUGH RUSSELL: Everybody voting in favor.

Thank you very much and we'll go on to the next item on the agenda.

\* \* \* \* \*

HUGH RUSSELL: So this is 245 First Street Minor Amendment to review the subdivision of the property. I don't believe this is a long item, but I don't really know.

LIZA PADEN: They're right here.

HUGH RUSSELL: I'm trying to remember what 245 First Street is.



LIZA PADEN: 245 First Street is --

HUGH RUSSELL: Oh, Carter's, Inc.

LIZA PADEN: Right, Carter's, Inc.

HUGH RUSSELL: Are we willing to spend 10 or 15 minutes to get this done tonight?

RICHARD McKINNON: Mr. Chairman, members of the Board, my name is Rich McKinnon. I live in East Cambridge at One Leighton Street; and the three buildings -- if you live long enough in Cambridge, you get to subdivide projects that you developed 30 years ago. And the requested subdivision of the historic Carter's Inc. Building and the Riverview office tower which is built on top of a parking garage behind the Carter, Inc. building, the two are connected by an atrium. And that atrium for purposes of the subdivision will go with the Riverview office

tower behind it.

The staff has asked that our law firm work kind of closely with you so this is not just a subdivision for this evening but also gives you a template because apparently there are more requests coming along.

So I'm just going to let Kevin Renna from Goulston and Storrs just speak to a minute to what he and the staff have been working on.

ATTORNEY KEVIN RENNA: How you doing? Kevin Renna from Goulston and Storrs. As Rich said, we worked closely with Jeff and essentially Liza on the concept here.

Really simple. This is the whole property. The idea is that the subdivision would be roughly along the boundaries of the historic Carter, Inc. building. So there's a shared atrium, some shared loading

facilities, and then some parking would be in here. And I know you have some draft conditions, but the basic idea is things will be separated, there would be an easement agreement recorded, putting in place those shared facilities and then otherwise the two properties would be completely separate. We'd come in and seek Zoning relief to change anything. It would just, you know, from your standpoint really be clear break. So that's the idea. And, you know, obviously there's no development proposed now. So it's just, you know, point in time separate things, have appropriate easements and move forward.

RICHARD McKINNON: And that's it for our presentation, Mr. Chairman.

HUGH RUSSELL: Thank you.

So we have a memo from the staff that says -- as Bill said, a very good memo from

the staff. And who prepared that?

IRAM FAROOQ: Jeff.

HUGH RUSSELL: I'm not surprised.

Les must be more and more comfortable in his retirement.

JEFF ROBERTS: Would you like me to comment on the memo, Mr. Chair? I'll just try to state very briefly what's being requested of the Planning Board and why this is kind of interesting.

The request is for a Minor Amendment, and under the Zoning Ordinance the Planning Board can grant a Minor Amendment upon determining that it's a Minor Amendment and not a Major Amendment to the PUD. And the guidance is that Minor Amendments are changes which do not alter the concept of the PUD in terms of density, floor area ratio, land usage, height, provision of open space, or

the physical relationship of elements of the development.

Minor Amendment shall include, but not be limited to, small changes in the location of buildings, open space or parking or change in the circulation system.

So the Planning Board would have to make a determination that it meets that definition and then could then make the decision to grant the Minor Amendment with -- as with any Special Permit with conditions.

So what's interesting about this, and it's particularly interesting we're hearing this in the same night as the previous case, because they're both illustrative of the same general issue which is that PUD's are often multi-building developments sometimes with some shared facilities or shared resources. And as these projects continue over time,

they often break into different ownership, and as time goes on, people decide that they want to do different things to different parts of the project. And it can become a little bit tangled at times when there are multiple owners with different interests trying to make, trying to adapt their properties. And then if, you know, as you go by the book, you would have to collect all of those owners and bring them all back in every time someone is seeking any kind of a permit or relief. So, so that's what's worth sort of pondering for a second about this, about this case and thinking about how to deal with cases like this, but also understanding that it may set a precedent for future situations where PUDs are being broken up into pieces.

The memo does lay out a set of conditions, recommended conditions very much

like the conditions of a PUD Special Permit might be, but also with attention to what, what kinds of entitlements and requirements apply to each of the different component sites. And if you have any questions about that, I'm happy to answer.

HUGH RUSSELL: Do you think this has been worked out now? In your opinion, is this all worked out in terms of the -- of how the rights and responsibilities and how the entitlements get sorted out?

JEFF ROBERTS: For this particular case or an in a general sense?

HUGH RUSSELL: No, for this particular case.

JEFF ROBERTS: For this case I think it does. Mr. Renna and myself both looked back over the prior Special Permits that were, that were issued for this project. We

relied on some of our senior staff members who were off in France at the time -- at the current time but were able to provide a little bit of insight. And Roger and I went out and looked at the site and tried to -- and just to get a sense of what the history of it was and what the continuing obligations were.

And this is from 1983. This is a little bit different in the way the, in a way the permit is structured and in terms of what the conditions are, but we thought that the, you know, the important issues really were maintaining the atrium space as it was intended as a publicly accessible space, and making sure it was clear within the -- especially within the parking garage, but also for shared researchers like the atrium who has what rights to what components just



to make sure if nothing else, to make sure that the, that the Zoning requirements as they were approved in the Special Permit, continue to be met. So I think that it is all worked out. I think that the, at this point in time I think the -- we can't fully anticipate what any future individual owners might come forward with, so that's really the outstanding question. How do we set this up so that we know how we -- we at least have a process for dealing with any of those future requests.

AHMED NUR: I think Jeff just answered my question, which was just one of the guidelines for this to be part of -- not to make it a minor but a major -- was to not to change the existence or property elements itself and by having this atrium, I mean it's already there, but that's the question that I

had. And I think you answered it. It's fine.

RICHARD McKINNON: These conditions are all fine with us by the way.

WILLIAM TIBBS: That was my question. Are you comfortable with it?

RICHARD McKINNON: It's a little bit easier because it's an older PUD. The conditions were fulfilled many years ago. They're not conditions that we have to deal with going forward. It's just to maintain them.

H. THEODORE COHEN: Jeff, just one question, the condition about no reduction in open space. Is the atrium courtyard now considered open space?

JEFF ROBERTS: It is not.

H. THEODORE COHEN: It is not. So the open space requirements are independent

of that?

JEFF ROBERTS: Right. There were various open space provisions that were part of the, part of the original Special Permit. As Mr. McKinnon alluded to, they were met sometime ago through various contributions to open space improvements and roadway improvements and was, it was handled a little bit differently. But the atrium is not considered open space. There's a small entry courtyard that would be, under that PUD would be considered a type of open space, and it's just a matter of insuring that that, that that doesn't change. Or at least that's not authorized to be changed as part of its Minor Amendment.

H. THEODORE COHEN: Right. And my concern was that given the atrium to one permittee does not violate the other

permittee's requirement for open space?

JEFF ROBERTS: Right.

HUGH RUSSELL: And at first we should have a motion to determine that this is a Minor Amendment.

WILLIAM TIBBS: I say so moved based on the definition that Jeff just gave us, which is that it's not changing the density or the size and the various items that he mentioned.

HUGH RUSSELL: Is there a second?

H. THEODORE COHEN: Second.

HUGH RUSSELL: Ted.

And if there's no discussion, all those in favor?

(Raising hands.)

HUGH RUSSELL: And all members voted in favor.

And the second item would be to grant

the requested Amendment, and with the conditions as laid out in the memorandum from the staff dated September 10th.

Is there a motion to do that?

H. THEODORE COHEN: So moved.

STEVEN WINTER: So moved.

Second.

HUGH RUSSELL: I think Ted was a fraction. I'll take you as a second, Steve Winter.

And on the motion if there's no discussion, all those in favor?

(Raising hands.)

HUGH RUSSELL: And all members voting in favor.

RICHARD McKINNON: Thank you very much. Appreciate it.

HUGH RUSSELL: And I have a -- okay, thank you.

I have a question for Bill Tibbs. Some months ago you announced your intention to retire. We were wondering whether this is your last meeting or not?

WILLIAM TIBBS: Yes, it is.

HUGH RUSSELL: That's how time flies.

WILLIAM TIBBS: Nineteen and a half years.

HUGH RUSSELL: And from my perspective except for the first couple of years, which were a learning period for me, I think 19 wonderful years.

WILLIAM TIBBS: Thank you.

HUGH RUSSELL: As I said before, Bill and I have exactly opposite minor grade personality types. And it took me a while to realize that all of the frustrating things he was doing were in fact all on that other side

of the ledger, and that by having two members who care deeply about what is happening in the city, were very knowledgeable, but the thought about things differently, the process on this Board was enhanced because Bill and I could agree that that was something more special. And we -- I can't remember a time when we have not agreed. But sometimes getting there required us to get into the problems more easily.

So it's been a real pleasure to serve with you, Bill, and I will miss you enormously. And I charge Iram to find someone who is, as you've demonstrated in the last year, there are people out there willing to do this job, who are capable. And we'll find someone soon to fill the chair that will be empty.

So thank you for your service.

WILLIAM TIBBS: Thank you. It's been a pleasure. It seems so many changes to the Board in that 19 and a half years in terms of the people on the Board, but I do want to say it's just a pleasure just working with folks. There are certain things like the cell towers that I won't miss, but as I said, my reasons for leaving were -- has a lot to do with just personal family issues. So it's not because I don't care about the city and don't like being with you all, so thank you very much.

HUGH RUSSELL: Before we break, I will say I've started negotiations with the Mayor's office about -- you remember when Paul and Fred retired? The Mayor held a reception. So I'm hoping that they will do that for you and Tom. They seem to be agreeable, but maybe there could be some



staff participation.

WILLIAM TIBBS: Or they could also give people retiring from other boards they could do a collective (inaudible).

HUGH RUSSELL: We want to keep you embarrassed.

WILLIAM TIBBS: I must say, too, though, that I feel I'm getting my comeuppance because I was at a meeting as you all know, I'm the director of planning at Boston College. And I was at a meeting and Boston College is going to be placing a whole series of cell towers all over its campus. And they asked me to be the person to try to honcho the deal and then present it to the cities of Newton and Boston. So I feel that this Board has well prepared me for when I'm going to be on the other side of the fence.

HUGH RUSSELL: You're going to show

us how it ought to be done.

PAMELA WINTERS: I just want to say one thing. I have sat next to this man for starting my 14th year, and I have learned so much. We have, you know, when I didn't know where the stairs were in an architectural drawing and -- I'm going to start to cry. Anyway, I just -- I just want to say I consider Bill to be my friend and I'm going to miss him very dearly. And he has added so much to the Board, so much to the city. The city is so lucky to have him for almost 20 years. And I just -- he will never be replaced. We'll get somebody else in here but he will not be replaced. So I just, I just had to say that.

Thank you, Bill.

WILLIAM TIBBS: He will continue to be your friend.

IRAM FAROOQ: So, Bill, on behalf of the City Manager, Brian Murphy, and all of CDD staff, I wanted to just add my voice to the Board, to Hugh and Pam's, and I'm sure all the others as well, and to thank you for your years of diligent service because you've been on the Board longer than I have worked for the city and I feel like that's a really long time. Liza tells me that you've been here for over 20 years. And staff, you know, we always think of you as sort of the champion of the bigger picture on the Board. And you always talk about how development projects and so many projects relate to the bigger context and their impact on the whole, and it's a perspective that we are really going to miss and I think everybody will be trying to fill, fill that gap for you. But Hugh has set us a challenging task to try to

fill your shoes because as Pam said, you are going to be impossible to replace. So, you know, in your own way you have urged us all to do better. And you're leaving your stamp as you go on the whole of the city with all of this great work in the last 20 years. So we really thank you.

WILLIAM TIBBS: Thank you.

AHMED NUR: I'll just say three things real quick:

One is that I agree with everything that's been said.

And two, I respect the work that you've done. And looked up to you. So good luck.

WILLIAM TIBBS: Thank you.

H. THEODORE COHEN: Well, I second, third, and fourth everything that's been said before. And, Bill, I really enjoyed knowing you and working with you and I've always felt

that if I said something that you agreed with, I must have said something wise or clever.

HUGH RUSSELL: Okay, thank you.

WILLIAM TIBBS: Thank you very much.

HUGH RUSSELL: We are adjourned.

(Whereupon, at 10:40 p.m., the  
Planning Board Adjourned.)

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