

PLANNING BOARD
FOR THE CITY OF CAMBRIDGE

GENERAL HEARING

Tuesday, April 19, 2016

7:010 p.m.

in

Second Floor Meeting Room

344 Broadway

Cambridge, Massachusetts

H. Theodore Cohen, Chair

Hugh Russell, Member

Tom Sieniewicz, Member

Steven Cohen, Member

Louis J. Bacci, Jr., Member

Thacher Tiffany, Associate Member

Community Development Staff:

Liza Paden

Jeff Roberts

Stuart Dash

Suzannah Bigolin

Swaathi Joseph

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H. THEODORE COHEN: All right. Good evening, everyone. Welcome to the April 19th meeting of the Planning Board.

Are we having an update?

STUART DASH: Jeff will do it.

JEFF ROBERTS: Sure, I'll provide the update this time. I guess I'll start with just an overview. I know that the board members were acclimating themselves to some of the changes in the room, but I thought I would just review them quickly.

This is some work that the City just did over the past week. One, you may notice that we have a new projector which now is providing a -- well, first of all, it works which is an improvement over the last one, but it also

provides a fuller and better image. So hopefully we'll be getting some better quality on those, on the presentation colors and picture.

Also behind the Board is a monitor which was put in place in order to provide some additional -- it will provide the same image of what's on the projection screen, but on occasion where the speaker and some people who are situated in more awkward parts of the audience will have a clear view of what's being presented.

You'll also notice in the corner of the room, I guess it's the northeast corner of the room, they have installed a camera. So we are now broadcasting live to the hallway. And I imagine the plan is to expand outward from there to other parts of the City. This will be much -- if any of you have watched the City Council meetings, they now have a system that is called,

the Accela, it's run by a company called Accela which provides the capacity to broadcast -- to webcast and archive the video from City Council meetings and we expect we'll have the same type of functionality for Planning Board meetings sometime in the future.

Another piece is the microphones. As you may have noticed, the microphones have been adjusted. It will become particularly important as we're going to be webcasting the meetings to make sure that everyone is speaking into the microphones. You can probably tell that they're picking up a lot more now given where they've been adjusted. So you don't need to be right on the microphone but still the principle applies of making sure that you're speaking towards the microphone. And then similarly as I was just pointing out, keeping in mind that the

microphones will -- if they're left on will be picking up more, so making sure that we're, that we're turning the microphones off at the appropriate times when we're not speaking.

So the final piece is the timer, which the Planning Board has been asking for quite a bit. We now have the capacity to set the public comment timer with green, yellow, and red lights indicating when -- indicating when the speaker's time. So it can be controlled there from the center and then there's one at the lectern which displays how much time is left.

So those are the -- those are the things that have been installed in the room.

Flipping over to upcoming calendar, our next meeting is April 26th, next week, and there are no public hearings scheduled, but that meeting will be dedicated to a discussion of the

Envision Cambridge citywide -- that's the citywide planning process. Representatives from Utile, the City's consultant, will be here to give an overview of what they've been doing so far, and what the next steps are going to be, and also to engage in a little discussion with the Planning Board similar to the discussions that they've been having at forums and in locations throughout the city, getting input on what elements and issues should be considered as part of that planning process.

The next meeting will be May 3rd. I won't be here, but that is when we are expecting as we'll discuss shortly, to have a continuation for the 95 Elmwood Street case and that will come up in a minute.

As General Business items on May 3rd, there are a few possible items that we currently

have on the agenda which are somewhat tentative at this point, but we should have firmed up fairly shortly. One is an update on the inclusionary housing study. You may have seen that that was recently sent to the City Council, it was made available on the web, and if board members haven't seen that, we can make sure that you get a link to it, because now that I think about it, I'm not sure I circulated that. We can do that.

Also on May 3rd we may be seeing a design review presentation and a Minor Amendment request for the Discovery Park project, which is a project the Planning Board has issued a Special Permit on and have seen a number of times. And also the Porter Square Hotel which the Planning Board saw recently and asked for some additional information on. We expect that to be back in the

near future, potentially May 3rd for that.

Then the next meeting after May 3rd is going to be May 17th. We are expecting at this point that we will have the MIT Kendall Square PUD project back for the Planning Board's review at that meeting. And then following that there will be a meeting May 24th where we expect to have public hearings on two zoning petitions that were recently referred by the City Council; one having to do with the Riverside neighborhood and the other one is a re-filed version of a petition the Planning Board saw a few years ago about allowing some relief for the removal of central drain lines on buildings with flat roofs, and we'll talk more about that later.

So that goes through May. So I guess I'll stop there and see if there's any questions or anything that you want to discuss.

H. THEODORE COHEN: I don't think so at the moment.

JEFF ROBERTS: I actually, I skipped one thing. That maybe for people in the audience, that the -- one of the -- the public hearing that will be heard tonight on the Richard Avenue petition will be heard by the Ordinance Committee on May 11th. That's all.

H. THEODORE COHEN: Okay, thank you.

Liza, are there any transcripts?

LIZA PADEN: We have two transcripts. One for February 23rd and one for March 8th and both of them have been certified.

H. THEODORE COHEN: Okay.

Could we have a motion to approve those transcripts?

STEVEN COHEN: So moved.

H. THEODORE COHEN: Second?

(Seconded.)

H. THEODORE COHEN: All those in favor?

(Show of hands.)

H. THEODORE COHEN: Thank you.

The hour of seven o'clock having come, there is -- we scheduled a hearing on Planning Board case No. 308 relating to 95-99 Elmwood Street. I understand that there's a request to continue the matter.

ATTORNEY SEAN HOPE: Good evening, Mr. Chairman, members of the board. For the record, attorney Sean Hope, Hope Legal Offices in Cambridge. I'm here tonight on behalf of the petitioners of 95-99 Elmwood. As Mr. Roberts said, we are requesting a continuance because there is less than a full complement of the Board, and we thought that given that, that we would like to continue the hearing to the May 3rd

hearing. Procedurally we request that the Chair actually open the hearing but not take any public testimony. This would allow us to be able to be heard on the May 3rd hearing, otherwise procedurally we'd like to have to advertise and wouldn't be able to be heard on May 3rd.

H. THEODORE COHEN: Okay.

Actually, I am recusing myself from this matter which is one of the reasons why we're -- have a short number of members. One is also visiting an ill parent and one's unavailable today. So I've asked if Hugh could act as Chair for this proceeding.

HUGH RUSSELL: Okay, so the Board will open the hearing on Planning Board case 308, 95-99 Elmwood Street. And we have received a request to postpone the hearing until May 3rd.

Is there any discussion on that request?

STEVEN COHEN: It's a good idea.

LOUIS J. BACCI, JR.: Second.

HUGH RUSSELL: Okay, so I take it, I hear you as a motion to postpone and a second.

Any further discussion?

(No Response.)

HUGH RUSSELL: All those voting to postpone?

(Show of hands.)

HUGH RUSSELL: Five members voting to postpone.

ATTORNEY SEAN HOPE: Thank you.

H. THEODORE COHEN: Thank you.

So our next hearing this evening is not scheduled until 8:30, but we have a couple of other matters that we can take up in the interim.

What I'd like to do is take up information, since Suzannah is here and I

understand is not feeling well, so if we could just take up this matter first. It's with regard to the mock-up of materials for the Manning Apartments on Green and Franklin Street.

And, Suzannah, do you have any comments you want to make initially or Stuart?

STUART DASH: I'll make them and then Suzannah can add in.

Thank you. Stuart Dash, Community Development Department.

So we've been working with many apartments for the last -- actually, quite a while. For maybe a year or so at this point and certainly since the Planning Board review working with them on the panels, both the color and the sheen of the panels and the pattern that was in discussion during this period of time. And we got a request at the last Planning Board meeting

to see if the coloration could be changed, the contrast could be changed between the panels on the larger areas of the building of Manning Apartments. And we had a sample wall that was put up by the architects and went to review it and that's what Suzannah sent out information about their review to the Planning Board and it sounds like the requests that we got back were not unexpected since even when we looked at it, you can tell the sun angles and the time of day made the colors change quite a bit which we thought maybe not bad, but certainly changes your opinion depending on when you were there. So I would like to ask the architect to walk through what's been thinking and what we've been going back and forth with and then we can see what the Planning Board has to say about them.

H. THEODORE COHEN: Thank you.

BEN WILSON: Good evening. Ben Wilson with Bargmann, Hendrie Archetype. And as Stuart mentioned, we've been working with the housing authority for -- working on the envelope for the last year in this design and we've been working with struggling -- not struggling, we've been working at length with the material selection. And just as a brief side, we started this process -- we went deep in the design process using an insulated metal panel system that was, that gave us some texture options and we sort of worked out a color scheme and whatnot. When the bidding came through, we actually had to shift the whole design envelope and detailing to a composite metal panel which eliminated the ability to use an actual textured surface and brought us to sort of a different pallet essentially. And what we've -- we've been

gathering, and it's a -- project is running on a pretty rapid schedule right now, but we've been gathering and trying to get some custom samples of the different colors that we're trying to bring into the mix.

I think the last time we presented here the color scheme is essentially the same, same design pattern and concept in terms of the volumes, the contrasting volumes of the projecting elements and the random weave effect of the main body of the building. What we have done is when we presented in the December, we had a much stronger contrast from light to dark. The tones in the body of the building were pretty striking and kind of grey and white essentially, and we've been working with different color variety -- or combinations in the softer tones. We've been looking at some warmer tone greys,

different metallic options in the grey tones, and we've, we've worked toward a pallet that unfortunately the lighting doesn't help much here, a combination on the body of the building, the main surfaces combination of these two, two colors. It's a sort of a warm silver and a coppery tone, copper tone silver. They're both metallic finishes that have quite a bit of refraction and variation in sunlight. And it's kind of -- it's shocking because you expect one thing and then all of a sudden we're looking at it on the building and it's quite different. And that play of the colors actually is what we've been trying to get into the design all along, where this vertical bar pattern that we have on the envelope comes and goes with the passing of the day, with the passing of your viewpoint, your angle.

So, we've, we have come up with the samples, have them mounted on the scaffolding of the mast climber of the building and we've been able to raise it up and down the height of the building to get different angles, different lights. And so this view here, and actually can I have -- the small ones there.

So what I have, what I have here is a kind of a collage of images that were just taken today of samples that were mounted on the front of the mast climber. And so it was all under the same general skylight and all under the same, essentially the same, some angle, but just by walking several feet away, and the colors you can see, you would think there are five different color ranges there. And the last page here has the sample of that.

So in the, I put this up just to sort of,

to show how much, you know, the color variation happens. In some angles the colors, these metallics are actually picking up surrounding color. In some cases when it's higher up, I think this one is actually higher up on the scaffold, it just starts picking up daylight, skylight color. And so there's a pretty dramatic kind of variation that we're dealing with. And it's one of the main reasons where I've had such a hard time getting the renderings to sort of say what I want.

H. THEODORE COHEN: Excuse me, so you're saying all three of those are the same, just at different locations on the building at different times?

BEN WILSON: They were all taken within 15 minutes of each other. Just a different angle and different viewpoint. So this was probably

taken from back down the street and it was probably lower.

This was taken with more of a glancing angle. And then just, I introduced this just to elaborate on the variation that we effect from it.

I think the sample that's up on the mast climber right now, this is just a clip taken out, so it's sort of -- so it's up on this 50-foot wide mast climber, and so you can see them up there. This is maybe eight feet wide, so it's a relatively small piece of color when you put it up on the face of the building. And I think what we wanted to do is give you a better explanation of what those little pieces of color really represent.

But these six images here, which we also have copies that you can take, or some of the

samples that we've tried to review on the building in different light and we -- as I mentioned, we tried working with the gloss and the satin combinations.

This sample over here was put up a month ago, and it was a satin and gloss on the bronze and a satin and gloss in the silver. And we initially thought that was going to give us the effect that we wanted for the overall building. And this is, this silver over here is the same, is the same one that we're using here. So you can, this middle tone. So you're in the same family. But it didn't, it didn't have quite the dynamic that we were hoping to have. It's just too subtle. You know, you can have -- subtlety is nice, but when it becomes impossible to recognize, it doesn't really work.

So we, we tried -- let's see here, so

this, when it was up on the mast climber on the east side of the building, these are the two that we shifted to. Now the Titanium and copper we call it, and these are the two bronzes. And these are the two Titaniums and the different sheens. And we just tried to understand how that worked. And we really feel that we need to go to the two tones of grey on the overall, overall building, because at a distance the sheen just doesn't, doesn't provide a pattern.

The red panel that we have here that's this, this area over here, and I apologize for the size of these, but this red panel here, that's our, this accent that we're using on as sort of a horizontal datum on the window, window floor line, it's an integrated into the curtain wall and there's a use of the red on the -- as an outline frame, recess frame of the large curtain

openings.

And then the bronze tone that you see in these, this sample that's up on the climber now were, what we were finding is that it was, it was reading very chocolatey and kind of -- I think someone referred to it as Nutella on a lot of different light conditions. And so we want to push the bronze to something that, that's more of a darker tone. It's a greyer tone. It's a kind of a blend of bronze and grey. And that's, and that would be what we would be using on the curtain wall as well. And these are the terra-cotta tones at the base of the building.

THACHER TIFFANY: So can you clarify again what you just said? Are you saying that you're proposing a different bronze from what is on the bidding right now?

BEN WILSON: Yes, it would be, and let me

get my sample here.

Okay, the -- this is the tone we've been -- we have on the curtain wall framing itself, and we had proposed that as the bronze on the dark volumes. And in certain lights it really becomes very kind of chocolatey is the right word.

And so what we're trying to do is just cooling it down just a little bit.

THACHER TIFFANY: So when I went by the building today, which of those was on the left? That one. Okay. And you're -- okay, got it.

LOUIS J. BACCI, JR.: Which one of the brown panels is that?

THACHER TIFFANY: Yeah, okay. Good question.

LOUIS J. BACCI, JR.: Because you had a gloss and not glossy.

BEN WILSON: So --

H. THEODORE COHEN: Could you move that over to the other side so we can see that simultaneously with the --

BEN WILSON: Sure.

H. THEODORE COHEN: And you can explain which is which.

BEN WILSON: Okay. So I believe this is, this is the gloss and bronze. Actually, here are the two. So these are the two materials that are on the mast climber now, the gloss and the satin. And I believe this is the gloss and this is the satin. So, and these, those three, those are all the same. I promise.

H. THEODORE COHEN: And the proposal now is to go slightly darker?

BEN WILSON: So our proposal on the bronze is to go slightly darker. It's a little

bit cooler. It's really not much darker in terms of contrast. It's just a little cooler.

THACHER TIFFANY: And what's the pairing for that one?

BEN WILSON: It would also be a satin gloss.

THACHER TIFFANY: A satin version of that.

BEN WILSON: Yes.

THACHER TIFFANY: And that would cover all the dark panels --

BEN WILSON: And the series here. And the back side.

THACHER TIFFANY: And then there's a big panel.

LOUIS J. BACCI, JR.: So satin and gloss?

BEN WILSON: Correct.

LOUIS J. BACCI, JR.: So each is the --

so on the samples, the satin and the gloss you're using both?

BEN WILSON: In the darker tone.

LOUIS J. BACCI, JR.: And it's going to be mixed in that pattern?

BEN WILSON: Same sort of staggered pattern.

And the intent there is to, and it's all on single plain. The idea is that you give these larger volumes in the building that really from a distance that is the pattern of the building. But when you see it on a certain light, it's one of these things when you're passing the building, you may pass it 20 times and then all of a sudden look up and there's this pattern that you see because of the way the light's reflecting.

LOUIS J. BACCI, JR.: Are you concerned with a lot of reflecting light off the building?

BEN WILSON: No. It's not, it's not that harsh. And based on -- what are these? The samples, you can -- I mean, this is maybe the best example of the effect of that gloss versus a satin. And it, you know, it just really, you might get a flash of light if you're looking at the direct reflection of the sun or something in that nature, but it's not as broad and, it's not like looking at the Hancock Tower. It's more subtle.

H. THEODORE COHEN: And could you explain which --

LOUIS J. BACCI, JR.: Also the grey?

H. THEODORE COHEN: What the grey panels are?

BEN WILSON: So the two grey panels.

H. THEODORE COHEN: Can you go back to the other one you had for that one?

BEN WILSON: This one?

H. THEODORE COHEN: Yes.

BEN WILSON: So the two greys that we're showing, and it really is interesting how much that, the contrast shifts between those two colors, those two greys. The one on the right is the, is lighter silver tone or I think it's called Titanium. And the one on the left is this Vancouver copper tone. And the intent, then, is the body of the building would have these two colors that are subtle shifts of the grey and have them offset by an inch and a half set between the dark and the light so that there's this sort of subtle, subtle surface plate on the overall face of the building.

H. THEODORE COHEN: And the two Titaniums and the two coppers, those are the matte and the satin?

BEN WILSON: They're all satin.

H. THEODORE COHEN: Okay.

BEN WILSON: It's not --

H. THEODORE COHEN: And that's the plan
for the whole skin --

BEN WILSON: Correct.

H. THEODORE COHEN: -- would be satin?

BEN WILSON: And you can see -- if it
helps to be able to, it's not a flat tone. There
is some sheen to it, and because it's metallic it
has quite a bit of, quite a bit of reflectivity.
And what we were finding is that in the daylight,
and that's part of why these samples kind of jump
around in color so much, in the daylight the --
depending on your angle of viewing, they
really -- they can pick up an awful lot of light
themselves and sort of come and balance each
other out. Of course I don't want to say too

much about it. The idea is that the pattern -- we wanted the pattern to be more present than just the difference of the sheen. And this really seems to be working pretty nicely that way.

And then the red panel, we started out with some brighter reds and played around with a couple of panels that were -- actually one of these -- one of these red panels here was one of the -- is sort of a fatigued red, and none of those seem to work quite right. This metallic red with a gloss finish really has a depth to it that seems to, you know, hold its own with, you know, in the combination.

THACHER TIFFANY: That is that the one on right? Are there two different reds in the display, in the mock up?

BEN WILSON: Well, we had one -- part of

this is a different red sample. And, you know, again the red's, certain lights just start reading the same. Part of this was a mock up painted to match that and the other part is -- so they're not completely representative. But the panel on the right there is the one that --

THACHER TIFFANY: That's the real --

BEN WILSON: That's the real McCoy. And on this side, and again, you can see the effect that light and reflection really plays a lot with the pattern and the balance.

HUGH RUSSELL: When we looked at this before were the red panels used in the same way with the windows?

BEN WILSON: Effectively, yes. It was a much brighter red. It was more of a --

HUGH RUSSELL: In the same locations?

BEN WILSON: Uh-huh.

We've -- I think one of the -- one minor play that we did was using the -- using the dark, the bronze tone on the edges of the projections of the building that were not -- essentially there's four corner projections and one central projection and we're not accenting all of them. We've chosen the ones that you see. The ones that we haven't accented, so the outside edges of this one and the outside edges of these we returned the projection with the dark panel.

THACHER TIFFANY: Did you say that there's going to be a shift in-depth of the light grey panels?

BEN WILSON: Yeah, this gives you a good example now. And keep in mind this was a pretty sharp sun angle and coming down at an angle here. So the idea would be that the, that the one panel would be recessed back or the other panel

projected out about an inch and a half. So it's pretty subtle from a distance. You wouldn't see it from -- as you approach it closer, you might start to see.

THACHER TIFFANY: But it creates some strong shadow lines?

BEN WILSON: It creates some separation between color, yeah.

THACHER TIFFANY: Sorry, I'm still just establishing facts here. So you're saying that the grey and the light grey, wherever we say grey and light grey, they're going to be -- like, the light grey is always going to be out?

BEN WILSON: Actually pull the dark grey out.

THACHER TIFFANY: The dark grey. So the opposite of the way it's on there?

UNIDENTIFIED MEMBER FROM THE AUDIENCE:

And the bronze will also have an offset.

BEN WILSON: Working with Adam actually looking to keep the bronze flat.

UNIDENTIFIED MEMBER THE AUDIENCE: Okay.

LOUIS J. BACCI, JR.: The small panel at the top.

BEN WILSON: Small panel at the top is the, it's insulated metal panel where it captures the end house extension and it's a little bit lighter.

LOUIS J. BACCI, JR.: It's also textured?

BEN WILSON: It is a fine texture. The dimension between the rib is an inch maybe or a three-quarter inch and it would be just be a vertical. So, again, that texture allows it to just catch light a little different than everything else. It has its own play and it's a little lighter, a little brighter, so to catch

more of the sky color.

LOUIS J. BACCI, JR.: The red color on the panels and the size of the red panel that you have in the mock up, is that approximately the size of the panel on the building the width?

BEN WILSON: It might actually be, that might be a little bit --

LOUIS J. BACCI, JR.: Thicker.

BEN WILSON: -- deeper than the actual --

LOUIS J. BACCI, JR.: Okay.

BEN WILSON: I don't know exactly.

LOUIS J. BACCI, JR.: It looks close.

BEN WILSON: Yeah, it's probably within the couple of inches.

LOUIS J. BACCI, JR.: And the red is gloss?

BEN WILSON: Yes.

We had, we had both the gloss and the

satin. And actually I think this one might be the satin. And it caught light in a way that made it look washed out and not particularly desirable.

STEVEN COHEN: What will be the long-term effect of the sunlight, smog, you know, the environment in general on the sheen, on the reflectivity? Just curiosity.

BEN WILSON: Yeah, the -- it doesn't have to be that long term. Just rain, rain spotting. It does, it does take off the sheen, but it does wash itself clean. It's a -- it's a well exposed surface. So the gloss factor is washed off. That's one reason that I was also less inclined to try and use a different sheen on these was to just keep it all in that more of a satin, satin finish. The gloss panels, I think there are some good examples around. I do have a picture of a

building in Manhattan that I can dig up and send over. It's a -- you know, it does, it weathers. It picks up rain and dirt and equivalent to everything else. I'm not sure I have a great solution to that. More rain.

I think what we're hoping to do is get approval with the color scheme. We're still trying to get the sample on this darker grey to get it up on to the mock up and it would just confirm that that's what we want to do, and we're getting some larger samples of these two panels to continue to do the same.

The red panel we're trying to get released as soon as possible. It's at the stage where we, we can't proceed with the window order until we make that decision. And I, you know, I think this, the body of the building, I think we're getting to where we have -- we're getting

what we want. It's not coming out too stark and white and contrasty. It has sort of a nice subtle play with the light, and --

H. THEODORE COHEN: Sorry, I'm a little confused. So these pictures, these drawings are what we saw back in November/December?

BEN WILSON: These have been worked quite a bit in terms of, they may be very similar. It's all developed from the same rendering base, but the color tones we've been working with a lot to try and get them into the same, get them to match the pallet of materials relative to the actual samples that we're seeing in the -- on the building. I think the materials that we had back in December, and it's always interesting to see things on the screen relative to, you know, the printouts, they're quite a bit whiter in the color tone. The silver was pretty strong on the

whiter side.

H. THEODORE COHEN: So do we have any comments? I mean, when I went to look at it yesterday, the copper as it were, was very tan-beige to me. And it seemed like we had moved completely from sort of greys into tans and beiges. And the Titanium looked like the color of the concrete that was there. So I don't know what to say. I'm curious what our architects, if you deal with these materials and these types of issues all the time.

TOM SIENIEWICZ: Well, here are a few observations:

One, yes, in our climate there is a tenancy to have deluge and summer rainstorms in the summer does washing buildings and more places where pollution does build up and so we have an advantage of a particular climate for washing

buildings. So that's true, it will build up but they do get washed fairly frequently in the summer as long as climate change doesn't affect our precipitation too much more.

I too went to see the panels last night around seven o'clock, which was not -- and they were low on the building, on the staging which was not a particularly flattering angle for the dark browns. And in fact, before the hearing started tonight somebody was whispering what did you think? And I said those colors weren't anything like I thought they should be. I remembered them promising to be closer to the tone of my colleague's jacket here. Thatcher's jacket.

And so when you went through your description and you showed the various heights, and I've got to give you a credit for making a

mock up for going up and down the building like that. I'm going to steal that idea. In fact, it is the color that you two are trying to move it towards. So my one comment coming into tonight was okay, well, I would really like to see that go darker, and I think you agree.

As far as the overall tone of the greys, the bronze, and the red -- I'm delighted with the red, that little kick of color. I think that the light colors, which are from a distance at a quick glance, could look like concrete and I think that respects the integrity of the original architecture in a wonderful sort of way. But and so I think after the description tonight came in loaded for bear, but you've addressed my questions for the particular colors. So I'm, I'm pleased with the way it looks. I was wondering overnight also what was properly within the

purview of the Planning Board? You know, this is colors. And so I think it's worth a little bit of comment on the record about that. This isn't about taste necessarily, this is about -- I think there is a public interest here of viewing the quality of these colors and the way in which they work together and the way in which they work with the architecture because that speaks to the quality of the design. And as I'm looking at the renderings and the colors as you described your adjustments, I'm satisfied that this is a very thoughtful and quite sensitive handling of these metal panels. And I think the public interest is served and I think the walls are served. Other might disagree, but that's my opinion.

H. THEODORE COHEN: Hugh.

HUGH RUSSELL: Actually, I do agree. It will make the evening less interesting. But I

think I'm going to go back to a former colleague that served 29 years as this board, Fred Cohen who was my mentor when I arrived. And Fred used to say from time to time, people will keep -- will forget all the reasons why things were done and all the compromises, but just look at the product and they'll say is this high quality? And I think should this be executed exactly as it's shown to us, people will say, yeah, this is a high quality job. You know, my grounding is in the modernist period of the original building, and so I'm -- you know, a little uncomfortable with the patterns or the textures that are created. I wouldn't do that myself, but I think that's on the other side of the line between the public interest and the private interest.

I think the renderings are a little bit, the renderings cannot show the -- what those

three photographs show, which is there is a mother -- like the -- you can see the different panels.

BEN WILSON: Tom's rendering.

HUGH RUSSELL: You have the old one?

TOM SIENIEWICZ: No, put the shadow.

THACHER TIFFANY: Oh, nice.

HUGH RUSSELL: So, there's more between the effect of the light, the reflections from lower things, the shadow lines, all of those things are going to make it less arbitrary looking I think, and it becomes, you know -- so I'm, I'm satisfied with this. I think it does meet the standards. I like the fact that the building isn't as bright as it was. So I'm -- I would say I'm very, very happy with it at this point.

H. THEODORE COHEN: Anyone else have any

other comments?

THACHER TIFFANY: I'm interested to hear a little bit more about the ground floor treatments and all those colors. I want to make sure these guys are thinking about them. But also it might be interesting to hear about how you feel about those. I remember the last time it was to use a more solid material as I got down there. How do you think about those colors?

BEN WILSON: And so at the ground plain, and this jumps around like the rest of the design from one floor to up on to the second floor, we were imposing the terra-cotta pile which is a 12-inch band which runs horizontally and I just didn't bring any of the close up elevations of that area. But the pattern sort of draws itself down to the ground with the -- through the terra-cotta and sort of a super scaled enlarged

scaled pattern coming down. The tiles are typically anywhere from two to five feet long, twelve feet high. And so they -- it sort of gives a different proportional layout for the material.

And, you know, the -- we played around with several different tones and we looked at a darker tone and also one step up from this is closer to the terra-cotta, the bronze tone, and more in conversation with the Planning Board, with Stuart and his group and with some of the other CHA players that sort of had hands in the community, there's really a discomfort to having too much darkness on that, at that grade level. You know, you kind of wanted it to be lighter and it kept verging more and more towards the concrete that's there now, but we brought this creamy color into the mix of the two greyer tones

and it sort of gives a little bit of a splash of warmth at that level. And then we used, as you work around the building between the garage and this arcade back in here, we go to almost entirely this tone just to give it sort of a lightness and warmth in there. But it's a much more durable material than the metal panel and it has a warmth dimension.

H. THEODORE COHEN: I have to say, and maybe we're -- I'm crossing the line of what's appropriate or not, that cream color seems out of keeping with everything else.

STEVEN COHEN: I feel the same way.

THACHER TIFFANY: Yes.

H. THEODORE COHEN: That it adds sort of a yellowishness to things.

STEVEN COHEN: Like Sesame Street, one of these colors is different from the others.

H. THEODORE COHEN: Right. You know, the color is pushing -- the terra-cotta is sort of pushing the browns and the beiges and personally I prefer the sort of greys and the pewters.

STEVEN COHEN: I agree entirely. And for me the dark color's a little bit too muddy. But picking up on Tom's comments, exactly how intrusive you should be in micromanaging a color. You know, I think it's our responsibility too to prevent like big mistakes. There's nothing here that's a big mistake. You know, personal taste may go one way or the other, no big mistakes here. You know. To the extent that you may be influenced or persuaded there by us is on a purely elective basis just to see how some folks react to it, you know, you've heard some of that and you may or may not have been inclined to adjust. But overall I think it's a good mix --

makes a good presentation. Except for the cream and the dark muddy but....

H. THEODORE COHEN: But I think it is fair for us to comment because obviously this developer I know is working with staff all the time, and they're working on colors and pallets and this and that, material, and so, you know, in this and a couple of other cases we asked that the mock ups be available for us to look at so we could give our feedback to staff, too. And so, you know, I agree there's nothing -- you're right, we want to prevent anything bad from occurring, but once we get beyond that, it's just a matter of taste. And, you know, he's the architect for the owner of the building and it's the owner who presumably who gets the final say in what's going to happen.

STEVEN COHEN: Just curious, does anybody

else react to the cream the way we did? Just curious.

HUGH RUSSELL: Well, I think you're correct in looking at it right now under this light.

UNIDENTIFIED MEMBER FROM THE AUDIENCE:
Under this light, yeah.

HUGH RUSSELL: Under this light it seems like an outlier. But I'm not, I think it's -- when it gets outside, there's a lot more blue light shining on it. It's going to, it's not going to be as creamy. That's my guess. And I assume you've looked at them outside in the light?

BEN WILSON: Light and mixed angles and, you know --

HUGH RUSSELL: Yes.

BEN WILSON: It's not as yellow as it is

here. And it is, it is creamier, I heard what you said. I'm going to definitely take a look and chase it down.

H. THEODORE COHEN: Lou, did you have a comment?

LOUIS J. BACCI, JR.: Yeah, I have to because the big mistake, this is a big piece of the skyline looking down from like Main Street, Mass. Ave. area. And I know there is no longer darker colors on that, on that facade, but when I was there I had the gentleman raise the staging this afternoon. I have some friends there. And the gloss panel, it's glossy. I mean, it shines. I mean, would you like to -- from straight on.

BEN WILSON: Yeah. That's a good picture.

LOUIS J. BACCI, JR.: I -- not so much the I guess the eastern side of that building,

but the side that faces kind of west in the afternoon, it seems like it would be very shiny especially if you go darker.

BEN WILSON: Well, and it is -- I mean just keep in mind that it's, there's the pattern, so it's not the whole surface.

LOUIS J. BACCI, JR.: And I understand you trying to play the light. I'm just --

BEN WILSON: I think that what you --

LOUIS J. BACCI, JR.: And I couldn't get the light colors to do it.

BEN WILSON: Right.

LOUIS J. BACCI, JR.: And I went left, right, and center. And the only way they would do it is straight on.

BEN WILSON: I think what you're seeing is, what you're seeing is that reflection of light. And so, so if it's up on the building,

and the light's coming from over here and you're down here, that reflection is --

LOUIS J. BACCI, JR.: This was a cloudy morning.

BEN WILSON: But that's not, I wouldn't call that harsh.

LOUIS J. BACCI, JR.: No, right. I couldn't get the sun on it today. That's why, I'm just, you know, you hate to see this dazzling -- I don't know. I get you. I got it. I don't have problems with the color.

BEN WILSON: I will make a photograph available of the building I took a picture of a couple months ago --

LOUIS J. BACCI, JR.: Right. But as bright as I could get it today from far away --

BEN WILSON: Yeah, that's --

LOUIS J. BACCI, JR.: Right, you're

looking for that?

BEN WILSON: Yeah, and it's hardly -- that would take more of a reflection if I could get it.

LOUIS J. BACCI, JR.: And that's as sunny as I could get it because all the clouds were there. I was curious about the reflection.

HUGH RUSSELL: So when I was there, it was four o'clock in the afternoon and sunny. It was -- was it Saturday I think? And I -- so this is facing west, the sun is right on it, and it's coming right at me. And I couldn't tell if there was any gloss or non-gloss.

LOUIS J. BACCI, JR.: Was the staging up at the time?

HUGH RUSSELL: No, the staging was on the second floor.

LOUIS J. BACCI, JR.: Yeah. I had him

fourth or fifth and that's the only time he would do it.

HUGH RUSSELL: Yes, because then it was reflecting some of the sky light.

LOUIS J. BACCI, JR.: That's what got me. I was concerned. And I just wanted reassurance, you know. But, yeah, the rest --

H. THEODORE COHEN: Okay.

HUGH RUSSELL: We'll send the graduate student in architecture there with an assignment to make a thousand photographs once it's built.

LOUIS J. BACCI, JR.: Time lapsed?

STEVEN COHEN: Every angle and every hour.

LOUIS J. BACCI, JR.: And a lot of times the mock ups that are --

H. THEODORE COHEN: All right. Stuart, Susan do you need anything else from us?

HUGH RUSSELL: What do you think, Suzannah, is it this or that?

SUZANNAH BIGOLIN: I'm not going to -- I think we're happy with the sort of subtleness of the combinations. We were concerned originally about that. So I think that's an improvement. And the dark, the dark realms we had concern about, too. The sort of chocolatey color. We're happy to see that change. When I saw it, I thought it was really beige and tan like Ted mentioned as well, and it looked kind of matte. But the other views have kind of addressed that issue.

H. THEODORE COHEN: Okay. Well, thank you. Thank you for bringing this to us and thank you for coming and explaining things to us.

TOM SIENIEWICZ: I've got to reveal something else on the record. I call myself a

painter by copyright, but I'm a painting student. I've been studying for ten years at the Mass. College of Art with a group of oil painters. Actually we take the same class over and over again and we spend four hours every Thursday night, and all we talk about is color. We talk a bunch of painters is not very interesting except when they talk about color. And I made a little note in my notebook to say how long can we talk? Is the Planning Board as skilled as the Mass. Art painting students talking about color and how long can we talk about color? And that was five. We cut three out of the -- and it was really interesting for me a fascinating discussion, I mean, seriously to take two of my disciplines to put them together planning interest and color interest. Very cool discussion.

H. THEODORE COHEN: So, there is a ZBA

matter with regard to signage at One Kendall Square that some of us asked to have brought before the Board for our comments if we have any.

So, Liza?

LIZA PADEN: So, the One Kendall Square building is being re-branded by the new property owners Divco. And they have an entire sign package with a number of signs, one of -- two of which require Board of Zoning Appeal variances. One of them is for a projecting sign over the corner of Cardinal Medeiros Way and Hampshire Street. And that's what I'm trying to open up to you.

Are you sitting this one out, Tom.

TOM SIENIEWICZ: I'm going to have to, yeah.

LIZA PADEN: Okay. So I'll come find you after we're done.

So if you remember at One Kendall Square, there's this tall element here of the stack which used to be where they dried off the firehoses, and the proposal is to put the same sign in two locations, which I'll flip the page and show it to you. Which is the logo for the new building which is One Kendall Square. So the reason why this sign does not conform is above the 20-foot height limit and the second floor sill line.

LOUIS J. BACCI, JR.: Is it illuminated?

LIZA PADEN: It is not internally illuminated, no.

So the sign is five feet, ten inches by five feet, four inches.

HUGH RUSSELL: And it's about 60 feet up or 70 feet up.

LIZA PADEN: So at the top of the building it's 41 feet to the bottom of the sign,

plus another five feet, so it's 46 feet off the ground. But that is a prominent element in the building.

The second sign they're proposing is a --

LOUIS J. BACCI, JR.: It's Las Vegas around there.

LIZA PADEN: Pardon?

LOUIS J. BACCI, JR.: It's Las Vegas.

LIZA PADEN: The second sign is a projecting sign off the corner of the building. Currently there is a round sign approximately 20 feet -- I'm sorry 20 square feet which would be -- they proposed to replace with this sign which says "Theatre parking" with an arrow to guide you down Cardinal Medeiros to the Binney Street parking lot entrance.

This sign is nine feet by four feet, and it is not internally illuminated but it's higher

than 20 feet off the ground and it's larger than 13 square feet. So that's the variances that they're requesting here.

I will tell you there is a proposed second variance for this building coming in to go in a location approximately here, which is in at the entrance to the courtyard for the barbecue restaurant.

HUGH RUSSELL: Can I see it?

LIZA PADEN: Yes. I have another set here.

STEVEN COHEN: It's still too small --

THE STENOGRAPHER: Did you want this discussion on the record?

LIZA PADEN: The stenographer cannot hear if you're not using the microphone.

STEVEN COHEN: I think you can --
(inaudible).

LIZA PADEN: Steve, can you use the microphone, please?

H. THEODORE COHEN: While you're looking at it I will say that this is a complex that does need wayfaring because I don't think anybody knows where One Kendall Square is. And if you just told someone in the city or out of the city, go to One Kendall Square, they would have no concept of where it is.

STEVEN COHEN: Well, they know the complex. They may not know that that's One Kendall Square. And I'm not sure --

H. THEODORE COHEN: I'm not saying --

STEVEN COHEN: But the funny thing is is my read of this is on the one hand, it's still not going to identify by virtue of its height and it's going to be difficult to read on the one hand. And on the other hand I think it really

compromises the continuity or whatever that is.

H. THEODORE COHEN: Yes, I was not --

STEVEN COHEN: And listen, everybody knows where the theatre parking is.

LOUIS J. BACCI, JR.: Probably the only place you can see is from the intersection of Cardinal Medeiros and Hampshire. I mean, this is, you know, get far away around the corner, you can't see it. And there's nothing on the other face of the tower, correct?

STEVEN COHEN: (Inaudible).

LOUIS J. BACCI, JR.: There's two faces.

LIZA PADEN: Two faces of the tower, yes.

LOUIS J. BACCI, JR.: (Inaudible).

STEVEN COHEN: Two faced application.

HUGH RUSSELL: So my --

LOUIS J. BACCI, JR.: And nobody can find the theatre parking?

HUGH RUSSELL: So my take is kind of different than my colleagues'. I kind of like that square up there. I think the light is a little shocking. And I think the theatre parking is a good idea, but I really wonder why it has to be so tall where it could be dropped down.

LOUIS J. BACCI, JR.: There's theatre parking on the sign already, correct?

LIZA PADEN: There is a sign pointing towards the parking.

H. THEODORE COHEN: Yes.

LIZA PADEN: And it's a traditional parking --

STEVEN COHEN: (Inaudible).

LOUIS J. BACCI, JR.: Parking goes here. Sorry.

LIZA PADEN: There's a traditional parking circle with a white P.

STEVEN COHEN: It's illegible. If it's supposed to be identifying, you're not going to be able to see it from Kendall.

HUGH RUSSELL: I think that's true.

LOUIS J. BACCI, JR.: What are they going to light it from the building, though? Are they going to light it at all?

LIZA PADEN: The signage is proposed to have external illumination which is allowed on the projecting sign.

H. THEODORE COHEN: So what does that mean? That there would be --

LOUIS J. BACCI, JR.: The signs on the towers wouldn't be projecting signs?

LIZA PADEN: Oh, I'm sorry, I misunderstood. I thought we were -- we're back and forth. If we can stay on one sign, it's easier for me to answer questions.

STEVEN COHEN: You know, I think in all due respect, I think it's just going to be there's a blotch of color at the top of the tower. It's -- I don't think it's even performing a function that's intended to perform and simultaneously compromising the tower.

LIZA PADEN: So the tower has no illumination, either external or an internal. There's no illumination.

H. THEODORE COHEN: So at night no one would see it.

LOUIS J. BACCI, JR.: So it would be no good.

STEVEN COHEN: So it doesn't function during the day when you can see it and at night you still can't see it. It doesn't function.

HUGH RUSSELL: Just not as ugly at night.

LOUIS J. BACCI, JR.: That's right. Not

nearly as ugly. I don't know why they need it.

STEVEN COHEN: Well, you know, I think if it really performed the function at least you make the argument and you sometimes have to compromise in order to serve a valuable function, but I don't think it's going to do the job here.

LIZA PADEN: Okay. I actually have to take that back. The wall signs at the top of the tower will have external illumination.

H. THEODORE COHEN: And so that's what I was asking. What does that mean, Liza?

LIZA PADEN: So external --

STEVEN COHEN: (Inaudible).

H. THEODORE COHEN: Would lights be up there somewhere?

STEVEN COHEN: Illegible blotch of color at night.

LIZA PADEN: So the external illumination

is halo-lit which means that the letters will be illuminated.

STEVEN COHEN: From the rear?

LIZA PADEN: Yes.

LOUIS J. BACCI, JR.: So the signs themselves are illuminated not externally?

LIZA PADEN: Externally illuminated. The wall signs are externally illuminated, yes.

LOUIS J. BACCI, JR.: But not the halo.

LIZA PADEN: Using halo lighting. Halo lighting is not considered to be internal illumination.

LOUIS J. BACCI, JR.: Where do they put it?

HUGH RUSSELL: Behind.

H. THEODORE COHEN: So what would be lit, the letters number 1 and the letters Kendall?

HUGH RUSSELL: The white background will

be lit and the legible numbers in front.

STEVEN COHEN: We may --

HUGH RUSSELL: Probably even worse.

STEVEN COHEN: Exactly. The surface
around it will be --

LOUIS J. BACCI, JR.: We'll have a hard
time finding this place.

HUGH RUSSELL: Somebody suggested that a
projecting sign down low might be a better
solution.

STEVEN COHEN: That was me.

LOUIS J. BACCI, JR.: I really don't know
where you see these from except directly down
Medeiros. Or where you see them from.

STEVEN COHEN: A sign like that lower
would be more effective and would not compromise
the tower.

HUGH RUSSELL: But I think your

observation that the graphic style of each sign tends to make it hard to read the message.

H. THEODORE COHEN: Could they put banners on the tower or is that prohibited?

LIZA PADEN: Banners with no text would be allowed.

STEVEN COHEN: In other words, it's permitted only if it doesn't serve a function.

LOUIS J. BACCI, JR.: Right.

H. THEODORE COHEN: And if they had text, is there some height they could go up to or they're just not be allowed?

LIZA PADEN: Banners are considered to be projecting signs from the top of the banner or the top of a projecting sign. The height limit is 20 feet or below the second floor sill line, whichever is lower.

H. THEODORE COHEN: So when this

building --

LIZA PADEN: Well, this doesn't have a second floor sill line so it would be 20 feet.

H. THEODORE COHEN: 20 feet would be the top of the banner?

LIZA PADEN: Correct.

H. THEODORE COHEN: So they could have a small square that said One Kendall.

LIZA PADEN: Well, if it's a wall sign, so they could have a 60 square foot sign, but the top of the sign couldn't be any taller than 20 feet on that building.

H. THEODORE COHEN: Right. Well, it would be 60 square feet. It would have to go down to the archway probably.

STEVEN COHEN: But I actually think a banner or a projecting sign like this would be as I say, festival marketplace. So it would be, you

know, really more interesting, more festive and more legible, more functional.

H. THEODORE COHEN: So what would we like to say, if anything, to the ZBA?

LOUIS J. BACCI, JR.: Say we don't like it.

H. THEODORE COHEN: That there is a difference of opinion as to whether there should be something at the top of the tower as opposed to something, perhaps a projectile sign or a wall sign lower down?

THACHER TIFFANY: I can make it even more complicated.

H. THEODORE COHEN: Okay.

THACHER TIFFANY: I guess I just want to second Steve's frustration with it. I just think it's not a great sign. And it might be that there's a great sign that's right in that

location or that stretches the whole length of the tower, I don't know. And I think this group is open minded to anything, but this is just an ugly sign.

STEVEN COHEN: Yeah.

THACHER TIFFANY: And it's hard to reconcile that.

STEVEN COHEN: The white is bad.

H. THEODORE COHEN: And similarly for the parking sign we agree there should be something there, but this is not.

LOUIS J. BACCI, JR.: Are they going to replace the existing parking sign with this?

LIZA PADEN: Yes.

STEVEN COHEN: You know, I don't think there's a dire need for a parking sign. But if you're going to have a parking sign, I actually don't object to this one.

LOUIS J. BACCI, JR.: Two would be bad.

LIZA PADEN: So the recommendation is that these are ugly signs.

HUGH RUSSELL: Ugly and ineffective.

H. THEODORE COHEN: Ugly and ineffective.

LIZA PADEN: Ugly and ineffective.

HUGH RUSSELL: And the one on the tower seems to be out of -- is not sympathetic to the design of the tower.

LIZA PADEN: Thank you, Hugh.

LOUIS J. BACCI, JR.: That was good.

STEVEN COHEN: Much nicer way of saying it.

LOUIS J. BACCI, JR.: That was nicer, yeah.

H. THEODORE COHEN: Have people seen the parking sign at Assembly Row?

HUGH RUSSELL: I'm sure I have.

H. THEODORE COHEN: There's a giant hand and finger pointing that says Parking.

STEVEN COHEN: That's right.

H. THEODORE COHEN: That's quick, wonderful. But it, you know, fits in there but, well --

STEVEN COHEN: You need the directions there. Finding the parking there --

H. THEODORE COHEN: Yeah, I think you need the directions here, too, because if, you know, if you're going to the movie theatre and you've not been before, you know, I mean, with the new development, with the openness, it may be easier. But I still think people who are coming, you know, coming across the bridge when it's finished.

STEVEN COHEN: But the second time you don't need it.

LOUIS J. BACCI, JR.: But you punch it into the GPS and drive there. I mean, this is what's happening now.

H. THEODORE COHEN: Well, I mean that's true.

LOUIS J. BACCI, JR.: That's why I'm surprised that -- that's another issue.

H. THEODORE COHEN: So, Liza, do you have enough from us?

LIZA PADEN: I think so.

STEVEN COHEN: Clear as mud.

H. THEODORE COHEN: The sign on the Beat Hotel in Harvard Square, that is in compliance with --

LIZA PADEN: They have a sign certification. I'm assuming that the sign they put up is the one I certified but I don't do enforcement.

HUGH RUSSELL: It's very retro.

H. THEODORE COHEN: Very retro with
lights.

HUGH RUSSELL: It's sort of wonderful.

H. THEODORE COHEN: Oh, it is.

HUGH RUSSELL: But it seemed improbable
that it was legal.

LIZA PADEN: That it was?

HUGH RUSSELL: Legal.

LIZA PADEN: Well, in Harvard Square the
difference is the Historical Commission can
approve signs that exceed everything except for
the height limit of 20 feet or the second floor
sill line and the total amount of signage
allowed. So it could be that, for example, if
that sign is internally illuminated, which the
Historical Commission approved, and they can only
do that in Harvard Square. So that was the most

recent change to the Overlay District.

H. THEODORE COHEN: Okay.

LIZA PADEN: My second question about BZA cases is that the applicant for One Brattle Square for the telecommunications has been asked to go to the Harvard Square Advisory Committee, and I was wondering if you wanted to see that BZA case in addition to the comments that we -- that staff sent?

H. THEODORE COHEN: Now or --

LIZA PADEN: Not now. It would have to be -- I have to schedule them to come. I have to put them on the agenda.

H. THEODORE COHEN: So One Brattle is --

LIZA PADEN: Telecommunication antennas. It's upstairs, Eastern Mountain Sports.

HUGH RUSSELL: That's what I see outside the window of my office. So my comments, which I

relayed to Liza, were that the cables are done rather sloppily. And the last time they were done, we got the cables painted so they were -- but they're still very sloppy.

LOUIS J. BACCI, JR.: Sloppy?

HUGH RUSSELL: Yes. They're just sort of -- it's a very crisp building and so we, you know, I don't think people look very much at the very top of the building. Since I'm on the fourth floor, I see it more clearly than most. But I can keep my blinds closed.

H. THEODORE COHEN: Right, I know you did. I guess that's a no.

LIZA PADEN: Okay.

H. THEODORE COHEN: Okay, well we have another hearing in five minutes so why don't we take a five minute break?

LIZA PADEN: Or do you want to do the

extensions?

H. THEODORE COHEN: Sure.

LIZA PADEN: So the MIT's last extension expires next Tuesday. So they have written and requested extensions for both the permit for NoMa and SoMa, and we worked out a date with Jeff and June 23rd is the new date. And this is based on the assumption that their public hearing, which will be May 17th, and that will give staff time to write the decision as well.

STEVEN COHEN: Do you need a motion for that?

LIZA PADEN: Please.

STEVEN COHEN: So moved.

LOUIS J. BACCI, JR.: Second.

H. THEODORE COHEN: All in favor?

(Show of hands.)

LIZA PADEN: And that's for both of them?

STEVEN COHEN: Yes.

LOUIS J. BACCI, JR.: Yes.

LIZA PADEN: Thank you.

HUGH RUSSELL: So what's taking them so long, do you know?

LIZA PADEN: What's taking MIT so long?

HUGH RUSSELL: Yeah.

LIZA PADEN: Well, there's a lot of buildings.

They didn't say in their letter.

LOUIS J. BACCI, JR.: We were going to do a walking tour before.

LIZA PADEN: Yes.

LOUIS J. BACCI, JR.: Would that be a good topic for a walking tour?

LIZA PADEN: What?

LOUIS J. BACCI, JR.: The SoMa and NoMa.

LIZA PADEN: Well, you can have any topic

that you want to have on a walking tour, I just have to advertise it and post it and if you're going to deliberate on a case --

LOUIS J. BACCI, JR.: Right.

LIZA PADEN: -- we'll open it up to public comment.

LOUIS J. BACCI, JR.: So that would be kind of tough just because of all the sort of -- some of the road routing, stuff like that. But I guess we'll do it here. It's easier here. You can get a big crowd. I was just curious if that was appropriate.

H. THEODORE COHEN: Why don't we take a break for five.

(A short recess was taken.)

H. THEODORE COHEN: All right, we are back and this is now a public hearing with regard to the Richard Avenue Neighbors Zoning Petition

to amend the Zoning Ordinance in Section 20.103.2 North Massachusetts Avenue Subdistrict, and the standards of that subdistrict to exclude areas north of Richard Avenue from that subdistrict.

Who will be making the presentation on behalf of the petitioner?

ELIZABETH STERN: Well I'll be speaking. I'm not making a presentation.

H. THEODORE COHEN: Well, somebody.

ELIZABETH STERN: Okay. So I'm Elizabeth Stern and I live at 20 Cambridge Terrace and I am the owner of 7 Richard Avenue and I'm here tonight with the other abutter Adam Roberts who's at 2557 and with Sarah Bell who is representing the neighborhood group from Richard Avenue.

So we are here tonight to consider the results of what has been an 18-month long effort by the neighbors of Richard Avenue and 2551 Mass.

Avenue, LLC., the owner of 2551 Mass. Avenue to arrive at a mutually agreeable solution to the problems presented by this site and its current zoning.

2551 Mass. Avenue and the neighbors of Richard Avenue were directed to make this effort by the Planning Board many months ago when the Planning Board first reviewed the initial proposal. The Planning Board comments made at that time which stand out for me were "You're trying to do too much." "Do we really need retail at this site?" I believe that sums it up.

In attempting to conform to the requirements of the Overlay District, they were in fact trying to do too much and we're trying to squeeze in retail which is not at this site indicated by all best retail guidelines.

So, the neighborhood committee and the

developer collaborated for the next year at considerable expense, time, and energy to both parties. The current Stern, et al petition which you have in front of you, and the presentation tonight by Peter Quinn Architects for the property, are the result of this collaboration. Please consider it carefully.

What it requests in brief is that the Overlay District be pulled back from the end of 2551 to the center line of Richard Avenue exempting 2551 as well as 7 Richard Avenue from the overlay district.

There are three main arguments to the Stern petition for this change:

The first has to do with the impact upon the neighborhood and the project itself of the existing zoning requirements.

To introduce retail on this small site

requires parking on ground floor, parking entrance on Mass. Avenue, less than 75 percent retail facade on Mass. Avenue, and an overall height of 45 plus -- 45-foot plus adjacent to a mainly two-story neighborhood, not to mention an extremely awkward Mass. Avenue facade due to the setback requirements of adjacent Residential B Zoning.

The second argument for the Stern et al petition has to do with the viability of retail at this location. Across the street is Residence B all the way back to Cottage Park. Across Richard Avenue is Jack's Gas at 2535 which invites intense auto traffic and is not high on the list of pedestrian-friendly retail.

Retail experience indicates that successful retail has three components:

One, other retail around it;

Two, vitality, meaning pedestrian busyness;

Three, viability.

This is defined as a measure of an area's capacity to attract ongoing investments for maintenance and changing needs. Surrounding retail is primarily -- surrounding retail is primarily non-conforming which does not attract ongoing investment.

The third argument concerns the massing and scale of the project, which is incongruent with the small scale character of the surrounding Residential B neighborhood. The retail mandate forces the developer to take advantage of the 50-foot height allowance which results in an out-of-scale structure made more awkward by the required setbacks. For these three reasons we respectfully submit that the Planning Board

consider our proposal for a slight modification to the boundary of the North Mass. Ave. Subdistrict.

Thank you.

H. THEODORE COHEN: Thank you.

PETER QUINN: Good evening. My name is Peter Quinn of Peter Quinn Architects. Should I go on with my presentation, Mr. Chairman?

H. THEODORE COHEN: Please.

PETER QUINN: Okay, so as you can see here the area we're speaking of. There's 2551 Mass. Avenue. This is Jack's gas right here. This gives you a view -- Google street view. There's a little cleaners on it right now, which you can see right here. The building is all curb cut. It used to be Hayes Oil so they had trucks coming and going from every direction.

This is the current zoning map. This

area here that's in the lavender color is the -- is the BA-2. And in this area all of it, I believe, is in the North Mass. Ave. Overlay District. So it has additional requirements above and beyond the BA-2 or what comes Mass. Ave. Overlay. Mainly ground floor retail and then a whole bunch of requirements about facade length and amount of glazing, location of parking, and so forth.

This was just a simple site plan in case we need to refer to it, plot plan.

This was the original proposal. I won't belabor this, but just to refresh your memory because some of you were on this Board when I presented this. One of my colleagues presented this about a year ago. We had an entry off Mass. Ave. We had five parking spaces, a base here which had vertical circulation for the units

above, and a retail space.

And then we were trying to introduce landscaping around the perimeter.

Scale-wise you can see what we were talking about -- Elizabeth was just talking about a ground floor retail, a corner feature for the residential units above that went up to four floors really trying to deal with the massing that came with the zoning with cornices and step downs and the like, and I don't think anybody felt it was successful at the time either.

Just some views as mentioned. You know, this was somewhat of an awkward facade. I understand that. So what we are proposing is a townhouse typology, four townhouses built completely vertically, each of them about 18-and-a-half feet wide. And three-stories with a small basement area as well.

They have bays on the front, double bays on the side, a nice window pattern for traditional scale, and detailing in the building.

These are the side views. This is Richard Avenue, the other side that faces the -- toward Arlington. And then in the back we have a kind of overhang with sheltered parking underneath with a garage door.

I'm just not presenting this in a great amount of detail because this is really about the zoning petition.

H. THEODORE COHEN: Right, exactly.

PETER QUINN: I would be happy to take any questions.

We pull off the driveway off the curb cut off Richard Ave. and then we have a single parking space for each unit and come into a subbasement area and you go up into your, into

your unit.

Upper levels are consistent -- kind of just a classic townhouse layout, living room, dining room, kitchen, and two bedrooms on the top floor.

Our zoning is completely compliant with the Mass. Ave. Overlay, the BA-2 requirements. And we are at our maximum FAR with this as well.

And I just wanted to show some similar typologies in the area. You know, I'm not sure if we would all agree that these are successful, but the townhouse model or ones that look like townhouse, is very common in this area. So I'll just leave it at that.

Thank you.

H. THEODORE COHEN: Thank you.

PETER QUINN: Questions?

H. THEODORE COHEN: Well, the only

question I have and we're not reviewing the architecture of this right now --

PETER QUINN: Right.

H. THEODORE COHEN: -- is just curious, are entries like that with stairs handicapped accessible and allowed under the code?

PETER QUINN: Well, these are townhouses so they qualify single-families essentially so they are exempt, yeah.

H. THEODORE COHEN: Okay, thank you.

STEVEN COHEN: Could I just ask a question? I was confused when I read the materials, and I think I'm beginning to figure it out, so I thought that this was going to be -- I thought that the proposal was to rezone it as Residence B, but now I'm beginning to see that no, it's still going to be BA-2 and it's the overlay only that's being pulled back?

PETER QUINN: Right.

STEVEN COHEN: And it's only the overlay regulations that require the retail on the first floor and so forth?

PETER QUINN: Yes. I think Jeff can speak to that.

H. THEODORE COHEN: Yes. The earlier proposal would have rezoned it to be, and this proposal is much narrower and just as pushing back the Overlay District to the I guess the midline of Richard Ave.

STEVEN COHEN: Gotcha. But it remains BA-2, that was the point that I was missing.

H. THEODORE COHEN: The underlying zoning remains BA-2 and it does not make the three-family house non-conforming.

STEVEN COHEN: Right.

PETER QUINN: And also the North Mass.

Ave. Overlay, as I was mentioning, specific requirements that retail must be required on the ground level and retail ceiling 15 feet high and a whole bunch of other things, many of which we were asking, I think you as a Board have the ability to grant Special Permits to make exceptions to that, that's what we were actually coming to you with those. But, you know, it was clear that we were asking for a lot to make it work given the size of the lot and how, you know, like the depth and the ability to bring the parking to the area qualified.

H. THEODORE COHEN: Peter, can you put back the slide, the image of that, near the end of what is going on across the street?

PETER QUINN: Oh, yeah, you mean those -- these things?

H. THEODORE COHEN: That.

PETER QUINN: Yeah.

H. THEODORE COHEN: I mean I just want to remind some of the board members who were not on the Board in 2012 that before the North Overlay District was adopted to require retail in the first floor, that's what happened because zoning had given preferences to retail -- to residential, given bonuses for residential and it became more advantageous for developers to put residential on the first floor rather than putting in retail. And so the Overlay District was amended to mandate the use of retail on the first floor so that we did not get continuation of this down Mass. Ave.

That having been said, the question is whether this particular parcel maybe is in a somewhat different situation and should be dealt with differently.

If no one has any questions, we'll go to -- is there any public comment? Is there anyone who wishes to speech.

THACHER TIFFANY: Can I ask a question?

H. THEODORE COHEN: Sure.

THACHER TIFFANY: Do we have a map of the Overlay District? Maybe I'm mixing things up.

H. THEODORE COHEN: And I don't know if you were here, but also recently we heard from the MAPOCO Petition which we ultimately recommended that the Overlay District be extended down the on the strip between Porter Square and Everett Street I guess.

THACHER TIFFANY: On the other end?

H. THEODORE COHEN: On the other side of Porter Square, again, to ensure that there would be retail on the first floor.

THACHER TIFFANY: So the pink is the

Overlay District?

PETER QUINN: In this area it's
coincidental with it.

THACHER TIFFANY: It's coincidental?

PETER QUINN: Yeah.

THACHER TIFFANY: Okay, thank you.

H. THEODORE COHEN: Ben Wilson?

(No Response.)

H. THEODORE COHEN: He was going to be
our guinea pig to trying out our timer, but I
guess -- is there anyone else who wishes to speak
and become our guinea pig?

STUART DASH: Let me get the timers all
set then.

ELIZABETH STERN: Yes, we have a neighbor
and a representative from the neighborhood here.

H. THEODORE COHEN: If they wish to
speak, they're welcome to.

ELIZABETH STERN: Okay, they don't seem to hear you.

H. THEODORE COHEN: So it is our policy for people when they speak to come forward and identify themselves and their address and spell their name for the stenographer and to speak for three minutes. And this is our first attempt at using our new timer which your three minutes are shown with the green light. I think when you're 15 minutes from the end, the yellow light will come on.

UNIDENTIFIED MEMBER FROM THE AUDIENCE:
15 seconds?

H. THEODORE COHEN: 15 seconds --

STEVEN COHEN: The trap door will come.

H. THEODORE COHEN: And you'll fall down.
And we'll see how it all works.

SCOTT ZINK: All right. Do I press a

button?

H. THEODORE COHEN: You don't have to do anything.

SCOTT ZINK: My name is Scott Zink,
S-C-O-T-T Z-I-N-K, 2551 Mass. Ave.

I'm the owner of the property and just wanted to quickly reiterate what Ms. Stern said earlier and that is last time we were in front of the Planning Board which sort of feels like ages ago at this point. We were essentially told to work with the neighbors, work with the City to come up with a better plan for the site, and after a lot of time and effort and money and design review and all that kind of stuff, we came up with this plan here which is modification to the zoning which we feel, excuse me, will give us an outstanding outcome on the property which is the four townhouse scheme that Peter designed,

and we think it's a building that really going to fit in nicely to the neighborhood.

We tried our best to work with the existing zoning and we came up with our initial plan. Obviously there wasn't great support with that, but we think this is the best possible scenario for the site. So, hopefully you'll see it that way as well and we can get this project moving forward. We can improve the site. So, that is it.

Thank you.

H. THEODORE COHEN: Thank you.

Is there anyone else who wishes to speak?

SARAH BELL: Hi, my name is Sarah Bell, B-E-L-L. Sarah, S-A-R-A-H. I live at 19 Muller Avenue. I've lived there over 20 years and I represent basically the neighbors on Richard and Muller and beyond. Our feeling is that this new

proposal gives more space around the building, more light opportunity. The parking can go in the back. The parking is enclosed, which everybody likes. We don't have to walk on Mass. Ave. by a garage door which has to open up. It's just generally a much more compatible sort of building to the neighbors and everybody is pretty happy with it. We're disappointed that retail can't be there, but we realize that there are opportunities a little bit east on Mass. Ave. Maybe in the next 20 years, we don't know. It just seemed like it was really impossible to put retail in in a manageable, sensible, reasonable way. So generally people are very happy with it so I just wanted to offer that.

H. THEODORE COHEN: Thank you.

Is there anyone else who wishes to speak?

ADAM ROBERTS: Hi, Adam Roberts, A-D-A-M

R-O-B-E-R-T-S, 2557 Mass. Ave. I own the building next-door, and this is my first time to one of these processes but I just wanted to also support the proposal. And through the process so far I've gained a lot of respect for the Board and the developer and the neighbors and I really think this design has come a long way from where it started.

So, thank you.

H. THEODORE COHEN: Thank you.

Is there anyone else who wishes to speak?

Mr. Hope.

ATTORNEY SEAN HOPE: Good evening, Mr. Chairman, members of the board. Attorney Sean Hope, Hope Legal Offices in Cambridge. Just to be brief. I'd just like to summarize. I think Mrs. Stern and all the neighbors have accurately talked about the challenge of this

site. I do think this has been a very difficult site primarily because when we started this project over 18 months ago, I counseled my clients to work within the existing zoning. I saw the existing envelope, I thought what we were asking for was modest relief and it was within the spirit of the North Mass. Ave. Overlay. Even though we did do outreach, we actually came to the conclusion when we tried to take all the feedback and tried to work with a challenging site, it still really wasn't right. When we actually looked at the zoning, and this zoning that you have here was really a group effort. The North Mass. Ave. Overlay does have a provision that allows the Planning Board to waive and modify certain requirements for ground floor retail. Unfortunately the language that it had in it didn't allow us to actually waive the

ground floor retail at this site. So we worked with Councillor Carlone and CDD staff to try to add language that would impact this site and still work within the existing framework. And the problem that we had is as we started to create criteria, there was a lot of unintended consequences. And one of the things we didn't want to do is we didn't want to undue the work that the neighbors had done in 2006 to come up with this Mass. Ave. Overlay. We realized the only way to do it was surgical about it, was to actually pull back the North Mass. Ave. Overlay. So I just wanted to express to the Board that this was not done without thinking about it. Changing the zoning is significant. We recognize that there were a lot of abutters that may have had issues if we tried to add more additional criteria. And the truth is even though we tried

to identify the different parcels that may be impacted, as you were saying we have the MAPOCO petition, we have other petitions that are actually looking to extend this. So we think this is the best and reasonable way to be able to impact not just this site, but there are two parcels so it's really not just one parcel, but at the end of the day also what's underlying this is that there is an agreement between the parties to come up with a building that's -- townhouse building that's 35 feet, fits within the neighborhood, and I think we've accomplished what the Planning Board and the Council has asked us to do which is to come up with a proposal in addition to the zoning and I think we've achieved that.

Thank you.

H. THEODORE COHEN: Mr. Hope, before you

go I have a question. Rather than changing the zoning, did you consider it at any time seeking a variance for this particular proposal?

ATTORNEY SEAN HOPE: We did. And I think that we had suggested from the neighbors, you know, why don't you just go to the Zoning Board. As the Board may be aware, use variances are one of the more challenging variances to achieve, and this is also, this is not even old zoning, this is fresh, new zoning only a couple years ago. So maybe four years. To go back to the Zoning Board even with letters of support from Council it really puts them in a very awkward position to be able to do that. And I did counsel my client that I didn't think that was achievable, and I thought this was the better way to do it to create a policy that could be applied uniformly.

H. THEODORE COHEN: Okay, thank you.

Is there anyone else who wishes to speak?

(No Response.)

H. THEODORE COHEN: If not, the members have questions? Comments?

Before -- I guess, Jeff, you raised in your memo one issue with regard to potential, I guess, conflict with the MAPOCO Zoning if that were also adopted.

Could you explain that to us?

JEFF ROBERTS: Certainly, Mr. Chair. I'll first make the point that it's not, it's not so much a conflict of substance as it is a conflict of implementation. So the -- on the MAPOCO Petition, which I understand will likely be coming back to the Planning Board, the Board recommended extending the North Mass. Ave. requirements into the area south of Porter Square. And the way the Board suggested that

would essentially have dissolved the North Mass. Ave. Subdistrict, sort of it would resolve the notion of the subdistrict and would have made the requirements of that district applicable more generally in the Business A-2 area. That would, that approach wouldn't work with this approach because this approach is saying that, is creating a more limited boundary for the North Mass. Ave. Subdistrict. So that's just something that we would be mindful of. Obviously we're not hearing those both at the same time so the Board would have to consider, you know, this proposal on its merits and then if the MAPOCO Petition comes back to be considered, at that point we would have to figure out what the best approach would be and if the Board were to make a similar recommendation to the previous one.

JOHN HAWKINSON: Is public comment

closed?

H. THEODORE COHEN: It was. But if you wish to speak?

JOHN HAWKINSON: I just thought the Board might wish to know that Mr. Kroon filed the revised MAPOCO Petition on Friday. I just happened to run into him, so it will be on the Council agenda.

H. THEODORE COHEN: That's all right. Thank you.

I understand it was re-filed because the time had expired.

All right, members have any comments? Questions? Comments?

STEVEN COHEN: It seems like a non-controversial proposal at this point where the neighbors and the applicant have made peace over what had been a matter of some controversy.

In the absence of some strong overriding policy preference on our part for weeks on the site, which I don't think exists, and it seems like a no brainer that we should strongly support the petition and make a strong recommendation for it to pass by City Council.

H. THEODORE COHEN: Anyone else?

(No Response.)

H. THEODORE COHEN: Well, I would just add that while I'm generally not in favor of zoning petitions that seek to change the zoning of one particular parcel because abutters are opposed to a proposal that is in full compliance with zoning, this is a situation where it seems just as reasonable to end the Overlay District on one side of the street rather than on the other side of the street. And while this has been a commercial property for many, many years, the --

we've seen what the requirements engendered in terms of proposal to build there and have the retail and that where we did ask the proponent and the abutters to go back and try to work out something which would successfully resolve the issue, and it appears that they have done that. It seems that in this particular situation it does make sense to allow the townhouse development without retail. And so I agree that we ought to recommend it. Although I would also want to point out that obviously this is not the only development that could occur there if the zoning were changed to the Overlay District were limited and that, it's conceivable something else could go there. But, you know, I think everyone's been, would appear to have been acting in good faith to reach a resolution and to get to this point.

STEVEN COHEN: And actually this is not subject to our further review?

H. THEODORE COHEN: This is not subject to our further review, no.

THACHER TIFFANY: So it would become an as-of-right development?

H. THEODORE COHEN: I believe, yes.

THACHER TIFFANY: Most likely.

H. THEODORE COHEN: Well, this particular proposal as I understand it is in full compliance with the underlying zoning district and will be as of right.

STEVEN COHEN: Ted, I just wanted to add to your comment, that if in fact the owner/applicant had not reached an agreement here and, you know, the owner had proposed a project which complied with the then prevailing zoning and the neighbors then sought to change it and

had not reached a resolution, then I would have taken the same view as you.

When an owner makes a proposal that complies with law, I'm not that sympathetic with the last minute change of the regulations and pulling the rug out from the -- but in a situation like this where an amicable resolution has been reached, I strongly am in favor of supporting such a thing.

H. THEODORE COHEN: Hugh.

HUGH RUSSELL: So I'm just thinking about why was a Business A Zone established and cleared this stretch along beyond Richard Avenue? And I'm going to pause that it wasn't because of a strong feeling exactly where retail should stop but it was because there was this ugly gas station on the corner and it was felt as a matter of equity to have the, you know, that use become

a conforming use as opposed to a non-conforming use. And so I wonder like, well, what about the next block or the next ugly gas station.

LOUIS J. BACCI, JR.: The next ugly gas station, right.

HUGH RUSSELL: And I think many of the arguments that were made for this case would apply equally well on the next block. It's not before us, I don't suggest we put it before us, but I don't think this is kind of magic. It's like we have, this parcel was looked at very carefully and I agree with the abutters in that this is a very good solution for this particular parcel. And, you know, here I think it's the zoning that's out of whack and not the building. So I'm happy to support the very modest change to the Overlay District that would permit them to go forward in the way that they agreed.

H. THEODORE COHEN: Okay.

So could we have a motion to recommend this zoning change to the City Council?

STEVEN COHEN: Sure. I move that we make a strong recommendation to City Council that this zoning petition be approved.

H. THEODORE COHEN: Is there a second?

LOUIS J. BACCI, JR.: Second.

H. THEODORE COHEN: Any discussion?

(No Response.)

H. THEODORE COHEN: All those in favor?

(Show of hands.)

H. THEODORE COHEN: It's unanimous.

Thank you all very much for --

LIZA PADEN: One more.

H. THEODORE COHEN: One more? Well, can I thank them?

LIZA PADEN: I don't want you to leave.

HUGH RUSSELL: Push the button.

H. THEODORE COHEN: Thank you very much. We do appreciate that you've worked this out and allowed us not to have to make a decision that might have not made everybody happy.

LOUIS J. BACCI, JR.: You don't own Jack's Gas, do you?

SCOTT ZINK: Not yet.

LIZA PADEN: So this proposal -- there is a Planning Board Special Permit proposal that's currently in existence and the extension that Planning Board currently has expires next Tuesday. So I talked with Mr. Hope today and talked about an extension to extend this Special Permit process until the zoning petition is done and then they would come back and probably withdraw that.

H. THEODORE COHEN: Withdraw it. Yes,

that certainly makes sense.

LIZA PADEN: So do you have a date proposed that you want to put in for the extension?

ATTORNEY SEAN HOPE: What would be the maximum amount of time?

LIZA PADEN: It would be a year. That seems --

ATTORNEY SEAN HOPE: Yeah, we're at the Ordinance Committee later this month. So if we did by the end of June.

LIZA PADEN: Okay, I'll put down --

H. THEODORE COHEN: Do you think City Council could act by that point?

LIZA PADEN: Yes.

JEFF ROBERTS: If you give me a second, I'll find the expiration of this petition.

ATTORNEY SEAN HOPE: I think we assumed

we'll go quickly back before the Council.

JEFF ROBERTS: So the expiration is
August 9, 2016.

HUGH RUSSELL: Why don't we extend to
that date?

H. THEODORE COHEN: Would that be okay
with you?

ATTORNEY SEAN HOPE: Yes.

H. THEODORE COHEN: August 9th.

LIZA PADEN: Okay. Thank you. Now I'm
done.

H. THEODORE COHEN: All right. Thank you
all. And thank you for coming.

We are adjourned.

(Whereupon, at 9:15 p.m., the

Planning Board Adjourned.)

* * * * *

ERRATA SHEET AND SIGNATURE INSTRUCTIONS

The original transcript and Errata Sheet has been delivered to Community Development Department electronically.

INSTRUCTIONS

After reading this volume of the Planning Board transcript, note any change or correction and the reason therefor on this sheet. Sign and date this Errata Sheet.

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I have read the foregoing transcript of the Planning Board, and except for any corrections or changes noted above, I hereby subscribe to the transcript as an accurate record of the statement(s) made by me.

C E R T I F I C A T E**COMMONWEALTH OF MASSACHUSETTS
BRISTOL, SS.**

I, Catherine Lawson Zelinski, a Certified Shorthand Reporter, the undersigned Notary Public, certify:

That the hearing herein before set forth is a true and accurate record of the proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand this 11th day of May, 2016.

Catherine L. Zelinski
Notary Public
Certified Shorthand Reporter
License No. 147703

My Commission Expires:
April 29, 2022

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DIRECTION OF THE CERTIFYING REPORTER.**

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