

1
2 PLANNING BOARD FOR THE CITY OF CAMBRIDGE

3 GENERAL HEARING

4 Tuesday, May 10, 2011

5 7:10 p.m.

6 in

7 Second Floor Meeting Room, 344 Broadway
8 City Hall Annex -- McCusker Building
Cambridge, Massachusetts

9 Hugh Russell, Chair
William Tibbs, Member
10 Pamela Winters, Member
Steven Winter, Member
11 H. Theodore Cohen, Member
Charles Studen, Associate Member
12 Ahmed Nur, Associate Member

13
14 Community Development Staff:
Liza Paden
15 Susan Glazer
Roger Boothe
16 Stuart Dash
Jeff Roberts
17

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Other Business: None

P R O C E E D I N G S

(Sitting Members: Hugh Russell, William Tibbs, Steven Winter, Charles Studen, Ahmed Nur.)

HUGH RUSSELL: Good evening. This is the meeting of the Cambridge Planning Board. And the first item on our agenda is an update by Susan Glazer.

SUSAN GLAZER: Thank you, Hugh. First of all, I want to tell the Board that Brian Murphy is not here tonight because he lost his mother late yesterday afternoon. I don't have the final details on the arrangements for the funeral, but when I know them, I'll pass them on to you.

Secondly, in terms of the Planning Board business, this is the meeting of the 10th of May, we have two more meetings scheduled in May on the 17th and the 24th. Whether we need both of those meetings, we'll have to determine. We do have a number of

1 carry over items that the Board will need to
2 address.

3 Tentatively, the meeting dates in June
4 are of the 7th, 14th, 21st and 28th and we'll
5 have to see how the workload is going as to
6 whether we need all of those meetings.

7 Just in terms of other meetings, I
8 should just say to the Board that last night
9 there was a round table -- a City Council
10 round table at which the Kendall Central
11 study was discussed, and I think almost all
12 of the City Councillors were there. It was a
13 good discussion. A lot of interesting ideas
14 were put out on the table. But clearly the
15 Council was very engaged and seemed very
16 positive about moving forward with the study.

17 HUGH RUSSELL: Okay, thank you.

18 WILLIAM TIBBS: I just want to say
19 there's no way I can do a meeting every week
20 in June. So, you may have some quorum issues
21 if that's what you're going to do, but I just

1 -- I have a life. And I really think that --
2 I don't mind hearings sometime when we have
3 to take on extra meetings, but it sounds like
4 there seems to be some -- a meeting every
5 month -- a meeting every week for something
6 that's becoming very consistent. So I just
7 wanted to be very, very clear, that is not
8 what I signed up for. And granted I signed
9 up for it a long, long time ago. And I
10 understand the workload issue.

11 SUSAN GLAZER: Right. Clearly, if
12 the workload seems to be diminishing, we'll
13 go back to the traditional first and third
14 Tuesdays of the month.

15 HUGH RUSSELL: I think we have to be
16 careful not to send mixed messages, because
17 we also are requesting that the agendas we
18 set up for roughly three-hour duration of
19 meetings, so we can leave here at ten while
20 we're still awake.

21 WILLIAM TIBBS: I've been on this

1 Board for a long time. We've had some pretty
2 tight times, and we've never had to go
3 through extended periods of weekly meetings.

4 HUGH RUSSELL: I know.

5 WILLIAM TIBBS: And quite frankly I
6 don't think the issues before us are that
7 much extremely different than those tight
8 times. So I don't -- I think it's a maybe --
9 and maybe it's a discussion for us. Maybe we
10 have to figure out ways to do our business a
11 little faster or a little bit more
12 efficiently, but I feel very, very strongly
13 that the, you know, every two weeks is our
14 norm. As I said, I don't mind going off the
15 norm, but I don't want to send the mixed
16 message that says when we get back to -- when
17 the agenda allows, we'll go back to the norm.
18 I think we should acknowledge that we're in
19 an abnormal time and we should try -- all of
20 us should try our best to do that as quickly
21 as possible.

1 CHARLES STUDEN: At the same time, I
2 would like to just weigh in. I feel slightly
3 differently about it than you do. I would
4 rather meet more frequently in lieu of having
5 to stay until eleven or twelve o'clock at
6 night. I think it would be interesting to
7 see how we -- I think we need to do this off
8 line anyway. Perhaps we can --

9 WILLIAM TIBBS: No, I mean, we're
10 stating what the schedule is which is what
11 this purpose is. And, again, I'm just going
12 to let you know that I just can't do it. So
13 if there's a quorum issue, you'll have to
14 sort that out.

15 * * * * *

16 (Sitting Members: Hugh Russell, William
17 Tibbs, Steven Winter, H. Theodore Cohen,
18 Charles Studen, Ahmed Nur.)

19 HUGH RUSSELL: Okay, moving on. The
20 next item is the Novartis Zoning Petition.

21 ROGER BOOTHE: I believe the Board

1 received Jeff Roberts' transmittal of the
2 revised Zoning petition. And this reflects
3 comments that we heard from the Board the
4 last time it was on the agenda as well as a
5 number of meetings to go over on various
6 issues. We've had Goody Clancy involved
7 looking at it as to how it's going to get
8 into the work plans of the Central Kendall
9 project and have their input as we work with
10 the proponent to come up with the revisions
11 that are suggested here. And I believe at
12 this point I can say that we're all on the
13 same page and feel that from the proponent's
14 point of view and the staff's reading, this
15 is a good petition to carry forward and just
16 wanted the Board to have another look at it.

17 CHARLES STUDEN: I have a question.
18 I have a document dated April 28th. Novartis
19 Zoning Petition possible criteria for
20 proposed Special District 15 District, and I
21 think the criteria that are identified in

1 here are all very interesting and quite
2 worthwhile. I think I missed the discussion,
3 and I apologize for that. My question has to
4 do with whether most of these have been
5 incorporated into the draft, the Zoning
6 proposal. And if something hasn't been, I
7 would be curious to know what it was and why
8 it wasn't incorporated.

9 HUGH RUSSELL: Let me just make a
10 general comment.

11 What we said at our last meeting was to
12 kind of sort this into two categories: One
13 category was the Zoning Petition -- maybe
14 three categories. Zoning Petition, items
15 that might be held by design guidelines,
16 document that would not be part of the Zoning
17 reference, and then there might be some items
18 that simply shouldn't be there.

19 CHARLES STUDEN: Okay.

20 HUGH RUSSELL: So what we see then
21 is the sort for --

1 CHARLES STUDEN: The zoning.

2 HUGH RUSSELL: -- the Zoning.

3 ROGER BOOTHE: Exactly.

4 CHARLES STUDEN: Okay.

5 HUGH RUSSELL: From my point of view
6 it's a good sort, and in particular the
7 design guidelines and the arguments seem to
8 me to be the important issues that we need to
9 address. So I'm pleased with all of them.

10 Steve.

11 STEVEN WINTER: I concur, Mr. Chair.
12 And I want to emphasize what you noted about
13 the design guidelines. So I concur.

14 HUGH RUSSELL: Mr. Rafferty, would
15 you like to say something to us?

16 ATTORNEY JAMES RAFFERTY: Extremely
17 briefly other than to express our
18 appreciation to the staff on this. But in
19 response to Mr. Studen's comment, the design
20 guidelines you see there, what we did at the
21 last meeting we worked, collaboratively took

1 the items in the memo from the consultant,
2 reviewed them, many of them were actually set
3 forth in Article 19 in different situations.
4 So the thinking was if it was adequately
5 covered in Article 19 under the urban design
6 guidelines, there wasn't a need to add it in
7 here. The case was whether it was felt that
8 wasn't the case or added emphasis was needed
9 on that particular issue, they found
10 themselves into the guideline section.

11 So, that's all I had to add and
12 appreciate your time.

13 HUGH RUSSELL: So I think the action
14 that we should take should be to forward
15 these to the Council with our recommendation
16 if that's what we want to do. That's the
17 form of what we should do.

18 Is there more discussion on that?
19 Would someone like to make a Motion?

20 WILLIAM TIBBS: I would say so
21 moved.

1 HUGH RUSSELL: And second?

2 AHMED NUR: I second that.

3 HUGH RUSSELL: Okay. All those in
4 favor.

5 (Show of hands.)

6 HUGH RUSSELL: And six of us voting
7 in favor.

8 ATTORNEY JAMES RAFFERTY: Thank you
9 very much.

10 (Russell, Tibbs, Winter, Cohen,
11 Studen, Nur.)

12 * * * * *

13 HUGH RUSSELL: Okay, Liza, are there
14 any minutes to approve?

15 LIZA PADEN: No, unfortunately I
16 have not had a chance to read the transcripts
17 that have come in. And there are no BZA
18 cases for review this week.

19 * * * * *

20 (Sitting Members: Hugh Russell, William
21 Tibbs, Pamela Winters, Steven Winter, H.

1 Theodore Cohen, Charles Studen, Ahmed Nur.)

2 HUGH RUSSELL: Okay. The next item
3 on our agenda is the City Council Petition to
4 amend the Zoning Ordinance Section 5.28.2.
5 And I understand Stuart is going to present
6 this.

7 STUART DASH: Thank you. So, I'll
8 walk through a brief description of the
9 structure of the petition and people are
10 welcome to ask questions. I'm going to walk
11 through the actual petition language. We
12 sent you as well a summary piece that had
13 more explanatory material, and it's a chart.
14 I won't be walking through that, but that's
15 something you can reference and we can use as
16 reference if we need to as well.

17 So, if people recall, the 5.28.2 came
18 up as an issue recently with the project at
19 North Cambridge Catholic, and a number of
20 issues came up on how 5.28.2 is used not only
21 in that project but throughout the city. And

1 we've worked with a group of neighbors, the
2 Mayor, and staff for a number of months on
3 this. Had questions also, from the Planning
4 Board throughout their process. And I think
5 we have what I think is a good number of
6 changes to the petition. I'll try to
7 describe them, and also give you a sense of
8 the reasoning of what's behind them.

9 Starting off on page one, so the shaded
10 area or the areas that are new, the areas
11 that are not shaded are already existing in
12 language in the existing Ordinance. And the
13 4.29 just gives a location for where to have
14 conversions of non-residential structures.

15 The first part on 5.28.2 stipulates and
16 applies in all Zoning Districts. And that
17 was a question in the last project, it wasn't
18 explicit in the original writing of 5.28.2
19 and it was always intended to be across the
20 board in the city, but this makes it explicit
21 that it is with the exception of open space

1 districts. And there's a brief piece on the
2 intent of the regulation at the bottom.

3 And then on page two starts into one
4 the big changes in this text, we lay out the
5 exact residential uses that are allowed.
6 And, again, this is not different than what
7 was expected in the original Ordinance, but
8 makes it explicit. All the residential uses,
9 including multi-family or townhouse, may be
10 -- are uses in a through h.

11 And the next three down there, number
12 (2), (3) and (4) at the top of page two are
13 commercial uses. And part of our
14 discussions, a good part of our discussions
15 with the residents and the Mayor about what
16 to do with a large building such as North
17 Cambridge Catholic, you might also imagine
18 Blessed Sacrament, buildings that are fairly
19 large buildings in fairly low scale
20 neighborhoods, is there a way in a
21 complementary fashion, apply the use of

1 commercial use such in a way that it may
2 actually reduce the overall impact and
3 provide actually perhaps even benefits to the
4 overall neighborhood? And so (2), (3) and
5 (4) list -- (2) and (3) list uses that we
6 felt would be compatible with, as you might
7 imagine this in those neighborhoods, in low
8 density neighborhoods, the kind of uses that
9 if you had a small amount of that would be
10 comfortable. It does --

11 STEVEN WINTER: Stuart, I'm sorry,
12 where in the document are you right now?

13 STUART DASH: Top of page two,
14 5.28.20 Allowed Uses.

15 STEVEN WINTER: Got it.

16 STUART DASH: And numbers (2) and
17 (3), those are commercial uses that we felt
18 would be appropriate to mix with residential
19 uses with such buildings. So you might
20 imagine one of those buildings being North
21 Cambridge Catholic or Blessed Sacrament,

1 maybe on the bottom floor has something like
2 a day care. Or the bottom floor maybe has
3 some low impact commercial uses, and on the
4 upper floors has residential uses.

5 On (b) limits that in terms of size and
6 location. And then on (c) -- (c) and (d)
7 gives the Planning Board guidance for how to,
8 for their assessment on whether those uses
9 make sense. And part of it is --

10 ROGER BOOTHE: Excuse me, I'm not
11 sure that everybody has the document that has
12 those --

13 CHARLES STUDEN: We don't. The
14 numbers are missing I think.

15 WILLIAM TIBBS: The numbers are
16 missing.

17 ROGER BOOTHE: Do you want me to
18 make you some copies?

19 LIZA PADEN: I think Jeff has it.

20 STUART DASH: I'll just call out the
21 language. Everyone's got ones with the

1 numbers on it.

2 Again, I was on page two Allowed Uses,
3 and walking through the Allowed Uses, so
4 numbers -- under 5.28.20 Allowed Uses,
5 numbers (2) and (3) are the commercial uses
6 that we're suggesting. Under (b) and (c) are
7 -- (b) shows the limitations on the square
8 footage and the percentage of the building.
9 And this is giving you a sense of how much of
10 the building you'd want to be in that --
11 allow in that situation. And (c) and (d) are
12 the guidance for the Planning Board on what
13 to be considering when making -- when
14 approving that use in the building.

15 One of the key things that was probably
16 a consideration was the complementary demand
17 for nighttime parking.

18 Turning on to page three, gross floor
19 area, and that is essentially the same as has
20 always been the case, which is it's either
21 what's permitted in the district or if the

1 building is larger and a larger volume, you
2 may use the full volume of the building to
3 divide it into normal eight foot floor kind
4 of minimum.

5 Here on number -- on the second half of
6 page three, 5.28.22 Dwelling Units, is where
7 we get to the big difference from what the
8 existing is. The existing Zoning now says
9 you take the amount of floor area that you
10 get by taking the full volume of the building
11 and divide by 900 as the unit for the number
12 of units. And we as you recall from other
13 projects, but certainly from North Cambridge
14 Catholic, the number of units was part of the
15 concern. And so, we devised a system that's
16 at the bottom there in the chart and, again,
17 in your sort of your companion piece we sort
18 of well, referred to certain -- some of the
19 how it plays out in some of the other
20 projects. In the bottom of the chart it
21 shows the distinctions made by residential

1 district. And in all cases making it the
2 unit size's distinction larger than they now
3 exist. Now other districts at the bottom is
4 900, but all other districts are a larger
5 amount. So in the C, C-1, 1150. In the Res
6 B, 1250. In Res A-1, A-2, 2250. So you'll
7 see in that column it says for the first 10
8 units. So part of what we said is for the
9 first 10 units, it's related very directly to
10 what exists now in the Zoning Ordinance.
11 Those numbers, in that column, were derived
12 from the Zoning Ordinance if you took the
13 normal lot size and you divided, multiplied
14 by the FAR, that's what you get per unit
15 size. For additional units beyond 10, we
16 basically notch that down. So that's
17 multiplied by 1.5, and is notched down so
18 basically you get fewer units as you get to
19 larger buildings.

20 And how that plays out for this other,
21 the other sort of helper sheets over here,

1 has a chart that shows how that plays out in
2 the different projects that have come to play
3 already. And all the 5.28 projects are
4 listed on that.

5 So on page three of that one is a chart
6 that shows what would happen if those -- if
7 this system were applied to the projects that
8 you've already granted Special Permits on.

9 FROM THE AUDIENCE: Where is that?

10 STUART DASH: So, for people
11 following at home, this is the chart here
12 that we're looking at.

13 And so if you look at the chart and it
14 shows the projects listed down the left side
15 of the page there, on the left, far left
16 column is what base zoning, plus inclusionary
17 not only in terms of number of units.

18 The next column shows what the current
19 5.28.2 would allow in terms of number of
20 units.

21 And the next column shows what our

1 proposed changes would allow.

2 The far right column shows the actual
3 permitted number of units that the Planning
4 Board permitted through the Special Permit
5 process.

6 And at the bottom is the key. The dark
7 shading is where the calculation falls below
8 the number of permitted units. So in most
9 cases we're below or very close to what was
10 permitted. In some cases our proposal is a
11 different number than is below what was
12 permitted. And that was something that we
13 looked at and thought about, but I think
14 that's part of what's important to consider.

15 And you see in almost all cases the
16 proposal gives you a smaller number of units
17 than the existing Zoning Ordinance allows.
18 But in most cases matches up fairly closely
19 to what was actually permitted on the site.

20 Turning to page four, most of the text
21 is the same on the yard requirements and

1 maximum height and open space requirements.
2 Probably the key difference is that shaded at
3 the bottom of page four, it says: However,
4 where open space requirements are not met,
5 the Applicant shall explore the use of
6 interior portions of the building. And sort
7 of the discussion we had on North Cambridge
8 Catholic, and I think we had similar
9 discussions on Blessed Sacrament and we
10 thought was a very appropriate thing to call
11 out the Planning Board to consider very
12 strongly and for the permittee to consider.

13 Page five, Required Parking. And this
14 maintains the one space per dwelling unit and
15 makes that explicit.

16 If you look down to the middle,
17 Criteria Applicable to All Projects, and
18 there's much of that that is new and gets
19 more rigorous. So the first part talks about
20 the provision -- where the requirements for
21 looking at the new parking and what's

1 required by residents and visitors to the
2 proposed building, and for the Planning Board
3 to consider. And that the Applicant shall
4 provide elements of a parking analysis.
5 That's in 6.35.3, and that's the kind of
6 parking analysis that you've seen before.
7 Actually Blessed Sacrament wound up setting
8 up sort of the stage for that kind of parking
9 analysis, but it's also part of what we
10 looked at in the waiver of parking.

11 And the top of page six is a
12 significant piece of text there which says:
13 Where a project is subject to the 5.28.28.2
14 which is -- occurs on the following page, on
15 page seven, basically where a project is more
16 than 10,000 square feet or 10 units, than a
17 parking analysis must be submitted with the
18 Special Permit application. And what the
19 nature of that parking analysis will be will
20 be subject to the project itself, and the
21 Traffic and Parking is making a determination

1 easier. So we did not specify each and every
2 feature of that parking analysis, but we said
3 you must have a parking analysis submitted
4 with the Special Permit application.

5 And back to the top of page 10, Privacy
6 Considerations. We gave more details looking
7 at the things that the Planning Board surely
8 heard a lot about.

9 ROGER BOOTHE: What page, Stuart?

10 HUGH RUSSELL: Six.

11 STUART DASH: Top of page six.

12 Sorry, backed up a little bit from
13 there. 10,000 square feet designation.

14 So top of page six, Privacy
15 Considerations. And then this gives some
16 more detail for the kinds of things that
17 you've certainly heard a lot about, about
18 security and lighting and other functions in
19 the building in terms of making assessment
20 for privacy considerations. And (c),
21 reductions of private open space in a similar

1 way, it's similar to the kinds of things the
2 Planning Board has heard. The number of
3 projects from the buffering from neighbors.
4 And also called out the No. (4), the bottom
5 of (c), (4), common residential (sic) space
6 within the building as a possible use.

7 The bottom of page six talks about
8 community outreach. And makes explicit that
9 the Planning Board shall consider what
10 efforts have been made for community
11 outreach. And the fact requires the
12 Applicant to submit a report on their
13 outreach as part of their application.

14 And page seven, Additional Criteria for
15 the Larger Projects. And this is where the
16 piece of parking is required for anything
17 over 10 units and 10,000 square feet. And
18 gives the details on the considerations and
19 criteria for the Planning Board to look at
20 when thinking about the parking and its
21 appropriateness. As well as the size of the

1 building. So (b) talks about issues that we
2 talked about in terms of the common space in
3 the building, whether it's hallways or
4 entryways. The nature of the units compared
5 to the neighborhood relative to the
6 neighborhood.

7 (Pam Winters now seated.)

8 And also the possibility of mitigating
9 aspects of work and elderly residents.

10 The last page is the parking analysis,
11 and it shows elements that may be required be
12 in the parking analysis. And, again, those
13 are elements that may be required as to --
14 and Sue Clippinger and Adam will be kind of
15 conducting the kind of work that they do for
16 Article 19 where they will specify the scope
17 and overall analysis, but these are the kind
18 of elements that may be included in that type
19 of analysis.

20 And I think that's it.

21 HUGH RUSSELL: So are there any

1 questions by Members of the Board?

2 H. THEODORE COHEN: I have a couple
3 of questions and comments.

4 In section -- on page one, 5.28.2. I
5 realize we've added 4.29, but I think the
6 added language in there, including permitted
7 uses, Section 4.3 shall apply, reopens the
8 whole issue of whether we can allow things
9 that are not permitted in the district. And
10 I would suggest that you and the Ordinance
11 Committee consider sticking in there a
12 reference to Section 4.29 including Section
13 4.29 and Permitted Uses Section 4.30 just to
14 nail the lid on that one.

15 And in section -- on page two in sub
16 (b), all permitted non-residential uses are
17 limited to the ground floor. Do I take that
18 to mean that if a school is permitted in the
19 building, it could only be on the ground
20 floor?

21 STUART DASH: That's right. That's

1 what that language would indicate.

2 H. THEODORE COHEN: So, you know,
3 using North Cambridge Catholic, people would
4 comment it would be great if it remained the
5 school. So the entire building could not be
6 a school under this proposal.

7 STUART DASH: Under this, now the
8 thing is that whole building wanted to be a
9 school, then basically that's not an issue.

10 HUGH RUSSELL: They don't need the
11 5.28.

12 H. THEODORE COHEN: Then they don't
13 need -- all right, fine.

14 HUGH RUSSELL: But should a new
15 entity want to go into the building that
16 wasn't a school and make it a school, they
17 couldn't use this petition.

18 STUART DASH: Right.

19 H. THEODORE COHEN: Right.

20 STUART DASH: And if they're using
21 the provisions of 5.28 to put in many housing

1 units above a school, they would have to
2 abide by this provision.

3 H. THEODORE COHEN: Okay, I just
4 wanted to be clear.

5 With the elimination of the transient
6 accommodations, I take it there has been some
7 consideration that in that circumstance would
8 a hotel be an appropriate use?

9 STUART DASH: Sorry, that you're --
10 that the --

11 H. THEODORE COHEN: Well, you
12 exclude the transient accommodations --

13 STUART DASH: Right.

14 H. THEODORE COHEN: -- as sort of
15 residential use.

16 STUART DASH: Right.

17 H. THEODORE COHEN: So that would
18 exclude a hotel.

19 STUART DASH: Right.

20 H. THEODORE COHEN: I was just
21 curious if there was any consideration of

1 that?

2 STUART DASH: I'm trying to think of
3 if we explicitly were concerned about a
4 hotel. I'm trying to recall. I don't recall
5 an explicit concern about a hotel in that
6 situation. Although, again, you'd have to
7 sort of first and second floor.

8 Doesn't transient accommodations refer
9 to boarding?

10 H. THEODORE COHEN: No. There are
11 sections in the by-law that specifically
12 include hotel and motel. Well, I'm just
13 curious whether certain buildings in certain
14 situations it might be an appropriate use,
15 hotel use.

16 HUGH RUSSELL: Say like the
17 firehouse that got converted to a hotel in
18 Kendall Square?

19 H. THEODORE COHEN: Perhaps.

20 HUGH RUSSELL: Although -- yes,
21 that's an example.

1 STUART DASH: That's an interesting
2 question.

3 H. THEODORE COHEN: And page three
4 in your chart for the requirement for
5 additional usage, I suppose it would be
6 subject to discussion, but the requirement of
7 3375 square feet, it seems like we're getting
8 into the size of houses on Brattle Street.

9 STUART DASH: That's sort of the
10 district there that you're in. I mean, it
11 wasn't a question to Council -- actually, the
12 Ordinance Committee rather. The Ordinance
13 Committee did say, you know, they did have
14 some question about do we want to keep those
15 differences among districts? Is this the
16 appropriate place to have these differences
17 in the use of this Ordinance? So that's an
18 interesting policy question to consider. But
19 that does keep those distinctions among
20 districts in this organization.

21 H. THEODORE COHEN: I'm curious,

1 given since most of these buildings, many of
2 these buildings might end up being loft-type
3 units. I mean, is there any place in the
4 city that has a unit that large?

5 WILLIAM TIBBS: Yes. I'm saying
6 yes, but not yes to the answer to your
7 question. But, yes, it's a question I would
8 ask, too. I thought that was something that
9 I questioned when I went through this is the
10 appropriateness of that. We may talk about
11 it maybe afterwards after the public hearing.

12 STUART DASH: Sure. I mean,
13 certainly there are units that large.

14 HUGH RUSSELL: There's a school,
15 city public school that was on -- set in West
16 Cambridge, it's now a music school, and there
17 was a lot of debate 20 years ago about what
18 should happen to that. And it was mentioned
19 that it might not be unreasonable to convert
20 that sort of a non-conforming structure with
21 some very large units.

1 H. THEODORE COHEN: On page six, the
2 community outreach --

3 STUART DASH: And, actually, let me
4 -- and actually this question came up in
5 Council and I figured it was worth taking a
6 look back as part of what these numbers do
7 is, to some extent, compel a good discussion
8 of how much, what is the nature of the common
9 space and the other space in the building?
10 So to some extent when you are enforcing that
11 unit count down a little bit, you're
12 hopefully engaging that discussion. And so
13 sort of this discussion we had with North
14 Cambridge Catholic, are these four feet
15 hallways or are they seven feet hallways,
16 things like that, may and should welcome up
17 in that kind of thing.

18 Sorry, go ahead.

19 H. THEODORE COHEN: The provision
20 for community outreach, I was just curious is
21 there anything else in the Ordinance that

1 mandates community outreach?

2 STEVEN WINTER: Page six of ten?

3 H. THEODORE COHEN: Yes.

4 HUGH RUSSELL: I mean you could --
5 it's built into the Ordinance to say that the
6 -- or some of the Overlay Districts, Central
7 Square, Harvard Square --

8 ROGER BOOTHE: The consultation
9 procedure which is sort of like that, it's
10 not structured exactly like this.

11 HUGH RUSSELL: I think this is --
12 and things that -- there's nothing that is
13 exactly the same in the Ordinance that I'm
14 aware of.

15 STUART DASH: Right.

16 And we actually have -- we put in a
17 number of years ago to sort of -- for
18 developers to sort of indicate what kind of
19 community outreach they did. This is a
20 little bit stronger language saying they
21 shall indicate what they did.

1 H. THEODORE COHEN: Okay, I was just
2 curious whether we did that before.

3 STUART DASH: There's a version
4 North Mass. Ave. Overlay section, they're
5 non-binding public meetings, where they
6 actually have to have community outreach that
7 is part of the sort of the Overlay District
8 Department.

9 H. THEODORE COHEN: Great. Those
10 are my comments, questions.

11 HUGH RUSSELL: Okay. Other comments
12 or questions on the draft? We do have a
13 public hearing.

14 Charles.

15 CHARLES STUDEN: I actually do have
16 an additional question, it was partially
17 answered by the discussion we just had having
18 to do with the additional units in the
19 Residence A-1 and A-2 once you go beyond the
20 first 10 as a public, there's a policy issue.
21 In the memo that we got from Brian Murphy, he

1 says that -- and by the way, I think this is
2 a very good document. I appreciate the way
3 it's been put together. It's very helpful in
4 terms of being able to understand what's
5 happened over the last --

6 STUART DASH: Well, let me certainly
7 give credit to Jeff Roberts who is the main
8 author of this with the assistance from Les
9 Barber, one of his last duties.

10 CHARLES STUDEN: Thank you, Jeff.
11 First I want to say that.

12 Brian does mention that while this
13 incorporates many of the neighbors' concerns,
14 there are some citywide policy implications
15 that need to be discussed. I think the
16 square footage was one. Is there anything
17 else that you can --

18 STUART DASH: I think the inclusion
19 of commercial in these buildings is a big
20 difference from what we've normally done.
21 And I don't think -- I think as staff, we

1 were comfortable with the inclusion of it,
2 but we certainly did discuss it. And we had
3 differences of opinions of how it would play
4 out and cautions as we were talking even
5 among ourselves, that's sort of you have to
6 be thoughtful about it.

7 CHARLES STUDEN: Because it could be
8 somewhat countered to what I think the
9 neighbors have been expressing their concerns
10 about, which is the density and the traffic
11 and the parking and so on. So, I don't know.

12 PAMELA WINTERS: Right.

13 STUART DASH: I think there's one
14 line in there which I think is a very
15 important of that, the bottom of page (2)
16 (d), the Planning Board shall determine by
17 permitting these non-residential uses, there
18 will be compensating reduction in the number
19 of dwelling units.

20 Because you might imagine that someone
21 might say we're going to put in commercial to

1 help this whole project out. What they're
2 doing is using area that wouldn't have been
3 used for dwelling units anyway. What you're
4 getting is just more. And that's not the
5 purpose of that.

6 CHARLES STUDEN: Okay, thank you.

7 HUGH RUSSELL: Ahmed.

8 AHMED NUR: In addition I just had a
9 quick question, Stuart.

10 Section 5.28.2 (a) and (b). I
11 understand we need to encourage the
12 preservation of the historical or the
13 cultural, but on (a) it says to allow the
14 economic reuse of the building that may
15 substantially out of compliance with the
16 dimensional requirements of the Zoning
17 District.

18 WILLIAM TIBBS: Ahmed, what page are
19 you on?

20 AHMED NUR: Page one, economical
21 reuse.

1 What does that have to do with the
2 dimensions?

3 STUART DASH: Well, sort of that
4 this was written for (inaudible) sort of
5 winds up applying to, if you imagine an old
6 industrial building on a lot that has --
7 that's built up to the lot lines on all four
8 sides.

9 AHMED NUR: Okay.

10 STUART DASH: And what you can do if
11 the industry moves out and no industry is
12 interested in moving in, which we've had in
13 some locations, what are you going to do with
14 that building? And so I think the notion is,
15 an economical -- I mean, you could -- you
16 might imagine well, maybe we can't think of
17 what to do with that building, have someone
18 store their junk in there. You know, trying
19 to figure out what can you do with this that
20 actually makes sense for a city and makes
21 sense in some economical way for the property

1 owner and makes sense for the neighborhood to
2 not to have a building as part of it. So I
3 think all those things are rolled into it.

4 AHMED NUR: I understand. Okay.

5 STUART DASH: Yes.

6 HUGH RUSSELL: Other questions or
7 comments?

8 Okay, then we'll go to the public
9 hearing. And as you know, people should come
10 forward, speak into the microphone, give your
11 name and address, spell their last name and
12 try to limit their remarks to three minutes.
13 Pam will be giving you signals when the
14 three-minute period is up.

15 The first person to speak is Renata von
16 Tscharner.

17 RENATA von TSCHARNER: I wish not to
18 speak on this issue.

19 HUGH RUSSELL: Okay. The second
20 person is Kevin Crane.

21 ATTORNEY KEVIN CRANE: Mr. Chairman,

1 Members of the Board, my name is Kevin Crane
2 C-r-a-n-e and I reside at 27 Norris Street in
3 Cambridge.

4 First of all, I'd like to thank the
5 Board and CDD staff in particular for all the
6 efforts over the last few months. There has
7 been significant progress made, I believe, in
8 the drafting of this Ordinance, particularly
9 on the extensive requirements for parking
10 analysis, and also that in the -- I call it
11 the dwelling of the density fractions, the
12 nominator has been approved greatly from
13 increasing from 900 square feet and 1250 in
14 Residence B for the first 10. And then I
15 think it's 1875 for anything after that.
16 However, I do think there is room for further
17 improvement, and I acknowledge and I believe
18 my neighbors do as well, that this is not
19 just about Norris Street, that it's about the
20 entire city. And in reviewing this, I wasn't
21 that familiar quite frankly with 5.28, and I

1 can see where citywide there would be a
2 number of structures that over the years
3 there will be political firestorms somewhat
4 like you've had on Norris Street if there are
5 proposals for converting.

6 Now, when we make our decision on what
7 policy we're gonna have, I've described it as
8 a balancing act with three balls. And they
9 have different weight.

10 The first ball is the neighborhood's
11 interest. And that should be the heaviest
12 ball.

13 The second ball is the interest of the
14 city, which I define in providing housing,
15 preserving historic buildings, not having
16 vacant buildings, and also maintaining a
17 healthy tax role.

18 The third ball, which is the property
19 owners' interest, that should certainly be
20 considered. Although I do think that ball of
21 the three was gonna have the least amount of

1 water in it.

2 I don't necessarily relish your job
3 because I know that when we throw those three
4 balls in the air, they can come down in
5 different areas. And that the planning on
6 this is not an exact science. And I suppose
7 the best example of that is when 5.28 was
8 initially enacted 10 or 11 years ago, there
9 was probably no anticipation that buildings
10 such as Blessed Sacrament, such as Norris
11 Street, such as the Immaculate Conception
12 Church on Windsor Street would be sold.

13 Now, on the issue of density, I have
14 proposed repeatedly that we have an overall
15 cap, GFA cap on any of the 5.28 proposals.
16 This, I believe, is a generous cap, a
17 generous branch actually to all those three
18 balls. And that any developer that has a
19 structure in a site which is particularly
20 dense, that they can fill -- the CDD seems to
21 have a third rail to this, that they don't

1 want to -- we've talked about the cap in our
2 meetings continually. It's not in the
3 Ordinance or the proposal. And I think that
4 the CDD is concerned about having a building
5 that doesn't get filled up. Well, I would
6 suggest that in those types of buildings that
7 the non-residential, low impact uses be
8 encouraged, and that the developer be
9 creative on those particular buildings
10 because they will be more out of scale with
11 the neighborhoods to begin with.

12 And just as a side bar on the
13 non-residential uses, I question whether we
14 should limit those uses to the basement and
15 the ground floor. I really don't know why
16 they couldn't be used in higher floors. Such
17 as in the North Cambridge Catholic building,
18 there's a big auditorium on the third floor.

19 Now the next density issue is the
20 so-called filler up provision. And this is
21 the inter-flooring provision that allows

1 additional GFA as long as you're within the
2 four walls. Again, we're increasing the
3 density and in particular areas where the
4 density is not reflective of what's around
5 there. I would suggest that we either
6 eliminate the inter-flooring or that it be
7 limited on the analysis or evaluation of how
8 many dwelling units are allowed. In other
9 words, you can't have the additional
10 inter-flooring in your calculations for
11 dwelling units.

12 Finally on the issue of parking, this
13 is the second third rail with the CDD. We've
14 had a lot of discussion about parking.
15 There's been a big improvement in the
16 Ordinance I think with it. But the one
17 parking space per dwelling unit, I think,
18 should be considered within the 5.28
19 projects. I can't emphasize it more. I
20 don't want to touch the citywide requirement
21 of the one space per dwelling unit, but just

1 on the 5.28 because of their unique nature,
2 that we consider either tying the parking
3 space requirements to bedrooms, which was
4 discussed a lot, or the living space within
5 the building. And that would be a better
6 mechanism for determining the number of
7 parking spaces.

8 Thank you for your attention. I look
9 forward to continuing to work with you.
10 Thank you.

11 HUGH RUSSELL: Thank you.

12 Next person is Jean Fong.

13 JEAN FONG: Good evening, Mr.
14 Chairman and Members of the Board. My name
15 is Jean Fong and I live on Norris Street.
16 And I wanted to comment on the 5.28
17 amendments.

18 The shortcomings of the Special Permit
19 process were more widely and fully exposed by
20 the proposed development of 38 residential
21 rental units at the former North Cambridge

1 Catholic High School at 40 Norris Street.
2 The current Zoning Ordinance, as written,
3 does not allow multi-family dwellings in a
4 Residence B Zone. However, through
5 interpretation and practice, conversions of
6 non-residential structures to multi-family
7 dwellings have been allowed in a Residence B
8 District through the Special Permit process.
9 Since the fall of 2010 the residents of the
10 Norris Street neighborhood have attended
11 numerous meetings, including those of the
12 Ordinance Committee, the Planning Board, the
13 City Council and the Historic Commission.
14 There they have repeatedly voiced their
15 concerns over the massiveness of the
16 development and the negative impact on the
17 neighborhood. Numerous people, including
18 Mayor Maher and numerous City Councillors
19 have either written letters or voiced their
20 concerns about the project's density and
21 parking at various times. Additionally,

1 Mayor Maher has met at least five times with
2 the neighbors and the CDD staff to try to
3 work out amendments which would incorporate
4 the residents' concerns and also update the
5 Special Permit process.

6 The proposed amendments are detailed
7 extensive and far reaching, yet it does not
8 adequately resolve concerns about density and
9 parking. Under the new formula, there could
10 still be more than 30 units at Norris Street.
11 With additional inter-flooring, there could
12 be even more units. Despite widespread good
13 will and support, the most important
14 conditions necessary to protect the future
15 liveability of Norris Street -- of the Norris
16 Street neighborhood have not been included.
17 Those missing and necessary crucial
18 conditions are the following:

19 A cap on the overall gross floor area.

20 Two -- that was the first. The second
21 would be the deletion of provisions which

1 allow unlimited additional gross floor area
2 as long as it is constructed within the
3 physical confines of the existing building.

4 And, three, the requirement that
5 parking be proportional to the dwelling unit
6 area such as that which will be proposed by
7 neighbor Dan Bertko.

8 As more institutional property becomes
9 available for conversion, more Cambridge
10 neighborhoods will be affected. To avoid
11 disrupting and potentially destroying the
12 liveability of existing Cambridge
13 neighborhoods, clear, fixed and defined
14 restrictions on density and parking are
15 imperative. I respectfully request your
16 consideration, assistance and support for an
17 amendment with these three conditions which
18 will not only preserve the Norris Street
19 neighborhood but also all other Cambridge
20 neighborhoods. The Cambridge Zoning
21 Ordinance Article 1.3 states it shall be the

1 purpose of this Ordinance to lessen
2 congestion in the streets, to prevent
3 overcrowding of land, and to avoid undue
4 concentration of population. According to
5 the Ordinance all Cambridge neighborhoods are
6 entitled to protection from too dense
7 developments and too little parking. We can
8 and should do better.

9 Thank you for this opportunity to
10 comment.

11 HUGH RUSSELL: Thank you very much.

12 Robert Casey.

13 ROBERT CASEY: Good evening. My
14 name's Robert Casey C-a-s-e-y. I live at One
15 Drummond Place, North Cambridge. I'm a
16 direct abutter to the 40 Norris Street
17 property. My front door looks directly into
18 their parking lot. So, I am here as a member
19 of our community group to comment on the
20 petition that's before you. Our group
21 participated in many meetings, reviewed

1 documents, sat with the Mayor and the CDD
2 staff. We presented good, hard analysis and
3 backed it up with good numbers. We made some
4 very specific recommendations. Unfortunately
5 we don't see the restrictive language that we
6 requested make it into the petition. I'm not
7 going to go through the whole letter because
8 I sent you a copy of it, but a couple of
9 points.

10 A hard cap on GFA, because it seems
11 that as you get higher in GFA, these projects
12 will become more contentious. The hard
13 number of required off street parking spaces,
14 not based on units, but based on a more
15 rigorous analysis and a smaller number square
16 feet, 900 square feet, in the apartment.
17 Parking and traffic analysis be required on
18 all conversion projects under 5.28.2. I just
19 think it's that important that everybody be
20 aware of the impact of traffic and parking.

21 In my particular case, that the waiving

1 and screening requirements that affect direct
2 abutters, the North Cambridge Catholic
3 building is about 20 feet from my door.
4 There's an eight foot, ten foot screen --
5 chain link fence between us. I don't think
6 that those screening requirements should ever
7 be waived in a conversion such as this.

8 The reason is, all these buildings are
9 in our neighborhoods. We live next to them.
10 We look at them everyday. I haven't looked
11 at the North Cambridge Catholic building the
12 same since this process started. It was a
13 school. I grew up in the house that I own
14 now. It was always a school. I never had a
15 problem with the school. And now I look at
16 that building and all I do is wonder what's
17 going to happen to it.

18 So I'm asking you to protect the
19 interest of the residents of the city from
20 bad development by inserting some inserting
21 specific limits and hard caps. And I thank

1 you for your participation and your support.

2 HUGH RUSSELL: Thank you.

3 Next speaker is Sue Hall.

4 SUSAN HALL: Good evening. My name
5 is Susan Hall H-a-l-l and I live at 23 Norris
6 Street across from 40 Norris Street. I'd
7 like to say thank you to the Planning Board,
8 to the Community Development Department, and
9 to the City Council and particularly Mayor
10 Maher for all the work that they've put into
11 this proposed amendment, Section 5.28 of the
12 Zoning Ordinance. I was very pleased to see
13 that the proposed amendment included low
14 impact non-residential uses, and Section
15 5.28.28.2, which were the additional
16 criteria, applicable to larger projects. I
17 think all three items here, the requirement
18 for a parking analysis, the attention to the
19 appropriateness to the proposed development
20 of the neighborhood, and, third, the
21 potential mitigating affects of the

1 development for elderly units or live/work
2 space are a great improvement to Section
3 5.28.

4 However, I continue to be mystified as
5 to why the city seems to be averse to placing
6 a definite cap on the allowable FAR and GFA
7 in the 5.28 projects, particularly since this
8 is a much better reflection of the density of
9 a development than unit size would be. Even
10 with fewer larger units, the units can have
11 more bedrooms, more residents, more cars, and
12 hence more density. As you know, there have
13 only been a dozen or so developments
14 permitted under Section 5.28 over the last
15 decade or so. These projects are rare and
16 unique, and I don't see that saying you can
17 only have twice or two and a half times the
18 density of people that would be allowed for
19 new construction would be unduly restrictive.
20 As you can see in the handout on the site
21 with the red and blue graph, the only 5.28

1 project that would not have satisfied these
2 criterion is the Blessed Sacrament project,
3 which has had many problems due in large part
4 to its density. And note also that the new
5 unit size requirements proposed would not
6 have had an impact on Blessed Sacrament. So
7 Blessed Sacrament would have been permitted
8 with the number of units it has now.

9 If we are going to have different
10 zoning criteria for different areas of the
11 city as reflected in our residential zoning
12 district, then why shouldn't we have some
13 numerical restriction on the density of these
14 new developments so that their impact on the
15 neighborhood will not be too extreme, rather
16 than leaving everything up to the discretion
17 of you guys, the Planning Board. I
18 understand that there's a concern that these
19 buildings not be left half vacant, but with
20 huge buildings on tiny lots, shouldn't the
21 options be either to get creative and fill up

1 the space with non-residential uses or common
2 space or indoor green areas or parking. Or,
3 to apply for a Variance, rather than trying
4 to cram in three or four times as many people
5 as would be allowed as of right.

6 I'd ask you to refer to the reverse
7 side of the handout now. Young Kim is out of
8 town, he's my next-door neighbor. He lives
9 at 17 Norris Street and he's out of town on a
10 family emergency, and he asked me to present
11 his analysis of how a two times cap would
12 affect the 40 Norris Street project. And the
13 printout demonstrates that with the new unit
14 size requirements, if we take the base FAR in
15 Res B at 0.5 and neglect the 0.35 footnote
16 (j) requirement, then a cap of two times the
17 FAR would allow 17 units to be built, and a
18 two and a half FAR cap would allow for
19 between 20 and 21 units, which is
20 coincidentally the number of parking spaces
21 currently available at the site.

1 I thank you for your time and also for
2 considering the possibility of further
3 amending Section 5.28 so that it includes a
4 cap on the FAR allowed for these unique and
5 potentially high density and high impact
6 development projects.

7 Thank you.

8 HUGH RUSSELL: Thank you.

9 And next speaker is David Bass.

10 DAVID BASS: My name is David Bass
11 B-a-s-s. I live at 23 Norris Street. Thank
12 you very much for the opportunity to speak
13 here today. Thanks very much to the
14 Community Development Department. They've
15 clearly put in a lot of time and thought in
16 this proposal, and I commend them for their
17 efforts.

18 When I read over what they had
19 produced, I found myself a little perplexed
20 as to why some parameters within are
21 quantified very precisely and others are not

1 quantified at all. It's been mentioned that
2 the non-residential use for the building is
3 capped at 15 percent or 10,000 square feet,
4 limited to the basement of the first floors,
5 in a very specific, they're restrictive. To
6 my mind it's probably a little too
7 restrictive. But in contrast with some of
8 the parameters that are not specified, it is
9 a glaring contrast.

10 You can see the table of how the number
11 of units allowed varies from zone to zone and
12 from size of the project, but the FAR, there
13 is no limits on the FAR as you've heard.
14 There's no limit on the number of rooms. So
15 the number of people that can be occupying
16 the space is not limited. All it's really
17 limited by reducing of specifying the number
18 of units is how many are living in each unit.
19 In other words, if you are quantifying only a
20 few of the parameters and not all of them, in
21 this case it's as if you're quantifying

1 nothing. To its credit, CDD has included
2 Section 5.28.28.2 requiring that the
3 appropriateness of the project with regard to
4 the neighborhood be considered. And I think
5 that that's a very important consideration of
6 perhaps that too could be something that is
7 quantified where you look at the types of
8 units and the size of units in the
9 immediately surrounding neighborhood and
10 ensure that what is put in is in a dramatic
11 contrast to what already exists.

12 This proposal will have a profound
13 impact on every part of the city that it
14 affects. And I think it's very important to
15 give a great deal of consideration to what
16 we're asking for. We should do it right the
17 first time rather than suffer the unintended
18 consequences of moving too quickly.

19 Thank you very much.

20 HUGH RUSSELL: Thank you.

21 Marc Resnick.

1 MARC RESNICK: Hi. My name is Marc
2 Resnick, I live in Newton, Mass. and I'm a
3 real estate developer in Cambridge. And I am
4 confused as to what you're trying to do
5 because of those 12 or so projects that have
6 been done in Cambridge, I've done two of
7 them. Neither project I've done could even
8 be applied for under a Special Permit. As a
9 matter of fact, I don't think that any
10 building that I've ever seen would qualify
11 now to be under a Special Permit. So, in
12 other words, all you're doing is eliminating
13 the concept of a Special Permit. Every real
14 estate developer is now going to apply for a
15 Variance. It's less restrictive than what
16 you're proposing. So, why would I ever come
17 for a Special Permit ever again? I'll
18 immediately apply -- unless I don't
19 understand what you're doing. The idea
20 behind a Special Permit was allowing
21 developers to take empty buildings that could

1 not be reused for their current use, not
2 enlarging them at all, using their interior
3 space as smart, as intelligently as possible
4 to redevelop them to be used for the
5 community. In other words, I did the first
6 one on the list, I think I'm the first person
7 ever to do a Special Permit. In 2001 I did
8 56 Elm Street. It had no parking. I
9 couldn't apply. We're done. I would
10 immediately now have to apply for a Variance.
11 I wouldn't have bought the building. It was
12 an unused three-story plumbing supply house
13 and office for a plumbing supply, and it
14 would still be sitting there right now.

15 Last year I came here for a Special
16 Permit for 543 -- 535-545 Cambridge Street.
17 I did commercial space on the first floor. I
18 built four units upstairs. All four units
19 are currently under agreement. I had no
20 parking. I would not have bought the
21 building, I wouldn't have applied for a

1 Special Permit. If you understand the way
2 commercial real estate works, these -- no one
3 will sell you a building with a zoning
4 contingency. So before when I applied for a
5 permit, for Special Permit, I knew the rules.
6 So I could buy these buildings and build them
7 because I knew what was going to happen. I'm
8 investing millions of dollars. I have to
9 know. I can't buy a building and then have
10 somebody tell me that I can't do what I was
11 hoping for or anything. Or, you know, there
12 are so many regulations now that none of
13 these buildings will be built. I really
14 believe that you're way overreacting to what
15 happened at Norris Street. And all these
16 regulations relate to Norris Street. Because
17 if you watched, without changing any of the
18 regulations, nothing will be built at Norris
19 Street without your approval. And the
20 existing plans that you have now are working
21 spectacularly. And no sites have ever been

1 built in the city in ten years that you're
2 dissatisfied with. So, what is the problem
3 with 5.28.2 or whatever it is now? There are
4 no problems. It worked exactly -- the
5 developer who made an error in trying to
6 propose way too many units for the space, was
7 immediately shut down by the neighborhood and
8 it was never going to happen. Which is
9 exactly the idea of these units. These
10 buildings cannot have caps and regulations.
11 Every building needs to be developed in its
12 own individual need because it's a
13 pre-existing site. It has nothing to do with
14 new construction. I don't have any parking.
15 I don't have green space maybe. I don't have
16 these things. It's not possible. If you put
17 regulations on these things, the idea behind
18 the Special Permit was to take commercial
19 property and create residential housing.
20 This new ordinance, most of it completely
21 eliminates the concept. I can't imagine any

1 building -- I'm currently -- I've been trying
2 to buy Cottage Park, that big industrial
3 building since March of 2009, all right?
4 I've put, you can't imagine how much time and
5 effort into it. It has no parking on the
6 lot. There is a lot across the street. I'm
7 not allowed to use the lot. It's forbidding.
8 You can't use a lot that's not abutting to
9 the building for parking. So, the Zoning
10 rules don't apply. It's not going to be
11 possible. The only way I can build a
12 building is to tear the house down next-door
13 so that I can have an abutting parking lot.
14 Maybe that's the most intelligent process.
15 Maybe it's not. If you make these rules, all
16 intelligent thoughts are out.

17 PAMELA WINTERS: Sir, if you could
18 end your comments.

19 MARC RESNICK: I mean, I could go
20 through the specifics. But I really think
21 the point of the whole thing was that

1 developers are trying to build commercial
2 buildings into residential buildings for
3 reuse, and this eliminates the entire
4 concept. It's only been used 12 or 15 times
5 in ten years. I'll bet you don't get two in
6 the next 20. It's just Variances now.
7 You've eliminated your entire concept. And
8 it was a very nice concept.

9 Thank you for your time.

10 HUGH RUSSELL: Thank you for your
11 comments.

12 Next is Dan Bertko.

13 DAN BERTKO: I'm Dan Bertko
14 B-e-r-t-k-o. I live at 13 Norris Street and
15 I'd like to address some of this citywide,
16 not just Norris Street. My overview is that
17 I think what the CDD proposal is is bad law.
18 It's vague. It's full of considers,
19 evaluates, and it's sorely lacking on
20 require. The trouble with this is it's bad
21 for the developer. The developers have no

1 idea what's going to get through. It's very
2 bad for the neighbors. We don't know -- we
3 have -- we don't know what we're doing. So
4 we have to come up to speed. It is a big
5 struggle. It's terrible to have it so vague
6 to not let us know what the outcome is. And
7 it's bad for the Planning Board because if
8 you make it too squishy, if there's too many
9 variables, it raises the issue of spot zoning
10 because it gives you too much power to do
11 what you want, and that's, I don't think
12 that's helpful. It just endless hearings.
13 Moving on.

14 So first of all, I'd like to make
15 things more specific. Living on Norris
16 Street I appreciate anything that lowers the
17 unit count, but I think the -- I think the
18 maximum dwelling unit calculator that's
19 provided by the CDD is just arbitrary. I
20 think (inaudible) function -- I think if you
21 have a large school brick building in a Res A

1 neighborhood, you look at that and you think
2 apartments. You don't think single-family
3 houses. So making a 3,000 square foot
4 apartment that's roughly the area of an
5 entire triple decker, I don't think it's
6 really meant to have a six-bedroom apartment
7 with one required parking space. You may not
8 get it developed because it's -- I think it's
9 better off to not make arbitrary requirements
10 on a developer.

11 I have a revision to 5.28. I would
12 throw everything out and just say: All 5.28
13 projects must contain their impact on the
14 neighborhood. Just one sentence. That would
15 do it. In other words, the project must
16 provide sufficient privacy, noise control,
17 off street parking for the expected number of
18 residents. We're just looking at common
19 sense, and I don't see why it's necessary to
20 make things go through a lot of hurdles.

21 Now as far as the common sense, at

1 every meeting with the City or with the CDD,
2 we ask that there be a cap on the FAR. At
3 Norris Street it's a -- it comes to about
4 five times the allowable. I think a lot of
5 people have said GFA, but I think they mostly
6 met FAR, the FAR ratio. So if you double the
7 FAR ratio, maybe two and a half -- you went
8 to two and a half, you would come up with
9 something like the Carr School, just -- we're
10 trying to do a common sense thing, at the
11 Carr School there is a plenty of attic
12 storage. There's needed storage for the
13 units. It seems a reasonable use for the
14 space. I'm upset about the parking space
15 requirement. The 5.28 buildings are all very
16 different. Some of them have lots of land.
17 Some of them have very little. I think you
18 should make a requirement for every 900
19 square feet of enclosed living space. I
20 don't know, I don't know what the
21 architectural term is. It's not GFA, it's

1 not floor area. It's how much area that
2 people will live in. I think for every 900
3 square feet that you develop, you need to
4 provide one parking space. You can make that
5 rule be simply stated as the greater of one
6 per unit or one per 90 square feet of
7 developed space.

8 PAMELA WINTERS: Could you conclude
9 your comments, sir?

10 DAN BERTKO: Sure.

11 PAMELA WINTERS: Thank you.

12 DAN BERTKO: And just that in
13 between sentences, there are 2,566 new
14 housing units of which 5.28 accounts for
15 single digits. Because it's so little,
16 there's absolutely no pressing need for the
17 city to fill up the units because the large
18 majority are done through the spanning
19 process.

20 Thank you.

21 HUGH RUSSELL: Thank you.

1	Lois Carra is it?
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2 LOIS CARRA: My name is Lois Carra.
3 I live at 13 Norris Street. Thanks to
4 everyone who was involved in revising 5.28.

I just want to reiterate that firm quantitative protections are needed for neighborhoods regarding the quality of life, specifically density and parking. Therefore, we support a cap on the amount of space developed. And for 5.28 only, we support parking linked to square footage to bedrooms. While we respect the sensibilities of the Planning Board, as it stands now, neighborhoods are almost completely subject to your discretion. We are seeking definitive protections for the neighborhoods.

Thank you.

18 HUGH RUSSELL: And the last person
19 on the list is Charlie Marquardt.

20 CHARLES MARQUARDT: Charlie
21 Marquardt, Ten Rogers Street. Not Norris

1 Street. But first I want to thanking all the
2 folks on Norris Street. You've done a great
3 job bringing this to light for the entire
4 city. You've taken an issue in your
5 neighborhood and brought it citywide, and I
6 appreciate it. Also, I want to thank
7 Counselor Crane for his great three ball
8 analogy. I love that. That was a wonderful
9 analogy. I couldn't have seen it better.
10 And it's a very visual thing. I want a
11 YouTube video now, Mr. Crane.

12 And it all comes down to how it impacts
13 the neighborhoods. And it's not a simple
14 calculation. It's not a simple mathematical
15 calculation. It's more like within this
16 envelope what can you do to get the maximum
17 benefit to the residents, the city and the
18 developers? It truly is those three
19 different balls.

20 I had a couple of questions, and I'll
21 go through page by page, it's easier to

1 follow along.

2 And the first one is the ones everybody
3 said, there's got to be a limit on the gross
4 floor area. It just doesn't make sense that
5 you just keep filling in more and more. You
6 get these beautiful buildings, but we can end
7 up with floors in the middle of windows and
8 that doesn't make any sense.

9 Next, if you do that, does that then
10 entitle a developer to do a complete gut of a
11 building and then drop floors in and make it
12 work? Totally destroying the character of
13 the building. I don't see whether that's not
14 allowed within here.

15 Then I had a look at the map and I saw
16 this little table here. And applaud the city
17 for moving away from -- sorry, I'm on page
18 three of ten, on the bottom. And I applaud
19 the city from moving away from the 900 square
20 feet across the city or primarily in
21 Residence C. But this multiplier is huge.

1 It has an enormous impact and needs to be
2 considered not just here, but however you do
3 or however the city does any zoning
4 considerations going forward, because this is
5 a multiplier effect here. If you go from
6 Zone A to Zone B, all of a sudden your
7 allowable development on this goes up 40
8 percent. So now a rezoning petition to
9 up-zone or down zone has to consider the
10 impact of 5.28 as well because it's not
11 straight or even across.

12 Another thing where it comes up is if
13 you look at the calculation of number of
14 parking spaces or the parking calculation,
15 it's all based upon 10,000 square feet or 10
16 units. It doesn't make a whole lot of sense,
17 because the number of units differ across the
18 zoning characterization. So in Zone A,
19 you're gonna hit 10,000 square feet at five
20 units, but you're not gonna hit 10,000 until
21 nine units in Zone C. And if you drive

1 around, you have a whole lot of on street
2 parking in Residence A then you do in
3 Residence C. I think if you gotta look at
4 parking in that way. Make it a number, pick
5 a number. Five units we're going to have a
6 parking analysis. Not 10,000 square feet,
7 not 10 units, but pick a number that
8 everybody is going to get the same
9 consideration for parking. But if you want
10 to do something truly radical, for parking
11 inverted, make it so Res C has a parking
12 analysis happen faster than Res A. As
13 opposed to right now, you're going to have a
14 Res A parking analysis at a fewer number of
15 units than you do in Res C and it doesn't
16 make sense. Or Res B, where we have more
17 parking issues than we do in Res A.

18 And then I like what everybody had to
19 say about why are we limiting the non, the
20 commercial, the soft commercial units only to
21 the ground floor and the basement? There's

1 great spaces up above, let's use them. I
2 think of what if we wanted to put an
3 astronomy school in? It would be nice to go
4 up to the roof. Except this limits that use.
5 And there are all sorts of other things that
6 you can think about that.

7 And then finally you're talking about
8 open space. We talk about open space with
9 commercial development all the time, and we
10 say what are you going to do to help the
11 neighborhood out? But all we're talking
12 about here is the private open space. What's
13 the impact to the pocket parks and the other
14 parks in those neighborhoods when you drop in
15 this additional density? Is there something
16 that developers can do to help out those
17 parks? Maybe provide additional amenities
18 within the parks. Maybe help upgrade the
19 play units. And maybe help do something for
20 the children. We're never talking about the
21 kids that could be living in these buildings

1 and moving into the these neighborhoods. How
2 do we make it better for them? I'm done.

3 PAMELA WINTERS: Thank you.

4 HUGH RUSSELL: Thank you.

5 Does anyone else wish to be heard?

6 MARK JAQUITH: The list slipped away
7 from me when I was reading something.

8 HUGH RUSSELL: This is just sort of
9 an aid to move in a logical way.

10 MARK JAQUITH: Good evening. My
11 name is Mark Jaquith J-a-q-u-i-t-h, 213
12 Hurley Street in East Cambridge. And I'd
13 like to just make the Board aware that almost
14 in fact everybody I've spoken to on the East
15 Cambridge Planning Team and from the
16 Wellington-Harrington Neighborhood
17 Association, members of which I speak with
18 fairly frequently, would -- to a person
19 unanimously support just about everything
20 that's been said by our neighbors across the
21 city this evening.

1 Another point, the stated goal in the
2 Zoning Ordinance is to provide relief and
3 bring compliance of non-conforming areas to
4 standards which have been agreed upon, and it
5 does seem to me that the table on, I guess,
6 it was page three, should maybe even be
7 reversed; give more relief to the denser
8 areas, less relief to the more dense areas
9 just to comply more with the state of
10 bringing it in compliance. And also with a
11 density cap, the rest of us are all capped.
12 I'm certainly capped. And to have an
13 absolute limit that we can all know was going
14 on, that would not be terribly out of scale
15 with what we've come to enjoy in our
16 neighborhoods would be something that I think
17 citizens across the city would appreciate
18 greatly. And also with the limit of low
19 impact commercial use, it seems to me more
20 flexibility with the stated cautions and
21 their probably be a very good idea. And

1 that's about it.

2 Thank you very much.

3 HUGH RUSSELL: Thank you.

4 Anyone else wish to be heard?

5 CHARLES TEAGUE: Hi. I'm Charles
6 Teague, 23 Edmunds Street. And first thing I
7 want to say is once again, I fully support
8 all the Norris Street amendments. They're
9 well thought out. They're fact based. They
10 have numbers. It's not very squishy. I
11 fully support the East Cambridge position
12 that the 900 square feet number that comes
13 into play with them is a very -- it's a tough
14 number, because it's only really going to
15 yield about a 700 square foot unit. And it
16 does reduce the park, for example, the
17 Middlesex Courthouse from over 500 units to
18 let's say 300 in round numbers. So, it's
19 heading in the right direction, but it's a
20 difficult number and especially in modern
21 times. But I really wanted to talk about,

1 I'm really troubled by two conceptual issues
2 because 5.28 is an incentive system for
3 residential conversion which really seems to
4 be opposite the recommendations that we've
5 just recently seen from CDD from their North
6 Mass. Ave. study where, and once again, where
7 the Business A-2 Zoning was so heavily
8 weighted in terms of residential, we've lost
9 our commercial base up there. And now we
10 have residential condominiums. They're right
11 on the ground floor where the bus stops are
12 on Mass. Ave. And it also goes against the
13 impended consultants that presented at the
14 Broad Institute and most of the City Council
15 there. And once again they talk about
16 creating the happy mixed use. And here we're
17 incentivizing heavily one over the other.
18 And then yesterday as Sue Glazer said, the
19 City's consultant presented, and essentially
20 presented the same position that you have to
21 have a mix. And here we already have a mix,

1 and here we're saying let's provide an
2 incentive to get rid of the mix. And I'm
3 just going -- and these are all recent
4 presentations. And 5.28 is ten years old
5 from a different time and a different place.
6 And my second conceptual thing is that
7 this particular amendment is too complex, and
8 it's too complex because it gives a waiver of
9 almost the entire Cambridge Zoning Ordinance.
10 So I just want to end with development is not
11 bad, bad development is bad. And we have
12 here two people who proposed bad development.
13 In fact, Marc Resnick just said he wants to
14 tear down a house because -- by the way, he
15 didn't mention it's in the commercial zone
16 and there's no open space requirement. So
17 you can just pave it over and turn it into a
18 parking lot in the middle of a little
19 residential neighborhood. It's -- and it's
20 all because neither one of the developers
21 here tonight want to go the expense of

1 putting parking in the basements which would
2 reduce the floor space and solve the parking
3 issues. But it costs more. So, you know,
4 bad development is bad. That's all I have to
5 say.

6 Thank you.

7 HUGH RUSSELL: Thank you.

8 Does anyone else wish to be heard?

9 Heather.

10 HEATHER HOFFMAN: Hi. My name is
11 Heather Hoffman. I live at 213 Hurley Street
12 in East Cambridge. I'd like to point out
13 that East Cambridge is the home of an awful
14 lot of conversions that predate this section
15 and post-date this section, and we've been
16 very lucky that most of them have been good.
17 And I wish the same for the other
18 neighborhoods in the city, and I wish a
19 continuation for mine.

20 I hadn't been going to speak but there
21 were a few things that came up that I heard

1 people saying that I felt the need to comment
2 on.

3 As to the parking issue, I would point
4 to a provision that's right here in the
5 materials that were given out. An existing
6 provision, 6.35.1, reduction of required
7 parking that actually calls for a Special
8 Permit from the Board of Zoning Appeals.
9 Yes, it's a different body, but it's a
10 Special Permit. It's not a Variance
11 requirement. And given that we're here
12 because people couldn't agree on what the
13 language meant, I would really like it to be
14 made crystal clear that no conversion can
15 ever happen in an open space district. I
16 don't think it says that currently, and I
17 want those very words to be there. We do not
18 want to see the boat houses or anything else
19 turning into something that we didn't want.

20 Another thing is that -- again,
21 speaking about the language, we have, for

1 example, on page two, if you look down
2 towards the bottom, it says: "The Planning
3 Board shall determine that any proposed
4 non-residential uses are generally
5 compatible." That's -- I would suggest that
6 a better way to put it is that this -- "the
7 Planning Board shall make a determination
8 whether the proposed uses." Because I can
9 see someone arguing that that says that no
10 matter what the Planning Board thinks, the
11 Planning Board shall determine this. And
12 that might not be what's meant, but as I
13 said, language has gotten us to this point
14 and we should do our best to be clear in what
15 we mean.

16 And one other thing. In the very first
17 page it refers to the inability to meet
18 certain requirements including any use,
19 dimensional or procedural requirements. I
20 would respectfully suggest that of course
21 they can meet any use requirements. The

1 reason that they're here is because they
2 don't want to. So, once again, I think that
3 we need to think about what we're really
4 trying to say and what we're really trying to
5 do. People have brought up a whole lot of
6 good things in this discussion, and I don't
7 need to reiterate them. But over and over
8 we're finding in the city that not saying
9 what we mean makes for a lot of trouble, and
10 so let's try to do our very best to not be
11 guilty of it.

12 Thank you.

13 HUGH RUSSELL: Thank you.

14 Does anyone else wish to be heard?

15 ATTORNEY SEAN HOPE: Good evening,
16 Mr. Chair, Members of the Board. For the
17 record, attorney Sean Hope on behalf of
18 property owner Doctor Rizkallah manager of
19 Lecourt (phonetic) Family Trust. There's a
20 letter dated May 10, 2011 that had been
21 submitted to the Planning Board, drafted by

1 Doctor Rizkallah, outlining in detail many of
2 the key issues and concerns with the proposed
3 5.28 amendment and its direct impact on 40
4 Norris Street, a few of which I will
5 highlight in my brief comments. Before doing
6 so, I'd like to thank the Community
7 Development staff for its significant work
8 revising the proposed Article 5.2 amendment
9 as it has far reaching implications for
10 property owners and residents citywide.
11 Specifically I'd like to commend the
12 additional Article 4.29 clarification that
13 5.28 is applicable for all districts in
14 Cambridge.

15 While 5.28 covers conversions of all
16 types of non-residential structures to
17 residential use, it's greatest impact may be
18 its ability to protect and preserve historic
19 school and church buildings that are
20 undergoing residential reuse. Unfortunately
21 the proposed changes to 5.28, as written,

1 despondently and detrimentally target the
2 financial viability of Zone B schools and
3 churches in a manner that undermines viable
4 reuse of these historical properties. These
5 historic schools and churches represent a
6 unique financial and development challenge
7 that require special consideration by the
8 Ordinance compared to other types of
9 properties. This very impact on schools and
10 churches in Zone B can be seen by a review of
11 the 5.28 projects that have been approved by
12 this Board. Since 2001 there have been only
13 three schools and/or churches, church
14 properties that have received a conversion
15 Special Permit: St. Charles, Blessed
16 Sacrament, and the Windsor Street Church.
17 Out of these three projects, St. John's
18 located in Zone B, would be affected by the
19 proposed -- and is the only one that would be
20 affected by the proposed ordinance and would
21 have a significant reduction of at least 20

1 units if the maximum number of units were
2 allowed under this proposed ordinance.

3 As the Planning Board and others are
4 aware, St. John's project is experiencing
5 severe financial difficulty, and many parts
6 of the building have been left undeveloped.
7 I would ask the Board whether or not the St.
8 John's project would be financially viable or
9 even attempted if 44 units were the maximum
10 allowed as this zoning proposed? I believe
11 the answer is no. What the proposed zoning
12 amendment fails to account for is that these
13 historic schools and churches face unique
14 economic challenges and require, as I said
15 before, special consideration.

16 Doctor Rizkallah's letter specifically
17 details these challenges, but a few are:
18 Historic preservation, utility
19 infrastructure, energy controls, and asbestos
20 removal. Specifically with historic
21 preservation, this property has undergone a

1 landmark study and will likely be part of a
2 landmark property. From the beginning of
3 that process we worked with the Historical
4 Commission. Doctor Rizkallah is committed to
5 preserving this building under the North
6 Cambridge Catholic ownership. They have the
7 financial resources to do the type of
8 preservation work that will be possible under
9 an approved project.

10 This Board has heard suggestions from
11 neighbors that a density cap should be added
12 to the zoning that would limit density to two
13 times the base FAR in the district where the
14 property is located. These same neighbors
15 support this idea by highlighting the fact
16 the majority of 5.28 approved projects were
17 at or below two times the base FAR. A closer
18 look at the numbers shows the exception 2.0
19 or 2.5 FAR almost exclusively have been
20 approved by the Planning Board for historic
21 properties such as Blessed Sacrament because

1 by their very nature, historic buildings
2 would be inconsistent with the surrounding
3 modern buildings.

4 It is clear from the testimony that
5 neighbors desire a viable reuse of these
6 historical church schools and churches, but a
7 density cap in no way balances the financial
8 realities and development challenges that
9 confront property owners and developers. I
10 would ask the Planning Board to compare
11 apples to apples, and to look at St. John's
12 and Blessed Sacrament as reasonable examples
13 of appropriate discretion by the Planning
14 Board that takes into the account unique
15 requirements of schools and churches. As a
16 matter of public policy, these historic
17 schools and churches should be given special
18 consideration as they are a significant part
19 of the community's physical and architectural
20 identity. Without a provision in the
21 proposed amendment that accounts for unique

1 development challenges and preservation
2 requirements of these iconic buildings,
3 properties such as 40 Norris Street will be
4 forced into extended hibernation.

5 We are hopeful that the Planning Board,
6 along with the Community Development staff,
7 will allow for a viable reuse of these
8 properties through continued amendments of
9 the proposed Article 5.2.

10 Lastly, on the December 7th hearing of
11 the Planning Board there was a question posed
12 to other Planning Board Members by Mr.
13 Charles Studen. And this question was what
14 has changed, if anything, to prompt the
15 changes under 5.28? There was some
16 suggestion -- some people said that there may
17 have been a change in the need for housing.
18 There had been suggestions by others that it
19 had been prompted by Special Permit
20 application by the owner of 40 Norris Street.

21 PAMELA WINTERS: If you could wind

1 down your comments?

2 ATTORNEY SEAN HOPE: Sure, I'll just
3 wrap up.

4 Regarding the changes, I would suggest
5 a quantitative approach to figure out what
6 has changed in the last ten years. Were we
7 to look at the 2010 housing marketing profile
8 put forward by Community Development, I think
9 that be would be an accurate way to look at
10 the city's housing stock, the number of
11 vacancies and to actively see if there's been
12 indeed a change in the city's housing.

13 Thank you.

14 HUGH RUSSELL: Thank you.

15 Does anyone else wish to be heard?

16 (No Response.)

17 HUGH RUSSELL: I see no one. So
18 shall we close the hearing for oral testimony
19 at this point?

20 (All Board Members in Agreement.)

21 HUGH RUSSELL: I have one question,

1 virtually every speaker has mentioned the
2 question about FAR cap and I'm trying to
3 understand what they mean. I can think
4 several ways to do this. I'm going to take
5 Young Kim's calculation which was furnished
6 to us as an illustration, which says you take
7 the FAR, the base FAR, you don't count in the
8 affordable housing bonus to that. You come
9 up with a number, and that gives you the
10 number of square feet you can use in the
11 building. And in the case of the school on
12 Norris Street, there's about 10,500 square
13 feet that's already in the building that can
14 not be used. Is that the intention? Sure.

15 DAN BERTKO: We do realize that
16 these are existing shells, and we don't
17 particularly want them to be shrunk in any
18 way. What we're talking about mostly is the
19 living area inside. If we use 20 percent as
20 common area, you can translate from the
21 permitted FAR to this new one by doubling

1 that 80 percent in space. So in other words,
2 if a Norris Street I think seven units would
3 be allowed under new construction. So if you
4 -- essentially doubling it to 14 or 20,
5 something in that range, would be considered
6 reasonable density by us.

7 HUGH RUSSELL: Thank you.

8 Councillor Crane, former Councillor
9 Crane, is that the way you're using the FAR
10 cap? How does the calculation work that you
11 would like us to consider?

12 ATTORNEY KEVIN CRANE: Mr. Chairman,
13 the cap would be you look at a Residence B,
14 0.5 and it would be doubling that, so it's
15 1.0 times the lot size. So it would be
16 25,700 square feet of what it should be
17 capped at. The current living space, the
18 36,000, which for clarification purposes, I
19 believe is the figure from the City's
20 Assessor's records. And the City's
21 Assessor's records do not, they do not

1 include unfinished space. Whereas the
2 calculation or definition of floor area,
3 gross floor area, I believe, includes
4 unfinished space. So there might be
5 discrepancy between what the City's
6 Assessor's records is 36,000 and what the
7 owner of 40 Norris Street might propose. But
8 conceptually on a cap is what I said. And if
9 the space is greater, let's say it is 36,000
10 square feet, the onus then should be on the
11 developer to get creative as far as what he's
12 going to do with the rest of the space.
13 That's my idea behind how the cap would
14 operate.

15 HUGH RUSSELL: So he might be
16 creative and he may seek it on a Variance?

17 ATTORNEY KEVIN CRANE: Or whatever
18 Zoning relief. I mean, it could be
19 non-residential relief or if you're
20 speaking -- it would be whatever Zoning
21 relief, may be a Variance to use the

1 additional space.

2 HUGH RUSSELL: Okay, thank you.

3 MARC RESNICK: Can I comment on
4 that?

5 HUGH RUSSELL: Well, I don't think
6 you were -- I was just trying to understand
7 the people who were asking for a cap what
8 they thought, what their intent was. I don't
9 believe you were asking for a cap. You were
10 warning us about too many regulations.

11 We have some time tonight to maybe
12 discuss this a little bit. There's one thing
13 that has not been said, and I think it has to
14 be said, which is when somebody -- when a
15 developer looks at a property that's for
16 sale, they try to figure out what they can do
17 with it, and they look at the Zoning
18 Ordinance and they, to the extent the Zoning
19 Ordinance is clear about what can be done, it
20 allows them to hone in on things. And I
21 think -- and so they -- now, they use that as

1 a calculation. So I think if you're using
2 the older rules, you would say oh, I can
3 create 40 units, therefore, I can afford to
4 spend and pay so much for the building. And
5 that very simple calculation results in
6 offers being made and bids being made and
7 accepted. And then you come and you see --
8 come and ask for approval of a project. And
9 so if it's not clear in what's written what
10 that density is, people will make some big
11 mistakes. And I think there are in some of
12 the projects that we've looked at, there have
13 been some big mistakes in what's been -- what
14 the property's been purchased for and drives
15 people to try to pack buildings into a
16 density that is inappropriate.

17 You know this question of the FAR cap
18 is an interesting question, but I find in the
19 chart we were given, and that combined with
20 comments from the property owner, you read
21 those two things together, they say that

1 occasionally there are way overbuilt Catholic
2 structures, schools, and churches that have
3 huge volumes compared to what the area that
4 they're in. I mean, it's interesting to see
5 that 120 ridge doesn't fall into that way
6 overbuilt category. I can't see it on this
7 thing, but I'm just having trouble finding
8 it.

9 WILLIAM TIBBS: It's at the end.
10 Right at the end. St. John's.

11 HUGH RUSSELL: St. John's, right.
12 I'm looking for 120. So, what do you do
13 about those? And we have an archdiocese cyst
14 that is, you know, shrinking, selling
15 properties, trying to sell them for the best
16 the market can give them. And in some sense
17 we have to protect the developers against
18 themselves by -- again, by clarity.

19 I'm troubled by the notion of the cap,
20 yet I find this to be -- this chart to be
21 actually quite convincing to me. That if you

1 have a cap of some sort, and there are
2 several lines on this chart, then the impacts
3 are more easily handled on-site. So
4 that's -- but then what do you do with the
5 space in the building? Do you tear off the
6 top floor of the building? I mean, the other
7 suggestion, I think it was Mr. Bertko made,
8 which is well, it's obvious what you do, you
9 put parking in the basement. It's expensive
10 and it may or may not be -- it's either
11 expensive or impossible. Those two things
12 are kind of connected. And when somebody
13 took the six-family house next to mine and
14 converted it to a condo, they put some
15 enormous steel beams to create a, you know, a
16 six car parking garage and put in the
17 basement. And the guy said he spent an
18 enormous amount of money doing that. And the
19 value of those properties is about twice what
20 they sold for six or eight years ago now.
21 And we ought to market question. It was

1 probably worthwhile doing. And in talking to
2 some of those people, they wouldn't have
3 bought them if there hadn't been a parking
4 space there.

5 So the other piece I wanted to just
6 look at, and I don't understand fully now, is
7 how the rules for parking are changing in
8 this amendment? And so maybe I'll just ask
9 Stuart to explain it. Right now as 5.28 is
10 written, if somebody, say Mr. Resnick comes
11 with a proposal out in Cambridge Street that
12 we think is a terrific proposal, we're able
13 to give him a permit, he can go away, right?
14 Now, how does that happen?

15 STUART DASH: It would happen in a
16 similar fashion if the proponent, if the
17 developer needs 20 spaces, has 20 units, has
18 spaces for only 18 units, they'd have to
19 include in their Special Permit application
20 an exclusive waiver for parking that would
21 reduce that 18 units much as any developer

1 does now through the --

2 HUGH RUSSELL: And we can do that?

3 STUART DASH: Right. Because of
4 Special Permit.

5 HUGH RUSSELL: How does it change
6 under the redraft? Does it change at all?

7 STUART DASH: That's still the same
8 under the redraft. That still would be the
9 same system. So there's no change to that.
10 There's just more explicit guidance given for
11 the assessment of parking.

12 WILLIAM TIBBS: I just want to say,
13 I think we all have to get wrap our hands
14 around that a little bit. At least in my
15 first pass I didn't get that. I thought we
16 were being more restrictive about our ability
17 to do a waiver. But I mean, you wrote it so
18 you can tell us that's not the intention.

19 HUGH RUSSELL: I guess the intention
20 is that somebody writes a report and they
21 have to -- the report has to demonstrate that

1 there isn't an adverse impact on the
2 neighboring areas or the neighborhood or the
3 block or whatever, and then we have to decide
4 that that is a valid report and that might
5 then determine the number of units backwards
6 by what you could do in terms of parking.

7 STUART DASH: That's correct. And I
8 think a key thing which was a suggestion from
9 the neighborhood, that report, rather than
10 wait for the Planning Board to ask for it to
11 be part of the Special Permit application in
12 the case of any significant changes.

13 HUGH RUSSELL: Yes, I understand
14 that.

15 And the cut off of 10,000 feet or 10
16 units must have been discussed at some
17 length. Did you look at the list and the
18 permits we've given and try to use that as a
19 guide? Or how did you come up with that?

20 STUART DASH: A little bit of art
21 and a little bit of science. In looking at

1 the list, I think looking at considerations
2 that we made elsewhere in the Zoning
3 Ordinance about at what point does something
4 become of interest and of scale that becomes
5 of concern, and actually we had a very
6 complex formula and then or 10 units and
7 10,000 square feet, and we realized in no
8 case were we going to need the complex
9 formula, and we thought rather just simplify
10 it. That's part of why we don't require
11 specific elements in the traffic -- in the
12 parking reports. So for instance you may
13 have -- parking and traffic may decide that
14 given the project and the neighborhood, they
15 may want to know this specific thing. Which
16 is what is the on street parking. And they
17 don't need to know the five other elements,
18 but it's at their discretion.

19 HUGH RUSSELL: I think they would
20 always want to know the on street parking.
21 Although there was one case actually, the

1 Aberdeen Avenue case was one where we
2 actually required more parking because there
3 wasn't a street to park on anywhere near.
4 And the closest street was, through
5 testimony, there was no space. And they had
6 the land. I'm not sure their -- that
7 particular building is kind of an outlier in
8 terms of what the Ordinance was intended to
9 do, although it's a good use of the
10 Ordinance.

11 Charles.

12 CHARLES STUDEN: Yes, I'm still
13 concerned that what we're trying to do here
14 may unwittingly make the redevelopment of the
15 remaining properties infeasible financially.
16 And I really do worry about that. And when I
17 look at the list of projects that were
18 approved under 5.28.2 under the current
19 regulations which goes back to my earlier
20 comment when we first heard this item as to
21 -- I was trying to understand what it was

1 that was broken and why it needed to be
2 fixed. I think that the letter that
3 Doctor Rizkallah wrote, to me was very
4 persuasive. And I've also personally had
5 experience redeveloping an historic property.
6 The issues around doing it are very
7 significant. It's very costly on every
8 frontage that you can imagine. And I also
9 appreciated Mr. Resnick's comments as well
10 supporting the same thing. So, I just want
11 to make certain that what we do here isn't
12 going to backfire for everybody, including
13 the residents, because I don't think it's to
14 anybody's advantage to have this property sit
15 here vacant and boarded up which could very
16 well be the result. So what do we do I guess
17 is the struggle here? And around this issue
18 of, you know, caps and so on, I think that
19 may make it even more complicated, but I
20 don't know.

21 HUGH RUSSELL: Bill.

1 WILLIAM TIBBS: I'm going to -- I
2 need to get a better handle on all of this,
3 but I do want to have just some sort of more
4 general comments about it. And I think
5 that -- and I have feelings that's similar to
6 Charles's in a sense that initially this
7 started out as a need to make a clarification
8 in the Ordinance because of some, I guess you
9 might say some unintended interpretations
10 which may give some unintended outcomes. And
11 obviously it made sense at that point to look
12 and see if based on our past experience is
13 there something we should change? I do sense
14 that a lot of this language is a reaction to
15 a potential proposed project, and I guess I
16 need to make sure that the -- in doing that
17 we don't do the same thing, that there's some
18 unintended outcomes that we may not be aware
19 of. So in my review of this I'll just be
20 looking through each thing and just trying to
21 look at it in that light. I hear the Norris

1 concerns, and I think a lot of them I would
2 be concerned about, too, but in terms of just
3 changing the Zoning language, I just need to
4 be comfortable that -- and my sense would be
5 that, it's funny, I look at the -- you can
6 interpret this chart in two ways. One, you
7 can say hey, it's been working because other
8 than two projects, we're under what most
9 people think is a reasonable cap. And do you
10 have a way you can interpret it that way
11 because of that we should have a cap. I
12 think Blessed Sacrament, which was a --
13 needed a lot of special specific
14 consideration, and I'd like to make sure that
15 we as a Board in the Special Permit process,
16 are at least allowed the opportunity to do --
17 to give projects that consideration. So in
18 some places this is complex, and in some
19 places it's restrictive, and in some places
20 it's a little vague. And I'm not sure how
21 that all combines together into something,

1 the keeping does it combine together and give
2 us the flexibility where we need to. I'm
3 particularly -- I particularly want to think
4 about the unit sizes. It seems -- my first
5 pass was that it seems very illogical to me
6 that you would use the base -- that you would
7 use the base square footage of an A or B
8 district, but I need to think about that a
9 little bit more. That's my first reaction.
10 It doesn't -- and I guess we need to go back
11 to what is the purpose of this and has that
12 purpose changed? And since you -- that's
13 basically what you're saying. I mean, it
14 states here the conversion of non-residential
15 structures and then residential uses or
16 purpose, we are obviously are feeling based
17 on our experience that we need to include
18 some non-residential uses in there and make
19 sense. And I mean, what is the, what is the
20 purpose -- the purpose of this whole thing is
21 to encourage something. And so we want to

1 make sure that we are indeed doing that. And
2 I think the concern I just have about the
3 Special Permit process is one where you want
4 to make sure that the base zoning can do
5 things and you want to allow some leeway
6 there to encourage something better or to
7 encourage something that has a purpose. And
8 I just want to make sure that I understand
9 how that all fits together. And so I'm not
10 quite -- I don't have a strong feeling on
11 this, but I do have some just general
12 concerns, and I need to just look at it a
13 little bit more carefully to figure out if
14 those concerns are valid or not. So that's
15 where I am on this.

16 HUGH RUSSELL: Ted.

17 H. THEODORE COHEN: Well, I agree
18 with Charles and Bill, I think the purpose of
19 this section of the Ordinance was to allow
20 for the reuse of certain buildings that don't
21 otherwise fit in their district, and I think

1 the key is that's been said is that we need
2 to be, and the city needs to be flexible.
3 That I think every building will present its
4 own set of circumstances, and problems and
5 every neighborhood will have its own set of
6 circumstances and problems. And so I'm
7 uncomfortable with the concept of a cap that
8 may or may not be appropriate to certain
9 buildings, and I'm similarly uncomfortable
10 with the concept that you may need both the
11 Special Permit and the Variance. I think
12 nobody who is going to be developing it could
13 possibly comply with the terms of a Variance,
14 and that it makes it even more incalculable
15 for a developer to know what he could or
16 couldn't do. I think parking is the same
17 thing, and I'm also uncomfortable with the
18 idea of having a different standard for
19 parking in one particular district or under
20 one section of Zoning versus everything else
21 that we require citywide.

1 I do understand all the neighbors'
2 concerns. There have been similar buildings
3 in my neighborhood that have been changed,
4 that I think, you know, that we have to be
5 very careful about what we do. I also don't
6 particularly see, because I see the need for
7 flexibility, the need to limit an appropriate
8 commercial use to just the basement with a
9 ground floor. Because I think there may be
10 circumstances where the best thing for the
11 building would be to have some commercial use
12 as it may have had historically.

13 And finally I think we, you know, you
14 know, we're not supporting developers and
15 we're not rewarding developers, but I think
16 we have to consider that at some point if it
17 becomes impossible to use the building,
18 either it will just be boarded up or if it's
19 allowed under the Historical Commission, the
20 buildings will be torn down. And I think
21 that's not something we really want to be

1 promoting. So I agree, I think, you know,
2 there's a lot in here that has to be thought
3 about, and there's a question of is what we
4 have broken so that it needs to be
5 significantly changed or just does it need an
6 occasional tweak here or there?

7 HUGH RUSSELL: Pam.

8 PAMELA WINTERS: So, Ted, you had
9 mentioned parking and just to be clear, right
10 now we have one parking space per unit and I
11 believe the neighbors -- I just want to be
12 clear about this, they wanted one parking
13 space per either 900 square feet or per one
14 bedroom, is that what they're requesting?

15 H. THEODORE COHEN: I think that's
16 what they're talking about.

17 PAMELA WINTERS: Is that what you're
18 requesting?

19 H. THEODORE COHEN: Or some formula
20 similar to that.

21 HUGH RUSSELL: Yes.

1 FROM THE AUDIENCE: Yes.

2 PAMELA WINTERS: Okay, thank you.

3 HUGH RUSSELL: Steve.

4 STEVEN WINTER: I concur with
5 everything that was said. Your comments are
6 particularly thoughtful. We don't want to
7 get in the way of anything or we want to make
8 sure that the Ordinance does what it's
9 supposed to do. And I -- it's not done.
10 It's nowhere near done, but what I keep
11 coming back to is the word flexibility, and
12 the fact that each of these buildings is
13 different. Each one is a completely
14 different kind of an animal with completely
15 different conditions, requiring a different
16 approach. And I don't think we can
17 cookie-cutter something that individual. I
18 don't think the cookie-cutter approach is
19 going to work. And I think we need to
20 protect things. And I think there was a good
21 point brought up, which is the point about

1 the third rail about automobiles and, you
2 know, maybe we really need to be thoughtful
3 about everything and not have the third
4 rails. Maybe we really need to be thoughtful
5 about all of these requirements in some way
6 that the requirements that we really feel as
7 core values and people who live in Cambridge,
8 maybe they -- maybe we need a different way
9 to think about those with buildings that are
10 unusual, ungamely in a different place than
11 anything else. So I think that's -- just
12 where I'm coming down here. And I don't -- I
13 think the folks from the neighborhood and the
14 rest of the city have brought up really
15 thoughtful comments. So I don't feel like
16 we're done with this yet.

17 Mr. Chair, the only thing I would ask
18 is what is our process going to be with this?

19 HUGH RUSSELL: When's the City
20 Council Ordinance meeting?

21 LIZA PADEN: It was last week. The

1 5th.

2 HUGH RUSSELL: There's a 65 day
3 calendar?

4 LIZA PADEN: 90 days from the
5 Council.

6 HUGH RUSSELL: Right. So, and the
7 way the Ordinance is written, Council cannot
8 act within 21 days unless we send them a
9 report. Historically they tend to act within
10 21 days at the end of the time period or
11 maybe two days or maybe 20 minutes, but we
12 have to do what Bill said, think about this,
13 add our own judgment as a recommendation, and
14 through the Council, and try to do it in a
15 reasonable fashion. Now, 90 days from the
16 5th of May?

17 STUART DASH: August 3rd.

18 SUSAN GLAZER: August 3rd.

19 HUGH RUSSELL: August 3rd. There's
20 probably going to be a midsummer meeting of
21 the Council, that's probably going to be

1 around then. And so that's likely if it's
2 August 3rd. That's kind of the best
3 optimistic time for Council to act. Seems
4 like we should try to, in the next month, put
5 together what we think.

6 I too was very struck by the three ball
7 analogy because it helps you to sort out in
8 some ways that there are competing interests
9 here. And I think if you let the ball that's
10 the developer's say the building ball get too
11 big, it can overwhelm things. And we've
12 heard testimony saying really it's got to be
13 the biggest ball because if it doesn't -- if
14 that ball doesn't work, nothing happens. So,
15 got to give us everything you can possibly
16 give us because it's so hard to do these
17 things. And I guess my answer to that is the
18 best thing we can give is give you the
19 ammunition to get the building for a
20 reasonable price. And it's very different.
21 It's not sufficient, but it's a -- clearly if

1 you buy the building at a reasonable price
2 per unit for 20 units rather than 40, you can
3 then more likely be able to do a 20 unit
4 project.

5 I think, you know, ideally we'd like to
6 have that impact ball kind of float to the
7 ground, there be no impacts at all. And I
8 think you know that, I think by in large the
9 building as it stands, whatever building,
10 whichever these ten buildings, is not so much
11 that that's not the impact that we're talking
12 about. It's the additional impacts, the
13 change in impacts that comes from a
14 conversion of this sense. Those of us who
15 live next-door to schools know what they're
16 like. I've lived for 41 years next-door to a
17 school which is this year is a school. Two
18 years ago it was a public library. And
19 apparently will be an intermittent school for
20 the next decade. And I've thought that at
21 certain times well, what would happen if it

1 was converted to housing? And the answer was
2 well, huge impacts, the entire large school
3 which -- I mean, the only reason I have my
4 house is because when they built the school
5 in 1930, they didn't take my house for a
6 playground. And it was a plan apparently to
7 take maybe four more houses. And that's why
8 One Fellow School doesn't have a playground.
9 I guess it was the depression and they
10 weren't taking people's houses because it was
11 a harder thing to do at that time.

12 So when I think of this, I think not
13 only of Norris Street but I think, you know,
14 of (inaudible) Street.

15 So, is there more information that we
16 need to consider this? Any more background?

17 STEVEN WINTER: I'm not -- I may
18 need some help of thought from my colleagues.
19 Where there are hard stops coming from the
20 staff, it could be what we need is a clear
21 rationale for what that hard stop is. So

1 that to help us understand.

2 HUGH RUSSELL: And those hard stops
3 are the table of square footage primarily?

4 STEVEN WINTER: Parking.

5 HUGH RUSSELL: And parking?

6 STEVEN WINTER: Yes.

7 CHARLES STUDEN: The limitation on
8 commercial. 10,000 square feet, basement and
9 first floor only.

10 HUGH RUSSELL: Yes, I -- you know,
11 to my mind that's -- that particular one is
12 easy because it's saying, let's not make this
13 an Ordinance that talks about all the
14 possible ways any building can be converted
15 to a use. It's still an Ordinance's job to
16 try to get a non-residential buildings in
17 residential buildings converted to
18 residential use. And so the commercial use,
19 the restrictions to try to keep it a --
20 primarily a residential use without expanding
21 the Ordinance. You could -- I mean, it may

1 well be that a particular building, you know,
2 that's now a factory should be an office
3 building. And indeed in some of the
4 districts in the city down by where you live,
5 there's some special districts in
6 Cambridgeport that were designed with chains
7 of use that contemplated intermediate uses.

8 CHARLES STUDEN: I don't disagree.
9 I just think, I'm trying to understand the
10 rationale between 10,000 square feet and how
11 it relates to what kind of retail? I mean, I
12 don't know. It just seems like a number that
13 I don't fully, again, understand.

14 STEVEN WINTER: May I qualify that?

15 CHARLES STUDEN: Yes.

16 STEVEN WINTER: I say that with the
17 greatest of respect to the staff also who I
18 know worked very hard on this, these kinds of
19 issues and development. So, I'm not being
20 pejorative about that. What I'm trying to be
21 is scientific I guess as I can. Because to

1 me, walking through these kind of zoning
2 things, to me the image I get is that I'm
3 walking am I hip deep in Karo syrup? And
4 it's just really difficult. And I guess
5 maybe I need to go slow, and I'd like to know
6 why things are the way they are.

7 HUGH RUSSELL: Ahmed, you've had
8 your hand up for a while.

9 AHMED NUR: Yes, that's fine. With
10 regarding to commercial, limiting first and
11 second, I actually think is a building for
12 safety purposes, ADA compliance and
13 accessibility for public use. Most of the
14 buildings don't have elevators, and if they
15 do there's a fire and other things. And so,
16 the less they have to walk up, the better for
17 them as a simply to get out if something were
18 to happen. There are three family houses
19 that has a hair salon upstairs, older people
20 going up stairs, so on and so forth. I think
21 it's universal to keep it on the first floor.

1 So I support that.

2 And then as far as the developers,
3 developers will always find a way to make
4 money. I'm not really too worried about a
5 vacant building boarded up. It's going to be
6 boarded up unless you give me, you know,
7 5,000 rooms, and so on and so forth. We've
8 always had friends in New York and in other
9 places where they're all living in like
10 six-by-six-foot kitchen with a living room
11 and one bed folding up and down. We don't
12 want to have that ending up in Cambridge. We
13 need a balance. It can get confusing. We do
14 need a balance. I think this draft is headed
15 in the right direction.

16 Thank you.

17 HUGH RUSSELL: Okay, anyone else
18 wish to make a comment?

19 I just want to make one comment, you
20 said developers always find a way to make
21 money. My architectural file drawers are --

1 I had many projects which have been taken
2 into various lengths and not proceeded mostly
3 residential, so it's -- sometimes it's
4 regulations. Usually it's the market. But,
5 you know, it's a challenging business to
6 provide housing that people can afford to
7 rent or buy these days and just the way it
8 is.

9 CHARLES STUDEN: And I think we
10 can't underestimate the importance of the
11 market issue. If you look at some of the
12 statistics right now, certainly nationwide,
13 the housing slump continues, and even in
14 Massachusetts. I think, if I heard it
15 correctly, there was a decline in values of
16 five and a half percent in the last year. I
17 think it's going to become increasingly
18 difficult to develop housing, not easier to
19 develop housing.

20 PAMELA WINTERS: That was just in
21 the Wall Street Journal today actually.

* * * * *

HUGH RUSSELL: We're back in session and Rich McKinnon is going to say a few words to us.

RICHARD MCKINNON: Very few. My name is Rich McKinnon. I live at One Leighton Street and I'm here on behalf of EF. And we want to thank you very much to ask us to come in for the pre-application process. I'm not going to start from outer space and work my way step by step to North Point. I promise.

WILLIAM TIBBS: I was concerned.

RICHARD MCKINNON: We're going to be brief tonight. As I said in my letter to the Board, our primary purpose tonight, really, is to introduce our architect, Gert Windgardh who is here with us tonight, his work, his design, and the thinking that really drives it. We're just going to focus on architecture, but understand -- we understand

1 that there are many other issues that go into
2 a PUD; traffic, infrastructure, etcetera, but
3 trust us we'll deal with that at the right
4 time. That's for another evening.

5 Tonight I'd like to give you a snapshot
6 of where we are and then we'll go directly to
7 the architect. Can we get that slide?

8 I sent this in a letter to you, but I
9 think to briefly summarize it, EF has been
10 awarded the development surplus parcel at
11 North Point by DOT. So we now have control
12 of the site. The zoning amendment, the
13 McKinnon Petition was passed with a lot of
14 support, including unanimous recommendation
15 of the Planning Board. And the state
16 legislation, whose primary purpose is to
17 allow us to do a complete (inaudible) Chapter
18 91 review but to do them simultaneously as
19 opposed to sequentially. So, that's sort of
20 the status of where we are with those major
21 issues.

1 Finally what I want to do for me
2 tonight is just speak a little bit about the
3 pattern that took EF and our team to our new
4 architect. When EF took control of the site,
5 and once the Ordinance was adopted, it was
6 really a time for pause. One of the reasons
7 they chose Cambridge for their expansion,
8 over very aggressive bids from Chicago, Miami
9 and Denver, in particular, is the beauty of
10 the location that we've got here. Another
11 reason is they love Cambridge and they've
12 been very happy being here for the last 20
13 years. They thought that the site really
14 deserved a great building. It took seriously
15 the Planning Board's reservations about just
16 duplicating the existing EF building. The
17 message came back to us after the site visit
18 and we agreed. And we also understand the
19 Board's desire to have a building that knows
20 what it is and knows where it is. This
21 building's going to have -- house a

1 contemporary company. It's very dynamic,
2 very modern, very thriving, and their
3 business is education. The site is really
4 amazing in terms of the things that are
5 beautiful and iconic that surround it.

6 There's the Charles River. There's
7 North Point Park. There is the Zakim Bridge.
8 There's historic Lechmere Bridge. There is
9 the Museum of Science. There is the future
10 North Bank Pedestrian Bridge. And there is
11 the future skate park. So, just really
12 amazing things that surround the site, that
13 the site has to deal with and relate to it in
14 a positive way. So that said, we've decided
15 to hold a design competition rather than just
16 go forward with the architect that we had
17 been working with.

18 And as a result of that design
19 competition, we came to the conclusion that
20 Windgardh, Gert in particular, really was the
21 architect that understood the site best and

1 had the most imagination. It was also the
2 nicest to work with by the way. The Hult
3 family liked the number of different concepts
4 that they saw in different projects of his,
5 and they really felt that Gert had the
6 ability to take those concepts and
7 re-interpret them into something really
8 special here in Cambridge. So, we went ahead
9 and selected them and they are now our
10 architect.

11 We've been meeting with your staff.
12 We've covered a lot of ground with Brian,
13 Susan, Roger and the rest. But I think we've
14 reached the point where the design is so
15 strong, and before we go ahead and formally
16 do our pre-application, we really wanted to
17 -- our application, we wanted to take
18 advantage of the pre-app, show you the design
19 and get your reaction to it and, you know,
20 help us, guide us a little bit as to whether
21 we're doing the right thing or the wrong

1 thing here.

2 I've been coming up here for 25 years,
3 and the thing I've always enjoyed most is the
4 dialogue that happens directly between the
5 design architect and this Board. And I still
6 haven't figured out how to let that happen
7 without surrendering the microphone. Yet,
8 Windgardh, our architect, and we're going to
9 go directly to the presentation. Okay?

10 GERT WINDGARDH: Thank you very
11 much. So a pleasure to be here, honored to
12 be here in Cambridge. And I'll start with
13 the same picture of the earth. Always start
14 a presentation with that. Just a short
15 introduction about our firm. This is our
16 head office in the city of Gothenburg which
17 is the second largest city in the biggest
18 port city of Scandinavia. It's also the
19 second biggest in Sweden and the biggest
20 port. We are named like that Windgardh in
21 Swedish. And we are the fifth biggest firm

1 in Sweden. And Sweden is a small country,
2 about nine million people. And in Sweden
3 equality between gender is a very modern
4 issue so you can see we're politically
5 correct in that issue. We are average quite
6 young in the office (inaudible) from nine
7 different countries and four different
8 continents. Most is in Gothenburg, but the
9 main city, the capital city is Stockholm so
10 we do have a presence there.

11 And the architecture firm is not just
12 architects, about half of us are architects
13 proper. Ten people just work with this
14 organization, sort of try to bring to life
15 how the building looks. And we also have a
16 journalist working on our team and trying to
17 give our arguments to the newspapers as a
18 political opinion is more and more important.
19 And I've lived with this office since 1977.
20 And I won't go through any portfolio, but
21 just some major works that are on our tables

1 right now.

2 This is a cultural center that's being
3 inaugurated in November. It's a glass
4 building, see through building, and also some
5 stained glass on it. And it's -- much of our
6 architecture is filled with light, because
7 Sweden is fairly north and northern country
8 and it's important to have the daylight
9 coming into us. And we also appreciate
10 materials like wood. So in wintertime the
11 building will glow like a lantern. And we're
12 also very concerned with ecological issues.
13 This building has been awarded two second
14 prizes at the World Architecture Festival in
15 Barcelona for being one of the most
16 sustainable buildings presented at that show.
17 And it's an educational building very much in
18 the campus situation like MIT, but in
19 Gothenburg.

20 Actually our headmaster was here at
21 MIT, and said we must have the building and

1 said we must have a Geary (phonetic) building
2 in Gothenburg, too, but we can't afford it.
3 Can you do something special? And this is
4 what we came up with.

5 So we have a lot of windows and with
6 the colors as you can tell. And we also work
7 more down to earth with buildings that are
8 close to nature. And this is like a visitor
9 center for bird viewing on a lake, which is
10 very shallow. And they harvest their straw
11 there locally each year. This building is
12 entirely clad in straw. And it's on-site now
13 and we just finished the bird watching tower,
14 which has the 140 meter long ramp allowing
15 disabled people to take a nice route up on
16 the top of it.

17 And we're also trying our hands at the
18 high rise in Sweden now. It's been late to
19 be there, but this is a hotel which would be
20 the second highest building in Stockholm.
21 The highest is a communication tower. And

1 it's -- it has a shape which is slightly
2 inspired by Hancock Tower I would say. So,
3 this will be more ready in September.

4 And moving on to headquarters, this is
5 for a fashion firm in Bergjson (phonetic)
6 which is a small city outside of Gothenburg
7 which is the center of making clothes. And
8 it's all planned in a see through glass and
9 it has a steep angle a bit reminiscent of
10 what we propose here in Cambridge. And it's
11 also the height of this building, the
12 entrance is in the dark slot, which is one
13 point entering into the building.

14 And one of our most published features
15 are these staircases which vary from each
16 floor, which we did for Ericcson headquarters
17 in London in the late nineties, and which is
18 also influences our design because we have
19 breakout areas around this atrium. And since
20 there are a lot of people working on each
21 floor level, they connect and use the

1 staircases with one stair up and one stair
2 down.

3 And we of course have done some work in
4 the United States. The first was here in
5 Waltham. And it was in 2000. And it's
6 closer to Cambridge reservoirs and it was
7 also at the top close to (inaudible) so it
8 was essential that it didn't look like
9 laboratories. It was more of a campus
10 feeling to the building. And so we chose to
11 clad it in limestone from Minnesota. And
12 it's all about getting people together in a
13 court. And the staircase is an important
14 part of this building, too. With breakout
15 areas and as you can see whitish and also the
16 natural wood.

17 And we were able to do the House of
18 Sweden in Washington, DC which is house of
19 Swedish Embassy, but also has a conference
20 center and exhibition spaces and stories of
21 flats, and there's a great rooftop garden on

1 top of the building. Also lightish wood.
2 And inside you have a staircase and you have
3 this radiant of see through and non see
4 through lights which is like a mist onto the
5 glass. And on the exterior we have, it's
6 like a wooden box, clad with a second scale
7 of white, and also like a mist coming from
8 top down. And then you have the balconies
9 which are clad in something which is not wood
10 because of the humidity and the temperature
11 differences in Washington, DC we didn't dare
12 to have wood in between sheets of glass, but
13 we did printing computer generated which
14 gives the impression of wood I think. So
15 this is also like a lantern onto the
16 Washington. And it changes in day and makes
17 it different. And in different seasons you
18 have a much like the Charles, you have the
19 rowing boats on the Potomac, and in the
20 winter you have the freezing actually of the
21 river occurs.

1 And what inspired very much I think was
2 when we showed this building, which we
3 inaugurated last year, it's one of the new
4 offices in Stockholm for Ericsson. It's a
5 very down to earth office building, but this
6 great crack to it which gives it identity.
7 And it was inspired by the (inaudible) into
8 the city of (inaudible). Which we thought
9 was going to -- so we've sort of taken and
10 sampled colors and the feeling of that on to
11 a regular office block and created this break
12 which all these breakout areas on the
13 staircases. And each floor level of this
14 building about 240 people working, and
15 they're moving up and down the stairs
16 connecting 600 people just inside this crack.
17 And it's done in a reddish and yellowish
18 colored glass, and it's very photogenic
19 because it takes all these different shapes
20 and the Hult family liked this and said
21 couldn't you apply something like this in

1 this Cambridge project?

2 And we got inspired by the bridge which
3 we thought was very contemporary. And I
4 didn't visit the site since I've been here
5 prior, and what we did the design first and I
6 thought the bridge was much more wide than it
7 was, but the wideness of our proposal came
8 from I think from the contemporary feeling of
9 this bridge. And I think it would be added
10 now when you have the pedestrian walk bridge,
11 and it's also very contemporary, and also as
12 I understand it, whitish. And we saw the
13 nice cut glass on the science center, also
14 whitish. And we thought quite a bit of
15 whitishness on the side. And we did the
16 design with this sort of crack developing
17 into a waterfall. But from our first design
18 it faced towards Boston. But then in
19 February, when we were selected winners of
20 the competition, we were able to decide and
21 we said, no, no, it's the wrong direction

1 facing towards Boston. It's obvious that it
2 should face Cambridge. But it's not only
3 Cambridge but of course against the river,
4 the Charles. I mean it's big water tablet
5 that you should face. And of course the most
6 important place of the science center, the
7 Science Museum. So we rearranged the
8 waterfall, and we also thought it would be
9 important to connect the waterfall with the
10 top of the buildings and we got a top, a
11 middle and a bottom of the building. And the
12 bottom is spreading out with a restaurant
13 towards Boston and the Charles River.

14 What we also saw when we were on the
15 site was that we should make a square
16 building, a replica of the existing building,
17 but that we should tilt it and make it more
18 into a diamond shape as derived from the
19 direction of the river as seen in the
20 situation plan.

21 We find it very tricky to give the

1 right impression of this diamond shape in the
2 pictures. So I think it's very important to
3 have this model which I would like to
4 circulate amongst you if possible. It's very
5 small to handle. But when you see the
6 three-dimensional shape of the model, you
7 feel the dynamics that is somewhat lacking in
8 some of the pictures, or it could be
9 over-emphasized in some pictures like this.
10 It's very tricky with the diamond shape to
11 get the right sort of feeling. But we
12 thought we were very right when we visited
13 the site and saw that the whiteness that we
14 proposed, the crispness of it we thought that
15 was absolutely right. And by changing the
16 place and the direction of the waterfall.

17 This is a building which acts as a
18 company which is all about education, all
19 about getting people together. It should be
20 about 900 people working in this building.
21 And by having all the vertical circulation,

1 they elevate the core and also the staircases
2 onto this crack, this waterfall, this atrium,
3 if you will, for everybody a nice view and
4 connection with the Charles River. And we
5 think that the ins really speak for itself to
6 the interior and to the outside.

7 And of course the building would change
8 due to the daylight conditions and in the
9 evening and at dusk would glow from the
10 inside out. It's about 50 percent see
11 through building for glass. And we have put
12 one of the auditoriums as a two-story feature
13 onto the bridge into the great motorway
14 circulation system.

15 And the main elevation, of course, is
16 towards Cambridge. This is the entrance
17 where you have the landscaping by ZEN
18 Associates which are slightly raised
19 reflecting water pools. And we have all of
20 the different flagpoles of the different
21 countries because this is a language school.

1 It's very appropriate to have all these
2 different flags.

3 And on the right side you have, the
4 right straightaway on the lower you have
5 lobby, and on the right side you have a
6 restaurant. And the restaurant has a
7 separate entrance towards the park and
8 towards the Charles and towards Boston.

9 And the technical layout of the space
10 is that you have a 25 feet high room at the
11 entrance level and grade sorted bottom. And
12 the restaurant connects with a level up. And
13 then you have the circulation of the proper
14 office building, the meeting rooms from the
15 lower levels. And you can see also clearly
16 double height spaces that would be beneath
17 where all the gathering of different floor
18 plates occurs. And you also have the
19 (inaudible) areas connected to that. And
20 it's very socially and lively, so you have
21 the them facing towards Cambridge.

1 And the section taken in the other
2 direction. And you have the connection with
3 the building. You see on the shape you rise
4 from the Charles River and from the street.
5 You have the parks. And you have -- we
6 haven't shown the drawings of how the skate
7 park will be, but the skate park will connect
8 in front of the restaurant. We have the two
9 lakes, small parks by the architects, and all
10 the green is accessible areas for the public.
11 There is a kitchen parking lot, too. And the
12 red is landscape.

13 And this is just focusing on the
14 entrance level. We have two circular
15 (inaudible) where you enter into the
16 building. And you look straight on, you have
17 the staircase leading up to the restaurant's
18 second level. And I just take you quickly
19 from different floor plates where we have
20 parking and continuous wrap. And we have
21 some meeting rooms. First we have a

1 restaurant, and next level we have meeting
2 rooms. And so there is no parking facing
3 onto Cambridge. And then we have the proper
4 floor plates where the offices are laid out.
5 And, yeah, it's a regular office with this
6 twist of the waterfall facing on to
7 Cambridge. And it's all done on this diamond
8 shaped plan. Which concludes the
9 presentation. Okay.

10 WILLIAM TIBBS: Question. You
11 talked about the white. Do you want to talk
12 a little bit about the yellow?

13 GERT WINDGARDH: Yeah, the yellow is
14 really very much as the ideas were in the
15 older project, that it should be the glue of
16 the wood inside in that space. That goes to
17 the exterior. That might be enhanced by
18 having a yellowish tinge to the glass, but
19 I'm not sure if that's necessary. But it
20 should give that impression as we saw in the
21 Embassy in the House of Sweden project.

1 CHARLES STUDEN: I'm going to react.
2 Wow. No, really. I think this building is
3 incredible. And on this site what you've
4 done in terms of recognizing the various
5 components around it, it -- I mean really,
6 contrasted to the other buildings that have
7 been built, not, you know, they're fine. But
8 this building is going to sing and on its
9 location, on the river and adjacent to the
10 park. I love what you've done with this --
11 your conference room over the pedestrian
12 bridge. This is, oh, it's fantastic. No,
13 the whole thing is great. Thank you, really.

14 GERT WINDGARDH: For sure.

15 WILLIAM TIBBS: I always thought of
16 this as a difficult site. The site itself is
17 not just the most wonderful site, it is
18 relative to what's happening around it. But
19 if you actually look at the actual physical
20 site itself and what you've done with the
21 elements that are kind of, for one of a

1 better term, flowing on to the site is -- I
2 just find it very interesting.

3 PAMELA WINTERS: Can I make a
4 comment? Rich, I think it's terrific that
5 you had a competition.

6 RICHARD MCKINNON: We did.

7 PAMELA WINTERS: And I think that's
8 great. I wish more developers would do that.
9 I think it's -- it brings the best to the
10 city.

11 RICHARD MCKINNON: You know, when
12 they were designated as the -- EF was
13 designated to be the owner of the site at
14 North Point. And then when the zoning was
15 adopted, it just hit us with a reality that
16 we really had finally control of the site.
17 We had the ability to build the right
18 building out there. And the more we looked
19 at the site, the more striking it became. So
20 we said let's just stop for a minute even
21 though it slowed us down and proceed with the

1 competition.

2 CHARLES STUDEN: Was this an invited
3 competition or did you -- was it invited?

4 RICHARD MCKINNON: Yes, we invited
5 particular architects who shall remain
6 nameless other than this guy.

7 WILLIAM TIBBS: My only comment is
8 that I am -- in the past we have seen in
9 these pre-application things some pretty
10 interesting stuff, but when the reality is a
11 reality, it gets changed a little and I
12 remind the EF folks that their first building
13 I think they had a cable car going from the,
14 you know, going from the base to -- which --

15 UNIDENTIFIED FEMALE: That was
16 before we priced it.

17 WILLIAM TIBBS: Yes, which went
18 away. I'm keeping my fingers crossed.

19 CHARLES STUDEN: We need to keep
20 this model. You can't take it away.

21 GERT WINDGARDH: I'm on your side.

1 AHMED NUR: Yes, I too definitely am
2 in a wow mood with the design. I also must
3 say that this is not too far from the Science
4 Museum. So there's going to be a lot of
5 children with the combination of education
6 and its location there's going to be a lot of
7 busyness coming down just to see it. This
8 isn't criticism, but I am having a little
9 hard time with the glass, dark glass, and the
10 white with respect to that waterfall like
11 yellow. So I just wondered could it be
12 considered as Charles had asked or was it
13 Bill, if that glass or even though, no, not
14 the white, but just the dark glass could be
15 either made like the John Hancock, blue like
16 the indication sign on top, or other colors
17 that might be more welcoming as opposed to
18 the dark? Just a -- I'm not an architect,
19 but that's one thing that's just sort of
20 jumping at me especially with the reflection.

21 GERT WINDGARDH: To my mind it could

1 be worked on the sort of the see through
2 glass. I mean, there are a lot of issues
3 with how to gain which hasn't been addressed.
4 It may tint the glass in different
5 directions. What's important to me is the
6 whiteness, the whiteness I think is very
7 important. I think that gives more whiteness
8 to the bridge, too. It makes the bridge
9 simpler in that sense. But the see through
10 glass we have to work on, yes. We could work
11 on that.

12 HUGH RUSSELL: I think you've
13 demonstrated some of the footage that you've
14 shown us that you know a great deal about
15 glass and about the many things that can be
16 done. I was particularly taken by the
17 building that used, and sort of the cloudy
18 effects, not this building.

19 GERT WINDGARDH: The house of
20 Sweden.

21 HUGH RUSSELL: Yes, it's a very

1 striking. So I think the thing I
2 particularly like about this building is that
3 it understands that it's seen -- the bottom
4 is seen up close. And I love the way it's
5 been gnawed away at the corner. It's always
6 been a troublesome corner when we were
7 looking at it. It seems like there's a lot
8 of space between the building and the park,
9 and I think that's wonderful. And up above,
10 it's seen, you know, from a long distance
11 away, up river and a very simple form that's
12 very calm I think is a response to that view.
13 And then there's this little event that
14 connects the two, the two things. And
15 it's --

16 UNIDENTIFIED MALE: Not so little.

17 HUGH RUSSELL: Right. But if you're
18 going across the subway onto the bridge, it
19 will be something to just something that's
20 nice. So I'm very, very excited by the
21 prospect of having this building.

1 CHARLES STUDEN: I think it could be
2 become quite iconic actually which is
3 probably one of the goals that you were
4 trying to achieve in doing the competition.
5 And absolutely and the quality of the light
6 in the projects that you showed us in Sweden,
7 amazing, and I'm imagining that this
8 building, to some extent, not entirely, just
9 because of the function the way it's designed
10 is going to have a lot of that as well
11 especially where we have this glass
12 structure. And we have a lot of cloudy days
13 in Boston too, and winters can be kind of
14 grey. And this building is going to glow
15 like a lantern at night and be visible from
16 the adjacent Boston shore and as well as from
17 Cambridge. I think it's going to be quite
18 spectacular.

19 HUGH RUSSELL: You'll have to -- and
20 I see a sign up there.

21 RICHARD MCKINNON: Yes, Mr. Russell.

1 HUGH RUSSELL: People have probably
2 told you already about the little bit of
3 history around such signs.

4 RICHARD MCKINNON: Mr. Russell, you
5 should have seen the sign that was up there
6 two weeks ago. No, we understand there's a
7 lot of discussion about the sign ordinance.

8 HUGH RUSSELL: And one of the
9 strongest people who have feelings about the
10 sign is Renata she's undoubtedly going to
11 enter that conversation.

12 STEVEN WINTER: Mr. Chair.

13 HUGH RUSSELL: Yes.

14 STEVEN WINTER: This is just
15 wonderful. We're on the right track. This
16 is terrific. I encourage you to continue to
17 bring parts of Sweden and parts of the places
18 you've worked and parts of the other
19 Cambridge looks out. And we want things from
20 outside to come in. It's not, it's not
21 provincial, and we're very daring and that's

1 just where we want to be.

2 The flagpoles are a wonderful touch. I
3 don't know who put those in, but the
4 flagpoles with flags of other nations is a
5 great touch. That's a great thing. We
6 really like that.

7 The water is also terrific in front of
8 the building. The building, I think, in a
9 general sense, is doing something that you
10 would think this building wouldn't do which
11 is this building takes its place respectfully
12 when you had it in the visualization. And so
13 I'm in visualization, we're not as good at it
14 as we can, so sometimes they're tough to
15 read. And I think one of the things that
16 Ahmed saw was the point -- I think that the
17 visualizations may emphasize the white in a
18 way that it's difficult. I know where you're
19 going there, but I think that you should be
20 careful as we move on to make sure that the
21 visualizations really show the white just the

1 way you want it to be. The way your artist
2 sense wants it to be. And, you know, I have
3 to say this building really does have the
4 potential to become a wonderful touchstone
5 for people going over the Charles River on
6 the Red Line. For people walking up to
7 Lechmere, it's just -- it's going to have a
8 wonderful presence different times of the
9 night, different times of the day, different
10 times in weather. So I think it's going to
11 be a really nice urban companion. I really
12 like what we're doing.

13 GERT WINDGARDH: Thank you.

14 H. THEODORE COHEN: Well, I'll echo
15 everyone's sentiments. I think it's great.
16 I feel the need to go back to Stockholm to
17 see your hotel. I don't remember it there a
18 couple years ago.

19 HUGH RUSSELL: Well, thank you.

20 ROGER BOOTHE: Can I add a couple
21 thoughts about it? Can we go back to one of

1 the earlier shots where we see your proposal
2 with the existing EF building?

3 GERT WINDGARDH: Sure.

4 ROGER BOOTHE: I'll confess I was a
5 little shocked when I saw this scheme
6 originally. That's the one exactly.
7 Certainly I agree, it could be iconic. I
8 think there -- I have some worries about
9 whether it's going to be too cold and harsh.
10 And the horizontality of the windows, I kind
11 of echo Ahmed's concern. It seems -- I love
12 your little model. It feels friendlier.
13 There's something -- in some images it seems
14 a little hard edge, a little overly hard
15 edge. And I think it may be very hard to
16 describe it. I don't know when we looked at
17 the Banish (phonetic) building for Genzyme,
18 it was almost impossible what that building
19 was going to feel like. It was glass and
20 hard to illustrate. You're undoubtedly
21 familiar with that. It's nice on the

1 outside, but on the inside it's a little off
2 I think. We probably have like a climate, a
3 lot of grey weather, and it sometimes doesn't
4 feel like it's welcoming you very much. So,
5 I'm counting on that cascade that you
6 metaphorically refer to as a waterfall to be
7 something really warm. And the yellow
8 doesn't necessarily -- if it gets up, if it's
9 an implied yellow, it's not the same as what
10 I've seen in your other work. But the wood
11 is really emanating the warmth. So I think
12 that's your intent. Maybe you can speak a
13 little more about how, how that warmth might
14 come through, because my biggest concern
15 about the building is that it might be cold
16 and off-putting. There's no doubt it's
17 making a statement, and I think that's great,
18 because, you know, the area needs it and, you
19 know, the Board is, I think, been somewhat
20 critical the first EF building as not having
21 enough umph. And this is going to certainly

1 make up for that. But is this going to seem
2 like something that you don't want to
3 approach? Or is it going to seem like
4 something, gee, this is something exciting
5 and draw me in?

6 WILLIAM TIBBS: I just want to say
7 just as a comment on that, one of the things
8 that I thought was very helpful was your
9 progression of some of your projects, not
10 necessarily just to show your projects and
11 your design. But one of the things I saw was
12 you just have a sensitivity to glass and it's
13 reflectiveness and what it does, which I
14 trust you will bring to this. I was
15 particularly impressed with the one that
16 looked like the building was kind of
17 disappearing. But the, but what that was
18 saying to me was that there's a sensitivity
19 to understanding that material and what it's
20 feel and its effects on the environment, its
21 effects on the inside, the outside and how

1 it's fixed. So I think I just want -- I
2 think I hear your concerns and I hope that
3 you can bring that kind of sensitivity to it
4 because -- and because I think on all of
5 these, even though the one where you do have
6 the crack in the building but the glass has
7 different colors, it shows -- because of
8 that, but that sensitivity to glass you're
9 giving us an experience which we're not used
10 to. And I -- hopefully that will come
11 through. And I don't want to answer his
12 question for him, but that's the least.

13 ROGER BOOTHE: You don't need to say
14 anything now.

15 WILLIAM TIBBS: But that's what I
16 got out of it at least.

17 HUGH RUSSELL: Someone should take
18 you by a building cold Symphony Towers.
19 Actually, it's two buildings.

20 ROGER BOOTHE: That's what we're
21 afraid of.

1 WILLIAM TIBBS: I was saying how
2 ugly those buildings are.

3 HUGH RUSSELL: Done by one of the
4 finest architects in the country and in the
5 city and it's not his finest work. But
6 someone else has re-sided it and which has
7 made it considerably less friendly and less
8 attractive. So, some of us who know that
9 project because it's across from our Symphony
10 Hall. If you go to Symphony Hall, you can't
11 miss it. Take a look at that and you can
12 understand maybe where we're coming from.

13 ROGER BOOTHE: Yes. You worry about
14 the stripiness and your wonderful cascade,
15 the warm cascade might be overwhelmed if it's
16 too strong, the boxes. It's a worry.

17 GERT WINDGARDH: Yep. I tried to
18 address that question starting with this
19 picture where we think that this sort of trek
20 is -- focuses and it's a very vertical sort
21 of movement, and that's emphasized by the

1 sort of horizontality of the rest of the
2 picture. I don't think it wouldn't be as
3 nice if it didn't have that contrast. You
4 really don't focus on the darkness of the
5 white which is done in glass which is
6 reflected, too. And so that's one point.

7 And the other point I would like to
8 make is that I think in these pictures we
9 really -- we did presentations early on, but
10 that this would be like a glowing, like, a
11 sort of wooden lamp put onto the dark sky of
12 the southern portion of the location. And
13 originally we thought that we put wood and
14 veneer between two glasses, but in the end
15 for technical reasons we didn't want to go
16 down that road. And then we turned to
17 photographic, one to one scale, but that
18 didn't really work either because you were
19 too distant to perceive it as wood. And so
20 we made this computer-generated pattern which
21 is if you look closely to it, it's of the

1 proportion, of the scape, but it gives the
2 right kind of glow and feeling to the
3 building. And what I'm meaning, I'm quite
4 certain that the woodenness of the waterfall
5 will certainly overtake the whiteness and the
6 horizontality of the building. But it might
7 need to be enhanced a slight continuity to
8 the glass so that woodenness, that's very
9 strong on the interior won't be perceived on
10 the exterior. So there is work to be done by
11 that. But I think we've been successful
12 earlier to adopt this all that we gave in our
13 presentations. But it's tricky with those
14 three-dimensional pictures because they are
15 so photo realistic that the amount of time
16 that sort of rendering is not proportionate
17 to, you can't invest that much time. So you
18 really, really get what it looks like. And
19 so in that way it's slightly deceptive and
20 that's why some Boards like to see more like
21 water colors or something like that which has

1 that element to photo realistic which is
2 somewhat tricky. That's why I think it's
3 beneficial to have samples of materials and
4 references to existing buildings, and of
5 course, a more traditional models to see the
6 forms.

7 ROGER BOOTHE: That building you did
8 in Sweden that has the sort of the similar
9 crack in it. Could you talk a little about
10 this is a cousin or somehow related. There
11 you had a gauge out of the building that
12 created shadow. Here this is filled in and
13 spilling out. And are there any practical
14 concerns about having this facettted glass
15 coming outside the building? The one in
16 Sweden doesn't seem like simpler to manage.

17 PAMELA WINTERS: The Petra building.

18 GERT WINDGARDH: It's certainly
19 simpler to do it without seeing. But there
20 shouldn't be major obstacles to do without
21 that. The one thing we had concerns about

1 this is -- I tried to say -- I'm talking --

2 I was stating that this building was
3 quite simple to do, and when we're talking
4 about letting the waterfall protrude in front
5 of the elevation, we get a more complicated
6 building. But the preliminary studies that
7 we've done doesn't show that there would be
8 something that we couldn't handle. And the
9 one thing that we really didn't consider when
10 we did this is how the snow would accumulate
11 on the building. And so that's something
12 that we've put into consideration here. So
13 we'll have that snow coming down into the two
14 points, and we've had immense amount of snow
15 this year. And so we have regular snow
16 catching things on it, but they were not up
17 to the job basically. But I think we can
18 handle those issues.

19 And this is a combination of tinted
20 glass and see through glass. We suggest see
21 through glass because of specials from trade

1 unions and so forth and the workplace. And,
2 but still it gives this coloring impression.

3 ROGER BOOTHE: So the white bands
4 are actually glass as well.

5 GERT WINDGARDH: Yeah, they are.

6 ROGER BOOTHE: And if you're inside
7 the building, are they translucent or opaque?

8 GERT WINDGARDH: It's just a
9 finishing. It's a spandrel of the glass, and
10 it's, it's a contractual thing that it's one
11 manufacturer who assures the airtightness of
12 the building and also guarantees that no
13 water is leaking.

14 And I brought with me a green book
15 where there is some more pictures and more
16 details explaining that which I will present
17 to the Board as well.

18 HUGH RUSSELL: Okay. I thank you
19 very much for coming. And you can see we're
20 excited.

21 RICHARD MCKINNON: That was helpful.

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Thank you very much.

HUGH RUSSELL: We're adjourned.

(Whereupon, at 10:15 p.m., the
Planning Board Adjourned.)

C E R T I F I C A T E

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