

PLANNING BOARD FOR THE CITY OF CAMBRIDGE

GENERAL HEARING

Tuesday, December 3, 2013

7:05 p.m.

in

City Hall Annex

344 Broadway

Cambridge, Massachusetts

Hugh Russell, Chair

H. Theodore Cohen, Vice Chair

Pamela Winters, Member

Steven Winter, Member

Tom Sieniewicz, Member

Steven Cohen, Member

Catherine Preston Connolly, Associate Member

Brian Murphy, Assistant City Manager for
Community Development

Community Development Staff:

Jeff Roberts

Stuart Dash

Roger Boothe

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PUBLIC HEARINGS

PB#285, 10 Essex Street, Special Permit to construct 46 residential units with ground floor retail at pursuant to the Central Square Overlay District (Article 20.300), Bulk Control Plane Waiver (Section 20.304.2.3), Reduction of Required Parking (Sections 20.304.6 and 6.35.1), Waiver of Building Height (Section 20.304.2.2(a)), Waiver of the Setback Requirement (Section 20.304.4), Green Roof Special Permit (Section 22.30) and Reduction of Short Term Bicycle Parking, (Section 6.108). The Applicant is 3MJ Associates, LLC	43
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City of Cambridge proposal to sell a 20-foot wide strip of public land along the eastern edge of Ames Street between Main Street and Broadway in Kendall Square. The land would be sold to a private owner with the condition that it would be combined with adjacent land to enable the construction of a residential building with ground floor retail. The public hearing is being held pursuant to the requirements of Section 2.110.010 of the Cambridge Municipal Code, regarding Disposition of City Property.

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Cambridge City Council Petition to amend the Cambridge Zoning Ordinance to amend Section 17.20 to increase the setback requirement abutting Linear Park and to clarify form and density language with the residential neighborhood.

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KeyWord Index

P R O C E E D I N G S

HUGH RUSSELL: Good evening. This is the meeting of the Cambridge Planning Board. The first item on our agenda is an update from Brian.

BRIAN MURPHY: Hi there. First I suppose on a matter of sort of interest perhaps for the Board is that the moving of the church from Lesley will be taking place Thursday morning at eight a.m., which may be of some interest for people, not as quite a dramatic move of the house but given this Board's house on the Special Permit it might be.

STEVEN WINTER: Wouldn't miss it.

H. THEODORE COHEN: This Thursday?

BRIAN MURPHY: This Thursday. And I think the latest is eight a.m. And now it's Thursday at eight a.m.

On December 17th we've got a Planning Board hearing on Lutz petition, and the Planning Board hearing on 1868 Mass. Avenue residential development, and then that's it for the year for us.

And we're still trying to nail down our schedules for January going forward.

February 4th will be Town Gown Senior Center.

HUGH RUSSELL: Okay, thank you.

Jeff, are you going to do the Zoning cases?

JEFF ROBERTS: I'm playing Liza today. And we have the antennas to start off with. I think the first on the list is 102 Sherman Street.

HUGH RUSSELL: Okay.

So we have a bunch of these and there are a lot of things on our agenda so I think

we're going to try and do it in less than 10 minutes to each antenna.

PAMELA WINTERS: Sounds good to me.

HUGH RUSSELL: Set your timer.

PAMELA WINTERS: Okay.

ATTORNEY SUSAN ROBERTS: Good evening. My name is Susan Roberts. I'm with the law firm of Anderson and Kreiger. I represent AT&T. And with me is Derek Patton from Centerline Communications. We're here tonight after filing an application for Special Permit from the BZA. Our application was filed on November 6th and the Board referred the applicant to you for your review and your opinion to be given to the BZA. We have a hearing before the BZA on Thursday -- this coming Thursday.

So this is a 12-antenna facility that AT&T is proposing on the top of a residential

apartment building at 102 Sherman Street.

The building that is -- is part of an eight-building complex, residential complex on Sherman Street, surrounded by other residential buildings in the area. Retail, some industrial, some open space. There's a school and there's some commercial as well.

The nine-story building on which this particular facility will be, will be placed is the largest building in the complex.

So we've got -- by the way, I'm going to have Derek give you copies of the Zoning drawings as well just in case you want to refer to those.

So we've got a 12-antenna facility and there are four antennas per sector; alpha, beta, and gamma sector. And we have two sectors; two sectors each with four antennas. So eight of the antennas are located on two

different sides of the elevator penthouse that's on the building. Those would be facade-mounted, and the antennas will be painted to match the color of the penthouse.

In addition, we are proposing to add, install on the roof in a somewhat central location, an equipment shelter. A small equipment shelter that measures about eleven-and-a-half by twelve feet, and that will house AT&T's equipment. But we will also flesh-mount onto the equipment shelter four antennas that we will also paint to match the equipment shelter. And the equipment shelter as well will be painted to match the color of the building, the light color of the building. That is the antenna configuration that we're proposing.

In addition to the antennas, there are 18 remote radio head units which go with the

antenna sector. So six are our use, that we call them, per sector. Just like four antennas per sector, we have six RRU units per sector along with smaller units that attach themselves to the RRUs, and there are two of those per sector.

In addition to the rooftop installation, we have a natural gas generator that is being located on the ground within a fenced compound near the building.

HUGH RUSSELL: Is that for emergency purposes?

ATTORNEY SUSAN ROBERTS: That is for emergency purposes. So it will not run except when it's tested, and we test it every week to make sure that it in fact works. So it's a short period of time each week when the generator will be tested. And unless there's an emergency, power outage or a storm

that causes a power outage, the generator won't be used.

And in addition, of course, there's associated cabling and so forth, but other than the natural gas generator, the facility is on the roof. There's nothing in the basement or in another floor on this one.

So we've taken care to blend the facility visibly well with the other rooftop components that are there and with the color of the building.

AT&T would be the only carrier on this roof, however, there are other items on the roof and AT&T tried to sort of place its components and paint the components the color of the building so that they are unobtrusive.

STEVEN WINTER: Excuse me,
Mr. Chair.

HUGH RUSSELL: Pam is going first.

STEVEN WINTER: Oh, of course.

PAMELA WINTERS: I'm sorry.

STEVEN WINTER: Oh, of course. Go ahead.

PAMELA WINTERS: So I have a quick question, on your picture photo 2B. Is there any other option besides that box on the roof that your proposed equipment shelter on the steel frame that you could put the antenna I think besides that box being stuck there?

ATTORNEY SUSAN ROBERTS: Okay, so that's -- you mean the equipment shelter?

PAMELA WINTERS: Yes.

DEREK PATTON: The equipment shelter serves two purposes. First off we had to have a location on that end of the building that could be our last sector for the antennas. Then obviously we need a place for the equipment itself. So that building takes

care of both of those needs. Now, you'd ask where -- maybe put the equipment shelter somewhere else? There's no other room inside of the building to do that. We explored all the options inside, so it had to be somewhere on the roof. So we went with the smallest equipment shelter we could in that place and flush-mounted the antennas as well.

PAMELA WINTERS: I guess I'd like to hear from my colleagues about what they think about that. I just, you know, to me it -- you know, that straight line of the building and having that box up there is -- seems a little intrusive, but I'd like to hear what other people have to say about it.

STEVEN WINTER: Mr. Chair.

HUGH RUSSELL: Yes, Steve.

STEVEN WINTER: I don't have a problem with the equipment shelter on steel

frame. And my question -- I think this all looks pretty good actually. My question was did I recall correctly that the radio heads are subsumed within something that contains them or are they separate and external and visible?

ATTORNEY SUSAN ROBERTS: So this is a new configuration that was --

STEVEN WINTER: Okay.

ATTORNEY SUSAN ROBERTS: So the radio heads are external to this kind of --

STEVEN WINTER: Where are they?

ATTORNEY SUSAN ROBERTS: So they're located near the antennas where they will be helping essentially or amplified. Derek can probably explain more, but we are now using a different kind of antenna, and we're starting to use the antenna like now in some of the installations that we're doing literally this

month, but at your very --

STEVEN WINTER: But, Ms. Roberts --

DEREK PATTON: The radio heads will be mounted below the antenna and attached as well. So they would be --

STEVEN WINTER: Can you show me on 1B where that is? If we look at photo 1B, it has the proposed.

DEREK PATTON: So that would be the bottom here.

STEVEN WINTER: Just tell everybody that, okay?

DEREK PATTON: Okay.

Do you want me to go along --

HUGH RUSSELL: The little black spec at the bottom?

DEREK PATTON: Basically, yeah. The very bottom of the antenna would be where the radio head is situated.

STEVEN WINTER: Right. And I don't have any problem with that, Mr. Chair.

ATTORNEY SUSAN ROBERTS: And so then if you wanted to see what the roof plan looks like where the RRUs are, you look on page Z2 of the drawings. So, for example, on the left side where we've got four antennas on the penthouse facade and then you can see another arrow just before where it says alpha sector proposed RRUs mounted to the penthouse wall and surge arresters, those will be underneath the antennas. And for each sector it's the same configuration.

STEVEN WINTER: I have no issues with those.

HUGH RUSSELL: Well, I've got response to Pam which is there are right now three sort of boxes on the roof; the two stairs at each end and then the elevator

tower. This adds a fourth box. You know, it's not -- it's noticeable from the viewpoints they've taken, and I think the viewpoints they've taken are not, are not the places that you're very apt to be so that like photo 2 is taken from the middle of a field and not from a public street. And to get out to the street, you probably can't see the building. So I think it would be less visible from sort of the public streets around.

ATTORNEY SUSAN ROBERTS: So if you look at page 2 of the photo sims, that shows the photo locations, and photo 2 is taken from a field where the school is. There's a school on the side street.

HUGH RUSSELL: Yes. And so that should mitigate that.

My own comment is I'd like to see the

antennas lowered 12 inches so that they are not -- so that they're like six inches below the flashing.

ATTORNEY SUSAN ROBERTS: And these are for the penthouse, the elevator penthouse?

HUGH RUSSELL: Yes, right.

DEREK PATTON: Specifically situated just from an engineering standpoint so that they can clear the edge of the roof.

HUGH RUSSELL: In spite of that I would like to see them lowered because they stick up very slightly above the top and it's a different color and, you know, the installation is maybe more noticeable as a result of that.

ATTORNEY SUSAN ROBERTS: Do you think it would help if we painted the top the same color? So in other words, they'd sort

of be color blocked the lower part?

HUGH RUSSELL: If they were in the same plane, that would work, but if they're not on the same plane, they're sticking out a foot, then it just draws more attention to them.

ATTORNEY SUSAN ROBERTS: Just so I can be clear. So on photo 1B, for example, you would want those four antennas to be lowered or if we painted say the top, I don't know how many inches that little dark grey area?

HUGH RUSSELL: Yes, I'm asking that they be lowered because as your distance changes, that stripe has to be in a different place and so you can't match the stripe.

ATTORNEY SUSAN ROBERTS: I can't match the stripe.

HUGH RUSSELL: Except you can match

it from one point of view and every other point of view then it won't match.

ATTORNEY SUSAN ROBERTS: I see what you're saying. Okay.

HUGH RUSSELL: Because they're not co-planar.

ATTORNEY SUSAN ROBERTS: All right.

HUGH RUSSELL: So that's my comment. You can duke that out with the BZA.

Are there other comments?

PAMELA WINTERS: We're over the 10 minutes.

TOM SIENIEWICZ: Yes, so the five second comment. My concern actually is not with the building but with the gas powered generator. I just want assurance from the BZA to check to make sure it's conforming with the Zoning Ordinance. And I'm very concerned about the noise ordinance in this

case that it's fired off and tested regularly to make sure it conforms to that.

ATTORNEY SUSAN ROBERTS: We have done a noise study, and that was submitted as part of our application. And, in fact, we moved the generator so that it would be in a place where it would be compliant with the noise requirements for the city. So we'll also make sure that the natural gas generator's compliant as well.

DEREK PATTON: We also -- I personally also cleared the noise from a running generator with one of the building's managers just to get a sense for exactly what that would sound like on the ground, and we were okay with that. They were okay with that rather.

ATTORNEY SUSAN ROBERTS: And could I just clarify on the equipment shelter, those

don't need to be lowered; is that correct?
Or are you just talking about the penthouse,
the penthouse-mounted antennas?

HUGH RUSSELL: Well, the equipment shelter doesn't show a flashing line as far as I can see. I'm having difficulty in finding -- yes, they break the horizon. So they could be lowered very, very slightly.

ATTORNEY SUSAN ROBERTS: Okay.

HUGH RUSSELL: If you line up the top with the top of the equipment thing and then you'll always see them as bumps on the horizon.

Okay, let's go on to the next one.

STEVEN WINTER: I'd like to thank Ms. Roberts for working as hard as you are to help us make these visually appealing and attractive from the street.

Thank you.

ATTORNEY SUSAN ROBERTS: Thank you.

HUGH RUSSELL: All right, is this the last of yours or do you have more?

ATTORNEY SUSAN ROBERTS: I'm sorry? No, we're finished for the evening.

HUGH RUSSELL: Who's up next?

This is an installation that we asked you to go back and rethink?

ATTORNEY TIMOTHY TWARDOWSKI: That's correct. Thank you, Mr. Chairman and members of the Board. My name is Tim Twardowski of Robinson and Cole representing the applicant Verizon Wireless. This is a continuation of a meeting that we started with the Planning Board back in late September. We originally came in with a plan that is quite different than what you'll see here this evening.

Based on the input that we received from the Planning Board with respect to the various

antenna designs, we basically went back to the drawing board. We had an all hands on deck meeting on-site with engineers, with the construction manager, with representatives for MIT, which is the owner of the building, and we also retained the services of Daniel Winny who is an architect who does a lot of work in Cambridge and including with MIT to advise us on the revised design. In a nutshell, I think it's safe to say that the advice from the Board in September was to either make the design architecturally sensitive for the existing building or to try to make the antennas disappear as much as possible. I don't know if I can carry the mic over there. What I'd like to do is give a quick overview on what we originally proposed in September versus what's before you this evening. And I think the best way

to do that is to using the site plan. If I may walk over?

HUGH RUSSELL: I would actually not -- we're -- I don't think we want to revisit September. I think we just want to see what's on deck now.

ATTORNEY TIMOTHY TWARDOWSKI: Okay, sure.

HUGH RUSSELL: I would put an Affidavit to the Board that it's better.

STEVEN COHEN: So stipulated.

PAMELA WINTERS: So agreed.

HUGH RUSSELL: It's better. The question is is it good enough?

ATTORNEY TIMOTHY TWARDOWSKI: Thank you.

Just a quick overview. Looking at the photo sims, and I'll start on pages 3 and 4 of 9, and this shows the view from Broadway.

What you'll see in the actual view on page 3 is the proposal without the enclosure. And page 4 shows the enclosure with the four antennas facing Broadway. In the original design we had an enclosure that was only 11 feet from the edge of the building. In this case we shifted it further to the east next to the existing HVAC and moved it back a total of 47 feet from the building edge which makes it virtually invisible from any point on Broadway except for this one location where you can see it now and it's just barely visible above the roof line.

Turning quickly to pages 5 and 6 of the photo sims, on this location, on this perspective is taken from Third Street looking at the building across Broad Canal Way. The initial proposal here, we had a set of exposed antennas on a metal frame mount on

the corner of the building. And what we've done in this proposal is to put the antennas and remote radio heads as depicted on page 6 in enclosures, the enclosures are actually in alignment with the columns and the windows above which are three feet wide and so are the enclosures. You'll note on the site plan that there's actually four antenna enclosures and three remote radio head enclosures. The radio head enclosures actually are around the corner on existing column. Here we don't have any columns going all the way down below this facade so we weren't able to mount them in that particular location.

And then lastly, as to the Third Street facade looking at pages 7 and 8, initially what we showed was exposed antennas either side of the two center-most columns. What we've done is move all four of the antennas

on to the front facade of the existing columns and we're proposing to put a fiberglass enclosure that matches the width and the color of the existing columns and it matches, I think, in terms of the protrusion from the front of the columns in order to fit the antennas, it matches up nicely with the buildings below, and it's just I think a couple inches protruding from the columns just above that rise up to the top of the building. And that's a quick summary of what we're proposing.

Daniel Winny is here, and we also have other folks available here to answer any questions.

H. THEODORE COHEN: Yes, I actually spent a lot of time looking at this today and I think it's really a very attractive array. The only thing you really notice I think is

the box on the roof, but you're correct, it's really only visible from that one perspective where you're basically staring at the end of the parking lot which is fairly unattractive in and of itself. I was very pleased with this. And my only question, and I just toss it out to you and the architect, is that -- and maybe it's just because of the sims are small and I can't really tell, the boxes in photo 2B all appear to go up to the reveal, and the boxes on photo 3B seem to stop short of the -- couple inches short of the reveal and I'm just wondering whether there should be some consistency between the two. Other than that, I think it's a very well done arrangement.

ATTORNEY TIMOTHY TWARDOWSKI: Right. Just quickly, the one difference between the antennas shown in photos 2 and 3, in order to

be sensitive to the existing architecture of the building, we're using on the facade facing Broad Canal Way smaller antennas. These are two-foot enclosures -- two-foot antennas. So we're able to put them in that particular location. If we use the standard four-foot antenna which is shown on the other facade, they just wouldn't fit. So we did use the two-foot antennas.

H. THEODORE COHEN: No, I'm fine with that. It's just how they fall at the reveal line between the base of the building and the first row of columns. There seems to be a difference between the two sides, and I just suggest that, you know, maybe the architects look at that again and decide how --

HUGH RUSSELL: Here's Dan.

DANIEL WINNY: Hi. I'm Dan Winny,

W-i-n-n-y. Maybe it's easiest if I approach you and we look at this. On this facade there are the columns existing right out of the facade or rather somewhat recessed. So that these four-foot antennas using the slimmest antenna and the slimmest available mounting bracket can get pushed back as far as possible. That means they're close to the protrusion of this reveal, as close as we can get them. I think the point that you're referring to is that 2B, the smaller two-foot antennas stick out a little bit more in relation to the reveal which also shows in the details that are part the Zoning drawings. That's the function of the nature of the difference around the columns. If there had been columns on the face of this north elevation, we could have done the same thing as we did around the corner. Instead

we had to use the two-foot antennas.

H. THEODORE COHEN: No, I have no objections to the two foot and the four foot. That's fine. It was just where the reveal line pops up.

DANIEL WINNY: It's on the left drawing on this.

So this is the shorter antennas on the north elevation which come up close to the reveal line there, but they're sticking out about 11 inches from it. In other words, this situation because of the different configuration we can actually get to the back, but they do come to approximately the same height. We can certainly make sure that the dimension between the top of this antenna and the top of that antenna relative to the reveal is the same in both cases.

H. THEODORE COHEN: That's --

PAMELA WINTERS: That would be --

H. THEODORE COHEN: That's what I was talking about.

PAMELA WINTERS: That would be excellent.

DANIEL WINNY: Then it would match this one. That's easily done.

STEVEN COHEN: Mr. Chair, if I could just speak briefly to it. I just want to say that I think you've raised the bar for this sort of application.

STEVEN WINTER: Indeed.

STEVEN COHEN: I think you've demonstrated what can happen when you actually put together a team that takes the design consideration seriously on an application of this sort. And I think you've ended up encouraging this Board to continue a fairly assertive approach, at least on those

buildings that are highly visible or important to the public, to not accept these applications as a fait accompli and to persevere in confidence that a serious design team can really do better. So I thank you for those revisions.

STEVEN WINTER: Mr. Chair, may I ask that our letter to the BZA also echo Steve's comments, which is that we feel that there's a methodology here that everyone should be aware of, it's very important, and we want to compliment the proponent as well.

HUGH RUSSELL: And any dissenting votes?

(No Response.)

HUGH RUSSELL: Okay, so I think we're actually giving a positive recommendation to the Zoning Board.

And there's one more. Is that yours

also?

ATTORNEY TIMOTHY TWARDOWSKI: No.

Thank you.

DANIEL WINNY: Thank you, very much.

HUGH RUSSELL: Thank you.

JEFF ROBERTS: So that just about does it for the BZA cases that I have. If you recall, there's a new system now where we don't get the printed out version of every case. So moving forward, if there are items on the agenda that you want to see pulled, you can communicate that to Liza or to myself in cases like this or we can bring the cases. The one I did bring, because it was a Planning Board case, is 120 Rindge Ave. which is proposing to the BZA some, in my opinion, fairly minor revisions to their roof, to the design of the roof decks and making them a little bit smaller. I don't think it's a

substantial change, but I do have the plans if anyone would like to review them. And I think the architect is here if you'd like to comment or if you'd like to ask questions.

HUGH RUSSELL: If I remember, the decks were a hot button during our hearing five years ago.

JEFF ROBERTS: Would you like to see the plans?

HUGH RUSSELL: Well, if they're in the same place and they're smaller, then I think they should be received more favorably.

JEFF ROBERTS: That's how I would characterize the change.

H. THEODORE COHEN: Jeff, what is 126-5 Oxford Street?

(Catherine Connolly-Preston seated.)

JEFF ROBERTS: I think the simple answer to that question is I don't know. As

I said, the cases are not all available for us to look at on paper.

H. THEODORE COHEN: I mean, I guess I don't understand to renovate a townhouse development. Is it not a townhouse now and they're going to make it a townhouse?

JEFF ROBERTS: I do not know. I believe it -- it appears to be a modification -- no, I don't know. I think this is the difficulty of the new system, that we don't have the -- I can't pull out the case and review it with you. And I'm not familiar with the case myself.

STEVEN WINTER: May I ask my colleagues that perhaps we could ask Jeff to review it later on on his own, and if he feels that there's something worth commenting on, he can contact the Chair?

JEFF ROBERTS: I'm happy to do that.

PAMELA WINTERS: Either Jeff or Liza.

HUGH RUSSELL: Okay.

And I think we're going to have to find a way to work around this -- are there cases available on-line or only to you?

JEFF ROBERTS: They are available on the City's electronic permit filing system. So, again, if the, if Board members after receiving the agendas would like to see a particular case, you can communicate that to us and we can, we can make those documents available either electronically or print them out and bring them to the meeting. But unlike before, when we got a big stack of plans, and so whenever there was a question, we could just pull out the file. In this case we can't just pull it up on the spot. We have to know in advance.

HUGH RUSSELL: Well, I noticed that there are two highly computer savvy people here, three if you count Brian, who have computers. Is it possible that on a case like this they could right at the meeting get access to those documents?

JEFF ROBERTS: If there is a small break, I was planning to attend the hearing, but I could -- I'm not sure if they're available via the iPads, but I could step up to my office and review the case. I could log in and review the case and then bring it back by the end of the meeting perhaps.

HUGH RUSSELL: I was thinking more sort of as a general principle.

H. THEODORE COHEN: So are they on the City's website?

JEFF ROBERTS: They're not on the City's website. There is an on-line permit

review system which the City implemented some months ago called Intergov and it's an internal system for staff to review and -- to conduct, review, and sign off digitally for cases that go to the Inspectional Services Department primarily and to some extent our department.

BRIAN MURPHY: It's an efficiency measure.

HUGH RUSSELL: I guess I'm wondering if whether the Vice Chair of the Planning Board could be authorized.

BRIAN MURPHY: I think it's fair that this is one of these situations where there's some initial kinks in the transition of the system. We'll loop back while we anticipate many of the particular buildings you'll be interested in, we can't get them all right. And it makes sense to go

backwards so we'll take a look and come up and see what works.

HUGH RUSSELL: Okay, thank you.

H. THEODORE COHEN: My last question is, the other telecommunications ones on here, have we already reviewed them?

JEFF ROBERTS: Yes.

H. THEODORE COHEN: Thank you.

BRIAN MURPHY: And, Mr. Chair, if I might while the Petitioner is setting up for this hearing, I think it would be helpful for people to know that I think the petitioner's planning to come back again, that there are still some outstanding issues that they're still resolving with Traffic and Parking and with some other folks. But it also makes sense, given that this is -- had a hearing before the Central Square Advisory Committee last night and also the petitioner thinks it

would be helpful to get feedback from the members of the community and more importantly from the Planning Board, materials and the like. It does make sense to sort of go through with this, but I think to sort of let members of the public know that there's no expectation that this will be voted on this evening and it's additional materials or additional topics will be addressed. I think what we'll do is come up with the dates certain for the follow-up hearings so people can know that as well.

HUGH RUSSELL: Okay.

JEFF ROBERTS: Before we proceed to that case there's one more item which is a requested extension on the case No. 284, 15-33 Richdale Avenue. The written request came in today. So there's a copy on your desk, and I think that requires a Planning

Board action so that we can file the extension.

HUGH RUSSELL: So, and they've asked for a longer extension until June 17th. I'm anticipating a lengthy process. Ordinarily we grant these.

Okay, so a motion?

STEVEN WINTER: I move that we grant this request to extend the decision date to June 17, 2014.

STEVEN COHEN: Second.

HUGH RUSSELL: Okay, seconded.

On the motion all those in favor?

(Raising hands.)

HUGH RUSSELL: All members voting in favor.

Okay, then are we all set, Jeff?

JEFF ROBERTS: All set with me.

HUGH RUSSELL: Okay. So now the

Board will hear Planning Board case 285, 10 Essex Street.

ATTORNEY JAMES RAFFERTY: Good evening, Mr. Chairman, members of the Board. For the record, my name is James Rafferty. I am an attorney with the offices at 675 Massachusetts Avenue. I'm appearing this evening on behalf of the petitioner 3MJ Associates, LLC. That's the name of the limited liability company that holds title to the property. It's personified in the presence of Morris Naggar. Mr. Naggar and his family have owned these properties in Central Square for decades. They're a long-time property owner and fixture in Central Square. And tonight really is a -- what we hope you will agree, a welcomed opportunity to transform a surface parking lot into a residential housing. As noted by

Mr. Murphy at the outset, we did receive a request or I received a request today from some neighborhood leaders about a willingness to continue the hearing to allow us time to have a series of meetings or perhaps a combined meeting with a number of neighborhood community-based groups. And we're perfectly willing to do that and regret that we weren't able to make that happen before tonight's hearing. But our expectation is that even though we find that the issues before the board are fairly straight forward, they are issues that will require some additional thought, particularly on the design side. We're eager to get the Board's reaction to the approach that's been taken here to the extent to which Board members feel it's consistent with the design guidelines for Central Square. And there is

a significant issue around the adequacy or the appropriateness of the parking supply. So the -- so our expectation is that we will need to have continued discussion on that. And our understanding is that this will -- the matter will likely or will in fact continue into January.

Just by way of a brief overview as to what's before the Board tonight and why it is we're here. The property is located in 10 Essex Street, which as you know, is in the heart of Central Square, Zoned Business B. What we're proposing to construct here conforms with the dimensional requirements of Central Square as modified by the Overlay District. One of the significant modifications in the Overlay District is that the height gets adjusted by way of Special Permit. So the base height in this location

is permitted at 60 feet, but an applicant can build to 80 feet with a Special Permit provided that the above plane is met above 65 feet. Or -- I'm going to stop right there because we have not one but two very skilled architects on this project and we have some detailed information about the bulk plane issue. Because in addition to a Special Permit for the -- to go to 80 feet, there's also a provision that says, and if you can't meet the bulk plane, you can request a Special Permit for that as well. We just, as you'll see tonight, we'll just -- the bulk plane clips a small portion of a ledge there and I don't want to be accused of stealing anyone's thunder so I'm going to leave it at that. I'll let you know that John Pears, P-e-a-r-s, of Eastman Perkins and his co-architect is Mark Boyes-Watson. One would

think Mark Boyes-Watson wouldn't need help, but in this case he has reached out to Mr. Pears. They have collaborated successfully in the design of the former King School on Putnam Avenue. I believe they might have been before this Board on that. So Mr. Boyes-Watson and Mr. Pears have combined their efforts on this project. And tonight we're going to have Mr. Boyes-Watson just give you a site overview and then Mr. Pears will walk you through the building with a particular focus on the design guidelines.

The remaining issues before the Board in addition to the height involve the setbacks. The Overlay District allows for modification or adjustment to setbacks. And in the case of this location there is some relief being sought in terms of front

setbacks. And, again, the architects will walk you through where that is occurring. But the overall issues involve the front setback by way of Special Permit, the bulk plane and the height to 80 feet, and also the issue involving the parking.

We're proposing a parking ratio here of 0.5. It's a proposed 46-unit development with 23 parking spaces, and we'll provide you with the details of where those are located.

The project does conform with the bicycle requirements as recently modified for the residential portion of the building, both in terms of the long-term bicycle and the short-term bicycle parking, which is a new component of bicycle parking. There's also retail bicycle parking that has a long-term and a short-term element. We're able to meet the long-term retail requirement. But the

short-term retail bicycle parking frankly we've run out of room for bicycles, but there are -- we're abutted by public parking lots and there are ample bicycle opportunities there as well.

One of the more interesting features of the building you'll learn tonight is the retail portion at the ground floor on Essex Street in which you'll learn tonight is that that retail portion can be a standalone retail use or it's been specifically designed to potentially accommodate the existing grocery store. The grocery store, the Harvard's Co-op Market has been in that space for about 20 years. There's a new grocery tenant that's in the midst of a build out called H-Mart and they do -- they are in negotiations with the landlord. And they do have an opportunity to lease that space. So

at the moment it's not clear whether they'll be exercising that, but you'll see some indications, representations this evening as to how that might happen.

So in addition to the parking and the design features there's one last element, and that's the introduction of a green roof here. And we'll let the architects explain, but under the Article 22 Green Building Provisions this building is looking to locate a green roof and also have a roof deck within the permitted allowances of the provisions of Article 22, the size of the deck.

That I think probably represents everything that's before you in terms of this application. It is not -- perhaps worth noting, it is not an Article 19 project because of its size. It's below the threshold. I know many of you eagerly await

the traffic engineer's presentation. There isn't one this evening not because we haven't looked at traffic issues, but those features are not -- those elements are not part of the Special Permit application that we have here today based upon the size of the building.

So I think Mr. Boyes-Watson will now give you an overview.

Thank you.

MARK BOYES-WATSON: Thank you Jim, I'm located at 33 Bows Street, Somerville. I'm Mark Boyes-Watson, Boyes-Watson Architects.

So I'm just gonna quickly -- we had a very specific spot in Central Square and I know there's been a lot of focus on Central Square, but this is a proposed building that is basically is under the current Zoning but we have taken into account many of the things

that have been talked about and discussed in the long process that's been going on regarding Central Square. So these are just some images of Central. And just to note one of the features that all the neighbors have noted, which is that they're hugely buried in scale and material and architectural expression. In fact, they -- Central is the most varied and dynamic kind of part of Cambridge and always has been. And actually as you walk through the square and you look at these buildings, they are exuberant and delightful and very varied.

Here we're beginning to hone down on Essex Street. This is a view across to Essex Street. And here the -- all of the buildings that you're seeing to the right of Essex Street are actually part of the property. And we are trying to follow many of the sort

of design guidelines that are coming out of the whole process on the vision which include, you know, saving significant parts of the fabric that are part of Central Square and make it what it is. Introducing housing. More than anything, this project is about introducing housing. But also, and you can start to see it peeking out down Essex Street there, really speaking to the ground floor environment, the streetscape, and the retail. So it's got ground floor retail in it. And also that the forms, and this slide sort of starts to illustrate form, that the forms not be uniform but take on that sort of challenge of bringing a contemporary sensibility into Central and moving it into 21st century.

So here you're looking down Essex Street. You're zooming in a little bit closer. And you've got Super Cuts on the

corner. And as you go down Essex Street our building -- I know John will go through exactly how the building works and how it sets in its context.

So this is a slide that shows you where we are in Central. We're in the heart of Central Square. And that -- the building occupies the parking lot that's right there off Essex. And the lot actually involves -- John is just going to outline that. The lot, the building site and a lot, and they're not the same. So the lot in this diagram is outlined by the dotted line that goes all the way around and that includes what was the Harvard's Co-op and the stores that -- the Great Cuts and all of that. And then there's the parking lot. And the parking lot is where the housing building is going to go. But actually has to do a whole lot of other

things, so that's retail, housing, garage. Everything falls on that frontage on Essex Street and trying to make sure that this, the side streets start to be integrated and a delightful part of Central. So that's another plan that indicates how that -- those sets of adjacencies.

The Zoning here involves the whole lot, and the allowable square footage is derived from the lot. And we're going to be building a building that's just under 50,000 square feet. And roughly 45,000 of that is the residential building. And then there's the retail and the various little accessory moves that we have to do to make the existing buildings work.

And one of the things that's really important here is that there's a lot of effort going into healing the bits of

buildings that weren't intended to be seen all along the back of Mass. Ave. And the building, I think, is really starting to do a good job with that.

I'm going to let John take you more deeply into the building and the building design as well.

ATTORNEY JAMES RAFFERTY: I forgot to mention the egress situation currently and how --

MARK BOYES-WATSON: I'm going to let John do that.

JOHN PEARS: Good evening. So John Pears. As Mark said --

ATTORNEY JAMES RAFFERTY: Use the microphone.

JOHN PEARS: Sure.

As Mark said, the backs of the buildings have an assortment of fire escapes

and -- can everybody hear?

An assortment of fire escapes and egresses and entrances that go over the top of roofs. And what we've tried to do is in designing this building is consolidate and make safer and more beautiful the way that those are handled. So at the moment of the tops of these roofs there's a series of exterior fire escapes. We've consolidated those internally. And the egress out of these parts of the building on an exterior metal stair and we've consolidated those into stairs. And then I'm telling you all the parts that are kind of the service parts of the building because this has been a tough design because it has so many things that it needs to do on a fairly small lot.

This piece here is the NStar transformer vault. And why that's relevant

is that currently coming in off Bishop Allen is a large service into the -- that serves this building and the front of these buildings. And that service NStar wants to take off that Bishop Allen. Bishop Allen also serves the residential buildings behind in that area. And so they want to provide power from the Mass. Ave. service which I think will help the residential area in terms of its power supply. So, the -- we -- building a transformer that will be handling essentially this building here as well as these buildings on the site. So it's quite a large one and it is part of the design of this building.

Most importantly, though, is that part of the Central Square guidelines is to try to create retail as much and as transparent as possible at street level. And so we've been

able to create over 60 feet of retail frontage on Essex and also a small plaza that pulls back from the street to widen the street edge at that point and that gives the entry into the building.

The last piece of the urban streetscape that we're working with is the entry to the garage. It's a two-way entry, 20-foot wide, that allows traffic to come in and down into the basement. So all of the parking is below grade.

And lastly right that at the end is another egress point.

MARK BOYES-WATSON: It's actually not quite true. There's three parking spaces including the handicap spaces at grade. All of it is invisible from the street and almost all of it.

JOHN PEARS: Correct. Thanks for

the correction.

This is the view, the existing view from Mass. Ave. And this building here has some opportunity for upgrades. So you'll see as we go forward that we plan at the level to reconfigure this and within the depth of only a foot or two create some shadow box type glazed storefront system that can actually have advertising and be lit and actually start continuing the streetscape around to connect to the new building.

Views from Bishop Allen, you can see some of the fire escapes stay on the back that we're going to be enclosing into the building and the mural which we would slightly overlap.

I think what we mostly wanted to do in the overall massing of the building was to continue that richness and granularity that

is Central Square, buildings of different heights, that buildings that do relate to each other and both in terms of cornus lines and scales. And so we've broken down this facade into smaller elements setting them back and picking up cornus lines of adjacent buildings. You'll see that in a little more detail.

I think the green roof in particular, certainly on this view, makes a site that's fairly small that doesn't have an opportunity for a lot of landscaping at grade, at least at the upper levels start creating habitable spaces, outdoor spaces that are usable.

As you can see, this is the facade that we were talking about where we would be renovating and upgrading this facade in order to create a continuity of that urban streetscape and then into the fairly

substantial amount of retail that we've created on Essex.

Looking back from Bishop Allen, the base of the building we have the transformer to deal with over here and the garage entrance to deal with over here, so what we've done is felt that if we use a really upgraded material, in this case, the slivered slate material that the Austin Library (phonetic) have, you probably know that it not only creates a texture, but it's a beautiful material. And so the idea would be any of the doors that were in that would be picking up the similar kind of long horizontal lines and be colored similarly to the slate and create a kind of a foil to the very well lit and highly articulated entrance facade which houses not only the retail but the retail turning the corner a little bit so

that coming from Bishop Allen we provide that kind of open, friendly, welcoming look to the retail. And a little bit more recessed because it is slightly less public is the entry to 10 Essex. I think that the -- some of the lines in this building pick up some of the lines of the existing and generally start creating setbacks that are consistent with the guidelines so that one doesn't produce flat facades.

This is the plan of the parking underground, and the way that you get in the ramps to down below. As I said it's a two-ramp system. And all the parking dimensions are consistent with the code.

Here as Mark pointed out, the two-way driveway actually brings you into three spaces. So we have a handicap and handicap van space directly adjacent to the entry of

the lobby directly into the elevator. And we have our large tandem bikes down at this level as well.

You can see a little bit more detail, the transformer space over here and the egress pieces but also the anticipation that the retail is very flexible. It could divide into smaller stores. It's just under 3,000 square feet. So they could be smaller stores with more than one entry or alternatively it could be an extension of the H-Mart if they wanted it. So we're trying to build in flexibility into the retail.

Another interesting feature is because the podium is 20 feet high to pick up the height of the H-Mart building, we do have some extra space up above some of those parking spaces and some of that lobby so we've been able to utilize that very

conveniently to create a mezzanine level for bike parking. So this is directly accessible by the elevator and via the stair to the entrance.

Units, I think for us one of the exciting things was the fact that the client was looking for a very varied mix of units. And in this case we have studios, one bedrooms, one bedroom plus den, two beds, two plus den, and three-bedroom units. And so that there's a real great variety of housing types. I think this plan also shows the articulation that we have managed to achieve along Essex Street which was a really primary goal.

Units stacked pretty much as you go up. The differences are in the balcony configurations particularly on the back edge facing H-Mart. Sometimes there's Juliet

balconies, sometimes there's projecting balconies that's creating double height kind of spaces underneath the balconies. So on that edge less need given the fact that it's underneath 80 or 100 feet of supermarket or above 80 to 100 feet of supermarket. That need for that very fine scale that you get on the Essex Street side, there's some opportunity for a different scale but one that is still textural that you can see as one goes up. And then going further you drop off the piece over here and the building pulls back as does the protrusion below so that it becomes set back at least 10 feet at this point. And this is where we start introducing some of the studio units, smaller studio units.

The roofscape we are going to be using as part of our open space requirement by

providing a common patio. And in order to do that we brought up both stairs as well as the elevator and provided a small glass vestibule just to get out of the elevator and not get snow going down. In order to do that we've provided a green roof as an amenity, visual amenity for the users and then screened the mechanical spaces behind the court.

Elevationally the top one, I think notable, that despite many service functions that we needed to get to work within this, we did manage to get 61 feet of clearer glass transparency into retail and then another 32 feet of residential entry. So we're over 90 feet. And by contrast 33 and 27 for the more solid pieces of the facade.

Miscellaneous smaller pieces of side elevation.

The bulk control plane as you can see

in this section comes up to 60 feet. And the majority of the building as you saw, is set back to start off with and then gets further set back. So much of it is five feet or ten feet or in places 15 feet setback and sets back further. So the bulk of the building -- a good deal of the building is at 60 feet. A bulk the building is at 70 feet, but they are a small portion which goes up to the full 80 feet. And that's only the elevator, stair, and the little vestibule outside the elevator stair. So in reality it's a really 70-foot building in terms of how you can perceive it.

This is somewhat redundant and mainly just itemizing the relief requested so it was parking quantity 2.5? This is technically Mark's slide so I'm looking a little less sure of myself. And then also on this plan showing the parking and the reduction. Then

we are asking for some bike parking relief. The reduction primarily of the three short-term spaces required for the retail. It's a small site and we need every inch of it. And bike parking spaces take up quite a lot of space in the sidewalks are very narrow and there's bike -- a lot of bike parking just at the end of Essex. And we felt that possibly that was a reasonable request.

The bulk control plane, this one we just looked all the way from Mass. Ave. all the way back to Bishop Allen. And so that the 60-foot on Mass. Ave. and then cutting back to the 80 feet at 45 degrees, and you can see how this is essentially a mid-block development that if anything else was built, would then come down again to 45 feet at Bishop Allen and maintain that existing scale of four and five stories along Mass. Ave.

Just a little bit of closer view of showing that bulk plane in relation to the cornus. Primarily at the moment we're requesting relief in order to have the flexibility to create this cornus element.

And that brings us to the end of the presentation.

BRIAN MURPHY: Mr. Chair, if it's helpful Elaine can give an update on the Central Square Advisory Committee meeting last night.

ELAINE THORNE: I'm Elaine Thorne the Community Development Department. And last night we had this presentation from the Central Square Advisory Committee.

HUGH RUSSELL: Is your mic on?

ELAINE THORNE: I'm sorry.

Elaine Thorne, from the Community Development Department. Last night we had

the presentation before the Central Square Advisory Committee. And as a short wrap-up we will have a report for you at your next meeting. But to give you a flavor of what the meeting was like last night, many of the committee members felt that it was a good project built within the Zoning envelope. We did hear concerns from the neighborhood about the reduction in parking. And their concern was that if the waiver was going to be requested, that maybe you could tie in the cost savings from producing the parking to more affordable units in the building. There was some concern around the design of the building that they thought would be worked out. The team, the architects are going to meet with the neighborhood for -- in a series of meetings and they will work out some of those details. But on the whole, the Central

Square Advisory thought it was a good project built within the Zoning envelope open as it exists today. So we will have a report for you with the concerns from the neighborhood as well as the Board.

HUGH RUSSELL: Thank you.

I have a question about the adjacent city parking lot. As I recollect, the Central Square plan, there is -- the parking lots are thought to be a resource that might help. This one is pretty small. It's bounded by now what -- in this project is there any consideration been made to maybe building on that parking lot, over that parking lot, connecting the previous retail building?

ATTORNEY JAMES RAFFERTY: Our first floor plan. Mr. Chairman, I can only speak to our thinking about it. It certainly is a

city question. Can you do the first floor of our building, please? First floor of the whole building. Right.

So, there was a considerable amount of effort and thought put into the location of the core of this building with our -- with the intention being that a second phase of this building could be realized, and that it would be extremely efficient that the second phase could rely upon the core, our elevator core, our egress core, our garage entry. And that if the City at some point went into a disposition process on that smaller parking lot, could -- frankly Ms. Clippinger, when we met with her, her first comment to me was why don't you build on the parking lot as well? And we said well, we do want to get started soon. We think it may take sometime to develop consensus on that issue. But both

Mr. Pears and Mr. Boyes-Watson in designing the buildings both in terms of -- and maybe we can show the -- first the garage level, lower level of the garage, how, how one could -- how one could get down that ramp. And then --

JOHN PEARS: If you want me to describe it, sir?

ATTORNEY JAMES RAFFERTY: That's best.

JOHN PEARS: The way the ramp system works, and we had many variations in order to get it to work well, and I think this one does it the best, and that is if that opportunity ever arose, that same entrance could bring you down to this location and this could be a blanket panel in line with that driveway. And we've kept all other types of things out of that way which would

mean that other lot is quite small so it would be very difficult to get underground parking in any other way other than via this. And so that those three spaces would disappear and end up in the garage next-door. And so at that level it works. And then at the upper levels I think it's even more significant. It's hard to understand the core discussion as much as you can see it here. So with all the required 50 feet dead end corridors being met over here, we have stair No. 2.

Stair No. 1 is intentionally positioned at the corner of that building closest to that lot, so that corridor could continue down. And being only 80 feet, 82 feet to Bishop Allen with a 50-foot dead end corridor modest at the end units, you could actually use this. The potential even exists for the

trash room to become a second elevator. So that building would be expandible if that opportunity arose.

HUGH RUSSELL: Excellent.

BRIAN MURPHY: And I mean --

HUGH RUSSELL: That's a much better answer than I expected.

BRIAN MURPHY: And from the City perspective I think we are pleased that if nothing concludes --

UNIDENTIFIED AUDIENCE MEMBER: We can't hear.

BRIAN MURPHY: I'm sorry. We support the fact that there is nothing in this that would preclude the development of the lot. Obviously if there were a desire on the part of the community and the City Council to go ahead with that, it is a fairly long process between both 30B and 2.110. In

fact, the eight o'clock hearing is going to have that part of the process for Ames Street, which is the first time the City's done something like this in a number of years and they come back to the firehouse. So, however, I think I would expect that this, the issue of parking lots will be handled and the City Council will be looking at it in 2014 if I had to predict.

HUGH RUSSELL: Are there other questions before we go to the public testimony?

Is there a sign-up sheet?

I'll read names of people who want to speak. When I call your name, please come to the podium.

UNIDENTIFIED AUDIENCE MEMBER: There are people who didn't know there was a sign-up sheet.

HUGH RUSSELL: If you let me finish what I was saying, things will be clear.

This is marked up as a public hearing. We have to take public comments. So if you haven't signed up, at the end of the people who have signed up, I'll ask if other people wish to speak. When you speak, please give your name, spell your name, and also we have a three-minute rule. Please limit your remarks to three minutes. Pam is the timekeeper.

ATTORNEY JAMES RAFFERTY: Can I just be permitted, Mr. Chair, to speak to that? When I spoke with Ms. Ryan today, I think there might have been an expectation that public comment could be deferred. And I think many people didn't sign up with that expectation. I also acknowledge that it is a public hearing, there may be people here that

won't be able to make the second hearing. So I think that's what's contributing to some of the confusion. And I -- I know the Chair runs the meeting and it is a public hearing, but we did have a gentle person's agreement that we would at least present the case so we could get the opportunity for feedback. I think the expectation for many members of the public was that the public comment would be deferred until after we had a community meeting. So I want to apologize if I've created some confusion here.

HUGH RUSSELL: Okay. Well, we do not close comment until all of the information's before us. So we will at our next meeting have an opportunity for people to speak. So if you wish to either limit your comments and not comment until that time, that's fine. If you want to speak

tonight, that is also fine.

UNIDENTIFIED AUDIENCE MEMBER: Where is the list, Mr. Chairman?

HUGH RUSSELL: The list is in front me and there are three names, and then I'll ask if other people want to speak.

So the first name is Peter Valentine.

PETER VALENTINE: Peter Valentine. You want me to spell my name?

HUGH RUSSELL: Yes, I do.

PETER VALENTINE: Okay. P-e-t-e-r, Peter Valentine, V-a-l-e-n-t-i-n-e. What other information did you want me to give?

HUGH RUSSELL: Address.

PETER VALENTINE: 37 Brookline Street. Can you hear me with the mic? Can you hear me?

HUGH RUSSELL: Yes.

PETER VALENTINE: Okay, shall I

begin?

HUGH RUSSELL: Please.

PETER VALENTINE: Three minutes and 26 seconds. This is the first major development in Central Square itself. It possesses the seeds of the standards for which any further development in the area should follow. Its height is an extreme and it doesn't go right up against other smaller housing. It doesn't dominate the historic buildings in Central Square. It's on a side street. The history of a people in especially this great city is something to be cherished and not to be defiled by monetary greed, gluttony, or futuristic self-centered plans of industrial adventure. It does not derail the existence of our existences. The Naggar family helped save the Harvard's Co-op moving in across the street. And by the way,

it doesn't have any special parking and it's doing just fine proving that the need for parking in this highly adaptable area isn't always necessary. The majority of homeowners and residents in this area don't want gigantic buildings to destroy their social and environmental cohesion nor their traditional or humble way of lifestyles. The Naggars have provided community -- our committee with a life's decent basic necessities for 50 years and in this endeavor they deserve to be treated with patience and respect. That being said, in my opinion, the building's image and design could use some qualities and soften its sense of straight sharpness. The structure's in an area that affects the moods and lives of the people living there I conclude with some suggestions:

The railings on the porches should be slightly curved outward.

The rooftop edges of each section should be different giving the building a sense of diverse vitality.

In my opinion the entire building should be painted a vigorous speckled forest green given Central Square a sparkly new array of color.

Last, at the bottom the brick wall or what appears to be the brick wall, should be changed to a cement wall and leaving it to be painted with interesting coloring. To walk by a brick wall is a meaningless experience. All it's saying is keep out. Benches should be placed against that wall with well-kept grass beneath altogether giving the area a feeling of friendliness.

Thank you.

HUGH RUSSELL: Thank you.

Next speaker is Randa Ghattas. And following Randa will be Carol O'Hare.

RANDA GHATTAS: Hello. My name is Randa Ghattas, R-a-n-d-a. My last name G-h-a-t-t-a-s. I just I guess wanted to express my support for this project. I was -- I'm a member of the -- I was a member of the Central Square Advisory Committee through the deliberations, and I'm also a member for The Better Cambridge. And I think that this project exemplifies a lot of the things that we as a committee talked about and we're looking for. And it's an optimal example of an in-fill project and it helps reestablish the fabric that, you know, over time has been eaten away at as you could say. And there's -- it also acknowledges the different types and different building types

and the different scales. I also want to applaud the architects for the design. It's fresh, it's exciting, it's fun, and I am, I'm pleasantly surprised and pleasantly happy to see this.

I think as we can -- I also love the fact that it's multiple unit sizes for three bedroom.

Finally, I think with regards to the parking, I would even encourage -- when we were deliberating, one of the things that we really were -- many of us supported was a smart growth principles. And these smart growth principles talk about being next to -- what happens when you're next to public transportation. And this site in particular you're almost, you're back door is your public -- is your T, right? You could even suggest that we don't need the parking for

that site and you can even propose for just car shares, that's the kind of site we have here. It's a great opportunity in the interest of environmentally friendly thinking and future sustainability. And even when you think about Net Zero all these kinds of issues that have come up, this is one strategy we can take to reduce global warming footprint. So from that perspective. And I was going to talk about the city parking lot, worried about it. What happens? I really appreciate the planning the architects -- having heard what they just said, I appreciate the planning the architects have taken to project out to what may happen on that site.

Thank you.

HUGH RUSSELL: Thank you.

Carol O'Hare. After Carol, Heather

Hoffman.

CAROLE O'HARE: My name is Carol O'Hare, O-'-H-a-r-e. I too applaud the architects for a lively, interesting building that's not too -- not excessive and different.

I was concerned about this -- the parking because what's happening here is that 28 spaces -- we're not -- we're talking -- nobody has mentioned, the speakers did not mention that 28 spaces are being removed and only half the required spaces are being included in this building. And that is ideal if people are going to have bikes or walk, but the problem is you're encouraging ground floor retail, the city is, and removing, effectively removing what would be 51 spaces because the city would require one space instead of a half a space per unit. So you

have a deficiency of 51 spaces, 28 for the people who are looking around for parking spaces, circling Central Square. And as you remove the parking lots, what are the people going to do who are shopping in the retail stores and going into the restaurants and going to the clubs? Is Cambridge just going to be for Cambridge? Is it just going to be for Central Square? People are not -- I mean, in the long term maybe it will work, but what about the short term and the people who live in that neighborhood who are going to be inundated with cars circling Central Square? So the question is where are the cars that will inevitably be attracted to this building both by the residents of -- cars of the residents as well as the displaced cars from that parking lot? Where will they put their cars? That's the

question. And as I said, 20 years from now that may work, but people who are living there now need some relief and I don't live there.

Thank you.

HUGH RUSSELL: Thank you.

Heather Hoffman. And after Heather, there's Dennis Carlone.

HEATHER HOFFMAN: Hi. My name is Heather Hoffman. I live -- H-e-a-t-h-e-r H-o-f-f-m-a-n. I live at 213 Hurley Street. And I'm not here to talk about aesthetics or anything like that. I'm here to talk about something really technical because I'm a title examiner, and when I looked at the application, I, I was very annoyed that the ownership information was flat out wrong. So, Mr. Rafferty said it right. The owner of this space, of this lot, is 3MJ Associates,

LLC. What he didn't say is that they have a lease of the whole thing to the owner of the rest of the land, which is 3MJ Mass. Ave., LLC -- and I don't know what's happening with that lease, but there it is. And the ownership information on the application referred to a deed to the former owner. It said that the former owner was part owner of this property, and it also cited as a title reference, a redemption of a tax taking which I don't think gives you title anywhere.

So, just to make the niggley people who like the information to be correct happy, please fix that.

HUGH RUSSELL: Thank you.

HEATHER HOFFMAN: And for the record, I have copies of all of the relevant recorded documents. To whom do I --

HUGH RUSSELL: I think you should

give it to Jeff.

ATTORNEY JAMES RAFFERTY: Do you have a copy for me?

HEATHER HOFFMAN: You know how to find the information.

HUGH RUSSELL: Next is Dennis Carlone. And after Dennis is Nancy Ryan.

DENNIS CARLONE: Hi. Dennis Carlone, C-a-r-l-o-n-e, 9 Washington Avenue.

I went to the meeting last night and my comments will be very similar to last night. In many ways I applaud this project. I said so last night. The massing is -- gives some richness to the street, but there are some issues that I have. One is please walk the street, the sidewalks are very small. I believe last night it was mentioned four and a half feet and two people cannot walk side by side at four and a half feet. And this is

where I think the City can come in and perhaps look at this street and try to get at least an eight-foot sidewalk on either side. Yes, it means some change to the roadway, but it would help everybody, including this building.

I don't think you could add more parking to this building without ruining the building like we used to do in the '60s and '70s. You can't go really down further. And so I support the 0.5 parking for that reason. And of course there are additional reasons, the study the city did. However, as others mentioned last night and probably will mention tonight, there is added value to the site by building only half of the required parking, because normally that's taken out of the value of the property. And one looks at the buildings that it's connected to and they

could use some restoration work, like a missing cornice or two, some ground floor work or, and/or another affordable housing unit that indeed put the money back into the block that has been saved by granting the 0.5 parking, assuming you will.

Last night we talked a little bit about trash because the sidewalk, again, is so thin you can't put trash out. And the discussion was that it probably would be a private concern. But on the other hand, where's the trash stored until the private concern comes? So, again, this adds to the need for a greater sidewalk I believe.

The one-story retail, I think everybody agrees, is critical in this building and on the block for bringing the street some life and some activity. So the quality of that retail is key. If H-Mart goes in, this could

be where all the people pay for food going out. Not adding very much to the street. I don't think the owner would want that. But I would encourage it being a separate retail. I would also encourage for the possibility of having food in it, maybe not, but at least the possibility is that include a vent now for the kitchen. Because what we learned in East Cambridge that is the most critical thing about getting a restaurant in or not is having the vent in the building. It's not a lot of space.

Tree location. The viability of the trees above the sidewalk is critical. The architects know that. We had that discussion. I think my biggest concern, and I am ending up, is the materials. And I'm all for making it a brighter surface and for connecting it to the painted color of metal

next-door, which I think is a weak reason for the green on the building. That was said last night. The materials should also relate to human scale, and having panels that are eight-by-eight with butt joint caulking doesn't do it. We've seen enough buildings like that. So we encourage the architects if not to go with real brick and real clapboard or concrete clapboard, think of that as they address these material choices. Six stories of a building is still six stories of a building and you want to break that down; details around windows, flat and as neutral as being proposed can be deadly.

In the end, the real key is the ground plane and the treatment of the facade. And the ground plane we just encourage the notions of having an entry canopy at the building entry for the residents. There's

nothing worse than being out in the rain with bags of groceries unlocking the front door. Simple things like that. But all in all the architecture be blessed for the massing, for the character, for the range of units, and maybe the affordability issue might be that larger units are granted instead of increasing the number. Maybe the three bedrooms become the affordable units.

Thank you for your time.

HUGH RUSSELL: Thank you, Dennis.

Nancy Ryan.

SETH TAYLOR: My name is Seth Taylor and I live at 48 Norfolk Street.

HUGH RUSSELL: Excuse me, sire, are you speaking?

SETH TAYLOR: 48 Norfolk Street.

HUGH RUSSELL: I called for Nancy Ryan.

SETH TAYLOR: Sorry. I missed it.

HUGH RUSSELL: You can speak next.

NANCY RYAN: My name is Nancy Ryan.

I live at 4 Ashburton Place in Cambridge which is a little dead end about a half a block passed Bishop Allen Drive. So I'm fairly close to an abutter.

We had, the reason there was some confusion is that Mr. Rafferty and Mr. Naggar and the architects know from the comments last night that there has been absolutely no consultation whatsoever with the neighborhood. There are two neighborhood groups that are listed on the community development website; Essex Street Neighbors of which I'm the president and the Area 4 Neighborhood Coalition which has been around for 30 years. And all of our e-mail addresses and phone numbers and everything

are all listed on the website. So there was no outreach to any of us. I also spoke with the owners of 99 Bishop Allen Drive which is the red brick building that you see right across Bishop Allen Drive from this site looking at it, and they have, they knew nothing about this until I let them know this was happening. So, that's why -- because we were kind of blindsided by this, we wanted the opportunity to sit as neighbors with the planners, the developers, the architects, to talk about this without necessarily having to talk about it before we tried to see what agreements we could come to. So that was a -- it was a neighborly gesture, and I understand that this is a public meeting, so I guess you'll just have to bear with some of my comments.

So, I am part of the Cambridge

Residence Alliance and we took -- just took the initiative to take a look at this proposal once it became public. We believe strongly in community consultation. That's one of our core values.

Regarding development, we have a platform and it urges development in Central Square on a human scale that respects the character of the surrounding neighborhoods, maintains the 80-foot height limit, and increases density only to benefit the community. So from our initial review, and first of all, let me comment on the public parking lots. Our position on public parking lots is that if they are to be disposed of, we believe they should be used for 100 percent affordable housing with a 25 percent of the area left for some kind of open space. So we -- the comments about the public

parking access, the access to the public parking lots were not made quite as clearly at all last night as they have been made now, that this building is oriented to, accommodated to potentially moving over to the public parking lot at the corner of Bishop Allen and Essex. So as those conversations come on-line, and I didn't realize they would be coming on-line in 2014, and we remember that the so-called Central Square guidelines are simply proposals floating in the air at this point. They haven't been adopted. They're not in force. So that being said, we think that the building is a good fit. We agree with people who have said that for this particular lot. It's a kind of in-fill that we were hoping to see rather than seeing high towers in the immediate area. We like the functional green

roof.

PAMELA WINTERS: If you could, I'm sorry, if you could wind down your comments because it's been over three minutes.

NANCY RYAN: I can't. All right, I'll try to do that.

PAMELA WINTERS: Thank you.

NANCY RYAN: We like the green roof. Well, we asked about LEED standard last night. They don't necessarily have a plan for a particular LEED standard. We're concerned about the aesthetics of the building. It looks a little more like Miami. It's important for you to realize, and I hope any of you will be able to walk by the existing brick building, it does not look like that. It's a pretty shabby building. The green panels are a dark green, they're peeling. Nothing really resembles the

relationship between the planned building and the existing building.

The sidewalk issue is important. We thought the sidewalk was widened, it wasn't. We're concerned about the lack of expanded affordable housing. We understand the 15 percent law as it exists only requires a little under 12 percent of the entire property ending up being affordable, five units. That's not enough. We'd like more than that, and we agree that there should be some thinking about the 0.5 parking in relationship to the size -- to the number of the affordable units.

We like the bike parking.

We are concerned about the cost of these units. Are they designed to be luxury? Are they designed to be market rate, high market end? We're not sure about that.

And sorry, there was one other point that I was going to make, but we're particularly concerned about the parking situation on Essex Street. As you know, you may have heard, I mean we can't know it until we see it unfortunately, but the coming of H-Mart is likely going to increase the traffic and the parking situation on Essex Street into a desperate situation. Right now a lot of people come from other parts of Cambridge to park on Essex Street and Norfolk Street so that they can take the T to get into town. We're also concerned -- so we can't park now. We're very concerned also about the situation of the trans -- the public transportation busses and trains and we'd like to have more real studies that show us that people can actually use that transportation successfully.

So thank you. I'm sorry I took too much time.

HUGH RUSSELL: Thank you.

Yes, sir.

SETH TAYLOR: My name again is Seth Taylor. I live at 48 Norfolk Street which is on the corner of Bishop Allen and Norfolk which is catty-corner to the big parking lot which is on the other side of the retail space of this building. So we are in a direct line of site from our apartment to where the building will go up. So I have a couple of key concerns.

The first is I am not against the idea of building up in Central Square and increasing the number of residential units. But I am concerned when this happens at the net cost of 50 percent of the parking that the building will have to have a minimum.

Most of the concepts I've had about increased living area would include an increased amount of parking for each building you put in there. I don't care how tall they are, but they have to accommodate the parking in some way. The other problem I have, the owner of this building intends to build at least two more phases of this project, the first of which to take over the public parking lot adjacent to this large building, and the next phase will be to take over the parking lot on the other side of the retail space. And at the end of this day we're talking about maybe hundreds of units. Now I'm struggling, given the streets around that space are plugged full of cars during rush hour, how this will ever work. No matter how much you rely on public transportation, 100 people living there need a car to go to Costco and go to

the supermarket and they don't just rely on the public transportation. That's a fact.

So the concern I have and what I want to address is it's okay to build some of this space and build it up, but you have to have open space if you're gonna build large buildings to provide some breathing room for the neighborhood. And I don't have a problem with this being the first structure. At the Building Department you have to encourage development, but I'm asking responsibility to be to limit the development in the other parking lots, especially city ones that Mayor Reeves ran on to turn all of this into housing. It's not sustainable for a neighborhood this size. The streets are just way too small. This was a city built around horse drawn buggies for heaven's sake. It's not Manhattan built from the beginning to

accommodate each population.

So that being said, I'm entirely in favor of such a building but only if the Building Department is responsible in maintaining a broader perspective on how to manage the congestion both cars and pedestrians in this area. And I'm all for public parks and other ways to build out and give more space to breathe for the hundreds, and we're talking at least 46 people. Right? An initial building next-door, probably another 20 or 30 or 40. So we're talking 100 new people in that neighborhood which currently is supported by three-families and six-families where we're talking in my building, we're talking an additional nine people for a whole building. So I'm just trying to put it in broad context. It's a much larger configuration than the

surrounding buildings and it puts a lot more people per square foot of building density. Again, I'm from New York. I'm all for it. But I'm also for responsibility and that's what I ask for for my neighbors, for my city planning department.

Thank you.

PAMELA WINTERS: What is your name again, sir?

SETH TAYLOR: Seth Taylor.

PAMELA WINTERS: Thank you.

SETH TAYLOR: 48 Norfolk Street.

Sorry.

HUGH RUSSELL: James.

JAMES WILLIAMSON: My name is James Williamson. I live at 1000 Jackson Place.

First of all, last night at the Central Square Advisory Committee meeting there was ample opportunity for public comment which I

appreciated. I explicitly asked during the information section whether anybody in the room had any information about the city-owned parking lot? And the answer came back from everybody there was nothing. So it's interesting to hear tonight that there was a conversation with Sue Clippinger although of course she wasn't speaking officially for the City. So, you know, that was a bit of a concern to me.

Little was said, actually, by any members of the Central Square Advisory Committee especially in relation to the actual criteria that are spelled out in the Central Square guidelines, both design and for the Overlay District. I think that there should be a fairly careful look at what those guidelines actually are and how this does and does not comply with or is consistent with

those guidelines. For example, on the H-Mart question, you know, I think that probably those guidelines support the notion that it would be better to have a freestanding retail operation on Essex Street rather than a connection to a big supermarket. But although, of course, I like the idea of there being some flexibility. But I think some of this would hopefully be cleared up.

One of the things that actually was said by a member of the Central Square Advisory Committee, Wendy Landsman (phonetic) which I thought made suburb comments, and she is a planner as I understand it. She asked two questions: She asked about increasing the affordability -- more affordable units. And she also asked questions about the parking. And she in fact linked the possibility of doing more in terms of

affordability to the savings from not having to do 1.1 parking space per unit. So, and this point has been made by others tonight I believe. That if you reduce the parking, there are savings to the developer, to the proponent, and that could be plowed back into more higher portion of affordability. And I think that really is an important thing that can and should be done here. I actually like this building. I think it's -- what I think is fantastic about it and what I think is gonna be important going forward is that this building actually does come in within the current Zoning. And it suggests that we can have favorable development without blowing up the Zoning in Central Square. That we can do something, it's actually quite large and consistent, you know, I think quite good but it is consistent with the current Zoning.

And I hope we'll bear that in mind as we evaluate potential changes, any changes in Zoning. I do have a concern about the parking. I actually think, agreeing with another speaker, that we could go to zero parking here. But in order to go to zero parking -- and that additional savings could again be plowed back into more affordability. Zero parking at this site, it's one block from the major public transportation node. However, in order to do that, you would have to not allow anyone in that building to get a parking permit. And I think that could be done. I think the City would have to clean-up some of the administrative stuff and some of the policy issues, but I think it's worth considering. And what I think is that --

PAMELA WINTERS: James, your time is

up.

JAMES WILLIAMSON: My time is up.

PAMELA WINTERS: If you could wind up, please.

JAMES WILLIAMSON: Well, so I do think that there are positive, very positive things about this building, but I do think on the affordable housing side and on the parking side, there are some interesting things that ought to be considered.

Thank you.

HUGH RUSSELL: Thank you.

Does anyone else wish to speak tonight?

CHARLES TEAGUE: Thank you. Charles Teague, 23 Edmunds Street.

I just like to -- I like -- two things and one is a much more serious commitment to sustainability other than some grass on the roof. And the first would be a commitment to

purchase renewable energy which would help the second commitment which would be to achieve the highest level of LEED standards and that would, who knows, you get points for the more renewable energy you get. But this, this is -- you're getting points for being right on top of the subway. You should, they should make the commitment to the highest levels.

And the second is I'm not the design expert here, but I'm completely unenthused about the blank wall, the black wall there. And between the narrowness of the sidewalk and that it's marketed as the world's nicest transformer vault, I don't really -- I think you can do a lot better. And I was hoping the Board would really push for something, something more human and humane there.

Thank you.

HUGH RUSSELL: Thank you.

There's a hand but I can't see a face.

LEE FERRIS: Hi. My name is Lee Ferris. I live at 269 Norfolk Street and I take umbrage at the height of the podium. Anyway, I wanted to clarify, Mr. Russell, normally when there is public comment in the first meeting on a proposal, then there is not public comment in the second meeting. Am I correct in understanding that because this proposal is going to be continued, there will also be public comment in the second meeting?

HUGH RUSSELL: Yes. We recently re-adopted our rules and so there will be comment in the next meeting.

LEE FERRIS: Great. In that event I'm going to hold my comments although it largely agrees with Nancy Ryan's comments and many of the other folks until after we've had

a chance to meet with the developers and speak at the next meeting.

Thank you.

HUGH RUSSELL: Okay, thank you.

Does anyone else wish to speak tonight?

(No Response.)

HUGH RUSSELL: Okay.

JEFF ROBERTS: Mr. Chair, can I just make a brief announcement?

For those of you who didn't sign up and weren't intending to speak, if you would like to make sure you receive notification of future meetings, you can -- I left the sign-up sheet back there so on the way out please feel free to sign in. And we'll keep that for notification.

Thanks.

BRIAN MURPHY: And, Mr. Chair, we would suggest that the date that would make

sense would be January 21st.

HUGH RUSSELL: Okay. Well, you guys set the dates for us.

BRIAN MURPHY: It will be January 21st.

HUGH RUSSELL: Thank you.

So, do Board members have issues they want have addressed any discussion or comments?

Steve.

STEVEN COHEN: Yes, I just want to quickly run through a short list of areas that I have questions about.

First of all, just a technical question about the parking, maybe this is for Jeff wherever he is. Is there no parking requirement for the existing non-residential structures on the lot? Is that the case?

ATTORNEY JAMES RAFFERTY: Yes. In

the Central Square Overlay District structures built before 1945 are not required to provide parking.

STEVEN COHEN: I see. So the 28 existing parking places are not required, they're --

ATTORNEY JAMES RAFFERTY: Yes. In terms of the current use of the parking, right, yes.

STEVEN COHEN: Okay.

ATTORNEY JAMES RAFFERTY: And they serve a variety of uses in the office buildings.

STEVEN COHEN: So then just picking up on the parking briefly, required or not, they are currently providing parking in for these 28 vehicles, 28 users, in the area. So when we grant the parking relief that is being sought here, we're losing 28 parking

spaces. And in addition we're reducing requirements by an additional 23 parking spaces. Gosh, I hope everybody's right, that new residents really don't have cars any longer. I know they don't have them as regularly and reliably as they used to, but, you know, my constant concern when we talk about these policy matters is that of a practical matter, I think that the average number of cars owned per unit may well be more than the 0.5. Maybe some have zero. Maybe other units though have two. And to the extent that's a marketing issue, well that's the owner's -- developer's problem, not ours. But to the extent that it provides spillover into the neighborhood, it's a problem. I think this is a potential problem, especially if this becomes I think is our regular development -- I think it

affects our regular policy towards development in Central Square and is going to be more development in Central Square. I think it's a concern down the road.

Anyway, the others briefly, let's see, Mr. Teague mentioned his concern about the blank wall where the vault is. You know, when you just look at the elevations of the building, I think that it looks fine. It's a nice strong dark base. But when you actually look at it from Mass. Ave. and you think about our concern about an active, lively streetscape and so forth, the location of that big black blank wall really I think is an unfortunate location. It sort of cuts off that connection between this nice retail space and Mass. Ave. I can see the design challenges of where you're going to put this vault, but I sure wish you could at least

re-examine and see if there's someplace elsewhere you can put the vaults. Somehow or another you can reduce the blankness of that section of that -- of the facade.

Somebody else mentioned the condition of the other building. This is one lot. It's one owner. I certainly know that when we would have projects come before us in the neighborhood conservation district commissions, one of our concerns when somebody would seek relief and approval is to make sure that the other properties on the same lot are brought up at least to a certain minimal standard of quality and appearance. And I'd like to hear from the applicant on that to the extent that the other buildings here are in need. I'd like to hear that addressed. I assume it's in the marketing financial interest of the owner, but I'd like

to hear it made explicit.

And then finally, again, materials, I'd like to hear more about those materials and maybe see samples at some point given the enormous diversity and texture of this building, what those materials actually are, pretty darn important.

And finally as to the color, maybe it is a bit Miami. You know, green might be a good thing, maybe not turquoise. You know, it's risky what you're doing. Risky is good. Sometimes to do great work you've got to be a little risky, but maybe this is a bit over the line just on the color.

Anyway, I'd like to hear more from you on that next time around. I think that's it for me. Other than that, I do want to say in general I think it's a lively interesting design. It's certainly in a location with a

lot of diversity. This is diverse. This is way diverse. But I think this is a location in the neighborhood that can take the diversity and I think it's a real nice effort.

HUGH RUSSELL: Tom.

TOM SIENIEWICZ: Well, the parking issue's always going to be an emotional issue, and I just offer maybe a slightly different view on that. I don't know if we'll ever be able to reassure ourselves of what the future parking should be. But this Planning Board member feels that our city's increasingly getting choked by cars. If you build parking spaces, cars will come. And I think we really have to think about a different kind of future, and that might mean being -- taking a leap of faith in terms of how many cars we can imagine are in and

associated with the housing unit.

That notwithstanding, I think there could be some work done either anecdotally or in terms of some measurement or some traffic engineering that could address the issue one way or another from the proponents. That is we're not in an Article 19 review here, we're looking at a Special Permit and that's one of the specific areas where the proponent is asking for relief. So I'd like to see some engineering work there.

I think Mr. Valentine had a wonderful idea about that blank wall by the way. If you remember back to the first testimony we heard tonight, and he suggested that there's a tradition of wall murals in Central Square. These are big blank walls. By the way, they will be muraled if you don't organize that in some way. And I think it was actually a

marvelous idea. Maybe they would be even in the green colors that he seems to favor.

Mr. Carlone's comments about restoration and maybe the economic value of reducing the parking could be spread to the buildings in front, and I think that makes sense and seems like a pretty a reasonable trade off and I hope in the new year Mr. Carlone will advocate strongly for modification of the street. I guess that's not within the proponent's or the Planning Board's purview if it were.

So those are just some of my brief comments, Mr. Chair.

Thank you.

HUGH RUSSELL: Pam.

PAMELA WINTERS: I have to say that I kind of agree with Steve Cohen's comments about the parking. I think -- and I think

Carol O'Hare also expressed that, too.

I'm a little bit nervous, I have friends who, you know, we meet in Central Square to go to the restaurants there and they come from Brookline or Newton or whatever. So I do have some concerns about the parking. I know we'd all like to wish that the cars would go away and that we would, you know, like there to be fewer cars in the road, but I think that's a little, you know, to me that's a little bit of wishful thinking at this point.

My second comment is I love the idea of the mural on the black wall that Mr. Valentine proposed. And certainly there's a lot of wonderful artists in the city and in the area that could propose something wonderful there.

I also want to see more of the

materials. I'd like to see more pictures from a pedestrian point of view. Our past Planning Board member Bill Tibbs instilled that in me.

And also in terms of the design, it is a little Miami Beach. It's funny that I commented on that before anybody else. I think Carol -- who else said that? Carol O'Hare perhaps said that. But it does seem -- I'm not all that thrilled. It's a little art deco-y, Miami Beachy for the area I think in my estimation. But that's just a matter of taste. And let me see what else? And that's about it for me.

Thank you.

HUGH RUSSELL: Thank you. I have nothing to add.

H. THEODORE COHEN: Most of my comments have already been said by my

colleagues, but the two things that I really do want -- to go back to Bill Tibbs. I definitely would like to see a facade, a shot of the facade from Norfolk Street going across the parking lot. And I also would like to see shots from if you were across Mass. Ave., further down what -- I don't know if it's Norfolk Street on the other side of Mass. Ave. or not, to see what the public who is on Mass. Ave. is really going to see. I realize that a lot of it is going to be blocked by the existing buildings, but I would like to see, you know, what you will be seeing there.

HUGH RUSSELL: Pearl Street.

H. THEODORE COHEN: Is it Pearl Street?

HUGH RUSSELL: Pearl Street.

H. THEODORE COHEN: Okay.

And I concur with what everybody says about the black wall. Most of my concern about the black wall is I realize that there's got to be a garage door going into the garage, but does there really need to be quite such a large door on the other side into the electric vault?

I do actually like the design. And maybe it does -- I do actually like the design. I thought the turquoise/aqua was a bit much, but looking at the slides, it seems what's projected here, it looks like it's intended or maybe I'm reading it that way, to mimic the copper that's rusted and so that makes more sense to me than a sort of a Miami Beach turquoise. And so I'd wait to see final designs. But I think the idea of color, of some color works very well.

CATHERINE PRESTON CONNOLLY: I don't

have a lot to add. I guess I fall into Tom's camp on the parking question. I think this is a good place to do parking ratios. I would like to hear from Traffic and Parking in terms of the loss of parking in terms of retail and whether or not if that's a concern particularly with the talk about how parking in Central Square in general is going to be managed going forward. My experience with Central Square is that when I'm meeting with friends who are not from Cambridge for whatever reason need to drive, they can at least always find a space in the Green Street garage which I think is an underused and overlooked resource frequently. And because it's a little further off the beaten path, people tend to forget about it.

But in general I think this is good project. I like the design. I like the

green. But I do wait to see after it's been vetted by the neighborhood and there's more detail to review, I think we'll have more to say.

HUGH RUSSELL: Steve.

STEVEN WINTER: Thank you,
Mr. Chair.

First thing that I wanted to say about this is that the proponent is coming in with an all permissible dimensions and standards with except for a few things. I think that's important for us to realize. That the proponent has listened to the Central Square discussion, has listened to the dialogue in the city, and is coming in pretty much on target.

And now, regarding the transformer. Now I know that NStar's very easy to deal with. However, if the transformer is where

it must be, okay. But I think that given the talent we have on the design team, we can pump up the design on the whatever that looks like, whatever that door looks like. I'm sure that we can come up with something that's really world class and it might even have a face beyond Cambridge that people would know what it is and recognize it.

The size of the sidewalk is very important to me. The design itself is pleasing. It's crisp. It's very fresh. I really like it.

I would like to know possibly from staff what is the use and pattern of the parking, for the parking that is on that lot now? Just so we know what that is.

And I also want to echo my colleagues' comments that the lower parking ratios are where we have to go. We have to take the

steps now. We have to be bold. We have to move forward. We have to do it. And if there is an astonishing catastrophe -- I don't think there will be, but if there is an astonishing level of disarray, we can deal with that. We can deal with that when that happens. But I think we have to be bold and make this happen now. And we've learned from Sue Clippinger that it's not -- it's counterintuitive. So we have to, we have to do this now and I'm all for the lower parking ratios.

Thank you, Mr. Chair.

HUGH RUSSELL: Okay, well I guess I'm going to just weigh in a little bit on the parking. What I would like to see is an analysis and plan that 28 spaces that are currently on the site how those people will be accommodated in other parking resources in

the area. And then I think you would work with Sue Clippinger to come up with a reasonable estimate of the number of parking spaces that are acquired when the building opens. And if that number is greater than 23 that fits. Then we have to be a plan as to where those additional spaces would be accommodated. And so I think, you know, it's a plan that I'd like to agree with the architectural analysis that, you know, you can only fit 23 spaces under that building. Okay, okay.

Is there anything more you want to say tonight?

Then in about six weeks we'll be back. Seven weeks? And hopefully there will be answers and people will know more, but it's very encouraging to hear what we've heard tonight.

Thank you very much.

We're going to take a ten-minute break.

(A short recess was taken.)

HUGH RUSSELL: We're going to continue our meeting. Would people please stop talking and resume their seats.

Thank you.

So our eight o'clock public hearing is public hearing with the City of Cambridge proposal to sell 20-foot wide strip of public land along eastern edge of Ames Street to facilitate the building on one of the Planning Board's previous project.

JEFF ROBERTS: Mr. Chair. It's me again, Jeff Roberts, Community Development Department. This is fairly exciting I think probably for most if not all of Board members. The first time that the Board has had a hearing on a land disposition process.

And so my role here within a few minutes, I'll try to limit it, is to give some background to this project and to walk through some of the intricacies of the land disposition process. And I'll try to go through it quickly and I can answer any questions.

So this process started, to a large extent, back in 2010 when at the time Boston Properties was permitted to construct a housing development in 75 Ames Street, and at that time there was a change in plans which had to do with the expansion of the Broad Institute on that site. That was a request that was made by Boston Properties to sort of change that, change that plan. And they required a Zoning change by the City Council. And at the time that Zoning change was made there was a commitment by Boston Properties

to commence housing, a housing project on another site in that area within seven years of completing the Broad Institute expansion. And at that time the east side of Ames Street, across the street from 75 Ames was identified as a potential site.

So late last year their discussions began to pursue that housing proposal on the east side of Ames Street. It came up that given the existing conditions of that site, the feasibility of the project would require construction on a portion of what is now the public right of way on Ames Street. And that action, it was determined, would require a land disposition. And so this is the same proposal that the Planning Board heard at the previous meeting that was the subject -- or actually two meetings go, the subject of the Zoning Petition by Boston Properties. And

the Board heard a little bit about the proposal then. David Stewart is here from Boston Properties and we'll give you a little bit more information about the proposal tonight.

Focusing a little bit on the land disposition. There's a complex process that needs to be followed when the City is disposing of public property to a private entity. There are two separate sets of rules that the City has to follow, both of them are intended to ensure the protection of the public interest when control of public land is given to a private entity, but they do it in two very different ways.

So the first part of it follows, and Brian mentioned a little bit of this actually at the last hearing, the first part of it is Chapter 30B, Massachusetts State Laws which

dictates that the City, in when disposes of land, must first write an RFP which explains the parameters of the disposition. It describes what properties are being disposed. What it must be used for. What terms and conditions apply to the transfer. And how the proposals will be evaluated. And then proposals have to be solicited in a public manner. And the City use the criteria in the RFP to select a winning proposal.

In this case there was an RFP issued for Ames Street that is one of the attachments in the package that you were given on this process. And it identifies what the property is for sale. It's also shown a little bit on this map in front of you which I can turn around in a second. The -- it stipulates that the use of the land is for -- is to be combined with adjacent

property in order to construct residential uses and ground floor retail with the additional space that's not directly part of a building to be maintained as open space and other probably beneficial functions. The project would be subject to Planning Board review and other Zoning requirements.

So there was a period in which that RFP was advertised. At the end of the period there was one proposal. It was from Boston Properties Limited Partnership which was selected as the winning proposal. That proposal includes sort of the overview of a residential development with ground floor retail and a cash payment of \$2,010,000 to the City for the land payable on closing. So that's one piece of the disposition process.

And the other piece is in the Cambridge Municipal Code. It's a local Ordinance that

was, that was adopted which says that when there is a land disposition process, the City Manager must prepare a report on the disposition and with consultation from the public. And public meetings were held in October and November to gather input. The report is then sent to the Planning Board and the City Council, and that's another piece that's the top most piece of the package that you received after a report.

HUGH RUSSELL: I have not received such a package.

PAMELA WINTERS: Nor have I.

JEFF ROBERTS: This was the package that was distributed on November 19th directly to the Planning Board members.

HUGH RUSSELL: Okay.

JEFF ROBERTS: I apologize. I think I do have some extra copies that I can

distribute, but I'll finish going through this first.

HUGH RUSSELL: Okay. Sorry to interrupt.

JEFF ROBERTS: That's fine.

So the action of the Planning Board is to hold a public hearing, which is happening tonight, and to make a recommendation to the City Council. And so this is similar to the Zoning Petition process where it's the ultimately the Council's action and the Planning Board makes a recommendation on it. The Council, City Council's public hearing which must be held prior to taking a vote is December 9th which is Monday. So the City Manager's report which is in the, in that package, which I'll find copies of for those who don't have them, has a list of considerations that have to be taken into

account. And I will -- that's in the report, but I will briefly walk through some of it. It talks about the current and alternative uses for the property. The property, as I mentioned, is essentially a 20-foot strip of land along the eastern edge of the Ames Street right of way. It's mostly the sidewalk at this point. And it also has a curb cut which serves the parking garage and loading docks for the Cambridge Center area.

The current right of way of Ames Street is about 100 feet wide. The street in its current state was built in 1985 when wide roads were in vogue for areas that had a lot of office development. And I actually did -- the Public Works informed us that the, that before that 1985 reconstruction the right of way was 50 feet. And that the Public Works determined that by reducing that by 20 feet

to a total of 80-foot right of way would provide adequate space for vehicular traffic, sidewalks, on-street parking, and bike lanes. So that 80-foot right of way would be perfectly adequate and would be more keeping with the pedestrian scale that is desired in Kendall Square.

So the benefits -- so I'm sorry, that's the current use.

The alternative use which is proposed is to dispose the land and combine with the adjacent height to develop housing and ground floor retail. The benefits of that would be to add housing and retail to the mix of uses in Kendall Square.

To improve the urban design of the area by adding ground floor retail and open space, and by moving the parking and loading functions to the interior part of the block.

So as part of the alternative use, the buyer would be responsible for reconstructing Ames Street according to the City's design and would be responsible for relocating any existing subsurface utilities so that they remain within the public way.

In terms of the alternative uses, there was a question raised at the community meetings, and the question was whether it's appropriate to dispose of the entire stretch of land along Ames Street instead of just the portion in the center that would be needed to construct the housing and retail. So in the report we actually looked at that alternative. It's an interesting thought process. When we looked at it, we realized what it would result in is the City retaining ownership of two small fragments of open space, about 20,000 square feet each. It

wouldn't be -- those are -- it would be little bits of open space that wouldn't be needed to be a part of the public way, but that the City would be responsible for maintaining and having some programming of some kind of a passive use.

So after looking at this, the report recommends disposing of the entire strip. And the benefits of that would be to result in a sort of a cleaner ownership pattern where the public way is clearly part of the City's ownership and that the space between the public way and the buildings would be, would be privately owned and could be used for a wider range of functions. They could be outdoor seating. It could be accessory to the retail uses that are on the ground floor. They could have bicycle parking, bicycle sharing. But one of the stipulations that

was included in the RFP after that discussion as a condition of the sale is that the space would be -- would need to be maintained as open space or other publicly beneficial uses and will be subject to design review by the Planning Board. So when the project comes before the Planning Board they would not just look at the building, but look at how they're using the space out in front of the building and have that be part of the review.

So, the City Manager's report looks at the existing Zoning status of the property in attempts to rezone a property. We talked about that extensively at the last hearing.

In the MXD, development is primarily controlled by an overall gross floor area cap which allows an additional 200,000 square feet of residential and a small amount of non-residential for the ground floor retail.

And one of the interesting things is that the proposed Zoning -- well, the proposed Zoning change wouldn't increase development but would enable the anticipated housing as we discussed at a previous meeting. The transfer of land would not increase the development potential of the site because it's controlled by an overall development cap and not by the -- and not by the cap related to the side of the lot. So any development would be -- or the residential development would be subject to Planning Board review. Would be subject to inclusionary housing. Would be subject to the green building requirements, and among other Zoning requirements.

So the proposed development plans are outlined in the report and David can talk about that a little further. It is a project

that's been anticipated for a long time. Most recently was identified as a desired project in the Kendall Square study. And in terms of the financial arrangements, which are discussed in the report, the City recommends a cash sale. The buyer would own the property when the deal is closed subject to the terms and conditions that are in the RFP.

The City obtained two independent appraisals that considered the value of the property as a component of a residential development of the type that's proposed. The appraisals are confidential at this point because the deal is not yet final, and that's information that the City wants to keep private until that time. But the offered price of \$2,010,000 was deemed by the City to be within the range of the appraised values

and the city deems that to be acceptable. So that basically covers the City Manager's report. And I just wondered if David wanted to give just a brief reminder about what the project is proposed.

ROGER BOOTHE: Jeff, could we find out how many reports are needed and we can make more copies?

JEFF ROBERTS: When David comes up, I'm going to go back right now and grab some extra copies.

ROGER BOOTHE: Do we know how many extra are needed? Five copies.

JEFF ROBERTS: If I could correct the record. The open space sections that I was talking about would be about 2,000 square feet, not 20,000. So just at this end, at this end of the street.

DAVID STEWART: Thanks, Jeff. David

Stewart with Boston Properties. I was here a couple weeks ago under the Zoning Petition. So what I'm going to say, some of it is repetitive, so I thought I would just quickly go over what the project is.

As Jeff said, we made a commitment back in 2010 to develop the residential project within seven years of issuance of the Certificate of Occupancy for 75 Ames Street. And we've been working diligently towards that goal ever since. As Jeff also pointed out, the street -- the width of Ames Street right now is too wide.

Jim, can you grab the next one down. There's a picture there looking north. So that shows a center median with trees. It's really a service street. On our property we have a loading dock, a garage entrance, really not a pedestrian-friendly street. So

what we're proposing to do is -- Jim, if you could throw the other one up. That's fine.

What we're proposing to do is construct a 200,000 square foot residential project with approximately 240 units. Of those, 31 would be affordable with approximately 9,000 square feet of ground floor retail. So a total of 209,000 square feet. It would have a mix of studios, one bedrooms, two bedrooms. And as I said at the last hearing, we're even looking at the possibility of adding microunits. So if we do adjust the total unit number, the number of affordable units will rise proportionally. So the benefits of this project which I think you can see from the rendering, benefits to the City include the delivery of much needed housing, much needed affordable housing, better urban, better pedestrian streetscape on Ames Street.

So we'd be essentially having double loaded retail on both sides. You wouldn't have a big gap where you now have the entrance to the parking garage and to the loading area. The loading area gets actually relocated from what is now. So if I'm looking towards Broadway here, the loading dock is here right now, it gets relocated around the back of the building. So it's taken off of the main street.

Also one of the benefits -- if I can just grab one of the other plans, that isn't related to the land disposition but is related to the project itself as we would be facilitating a connection from Third Street over on to Main Street which doesn't exist today. So that you can go west on -- so you can go from Third Street, cut across the beside Point Park and go west on Main Street.

And then finally the project would, the City would realize approximately \$500,000 per year in additional real estate taxes for what I would argue is no marginal, connects to no marginal costs to the City because all of the infrastructure is already in place. So that's the project.

And then Jeff stated what the, what our offer was for the strip of land itself. So that drawing is really -- so for the strip of land. So there's a 20-foot strip. It's roughly 8,660 square feet. We offered a cash payment of \$2,010,000. With that we would execute and pay for the total reconstruction of Ames Street. So taking Ames Street from a 100-foot right of way down to an 80-foot right of way involves basically moving a lot of utilities, redoing all of the lanes; putting in bike lanes, parking lanes, that

sort of thing. We had a conceptual plan, which I think is in your package and was circulated around for quite a while. It basically shows what the right of way would look like. So this, as Jeff mentioned, the right of way used to be 50 feet. So at 80 feet there's still space for a travel lane in either direction, a bike line in either direction, a parking lane on either side, 12-and-a-half-foot sidewalk on the west side of Ames Street, and a 15-and-a-half-foot sidewalk on the east side. So plenty of room for pedestrian (inaudible) and all the other functions of a good urban right of way. We would pay for and execute all of that, which we estimate would cost \$3.6 million. So not a small amount to do that work.

We also, as part of the RFP that the City put out, there was a section on

contractual terms, the Section 5. So we agreed to all of the City's terms. And one of them that I think is important for the public, is that any portion of the property that's not used for the building proper or associated ground floor retail space that would be on private property, would be maintained for outdoor functions -- and I'm going to read exactly what we agreed to:

(Reading) Outdoor functions, such as publicly beneficial open space, outdoor seating, open air retail, bicycle parking, public bicycle sharing services -- I guess that's like Hubway -- public art, informational displays or other functions that improve the streetscape and generally benefit the public. And furthermore, the design of these spaces would be subject to your review as well.

So I just thought I'd point out where those spaces are. So if you look at -- this is a ground floor plan; Ames Street, Main, and Broadway. So the red represents the retail space. The gold or yellow is the small residential lobby entry. So the tower rises from here. So the spaces that we're talking about that aren't used for the building or retail proper are these two 20-foot width swaths. One which would be in front of the existing Legal Seafood and the other is in front of Mead Hall. Those are the open spaces that would remain open spaces.

JAMES WILLIAMSON: How wide are they?

DAVID STEWART: 20 feet tall.

So the last piece I would like everyone to understand -- so that's the, quote,

economics from our side of what we're paying the City and what we're obligated to do. The last piece that isn't part of this but is really is an obligation of ours as it relates to the development rights themselves. We're obligated to pay the Cambridge Redevelopment Authority roughly \$5.2 million for the 209,000 square feet. So when you add that all up, it's a sizable portion for a, quote, the land required to build this building. That's all I had.

STEVEN WINTER: Mr. Chair.

HUGH RUSSELL: Any questions?

STEVEN WINTER: Just a clarification, could you help me understand the Third Street connection again?

DAVID STEWART: Sure.

STEVEN WINTER: I just couldn't actually see the lines. So I want to

understand that.

DAVID STEWART: So Third Street's not shown on here. This is a plan of where basically Broadway comes to Main Street. This is Point Park. And right here, see this curve, that's the bus turnaround right now. So busses can go that way.

STEVEN WINTER: Oh, okay. Okay. Okay.

DAVID STEWART: But when Third Street is roughly here, you can't cut across Third Street. It comes to a T-junction and you can only go left or right. We're facilitating through this project we will facilitate an easement granted to the City so that they can construct a road here to cut through so that you can go, you can make the turn on to Main Street.

STEVEN WINTER: Okay. I got it.

STUART DASH: The recommendation that came out of the Kendall Square Planning Study.

STEVEN WINTER: I got it, thank you.

HUGH RUSSELL: Particularly useful for shuttle buses.

H. THEODORE COHEN: Mr. Chair?

HUGH RUSSELL: Yes.

H. THEODORE COHEN: I don't know if this is for you or for Jeff. I was not here on November 19th. So the proposed building that has a footprint on the ground of about 9,000 square feet?

DAVID STEWART: The 9,000 is the retail in red. So that's roughly 9,000 and then you have the lobby. The footprint for the building is roughly 11,000, 11 to 12,000 square feet. We haven't fully established that.

H. THEODORE COHEN: Okay. And so then the proposed will be something like 18 floors of housing?

DAVID STEWART: Yeah. Here's a section. So per zoning we could go up to 250 feet, which we would take full advantage of that. So it's roughly 22 stories. Ground floor retail, you'd -- second and third floor you probably have some amenity space on the building and then units the rest of the way up.

H. THEODORE COHEN: And the residential floors would be, what would their square footage be?

DAVID STEWART: Roughly 11,000 square feet.

H. THEODORE COHEN: Roughly 11,000. And will it come to the sharp diagonal that the base has?

DAVID STEWART: Like this you mean?

H. THEODORE COHEN: Well, at the --
at Mead Hall end where it gets very narrow.

DAVID STEWART: So this -- yeah, so
this rendering depicts a, call it a podium
level for the -- so the first two stories are
different and then the building rises above
that. We intentionally haven't shown a shape
for the building because we haven't worked on
it. So you'll have, some call it a tower
form that rises above the garage for 22
stories.

H. THEODORE COHEN: Okay.

And the Broad building across the
street is, is that 275?

DAVID STEWART: That says 75 Ames
Street?

H. THEODORE COHEN: Yes.

DAVID STEWART: I think with the

mechanical penthouse, yeah, it's a little taller than the residential building.

H. THEODORE COHEN: Okay.

And then my other question, on the plan that has the yellow and the grey. So does Boston Properties own all the land that's abutting the proposed land disposition?

DAVID STEWART: Yes.

H. THEODORE COHEN: And I read somewhere, and I just want to confirm, that it was part of the, be part of the terms with the City, that should Boston Properties ever try to sell this strip of land, the City would be given a right of first refusal?

JEFF ROBERTS: That's one of the provisions in the RFP, yes.

H. THEODORE COHEN: Thank you.

HUGH RUSSELL: Okay, this is a public hearing. Everybody ready to go on to

that portion?

First person who signed up to speak is Patrick Verbeck (phonetic). You don't wish to speak.

Tom Evans.

(Names inaudible).

And Heather Hoffman.

HEATHER HOFFMAN: Hi. My name is Heather Hoffman. Spelled the same way it was earlier. 213 Hurley Street.

H. THEODORE COHEN: And you haven't moved.

HEATHER HOFFMAN: And I haven't moved, no.

And this is something that's really near and dear to my heart and I will cop to being the person who is responsible for the provision that reserves this, the land that they don't need to build on for the public.

I want to thank the City for going through this process finally. And I want to thank Boston Properties, and those are words you'll rarely hear coming out of my mouth. And I want to thank Boston Properties for promising to do it and then sticking to it. That was a show of good faith and I really appreciate it.

And I wanted to thank the City for listening to me.

Now, we'll get to the part where I stop thanking. One of the things that we have to understand here is that every single thing that Mr. Stewart brought up as a thing that you should feel sorry for Boston Properties for is their own doing. They had a place -- this is actually -- this goes way back before 2010. This goes back to at least 2001 when Boston Properties was given this 200,000

square feet to build residential space for free. No strings attached. Just the only thing you can do is build residential because this is supposed to be MXD, you leave out the vowels, it would have been mixed use development. And the only mix is offices, computers, and biotech. So the housing that was supposed to be there kept not being there. So at least since 2001 the City has been trying to make this happen. And Boston Properties did in fact apply for a Building Permit several years ago, and didn't build for -- they say financial reasons. I'll believe that. But they had a perfectly good space right across the street. They decided that something else was shinier and more interesting and that was the Broad Institute. So they got the Zoning amended to give them 300,000 square feet so that -- because the

Broad Institute had to, had to, had to have that. Amazingly enough the Broad Institute did not need 300,000 square feet. They needed 250,000 square feet. And so the extra 50,000 square feet, the gift of 50,000 square feet, you understand what they paid for that 300,000 square feet was a million dollars. That's my house and a studio condo. That's what they got, 300,000 square feet of biotech space for. That extra 50,000 square feet, that went to Google. That went so that they could build on the nicest open space in Kendall Square. The place that used to be my favorite open space on earth and that was the roof garden. And then it, as it appears, Google isn't using that the way they said they were going to, the way that absolutely required this configuration. They have a 25,000 square foot building up there where we

used to have a public park.

PAMELA WINTERS: Heather, your time is unfortunately up. If you could wind up your comments.

HEATHER HOFFMAN: I will.

So I don't think that 4,000 square feet of open space is a huge price. Now, they have to do a whole lot of moving of sewer lines and water lines and things like that and, you know, utilities in the street. Well, they knew they were there. They have known all along where everything was. They've known all along that they were pinging themselves into the corner and living themselves this little space. Shed no tears for them. They have gotten and gotten and gotten and gotten. And now you heard 240 units, 31 affordable units? Last I checked 15 percent of 240 was 36. Shed no tears.

Make sure that they live up to everything.

Thanks.

HUGH RUSSELL: Thank you.

James Williamson.

JAMES WILLIAMSON: James Williamson, 1000 Jackson Place. I actually had first got interested, keenly interested in this area thanks to people like Heather who call attention to what was happening with the Google -- what I call the Google roof garden. And the -- what seemed to me, and maybe it's clear to others, was corruption at the previous regime at the Cambridge Redevelopment Authority. So -- and so my first question tonight was about the actual price. If this is going to be sold, how do we know that the price is the right -- is a fair price for whatever is being sold. And I was actually surprised to hear that that

information was confidential. So I don't know how anybody other than the people who have that information is supposed to make a decent evaluation of whether that's an appropriate price.

I would, it occurred to me that I wonder whether that price actually includes a fair valuation of the fact that this building will put the -- what remains of the Google roof garden in shadow. So if you, if you have a publicly deeded open space which is now going to be completely, or I believe almost completely in shadow, if you understand how that works, is that loss of publicly deeded open space considered part of something that we value? I don't know whether that was the case.

I had some concerns about lifting the fast food cap, but I gather that's not part

of your jurisdiction, so I'll set that aside.

On the question of the public section of sidewalk versus the, you know, keeping it or giving it -- selling it the entire length, my interest would be how do we know that if it -- it's open space, but we've had a situation in the City where sometimes things that you call open don't end up actually remain public. And so I think clarifying it so that it's very clear that this is publicly accessible open space would be important and understand that that's the case. And I also think that it's important to remember that Boston Properties, although this may no longer be the case, had really, I think, pretty awful record of managing the publicly -- the open space that was in front of the Marriott Hotel. I mean that was just awful. Everybody knows that that whole area was just

left in disrepair for -- neglected for an awfully long time. And I would -- you know, I'm interested in how there could be some provision or guarantee that that's not going to be the case again. I don't expect it to be the case, but I sometimes think that it's important to get some kind of guarantee that people can then, you know, it's not ambiguous later on when somebody says later on well, that's not what it says.

And the final thing is, very interested in the cut-through from Third Street. I'm glad the question was asked to clarify that. Is there any change anticipated in this specific proposal of the City that the City have to cut through there? It would be interesting to hear a little bit more about that and useful in terms of some planning that's going on for the East Campus planning

at MIT and some other issues. But I'm particularly interested in what's going to happen to Point Park, if there's any impact foreseen from this on the existing Point Park, whatever may be decided heading into the future about what happens there.

Thank you.

PAMELA WINTERS: Thank you.

HUGH RUSSELL: Does anyone else wish to speak?

(No Response.)

HUGH RUSSELL: I think we can, if we feel this is a worthy proposal, we could have a motion that would basically say that we recommend that the City Manager's report be accepted and that the disposition be made in accordance with the report.

STEVEN WINTER: Mr. Chair, I also feel that when we make that recommendation,

we should note the very, very tight and complex process that the City has gone through and also the financial arrangements with the proponent all come together very nicely, and also the restrictions in the future on how the proponent is using the property and also maintaining the property. I think this is a tremendous piece of work here.

HUGH RUSSELL: Other --

STEVEN WINTER: Can that be the motion?

HUGH RUSSELL: Well, is there other discussion to be made and we can -- somebody can make a motion.

PAMELA WINTERS: I just have one other quick question. Did I hear correctly that the City will be getting half a million dollars in taxes per year from this? Did I

hear that correctly?

DAVID STEWART: That's the current estimate.

PAMELA WINTERS: Okay, thanks. Nice chunk of change. Thanks.

HUGH RUSSELL: If there's no more discussion, would somebody like to make a motion?

H. THEODORE COHEN: I would move that we recommend to the City Council that the land disposition go forward in accordance with the terms of the City Manager's November 18, 2013, report.

That we find that, you know, the report adequately and correctly summarizes all of the considerations with regard to the land disposition, which I note includes that the amount offered was within an acceptable range of the independent appraisals and also notes

the -- some of the drawbacks to the potential project it shadows but that in taking into account all of the considerations with regard to this disposition that it is an appropriate action to take by the City.

HUGH RUSSELL: Is there a second?

STEVEN WINTER: I second.

HUGH RUSSELL: Any discussion on the motion?

All those in favor of the motion?

(Raising hands.)

HUGH RUSSELL: All members voting in favor. And that's a vote.

So the next item on our agenda is the final public hearing of the evening, the Cambridge Council Petition to amend the City Ordinance regarding the land by Linear Park.

JEFF ROBERTS: Mr. Chairman, Jeff Roberts. I would remind the Board that there

was a -- there was a Phillips Zoning Petition affecting the SD-2 area near Linear Park and the Planning Board made a recommendation on that which was attached to the Planning Board packet. I hope you have that one.

STEVEN WINTER: Yes.

JEFF ROBERTS: That petition, there was no action by the City Council on that petition, but it was re-filed as the Walker Petition which failed to have the requisite hearings. The City Council subsequently issued a Council Order to refer to the Planning Board and the Ordinance Committee of rezoning that specifically mentions the required distance from Linear Park and other issues related to neighborhood character. So that is what's back before the Planning Board for this hearing. And the Planning Board can use the past materials as reference and

looking towards action on this one.

STEVEN COHEN: Jeff, just following up on the discussion that we had prior, again, the actual petition is now dead. There's no active petition before the City Council or before the Board; is that correct?

JEFF ROBERTS: Yes. The Walker Petition is no longer on the table of the City Council to be acted upon.

STEVEN COHEN: Right.

So in general what are we being asked to do? Is it being suggested to us that we be the proponents of a new Zoning Petition or are we just being asked to chat about this subject?

JEFF ROBERTS: The way this -- the way we're treating this is that the Council Order reflects a new Zoning Petition that has been referred for consideration by the

Planning Board just as any other Zoning Petition. The text of what was proposed is, you know, makes reference to the SD-2 Zoning, but it's slightly -- the wording of it is slightly different. So I think that it's really the wording of the Council Order is what the -- is what the Planning Board is considering now as a re-filed Zoning Petition.

STEVEN COHEN: Re-filed by whom?

JEFF ROBERTS: By the City Council.

STEVEN COHEN: Oh, so the City Council has --

JEFF ROBERTS: Yes.

STEVEN COHEN: -- filed this as a new Zoning Petition.

JEFF ROBERTS: Yes. By their action they have referred this as in the manner that they would refer a Zoning Petition.

STEVEN COHEN: I see.

STEVEN WINTER: Steve, may I ask a question on your time? Then the City Council is the proponent?

JEFF ROBERTS: That's correct.

HUGH RUSSELL: And we believe that the text you've attached is to be considered to be the text of the Petition, that's correct?

JEFF ROBERTS: I think the text of the -- it's really the text of the Order that's under consideration, but the Petition has been included for reference since it was -- the Order was passed subsequent to the City Council or prior to the City Council making that order. What was communicated to the Planning Board through the City Clerk is the Order that was adopted by the City Council.

H. THEODORE COHEN: So, Jeff, what specifically increase in setback requirements by Linear Park and language regarding form and density are we supposed to be considering?

JEFF ROBERTS: I think that the reason why the prior Petition was included for reference is that it would presumably give the Planning Board some guidance as to the -- as to the intent of the Council Order that was preferred.

HUGH RUSSELL: So I would suggest a strategy --

PAMELA WINTERS: Yes.

HUGH RUSSELL: -- in which we respond to the City Council telling them which requirements of the setback along the Linear Park and form and density compatible with residential neighborhood, which of those

we would recommend that they adopt.

STEVEN WINTER: Mr. Chair, there's also the text "by limiting the number of units in a single structure."

HUGH RUSSELL: Right, yes.

STEVEN WINTER: I think that's important.

HUGH RUSSELL: Right. So, and I have my own views which I think are found in our previous Petition. So that after the conclusion of this hearing, we might direct the staff to create a Petition of the proper form that reflects what we are -- our intentions are on this matter. As we often do when we respond to the Council, we say, this is the language we think you should adopt in this matter. The fact that they haven't given any specific language for us except what are the -- they say the whereas

sections is really in some ways not terribly important, you know, in terms of our function.

STEVEN WINTER: Mr. Chair, is that language then found in our memo of July 9, 2013? So what we would do is ask the staff to respond with the essence of what we've already sent?

HUGH RUSSELL: Well, I think that they'll come back to us for specific language before us.

STEVEN WINTER: I get it.

HUGH RUSSELL: Before we get it back. But, yes, I mean I think that's the question, did we get it right the last time or not? Which --

STEVEN WINTER: That I understand.

HUGH RUSSELL: -- and then the Council -- I don't want to feel like we need

to hear public testimony tonight. The hour's late, and so we probably have an extensive discussion tonight, but maybe staff could attempt to take the intention of our previous report and draft up the language that would reflect that. That might be a way to direct them.

STEVEN COHEN: Mr. Chairman, so procedurally I guess this is -- I'll use a technical legal term, "kind of messed up." But, you know, I think we can repeat and regurgitate what we said again last time. But if you'd like to hit each of the items separately, which is what we didn't do last time, you know, one of them was the setback requirements of 25 feet adjacent to public open space. We could say that we have no problem with that particular change. We discussed it. I don't think we would have a

big problem with that change. I think based on our discussions last time around, though, that would be the only one that we would really consider changing our opinion on.

HUGH RUSSELL: That's my current thought. But, again, we haven't held a public hearing yet.

STEVEN COHEN: Oh.

STEVEN WINTER: Mr. Chair, may I also ask is our action taken prior to the Ordinance Committee looking at this?

HUGH RUSSELL: That may or may not happen.

JEFF ROBERTS: Yes, that's another interesting question. To my knowledge, and I haven't checked in the past couple of days, but I don't believe that the last time I looked there was an Ordinance Committee hearing scheduled for this yet.

STEVEN WINTER: Okay, thank you.

HUGH RUSSELL: I think we can, we can clean this up send it back what we think is the right response.

STEVEN WINTER: I'm with you.

PAMELA WINTERS: I'm with you, too. I just have a quick question. What is allowance for arts and crafts uses as of right? What does that mean?

STEVEN COHEN: I think that was intended to permit the continuation of an existing non-conforming use.

HUGH RUSSELL: Which wasn't actually an arts and crafts.

STEVEN COHEN: It was actually a dance studio.

PAMELA WINTERS: Oh.

HUGH RUSSELL: It was a dance studio. But it was in there. Mr. Teague

will probably remind us of all of this.

But should we go on to the public hearing?

CATHERINE PRESTON CONNOLLY: Let's.

HUGH RUSSELL: Is there a sign-up sheet?

That's fine. Mr. Teague, would you like to speak? And Mr. Rafferty wants to speak.

CHARLES TEAGUE: Yeah, no. I was going to say you're consistent.

JOHN HAWKINSON: It's off.

CHARLES TEAGUE: Sorry.

You're consistent because the last time was you said you had suggested that the Planning Board submit something in, you know, after the City Council's formed the committees because we realized that the timelines of filing a Zoning Amendment in the

fall of an election year wasn't going to work. And so the City Council unbeknownst to us went ahead and did this. But you, the Board had committed to doing something and writing their own petition, which is actually what you suggested doing.

And so that thing about arts and crafts, when Mike Phillips wrote this, he was trying to make it possible to somehow save the dance studio and make it possible to somehow save -- incentivize saving the community garden. And so he was trying -- that's why he had this transfer of development right. And it was an attempt to -- everywhere we go in Cambridge today, we're losing neighborhood institutions and that's what he was trying to do and it didn't work. But, you know, we all agree that since the Fawcett building's 27 feet set back from

the park, making the setback 25 feet was a good idea and things like that. So we're, the theory was to go through and cherry pick some of the best parts and to look, and to look more -- as for the former density, to look at what's possible and the rest of that, too, and see if it comes up with something there. But the Board's consistent. You're gonna write your own and it will reappear in some more appropriate time frame because this, there's nothing possible to be done before the end for -- within the -- before the -- with the timeline if this were a petition which I thought it was, but anyways, thank you.

HUGH RUSSELL: Okay. And you bring up an interesting question. Do all Zoning Petitions expire at the end of the Council or do they carry over?

ATTORNEY JAMES RAFFERTY: They carry over.

HUGH RUSSELL: Mr. Rafferty, do you wish to speak?

ATTORNEY JAMES RAFFERTY: Thank you. Good evening, Mr. Chairman, members of the Board. James Rafferty. I represent the Fawcett Oil family, the owners of the subject property that received a Special Permit for a multi-family dwelling here. And frankly, that project is the target of this petition. And the Planning Board recognized that. And in your recommendation on the Phillips Petition, you noted the due process shortcomings of coming in on the heels of a Special Permit hearing. So the Phillips expired without any action. Was re-filed under the same petition, exact same language, but the lead signatory became Mr. Walker and

it became the Walker Petition. I believe you held a hearing on the Walker Petition, but before a recommendation was formulated, the Ordinance -- the timeline expired and the Ordinance Committee didn't schedule a hearing. And the City Council then passed this order. And I share the Board's confusion because I contacted the clerk after the order was first passed to say is this order re-filing Walker? And they said they'd have to get back to me because I can't find any language here other than the order. And is this, it doesn't say re-file Walker. It talks about two components of Walker. And the response I eventually got back from the clerk's office was because the order didn't identify certain discrete sections of Walker, that it was the Clerk's office position that this was a re-filing of the Walker Petition.

And to the extent that is what this is, I would say that the Planning Board should have little difficulty in merely dusting off the recommendation on Phillips, because nothing has changed. If this is Walker 2, which was a re-file Phillips, then I don't know how much time you need to spend because none of that has changed. As far as the actual components that are identified here in the order, the setback, at least as it involves our project, is really largely a moot issues because it was noted by Mr. Teague. The proposal there actually has a setback greater than that. And one shouldn't have any misgivings that there are other properties that will be impacted by this if you're familiar with the land ownership out in Special District 2. This is really about the only lot that could be affected in its

current form.

So as I say, if this, if this is Walker with a City Council heading on it, then I would just -- my recommendation, I would advocate on behalf of my client, that the Board be consistent and remind the Council what it's used around Phillips. And to the extent this doesn't represent anything other than what Phillips did, I think it would serve the public's interest and the Board's interest that the message remain the same.

Thank you.

HUGH RUSSELL: So, I guess one thing we might want the staff to verify for us is that if this -- if my recommendation is to propose a 25-foot setback and it only applies to property which is granted a Special Permit which is in compliance, is there any public purpose in acting on this? So I don't know.

Mr. Rafferty has told me what his opinion is and I wouldn't be surprised if it was -- I know he would not be misstating this, but I need to confirm.

Now, we haven't completed the hearing. So you wish to speak, John?

JOHN HAWKINSON: Yeah. I just wanted to -- John Hawkinson. I just wanted to remind the Board that of course this is before the Land Court on the 2nd of January. That is the appeal. And as a result of that, could conceivably unlikely change exactly what might happen.

HUGH RUSSELL: Okay.

Does anyone else wish to speak at the hearing?

(No Response.)

HUGH RUSSELL: So, option A is we send back the Phillips thing saying this is

what we thought before, we haven't changed our mind. We've heard now testimony that has changed things and just get rid of it.

And the second is to draft a 25-foot setback which is probably meaningless if Mr. Rafferty's correct, and he usually is.

And the third option would be to send -- to amend the Phillips recommendation to the extent that it may not include that particular fact, saying even though we think 25 feet is right, there's no need to do it. Now, lawyers.

H. THEODORE COHEN: Well, I would agree with option A in part because I -- my recollection of what we did last time and looking at the July 9th memo was that we didn't agree that 25 feet was the correct setback. We said it might be, but that it might have some impact on other properties.

And my recollection is that we were going to have it go back to staff to see if there should be a setback, a different setback from Linear Park and what staff might recommend to us. So I don't know that it is 25 feet. You know, maybe it's 30 feet which I know you're not going to like. But -- and I agree with all the due process issues, that changing things, you know, for land owners after they've been working on things for years and years is wrong.

And so my recom -- what I would prefer is option A saying that if we interpret this as simply Walker redux, then our recommendation is the same as it was. And if City Council wants to pursue a couple of other issues, then we should have staff look at whether there should be a change in the setback from Linear Park and whether there

are any other issues with regard to, I guess with form and density that ought to be considered in an amendment to the Zoning. But, you know, I don't think we decided anything last time other than we didn't like the Walker Petition. And I would rather not spend any more time or take any other position right now. And if we do want to change things and City Council does want to change things, then staff ought to look into it and make a recommendation that we can then hold a hearing on.

HUGH RUSSELL: Other comments?

PAMELA WINTERS: So then it would be possible, then, for the Deborah Mann Studio, the dance studio, to be torn down according to what we're going to recommend; is that correct?

HUGH RUSSELL: The present

development plan for the site plan that we approved does involve tearing down the Deborah Mann Studio.

ATTORNEY JAMES RAFFERTY: Yes, and they have relocated --

H. THEODORE COHEN: They've relocated.

ATTORNEY JAMES RAFFERTY: -- to Somerville. She has moved her business.

PAMELA WINTERS: Good. That's good. Okay. I was just --

ATTORNEY JAMES RAFFERTY: It was a pre-existing non-conforming use so it didn't need the petition to remain in effect.

PAMELA WINTERS: I just wanted to make sure, and I mentioned this before, after taking dance classes there for three years, it's really not -- and, Mr. Teague, I know I mentioned this before, it's really not a very

good place to take dance classes in. It's for numerous reasons. So I think that by her relocating, that's great. I'm glad that she's still in business and, you know, I love dance, but that was not a good place to do it in.

ATTORNEY JAMES RAFFERTY: They've sanded the floors. No more splinters.

PAMELA WINTERS: And the mold in the rugs. And it was, it was a bad, bad thing. So, okay, thank you.

STEVEN COHEN: I'm also glad the dance studio is gone.

ATTORNEY JAMES RAFFERTY: I've seen you dance.

STEVEN COHEN: I have no problem with Ted's -- I'm just looking at the order. The City Council seems to be asking us to opine, if nothing else, on the setback. Now,

and I agree with Ted that we don't know exactly what the right number is, and I don't think we really heard from staff on that. But under the current law, a lesser setback is required, and the neighborhood advocates are requesting, you know, no more setback than 25. It doesn't seem to have any negative impact on the project that we've approved. And we've heard some testimony. I'd like to hear verification from the staff I guess. But we've heard some testimony that it isn't going to affect any other property or potential project in this district. And so having said all of that -- well, I have no problem with Ted's approach, I would also have no problem, and perhaps some virtue and somehow working into our response that we don't think that a 25-foot setback would be unreasonable if the City Council were so

inclined. I don't see why we need to be the proponent of anything here. But if the City Council wants to take an action here, I mean I don't think we would necessarily object to a 25-foot setback. You know, I could go either way on that.

STEVEN WINTER: Mr. Chair? I'm reluctant to respond in any way except what Ted suggested, because to me from the start for my first reading, this document October 21, 2013, from the City Council lacks both clarity and cogence. And I don't really want to respond to something that I'm not clear about unless it's simply to send what we've sent before.

STEVEN COHEN: We really can cut back on our actions. We can cut back on things that we're not clear.

HUGH RUSSELL: So, the thing that I

like about Ted's suggestion was that for a Zoning change there should be a planning study. And that planning study, admittedly it's a small thing, but it's not been looked at, we have not looked at it. And so if we return the response of the Phillips Petition inherent in that is saying that if you want to advance this, then you have to have a planning study done. We're not going to do it until you tell us what you want to do. I think I like that procedural way of handling this.

STEVEN COHEN: And if they're going to be the proponent of a Zoning change, well, then propose a specific Zoning change that we can react to.

HUGH RUSSELL: I mean, often these orders are a form directing the Department to prepare a change. Though they didn't --

that's not the way this order was written. If they want to, you know, do that, then I think we're saying that's the way to do it.

JEFF ROBERTS: Could I just ask a question? Did you mean to make that implicit statement explicit to the City Council or would you simply reiterate the exact recommendation?

HUGH RUSSELL: I think the proposal is to just send it back.

H. THEODORE COHEN: Just send it back that we interpret their order as re-filing the Walker Petition, and our response to that is re-filing the comments to the Phillips Petition of July 9, 2013.

STEVEN COHEN: I'm just afraid it's going to go round and round. I'm trying to look for the most efficient way to extricate ourselves from this situation. And, you

know, if you focus on the actual order rather than the whereas, I mean, the order does seem to be asking us to opine on the setback.

ATTORNEY JAMES RAFFERTY:

Mr. Chairman, as a practical matter, the legal notice is defective. It doesn't contain a text change. In the notice is what governs this. The notice simply repeats the order.

STEVEN COHEN: Jim is right.

ATTORNEY JAMES RAFFERTY: It's not going to go anywhere. I don't want you to lose sleep over this. The order isn't Zoning text.

STEVEN COHEN: Jim is right. So it's going to go round and round anyway.

STEVEN WINTER: And in fact it may be an existential dilemma with no exit.

HUGH RUSSELL: Well, it's quite

possible for the Council to amend this to cover the matters mentioned in this by having Zoning language prepared by the Department. But if there's no point to it, then maybe they'll get that message. I mean, this was filed two weeks before the municipal elections. It's maybe more of a statement of principle by the Council that, you know, this is a matter that needs to be brought to a conclusion properly and they haven't forgotten it. I don't know.

So, I believe we have a motion on the floor by our Vice Chair that the substance of which we are going to send back the previous response, and is there a second to that?

CATHERINE PRESTON CONNOLLY: I'll second that.

HUGH RUSSELL: Is there any discussion of that?

All those in favor.

(Raising hands.)

HUGH RUSSELL: And all members are voting in favor.

And is there any more business to bring before us tonight?

JEFF ROBERTS: I have one last question. Would you like to see that townhouse project that was the BZA case that you asked about?

STEVEN COHEN: No.

H. THEODORE COHEN: Can you just describe it very quickly?

JEFF ROBERTS: It's a single unit that is having substantial reconstruction to the exterior of the unit. It will remain one unit. There are certain existing non-conformities, and the changes will continue to have non-conformities but it

won't extend the non-conformities that are currently there. So it's a pretty simple renovation.

HUGH RUSSELL: Is this the structure between Prentiss and Forest Street?

JEFF ROBERTS: I think so. It's 126-5. It's a unit 5 in a townhouse-type development.

HUGH RUSSELL: Yes, I think it's in that one. There's a three-unit townhouse in that block. Okay.

Then we are adjourned.

(Whereupon, at 10:25 p.m., the
Planning Board Adjourned.)

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