

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

PLANNING BOARD

Tuesday, October 6, 2009

7:30 p.m.

in

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

- William Tibbs, Chair
- Pamela Winters, Vice Chair
- Hugh Russell, Member
- Thomas Anninger, Member
- H. Theodore Cohen, Member
- Patricia Singer, Member
- Steven Winter, Member

Liza Paden

---

REPORTERS, INC.  
 CAPTURING THE OFFICIAL RECORD  
 23 MERRYMOUNT ROAD, QUINCY, MA 02169  
 617.786.7783/FACSIMILE 617.786.7723  
[www.reportersinc.com](http://www.reportersinc.com)

I N D E X

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

GENERAL BUSINESS

Page

Update by Li za Paden

PUBLIC HEARING

PUD Special Permit #52

GENERAL BUSINESS

1. Board of Zoning Appeal Cases
2. Other

## P R O C E E D I N G S

1  
2 WILLIAM TIBBS: Welcome to the  
3 October 6th meeting of the Cambridge Planning  
4 Board. We have one public hearing which will  
5 be a Major Amendment which we've already  
6 given to the Sonesta Hotel. Before we do  
7 that we will have updates from Liza.

8 LIZA PADEN: The next scheduled  
9 meeting for the Planning Board is October  
10 20th. And there are two public hearings.  
11 One would be the second plain unit  
12 development hearing for the Sonesta Hotel and  
13 the St. James/Car ash public hearing at the  
14 corner of Beach Street and Mass. Ave. and  
15 formerly the car ash site. During that  
16 general business portion of the meeting there  
17 will be a discussion by Discovery Park on  
18 their next building that they want to  
19 construct, and that will be coming to the  
20 Planning Board.

21 We are proposing to schedule a meeting  
22 on November 10th, it would be instead of the

1 November 3rd meeting because November 3rd is  
2 the election. We can't hold a public hearing  
3 and we can't use this room. We're proposing  
4 to hold discussion about the St. James public  
5 hearing and the -- I can't read your writing  
6 Roger, I'm sorry.

7 So if Discovery Park needs a second  
8 meeting, that would be on the November 10th  
9 agenda as well.

10 November 17th is the Fanning petition  
11 which deals with the parking garage at One  
12 Kendall Square. The next scheduled meeting  
13 would be November 24th. That's the regular  
14 -- I'm sorry, November 24th has  
15 been --

16 ROGER BOOTH: That one we decided  
17 not to.

18 LIZA PADEN: -- has been canceled.  
19 November 24th will not be held. That's off  
20 the schedule.

21 The next regular meeting would be  
22 December 1st, and tentatively it would be the

1           Al exandri a peti ti on.   And my goal i s to have  
2           only the Al exandri a peti ti on on the agenda  
3           that eveni ng.

4                     WILLIAM TIBBS:   Thank you.

5                     LIZA PADEN:   I've closed the agenda.  
6           Anybody have any questions for me?   Yes, Tom.

7                     THOMAS ANNINGER:   I understand you  
8           to say there were two publ ic heari ngs on  
9           October 20th?

10                    LIZA PADEN:   Yes.

11                    THOMAS ANNINGER:   Sonesta and car  
12           wash.

13                    LIZA PADEN:   Yes.

14                    THOMAS ANNINGER:   And then Di scovery  
15           Park i s comi ng but no publ ic heari ng?   Why i s  
16           that?

17                    LIZA PADEN:   That i s an i tem of  
18           di scussi on.   Proponents for the Di scovery  
19           Park are maki ng a case that under thei r  
20           Speci al Permi t they are proposi ng a Mi nor  
21           Amendment.   And, therefore i t i s not a publ ic  
22           heari ng and doesn' t need to be adverti sed and

1 they will be coming on the 20th to make their  
2 case for that to the Board to make that  
3 finding.

4 THOMAS ANNINGER: That building that  
5 we saw would be considered minor? That new  
6 building?

7 LIZA PADEN: That's their position,  
8 yes.

9 LES BARBER: It's not a review of  
10 the building design which would take several  
11 more meetings. It's a review of the  
12 alterations to the master plan.

13 THOMAS ANNINGER: I see.

14 LES BARBER: And that's the decision  
15 that you'll be asked to make, whether that's  
16 a Major or a Minor Amendment to the master  
17 plan. And then the building itself is  
18 subject to design review and extensive detail  
19 review from the Board.

20 WILLIAM TIBBS: And what is the  
21 second Discovery Park?

22 LIZA PADEN: That's in case -- if

1 you needed more time to discuss the business  
2 from the 20th, that's what we call a  
3 spill over.

4 WILLIAM TIBBS: All right. So it's  
5 not we say if it's a Major then you've  
6 already scheduled the Major, you would have  
7 to re-advertise for that?

8 THOMAS ANNINGER: I find it bizarre  
9 that they're separating out the master plan  
10 change from the building which is what is  
11 driving the master change plan change.

12 WILLIAM TIBBS: I think you can  
13 state those very words on the 20th.

14 THOMAS ANNINGER: Well, I'm just  
15 wondering why we have to go through it twice.

16 LIZA PADEN: Well, the first step  
17 would be the change to the master plan, and  
18 then the design for that building would be a  
19 separate meeting.

20 ROGER BOOTH: You could do it the  
21 same meeting if you decided it was Minor. If  
22 you decide it's a Minor change to the master

1 plan, you can go ahead and review the  
2 building plan. If you decide it's Major,  
3 that has to be advertised as if it were a  
4 hearing.

5 THOMAS ANNINGER: But the building  
6 itself which is what Article 19 and so on,  
7 that must --

8 LES BARBER: No. There's no article  
9 -- you've already done all of that. So this  
10 is strictly administration of a permit you've  
11 already issued for four or five buildings.

12 THOMAS ANNINGER: I see.

13 LES BARBER: And you had approved  
14 the distribution of those buildings on the  
15 lot to which they're proposing some  
16 modification. They're going to make the case  
17 that those modifications are minor under the  
18 meaning of the ordinance. And then if that  
19 is the case, you will then delve into the  
20 detail review of the site plan and the  
21 bidding design for the specific set of  
22 buildings that they're now proposing.



1 because that doesn't require a hearing.

2 THOMAS ANNINGER: I guess my  
3 question is what it is.

4 ROGER BOOTH: The master plan. It  
5 changed the roads, the footprints, the  
6 landscaping. Your decision, is this a major  
7 change or is it a minor change? You need to  
8 decide that first before we know whether Li za  
9 needs to schedule a hearing. If it's major,  
10 she needs to schedule a hearing. If it's  
11 minor, then you can just treat it as a  
12 business item and go ahead and review the  
13 building. And my guess is you'll probably  
14 want another look at it because, you know,  
15 the building was -- you already had some  
16 comments last time.

17 THOMAS ANNINGER: Right.

18 ROGER BOOTH: And I suspect they'll  
19 make some comments based on what they heard  
20 last time, but you'll probably have other  
21 thoughts. So, it's a little bit quirky but  
22 it's one of these things where you have one

1 permit and five or six buildings. Now the  
2 buildings are coming one by one. Cambridge  
3 Research Park is exactly the same thing, but  
4 they never changed anything about the open  
5 space or the roads. The building --

6 THOMAS ANNINGER: We had no public  
7 hearings for each of the buildings?

8 ROGER BOOTH: No.

9 THOMAS ANNINGER: North Point the  
10 same thing?

11 LES BARBER: Exactly the same thing.

12 HUGH RUSSELL: We had public  
13 meetings where we needed them. But there  
14 wasn't requirement of public testimony. And  
15 I guess the real issue here is that the Major  
16 Amendment is subject to appeal a Minor  
17 Amendment is presumably not as -- there isn't  
18 a strong a case that can be heard.

19 ROGER BOOTH: Right.

20 LES BARBER: We've approved all the  
21 square footage. We've understood the impacts  
22 of that square footage and approved the plan

1 -- approved distribution of buildings and  
2 square footage on the site. And they will  
3 make the case that all of those are  
4 essentially the same with some minor  
5 modifications. The building design itself is  
6 something different than they had proposed  
7 initially, but that would be the subject of  
8 the design.

9 HUGH RUSSELL: And we don't  
10 presumably lose any particular amount of  
11 leverage if we feel there are things about  
12 the plan that --

13 LES BARBER: No.

14 HUGH RUSSELL: We discussed a number  
15 of things about the plan at our last meeting.

16 LES BARBER: Exactly. Those would  
17 naturally be, I think, a part of the review  
18 of the building and the site development.

19 HUGH RUSSELL: Some of them were,  
20 you know, like Tom's point about you're now  
21 leaving an unfinished looking building. That  
22 wouldn't be part of the review of the next

1 building but it would be presumably part of  
2 the master plan.

3 LES BARBER: They're prepared to  
4 talk about that.

5 HUGH RUSSELL: Well, it strikes me  
6 that it would be smarter for them to  
7 advertise a hearing for a major amendment  
8 with an agenda thing saying first we want you  
9 to determine if it's major or minor, and if  
10 it is, we proceed down that track. And if we  
11 determine it's minor, then we don't have to  
12 proceed down that track. But, they've got  
13 all the time in the world.

14 LES BARBER: For the next meeting  
15 that option has been foreclosed, so we have  
16 to advertise for some future date.

17 LIZA PADEN: And the last item is  
18 January 19th is the Special Election. So  
19 that's the typical evening for the second  
20 Planning Board meeting of January and it will  
21 not be held.

22 HUGH RUSSELL: We'll probably

1 substitute another date or not, workload.

2 LIZA PADEN: Right.

3 THOMAS ANNINGER: What are the dates  
4 in January?

5 LIZA PADEN: Right now January 5th  
6 and possibly January 26th.

7 THOMAS ANNINGER: Okay.

8 STEVEN WINTER: And December would  
9 be December 1st and 15th?

10 LIZA PADEN: Yes.

11 THOMAS ANNINGER: You can put that  
12 in your i-Phone.

13 WILLIAM TIBBS: Thank you.

14 LIZA PADEN: Okay.

15 WILLIAM TIBBS: As I said, we have a  
16 public hearing for a Major Amendment to the  
17 Special Permit for the Sonesta Hotel. And  
18 for the public hearing we typically have a  
19 sign-up sheet. But given the size of the  
20 audience, I'll just take -- if anybody wants  
21 to -- I'll convene the public testimony  
22 portion and just ask people to raise their

1 hand if they want to speak so we won't have  
2 to go through that. The way the public  
3 hearing works is the proponent makes their  
4 case, the Planning Board asks clarifying  
5 questions and then we open it to public  
6 testimony and then we ask people to stick to  
7 about three minutes if they do have public  
8 testimony. And after that we -- and  
9 particularly in this case we'll deliberate  
10 and hopefully make our decision unless  
11 there's some complicating issue. And we do  
12 ask if you, if you have public testimony,  
13 that you come to the podium and speak. And  
14 the recorder asks that you give your name and  
15 your address and spell your name. So with  
16 that, are you the proponent?

17 LIZA PADEN: I'm not the proponent  
18 but I'd like to explain some things so that  
19 we're all on the same page on this.

20 WILLIAM TIBBS: Sure.

21 LIZA PADEN: The Sonesta Hotel was  
22 not built with the PUD Special Permit. It

1 was the pool addition. So in 1985 the  
2 Planning Board granted a PUD Special Permit  
3 for the pool addition. It's a two-story,  
4 20,000 square foot addition that was  
5 constructed. The relief that was granted  
6 through that was a setback requirement of the  
7 base zoning district as well as the 25  
8 percent open space requirement in the PUD.  
9 The waiver decision cited that the East  
10 Cambridge plan goals of providing strong  
11 building edge along the public lane was met  
12 through the pool addition design and the  
13 accompanying open space improvements which  
14 were the granite curb extensions along  
15 Cambridge Parkway, and there were a  
16 significant number of tree plantings.

17 In 1990 the Sonesta requested an  
18 amendment to that plan of the pool addition  
19 in the form of 88 square feet of additional  
20 outdoor space for a new restaurant. The  
21 space was a substitute for a stair structure  
22 which was approved in this pool addition but

1 not constructed. The outdoor seating was  
2 approved as a positive use in the location in  
3 keeping with the original Special Permit.

4 Now in 2009 the Sonesta is proposing a  
5 sheltered patio space by covering the  
6 existing outdoor seating. This process for  
7 the PUD requires two public hearings.  
8 Tonight is the preliminary determination.  
9 And then in the next meeting when we meet on  
10 the 20th, it will be the final development  
11 proposal. So if you make a finding tonight,  
12 and make the determination that this canopy  
13 is in keeping with the original Special  
14 Permit and the PUD criteria for this  
15 district, then we'll move to the second and  
16 the final development proposal.

17 WILLIAM TIBBS: And that's a public  
18 hearing, too?

19 LIZA PADEN: And it is a public  
20 hearing, and it's all been advertised. And  
21 here's Mr. O'Toole to answer your questions.

22 GERALD O'TOOLE: Good evening.

1 Gerald O' Toole with the Royal Sonesta Hotel .

2 So, yes, what we're proposing is to  
3 construct an approximately 500 square foot  
4 coverage canopy on an existing restaurant  
5 patio. The patio is approximately 1100  
6 square feet. So we'd only be covering a  
7 portion of the patio, not the entire patio  
8 area. It would be a fixed year-round  
9 structure built of steel with a fabric  
10 covering Sunbrella acrylic awning material .  
11 You'll see on the application the patio  
12 itself as it exists, as it operates now. And  
13 there is a plan as to how the structure will  
14 be built.

15 PAMELA WINTERS: Could you tell us  
16 which one is which? Which one is the current  
17 and which one is the -- is this the current?

18 GERALD O' TOOLE: Both views are the  
19 current. They're both views of the current.  
20 One view expands further to include the pool  
21 enclosure that you see there --

22 PAMELA WINTERS: Uh-huh.

1                   GERALD O' TOOLE: -- to demonstrate  
2 what part of the original Special Permit was  
3 granted for that pool enclosure.

4                   PAMELA WINTERS: And which one is  
5 the future?

6                   GERALD O' TOOLE: In the application  
7 there is not what the future is.

8                   PAMELA WINTERS: Okay.

9                   GERALD O' TOOLE: But I did have an  
10 architect do a rendering.

11                  PAMELA WINTERS: Great, I love to see  
12 it. Thank you.

13                  GERALD O' TOOLE: You're welcome.

14                  WILLIAM TIBBS: Can you describe it?  
15 It says it's a tent structure so we assume it  
16 has a tent like roof, but what's happening on  
17 the sides?

18                  GERALD O' TOOLE: On the sides it  
19 will still be open. There will be six  
20 footings of four-by-four steel structure that  
21 goes into the concrete base. There are  
22 concrete footings installed four feet deep,

1 24 inches wide all by constructed under our  
2 780 CMR.

3 WILLIAM TIBBS: So there's no --

4 GERALD O'TOOLE: No closed sides.

5 WILLIAM TIBBS: Just open air.

6 GERALD O'TOOLE: Open on the sides,  
7 yes.

8 THOMAS ANNINGER: This isn't an  
9 antenna in disguise, is it?

10 GERALD O'TOOLE: It is not an  
11 antenna in disguise. It's too low to be an  
12 antenna.

13 PATRICIA SINGER: Can you tell me  
14 what color the canopy will be?

15 GERALD O'TOOLE: We have not  
16 actually determined the actual color of the  
17 canopy. It's really going to depend on when  
18 it's going to be built as far as what  
19 Sunbrella fabrics are offered at that time.  
20 We're looking more in the taupe to grey color  
21 to match the existing -- if you see a lot of  
22 the existing umbrellas in the photos there,

1 those are the existing patio umbrellas which  
2 will be in place. We're only covering  
3 probably half of that patio space.

4 WILLIAM TIBBS: So you're not  
5 intending it to be the red in the depiction?

6 GERALD O'TOOLE: No, no. The red  
7 was just for contrast.

8 WILLIAM TIBBS: Okay.

9 STEVEN WINTER: I have a question  
10 for you, please. The steel frame concrete  
11 pier foundation seems like a lot of  
12 infrastructure and to someone to me who is  
13 not an engineer, is that much infrastructure  
14 required for a fabric canopy?

15 GERALD O'TOOLE: It's not for the  
16 fabric canopy, but for the snow load and the  
17 wind uplift in the winter. The engineer  
18 really -- he wanted to ensure that things  
19 were built to deal with the snow load as it's  
20 going to be a year-round structure and the  
21 wind uplift being on the roof.

22 STEVEN WINTER: Thank you.

1 GERALD O' TOOLE: You' re wel come.

2 WILLIAM TIBBS: Is that the extent  
3 of your presentati on?

4 GERALD O' TOOLE: That is the extent  
5 of my presentati on.

6 WILLIAM TIBBS: Do we have any more  
7 clari fyi ng questi ons for the Pl anni ng Board?

8 (No response).

9 WILLIAM TIBBS: Thank you. I wi ll  
10 open the heari ng for publ ic comment.

11 Is there anyone here who would like to  
12 speak on thi s matter?

13 (No response.)

14 WILLIAM TIBBS: Let the record show  
15 that no one requested to speak on thi s  
16 matter. And so we typi cally close the  
17 heari ng for verbal comment even though  
18 anybody who' s here and may not be here is  
19 wel come to submi t writ ten comments if they  
20 like.

21 So is the Board comfortabl e wi th that?

22 So we are closi ng the publ ic heari ng for

1 verbal comment.

2 Discussion? Comments? Hugh?

3 HUGH RUSSELL: It seems that it's a  
4 very little consequence to the overall  
5 appearance of the building, to the view of  
6 the building from the public space, and it  
7 might be an enhancement to the patrons of the  
8 hotel. It might extend the use of the space  
9 in the inclement weather. So I would  
10 recommend that we find it consistent with the  
11 PUD permits and the general design of the  
12 building and we not ask for any changes in  
13 the final plans to be submitted.

14 WILLIAM TIBBS: Do I take that as a  
15 motion?

16 HUGH RUSSELL: Sure.

17 WILLIAM TIBBS: All right. Do we  
18 have a second?

19 H. THEODORE COHEN: Second.

20 WILLIAM TIBBS: All right. Any  
21 further comment? Yes, Patricia.

22 PATRICIA SINGER: Can we vote

1           tonight or do we have to wait?

2                   LIZA PADEN: Preliminary  
3           determination --

4                   WILLIAM TIBBS: The preliminary  
5           determination.

6                   PATRICIA SINGER: Thank you.

7                   WILLIAM TIBBS: All those in favor.  
8                   (Show of hands.)

9                   WILLIAM TIBBS: And I think we're  
10          unanimous for those who are here.

11                   Thank you. So I guess we'll see you  
12          again next time.

13                   (Tibbs, Winters, Russell, Anninger,  
14          Cohen, Singer, Winter.)

15                   THOMAS ANNINGER: This is a big  
16          process.

17                   LES BARBER: It might be a minor  
18          modest amendment for PUD permits do not  
19          require two hearings. But the regulation as  
20          it currently exists is you go through the  
21          process again. And this was, I mean, it's --  
22          the consequences are minor but it does alter

1 the setbacks and it increases the floor area  
2 very marginally so we found it, you know, it  
3 required a Major Amendment.

4 THOMAS ANNINGER: This is as good as  
5 it gets?

6 PAMELA WINTERS: It is. It is.

7 STEVEN WINTER: Mr. Chairman, can I  
8 make a comment, please?

9 Liza, I'd like to comment to the staff  
10 with cooperating with working with the  
11 proponent of getting the right information on  
12 the table and made my reading and educating  
13 myself on the project easy. I really  
14 appreciate that.

15 LIZA PADEN: You're welcome.

16 On the Board of Zoning Appeal cases we  
17 have a fair number of telecommunication  
18 installations for the agenda on October 8th.  
19 We have -- the first one that I wanted to  
20 point out is 9845, which is for 120 Vassar  
21 Street. And one of the things about this  
22 case is that this installation, exactly the

1 same installation was granted by the Board of  
2 Zoning Appeal. Unfortunately it was granted  
3 at a time when the company did not activate  
4 the permit for whatever reason. It never  
5 installed the antennas. They are now back to  
6 request the exact same installation. And  
7 this was a permit that was granted by the  
8 Board of Zoning Appeal and the Planning Board  
9 reviewed it with no comment. If you want to  
10 look at it again, I have the plans. Yes?  
11 Okay.

12 THOMAS ANNINGER: Yes, please.

13 WILLIAM TIBBS: When was it granted  
14 previously? I just wanted to know how much  
15 time.

16 LIZA PADEN: It's about a year and a  
17 half, two years.

18 LES BARBER: The variance is good  
19 for one year.

20 LIZA PADEN: This is a Special  
21 Permit.

22 THOMAS ANNINGER: This is MIT gym?

1                   LIZA PADEN: Yes. This is the  
2 antenna installation, it's all on the  
3 athletic field.

4                   WILLIAM TIBBS: There's a light pole  
5 right in front of the picture and there's  
6 like five big round things, and I was like --

7                   THOMAS ANNINGER: This is the extent  
8 of it?

9                   LIZA PADEN: Yes.

10                  THOMAS ANNINGER: These four sort of  
11 artillery pods or something?

12                  WILLIAM TIBBS: Yes. And I thought  
13 the round light poles were the antennas. Oh,  
14 my goodness, we never approved that.

15                  THOMAS ANNINGER: Right. Maybe they  
16 are.

17                  WILLIAM TIBBS: But I see --

18                  THOMAS ANNINGER: And I guess now  
19 that I've looked at it while others are  
20 looking at it -- we'll wait for others to  
21 take a look at it maybe before I talk.

22                  LIZA PADEN: If you're done, Pam

1 needs to see it. You can bring it that way.  
2 I think just to keep it straight, we have six  
3 cases to give you tonight. If we can do one  
4 at a time, I'd appreciate it. Thank you.

5 PAMELA WINTERS: There's six antenna  
6 cases?

7 LIZA PADEN: Yes.

8 THOMAS ANNINGER: This counts only  
9 as one?

10 LIZA PADEN: Yes.

11 THOMAS ANNINGER: Not six?

12 LIZA PADEN: Yes.

13 PAMELA WINTERS: There are three  
14 on --

15 LIZA PADEN: You have three on the  
16 agenda for October 8th and there's three on  
17 the agenda for October 22nd. And I'm  
18 bringing them tonight since the case load on  
19 the 20th for the Planning Board is a heavier  
20 case load. So I figured since you were here,  
21 we'd do antenna night.

22 HUGH RUSSELL: Okay.

1                   L I Z A P A D E N:   No comments on that  
2                   one?

3                   W I L L I A M T I B B S:   Tom has some  
4                   comments.

5                   L I Z A P A D E N:   Oh.

6                   T H O M A S A N N I N G E R:   What I would say  
7                   is this:  It seems to meet our basic  
8                   principle of having something below the  
9                   corneous line in the same color and an  
10                  attempt that melding in as best it can.  And  
11                  I think it does that.  I would just say on  
12                  the other side, I haven't been there in a  
13                  long time, but when I first saw -- I think  
14                  this is the new gym, the fancy new gym?

15                  L I Z A P A D E N:   Yes.

16                  T H O M A S A N N I N G E R:   It is actually a  
17                  very handsome building.

18                  L I Z A P A D E N:   Right.

19                  T H O M A S A N N I N G E R:   With very elegant  
20                  lines.  I think it was done by a Japanese  
21                  architect.

22                  R O G E R B O O T H:   Kevin Roche's firm.

1 WILLIAM TIBBS: No. It wasn't them.

2 ROGER BOOTH: It wasn't them?

3 WILLIAM TIBBS: No.

4 THOMAS ANNINGER: And so when I  
5 think when we first saw, I admired it.

6 WILLIAM TIBBS: Davis Brody.

7 ROGER BOOTH: Oh.

8 THOMAS ANNINGER: And I'm a little  
9 sad to see something that is so clean and so  
10 elegant starting to erode at the edges with  
11 -- with some carbuncles being attached to it  
12 that will throw shadow and will certainly not  
13 help the elegant design. And I'm going to  
14 have to assume that somehow MIT has come to  
15 the conclusion that this is necessary to keep  
16 the kids covered so that they can Tweet each  
17 other. I don't -- I have trouble believing  
18 that this is a security device. But maybe it  
19 is. So I, I do not object, but I register  
20 some sadness that MIT wasn't able to do  
21 better.

22 LIZA PADEN: Okay.

1 WILLIAM TIBBS: Any other comments?

2 STEVEN WINTER: Yes. Mr. Chair?

3 WILLIAM TIBBS: Sure.

4 STEVEN WINTER: Just a brief comment  
5 to act on what my colleague just said. I  
6 think we find ourselves in this position a  
7 lot which is -- I'm not certain that we have  
8 an explicit criteria or policy that talks  
9 about some of these specific aesthetic  
10 values. And I think that we get tangled up a  
11 little bit sometimes, but wishing we could do  
12 something not really thinking we ought to do  
13 something. But I do get your point that  
14 after a while it -- these kinds of additions  
15 to elegant looking buildings will get  
16 tiresome.

17 Thank you.

18 WILLIAM TIBBS: Thanks.

19 I guess I asked the question, it's kind  
20 of generic, not necessarily to this one or  
21 maybe to all of them, are we getting to a  
22 tipping point where we should be developing

1 at least criteria or guidelines at least we  
2 can begin to use?

3 HUGH RUSSELL: I thought we did have  
4 such criteria. We do have them.

5 LIZA PADEN: Right. The guidelines  
6 as they exist now are in the footnote for the  
7 Special Permit which usually is the Board of  
8 Zoning Appeal granting it. And that they  
9 look for facade mounts to blend in and not to  
10 be visually chaotic. So that the -- you  
11 know, that's been interpreted as the cabling  
12 is very neat, it's minimal, they're attached  
13 to the building as closely as they can,  
14 they're finished in a color that's close to  
15 the match as possible. It's problem when you  
16 have these smooth facades, 700 Huron Avenue  
17 was another case where you have a wall that's  
18 very solid. The Sonesta Hotel a significant  
19 amount of time ago proposed to put these  
20 antennas on the brick facade, and that one  
21 actually was denied because they didn't meet  
22 the criteria and --

1                   HUGH RUSSELL: And I think it was  
2 challenged in court and we won.

3                   LIZA PADEN: It was challenged and  
4 Cambridge prevailed.

5                   THOMAS ANNINGER: Was it halfway up  
6 and it was a question of height and  
7 prominence?

8                   LIZA PADEN: Right.

9                   THOMAS ANNINGER: So it was a little  
10 different. But you're absolutely right, it's  
11 the same idea.

12                  HUGH RUSSELL: And it was building  
13 probably a greater significance and a very  
14 important place in the city and important in  
15 terms of its visibility.

16                  LIZA PADEN: And more of a public  
17 facade.

18                  THOMAS ANNINGER: Yes.

19                  LIZA PADEN: The facades in this  
20 installation are internal to the MIT campus.  
21 So, there is that consideration to be made as  
22 well.

1 THOMAS ANNINGER: Is the argument  
2 being made that this is for the purpose of  
3 security coverage?

4 LIZA PADEN: I have not heard that  
5 argument in this particular application, no.  
6 But that doesn't mean -- I just have the  
7 application that comes from Inspectional  
8 Services so I haven't seen the presentation  
9 so I don't know if that's the case that  
10 they're going to make in person or not.

11 THOMAS ANNINGER: Do we have a  
12 representative of --

13 LIZA PADEN: Of this particular one?  
14 No. He had a conflict tonight so he wasn't  
15 able to come.

16 LES BARBER: This was a proposal to  
17 come two years ago. So I don't think that  
18 issue was raised again.

19 THOMAS ANNINGER: Was that before  
20 Virginia Tech?

21 LIZA PADEN: Yes.

22 WILLIAM TIBBS: Do the guidelines

1 address all the other kinds of auxiliary  
2 structures that are the roof that we seem to  
3 see a proliferation of this in this case?

4 LIZA PADEN: The guidelines do ask  
5 -- I can get the guidelines.

6 WILLIAM TIBBS: Yes.

7 LIZA PADEN: Les will go and make  
8 some copies. Footnote No. 49 is -- points  
9 out in reviewing a Special Permit application  
10 for mobile communication facilities, in  
11 particular the Board of Zoning Appeal shall  
12 consider the following in reaching its  
13 determination:

14 One, scope of or limitations imposed by  
15 any license secured by any state or federal  
16 agency having jurisdiction over such matters.

17 Two, the extent to which visual impact  
18 of the various elements of the proposed  
19 facility is minimized; one, through the use  
20 of existing mechanical elements on buildings'  
21 roof and other features and support in  
22 background. That's the mechanical penthouse

1 overrides for the elevators.

2 Two, through the use of materials  
3 that in texture and in color blend with the  
4 materials to which the facilities are  
5 attached.

6 And three, other effective means to  
7 reduce the visual impact of the facility from  
8 off the site. And that is what some of the  
9 installations have been using, what's called  
10 a stealth chimney or stack. I think actually  
11 the stacks on some of the biotech buildings  
12 are better because it's just another tube and  
13 they can position it so that there's some  
14 symmetry. It is -- so those are the design  
15 criteria. So, they are pretty specific.

16 THOMAS ANNINGER: They certainly  
17 guide us on what to talk about.

18 LIZA PADEN: Right.

19 WILLIAM TIBBS: Okay.

20 LIZA PADEN: Okay?

21 The next case is case No. 9846. It's  
22 575 Memorial Drive. And for those people not

1           intimately familiar with the numbering system  
2           on Memorial Drive, it's the Hyatt Hotel. So  
3           I'll start the photo sims. This installation  
4           appears to have been able to take advantage  
5           of the height of the hotel, and locating the  
6           antennas in such a way that they are on the  
7           mechanical roof -- I'm sorry, the mechanicals  
8           that are on the roof or the facade of the  
9           roof. And their building, their base  
10          building that houses the generator and other  
11          pieces of equipment like that is an extension  
12          of a mechanical penthouse that they have on  
13          the roof which you should be able to see in  
14          the photo sims.

15                   HUGH RUSSELL: There are two photo  
16                   sims. The first page is existing and the  
17                   second is proposed.

18                   PAMELA WINTERS: Proposed?

19                   HUGH RUSSELL: So see the note in  
20                   the upper right-hand corner?

21                   PAMELA WINTERS: Oh.

22                   HUGH RUSSELL: Pointing to some

1 antennas that are mounted on the concrete ban  
2 at the top?

3 LIZA PADEN: I can start this set  
4 from this side.

5 THOMAS ANNINGER: You mean this is  
6 sort of the negative or the positive to what  
7 we just saw in the sense that it's -- it's a  
8 prominent view, but it's in a building that  
9 is so articulated that it is diluted by all  
10 of the other things that you look at which is  
11 sort of the opposite of what we just saw at  
12 MIT which is not a prominent view but a very  
13 clean facade.

14 LIZA PADEN: I'll also let you know  
15 that the height of the Hyatt Hotel is 158  
16 feet.

17 THOMAS ANNINGER: Still it is the  
18 top.

19 HUGH RUSSELL: There's a big sign  
20 that faces the river. What is that?

21 WILLIAM TIBBS: It's lower. It's  
22 coming.

1                   THOMAS ANNINGER: I guess I would  
2 ask the question, if I may, was it necessary  
3 to put it on that very top tier?

4                   LIZA PADEN: I don't know the answer  
5 to that. Where the restaurant used to be or  
6 the mechanical that's to the rear of that?

7                   THOMAS ANNINGER: I don't have  
8 anything in front of me. But it's just that  
9 at the -- next to the sky where it is maybe  
10 10 feet down there's lots of space for --

11                  LIZA PADEN: Which?

12                  THOMAS ANNINGER: They're here and  
13 there's all sorts of room down here for  
14 things where I think it would be interesting  
15 to know just what the tradeoff would be.

16                  LIZA PADEN: I don't know the answer  
17 to that. I suspect what they're going to say  
18 is that the taller it is -- there's a point  
19 where they reach that they're probably trying  
20 to deal with either both sides of the river  
21 or the curve in the river.

22                  WILLIAM TIBBS: And I think what

1 this shows to me is that they really --  
2 whoever was doing this installation really  
3 took some time and thought as to trying to do  
4 this in a way which is very unobtrusive. So  
5 I don't know what other people feel, you  
6 know. So I think -- any comments? Because I  
7 think that's half the battle is just really  
8 how much thought people put into what they're  
9 doing in a sense that's implied at the  
10 guidelines. The guidelines actually imply  
11 that they need to spend some thought to do  
12 that sort of thing whether you agree or like  
13 what they did, but you can see the effort  
14 that they were doing. So....

15 THOMAS ANNINGER: Anybody else is  
16 interested in knowing whether they could put  
17 it down a tier lower?

18 HUGH RUSSELL: I think the advantage  
19 of putting it at the top is the cabling is  
20 very easy to disguise because it can run on  
21 top of the roof.

22 THOMAS ANNINGER: I see.

1                   HUGH RUSSELL: If it's a tier lower,  
2 I think it might be much more difficult.

3                   THOMAS ANNINGER: Because it juts  
4 out, they each have a roof.

5                   HUGH RUSSELL: I'm looking at the  
6 front of the building. And the next tier --  
7 it looks like there's a two -- there's really  
8 a two-story volume at the very top. So you'd  
9 have to put it down a couple of levels.  
10 Anyway, pass this back to Tom.

11                  THOMAS ANNINGER: I think it would  
12 help, but I can -- for the sake of coverage.

13                  LIZA PADEN: Okay.

14                  The next case on that agenda is at 77  
15 Mass. Avenue, Building 16. And the  
16 applicant's representative is here to make a  
17 presentation of it and explain.

18                  ARTHUR KRIEGER: Good evening,  
19 Mr. Chairman and members of the Board. My  
20 name is Art Krieger from Anderson and Krieger  
21 here in Cambridge representing AT&T,  
22 Cingular. Last time I was here on a

1 different proposal, you said to just hand in  
2 the pictures because your practice at reading  
3 them, so I will do that. I have six so maybe  
4 some of you can share.

5 WILLIAM TIBBS: You can do the ends  
6 and we can share.

7 ARTHUR KRIEGER: I have two more.

8 WILLIAM TIBBS: That's all right.

9 H. THEODORE COHEN: I'll take one.

10 ARTHUR KRIEGER: What you have there  
11 is the key on the cover that shows not only  
12 the location but the five vantage points for  
13 the photo simulations that follow. Then you  
14 have five photo simulations of existing  
15 conditions from those five locations. I  
16 believe they're in the correct order. And  
17 then after the dividing page you have five  
18 photo sims of the proposed facility in the  
19 same order. These are Tabs 6 and 7 of the  
20 application that was filed with the BZA on  
21 August 26th. And if you want to compare each  
22 vantage point before and after, you have to

1 take them apart.

2 This is a rooftop installation on a  
3 flat roof building that sits in the middle of  
4 MIT's campus. The building fronts on Ames  
5 Street. This is the far end of the building  
6 right in the middle of the block there  
7 (indicating). The equipment cabinet doesn't  
8 go up as high as the penthouse, the existing  
9 penthouse, and then three facade mounts and  
10 the pair of antennas existing on the corners  
11 of the building.

12 (Looking over documents).

13 WILLIAM TIBBS: Any comments? I  
14 have no comment.

15 H. THEODORE COHEN: I guess my only  
16 comment is given the number of antennas all  
17 over the place here --

18 WILLIAM TIBBS: Exactly.

19 H. THEODORE COHEN: -- the dishes  
20 and the domes and everything. That these are  
21 as discrete as anything else.

22 WILLIAM TIBBS: It's also pretty

1 internal and kind of hard to see in general.

2 THOMAS ANNINGER: You didn't have to  
3 invoke last week in order to --

4 WILLIAM TIBBS: Yes, please. We  
5 don't want to go there.

6 HUGH RUSSELL: They can probably get  
7 the same coverage mounting the dome but they  
8 didn't. Found an appropriate spot.

9 WILLIAM TIBBS: They're not in the  
10 same order, but they're grouped correctly.

11 PAMELA WINTERS: If you want to  
12 reuse them.

13 WILLIAM TIBBS: I'm just saying --

14 ARTHUR KRIEGER: Oh, okay. That's  
15 fine. Give them back to me however you want,  
16 that's fine. Obviously, I'm happy to make  
17 more of a presentation. I'll take your lead  
18 as to whether one is required.

19 WILLIAM TIBBS: Anyone else want to  
20 make any comments?

21 ARTHUR KRIEGER: I'm happy to make  
22 further presentation.

1 WILLIAM TIBBS: We're happy to let  
2 you go to the BZA.

3 ARTHUR KRIEGER: Does that mean you  
4 make a recommendation?

5 WILLIAM TIBBS: They are the ones  
6 that do the approval. So the fact that we're  
7 making no comment means -- that's good.

8 ARTHUR KRIEGER: No news is good  
9 news? Okay.

10 THOMAS ANNINGER: Sometimes we do  
11 say, it depends. I think we do say we think  
12 this meets the general criteria that we would  
13 be looking for whether it fits in and it is  
14 below the corner slot and so on. I see no  
15 harm in --

16 HUGH RUSSELL: We can take this as  
17 an opportunity to educate the Zoning Board  
18 and say that, you know, it fits in with the  
19 criterion and the selection of the building.  
20 And this location, this is a very wise thing  
21 to do.

22 THOMAS ANNINGER: I think that -- I

1 I like the way you're positioning that and I  
2 think that would be a good thing to do it.

3 ARTHUR KRIEGER: Anything that the  
4 Board feels, would be appreciated.

5 WILLIAM TIBBS: Do the rest of the  
6 Board members feel comfortable with that?

7 ARTHUR KRIEGER: Thank you.

8 WILLIAM TIBBS: Thank you.

9 PAMELA WINTERS: Liza, before you  
10 get off of October 8th, do you want to do --

11 LIZA PADEN: Yes, I can --

12 PAMELA WINTERS: Can we finish out  
13 -- I just have a question -- I'm curious  
14 about the three parking spaces on Foster  
15 Place.

16 LIZA PADEN: That's October 22nd.

17 PAMELA WINTERS: October 8th?

18 HUGH RUSSELL: There are three more  
19 on the 22nd?

20 PAMELA WINTERS: Are there three  
21 more on the 22nd?

22 LIZA PADEN: Foster Place. Okay.

1 PAMELA WINTERS: I'm just kind of  
2 curious that there's three parking places.

3 LIZA PADEN: Yes, okay. So -- all  
4 right. I can explain this as much as it can  
5 be explained.

6 PAMELA WINTERS: Why don't you do  
7 that, explain.

8 LIZA PADEN: I'm sorry, I just  
9 thought it was the other agenda.

10 WILLIAM TIBBS: Oh, three in the  
11 row. Yes, it is interesting.

12 LIZA PADEN: Okay. So if everybody  
13 can share a case, these are all on Foster  
14 Place. Foster Place is a dead end off of  
15 Foster Street which is over by the Mount  
16 Auburn Hospital, Mercer Circle, Sparks  
17 Avenue. What is being proposed is that at  
18 this dead end street there are -- it's either  
19 six or eight houses, equal number on each  
20 side of this area, and they're proposing  
21 these driveways so that each of the end  
22 houses would have off-street parking. One of

1           these applications I gave out has a whole  
2           site plan of the end of the street. Is that  
3           what you have, Pam?

4                   WILLIAM TIBBS: Yes.

5                   PAMELA WINTERS: Yes.

6                   LIZA PADEN: I don't think everybody  
7           has it. That might be useful to pass around.

8                   PAMELA WINTERS: All right.

9                   LIZA PADEN: These cars will be  
10          parked in the setback, but it is a street  
11          that only people going to these homes would  
12          be on. That's one thing. So it's not really  
13          a public sidewalk the way -- yes.

14                   STEVEN WINTER: Is it a private  
15          drive?

16                   LIZA PADEN: No, I think Foster  
17          Place is a publicly accepted way.

18                   WILLIAM TIBBS: So they would be  
19          taking substantial -- they would be doing  
20          substantial curb cuts?

21                   LIZA PADEN: Right.

22                   PAMELA WINTERS: Does it have to go

1 before the Council?

2 LIZA PADEN: The City Council would  
3 have to approve the curb cut. This is the  
4 first step to get the Zoning relief to get  
5 the curb cut.

6 HUGH RUSSELL: And the cars are  
7 parked behind the face of the buildings?

8 LIZA PADEN: Yes. But they're in  
9 the side yard setbacks. So it's not -- it's  
10 a little different. One of the things about  
11 this is on a dead end street, it's not  
12 terribly wide, is that you have no real way  
13 of turning around. So that you can be  
14 driving out of the -- overall I thought this  
15 might be an improvement for the traffic flow  
16 and safer for people there. They all now can  
17 pull out of the driveway, three point  
18 turn-wise and then go on to the street. And  
19 the lack of open space really is only  
20 impacting each other. It's not -- it's not  
21 like some of the front yard parking that  
22 we've seen before.

1 HUGH RUSSELL: It appears that  
2 Foster Place might be as narrow as ten feet?

3 LIZA PADEN: Yes.

4 HUGH RUSSELL: If I got the scale  
5 right on this. It's actually a neat little  
6 street of workers' cottages --

7 PAMELA WINTERS: It is.

8 HUGH RUSSELL: -- that are no longer  
9 occupied by people who are.

10 LIZA PADEN: Workers?

11 HUGH RUSSELL: Workers.

12 LIZA PADEN: They're workers.

13 PATRICIA SINGER: I'm not well  
14 versed at reading these. Can you tell me  
15 what's the hardship? Because that's the  
16 basis of having the off-street parking.

17 LIZA PADEN: The hardship? You have  
18 the application?

19 H. THEODORE COHEN: Where is Foster  
20 Place?

21 LIZA PADEN: Foster Place is off of  
22 Foster Street which is off of Sparks. So

1           it's over in -- Mercer is over here  
2           (indicating). Foster goes in to Sparks and  
3           then there's Brown.

4                   THOMAS ANNINGER: I think if you're  
5           going towards the river, Sparks Street is one  
6           way, you would turn left on Foster.

7                   LIZA PADEN: Yes.

8                   THOMAS ANNINGER: And then I think  
9           left again to get to --

10                  LIZA PADEN: Yes, I think you can do  
11           that.

12                  HUGH RUSSELL: This was a -- there  
13           was a little industrial district in this part  
14           of the river.

15                  LIZA PADEN: Yes.

16                  HUGH RUSSELL: I think where the big  
17           riverfront building was built on an  
18           industrial site. So it's changing before the  
19           river was improved and it was an undesirable  
20           place and that's why this little development  
21           kept up.

22                  LIZA PADEN: From the statement for

1 the variance, the hardship is stated that  
2 Foster Place is 16 feet wide. Cars parked on  
3 the street would cause severe hardship to  
4 other residents to be able to reverse the  
5 length to get out to Foster Street. Several  
6 of the cars have been damaged in the past,  
7 and delivery trucks have also been delayed by  
8 cars parked on the street. So 16 feet.

9 H. THEODORE COHEN: Is parking  
10 allowed on both sides?

11 LIZA PADEN: I think that's the only  
12 other place that people have had to park on  
13 Foster Place itself. So you've been having  
14 parked cars and one lane of travel. And the  
15 problem is because it's a dead end, you don't  
16 have anywhere to go.

17 H. THEODORE COHEN: Right.

18 WILLIAM TIBBS: As a reminder, and  
19 maybe to our audience, too, who are here  
20 trying to figure out what we're doing. We  
21 can either make no comment or make a positive  
22 one or a negative one. So did...

1                   LIZA PADEN: Is there any comment  
2                   people want to make?

3                   PATRICIA SINGER: I would like to  
4                   make a generic comment, not a comment on  
5                   these three specific cases, but we've seen  
6                   quite a few off the street parking cases come  
7                   through recently. And the underlying  
8                   principle for granting off-street parking is  
9                   that there has to be hardship. And I guess  
10                  that I kind of defer with what I've heard  
11                  this evening. I do think that taking away  
12                  open space impacts everybody. Furthermore, I  
13                  think that the city is trying to discourage  
14                  the use of ownership and use of cars in the  
15                  city. And so that the granting of off the  
16                  street parking general -- I'm not speaking to  
17                  these three cases. I don't, I don't want to  
18                  be confused on that. I do think that that is  
19                  something that we as a Board should make a  
20                  comment on. So...

21                  STEVEN WINTER: My comment would be  
22                  that I recognize the hardship as the

1 narrowness of the road and the -- and that  
2 people backing up on that road. I think  
3 that's a safety issue as well as a hardship  
4 issue.

5 PAMELA WINTERS: And I agree with  
6 you, too, Steve, and that would be my take on  
7 this particular case.

8 LIZA PADEN: Right.

9 HUGH RUSSELL: So could we write a  
10 report that would say that despite our  
11 general preference for not granting for the  
12 reasons that Tricia stated, in this case, we  
13 feel that there's a very specific and unusual  
14 circumstance and, you know, which relates  
15 just to the street and not generally to  
16 either the district or the city and that the  
17 Board should perhaps look more leniently or I  
18 don't know how you want to present it. I  
19 don't think we want to endorse it.

20 LIZA PADEN: No, usually when I  
21 write the comments like this, they come out  
22 like: The Planning Board would like to point

1 out...and then whatever the point is. It's  
2 not, you know, yes, we like it, no, we don't.

3 HUGH RUSSELL: So we would point out  
4 this is a very unusual circumstance.

5 STEVEN WINTER: That we recognize  
6 the hardship.

7 LIZA PADEN: Right.

8 THOMAS ANNINGER: I guess my feeling  
9 is not different from what you've been saying  
10 about the general principle of open space and  
11 off-street parking and so on, but on the  
12 question of hardship, my experience is that  
13 we have not waded on our views of what  
14 constitutes a hardship and what doesn't  
15 because it is an extremely malleable  
16 principle that has changed over time and has  
17 given, I think, the Zoning Board fits over  
18 all of its existence. And I really don't  
19 think we have a lot to add to that. I think  
20 that is the heart of what the Zoning Board  
21 does. And unless we have some urban policy  
22 issue to speak to, which I think you have

1 talking about open space and so on, I'm rough  
2 to touching on what's a hardship and what's  
3 not.

4 WILLIAM TIBBS: I just think also  
5 that all we get is a listing and the cases.  
6 We don't have the benefit of any kind of  
7 testimony or whatever, so it's kind of -- I  
8 think that the BZA can deal with that. But I  
9 would agree that the open space kind of issue  
10 is something that we could, we could just  
11 comment on.

12 HUGH RUSSELL: I mean just saying  
13 that the geometry and width, the street is  
14 unusual enough to --

15 THOMAS ANNINGER: That's right.

16 HUGH RUSSELL: -- to give. Because  
17 that's how they were going to wage in on  
18 hardship. To say in our opinion this is how  
19 it fits in with the general city.

20 WILLIAM TIBBS: I think we should be  
21 careful not to either state things -- I agree  
22 with you -- to say in such a way that we're

1           trying to do their job. We're just --

2                   THOMAS ANNINGER: That's right.

3                   WILLIAM TIBBS: It sounds like,  
4           Patricia, are you comfortable with what we  
5           just said?

6                   PATRICIA SINGER: Absolutely.

7                   WILLIAM TIBBS: Is everybody else?

8                   STEVEN WINTER: Yes.

9                   PAMELA WINTERS: Yes, I am.

10                  WILLIAM TIBBS: Good.

11                  LIZA PADEN: Are we all set for the  
12           8th?

13                  PAMELA WINTERS: The 22nd, right?

14                  LIZA PADEN: Right.

15                  Now we'll move on to the 22nd. And  
16           around the corner on Foster Street -- it's a  
17           very busy place over there. And I misspoke,  
18           there are not six telecommunication antennas,  
19           there are only five.

20                  WILLIAM TIBBS: Good.

21                  LIZA PADEN: Good.

22                  So, the first one is listed for

1 tel ecommuni cati ons i s 288 Norfolk Street.  
2 Now, what' s happeni ng wi th thi s i nstal l ati on  
3 i s that -- I don' t know, for some reason  
4 there' s technol ogy changi ng i mprovements.  
5 They are addi ng two round antennas to the  
6 mechani cal s of the bui l di ng at the corner of  
7 Hampshi re Street and Norfolk Street. Thi s  
8 bui l di ng has a rather unfortunat e  
9 i nstal l ati on.

10 WILLIAM TIBBS: Previ ousl y?

11 LIZA PADEN: Yes. That' s existi ng  
12 and i t i s not goi ng to be changi ng. So the  
13 tabs wi l l show the begi nni ng of the photo  
14 si ms and the pl ans of where the antennas are.  
15 Thi s parti cul ar i ndustri al bui l di ng has the  
16 antennas that you' re used to seei ng mounted  
17 to the front of the bui l di ng. And I have  
18 poi nted out to the appl i cant' s  
19 representati ve, he coul dn' t come to me, he  
20 had a confl i ct wi th another bui l di ng, that  
21 they had been poi nted out by the Pl anni ng  
22 Board i n the past as bei ng not a very good

1 installation for various reasons.

2 One, is that they're not in the right  
3 place. They're not in the right finish. And  
4 they're very bulky. And he said that he  
5 accepted that criticism and that what they're  
6 proposing to do has to do with these two  
7 round dishes that are approximately 12 inches  
8 across which are being mounted on the  
9 stairway penthouse, and one will overlook the  
10 Department of Public Works work yard and the  
11 other one will face towards East Cambridge.

12 PAMELA WINTERS: But it looks as  
13 though the colors aren't matched to the  
14 existing building; is that correct?

15 LIZA PADEN: Right. I -- when I  
16 spoke with the representative, it's not clear  
17 to me that this is a bad photo sim. I think  
18 that when they put it together, it wasn't  
19 done very well. And again, the complication  
20 is I only got the application at the end of  
21 last week, so I didn't have a lot of time to  
22 work with him.

1 WILLIAM TIBBS: Defi ni tel y addi ng to  
2 a mess, that' s for sure.

3 LIZA PADEN: Yes.

4 PAMELA WINTERS: And i t' s the same  
5 company on the next one too, right?

6 LIZA PADEN: Yes, yes. They' re all  
7 Spri nt. Spri nt' s antenna busi ness i s call ed  
8 Cl earvi ew.

9 H. THEODORE COHEN: But I mean these  
10 are proposed?

11 LIZA PADEN: Those are existi ng and  
12 those wi ll stay.

13 WILLIAM TIBBS: The ci rcl e one i s --

14 LIZA PADEN: The ci rcl e one i s the  
15 one that' s new.

16 THOMAS ANNINGER: If you make a  
17 mess, i t' s okay to make i t worse?

18 HUGH RUSSELL: Are all the antennas  
19 for thi s one company?

20 LIZA PADEN: No. There' s another  
21 i nstal lation on the bui ldi ng. But the other  
22 i nstal lation i s not -- I don' t have the same

1 complaints about the other installation.

2 HUGH RUSSELL: It's ugly antennas  
3 are his?

4 LIZA PADEN: Yes.

5 HUGH RUSSELL: We could ask him to  
6 paint them.

7 WILLIAM TIBBS: Yes.

8 HUGH RUSSELL: Or we could suggest  
9 to the Zoning Board that because his other  
10 antennas don't meet the criteria, that he --  
11 if they grant this relief, they can condition  
12 it by saying he has to repeat the existing  
13 ones so that they blend in better?

14 THOMAS ANNINGER: My guess is what  
15 he will then say is I won't do this.

16 HUGH RUSSELL: Okay. That's his  
17 choice.

18 PAMELA WINTERS: That's his choice.

19 HUGH RUSSELL: Paint isn't very  
20 difficult. We had -- the issue on Brattle  
21 Square on things that needed to be painted --

22 LIZA PADEN: And they figured it

1 out.

2 HUGH RUSSELL: Crack the whip and  
3 they came up with a paint brush.

4 THOMAS ANNINGER: Would paint  
5 solve --

6 HUGH RUSSELL: No, I think it would  
7 help.

8 LIZA PADEN: I think paint in this  
9 particular situation -- I was out there this  
10 morning -- paint would go a long way.

11 THOMAS ANNINGER: It does stick out  
12 a long ways. They're not as flush.

13 LIZA PADEN: No, they're not. And I  
14 would also suggest that in these  
15 installations especially so close to the  
16 public way, that we don't want them even with  
17 the roof. We want them below the roof  
18 somewhat so that when you're look -- walking  
19 along, if they're even with the roof from  
20 that perspective, they bump out.

21 THOMAS ANNINGER: That's  
22 interesting. From this perspective the fact

1           that they're lower to me makes them stand out  
2           even more.

3                   LES BARBER:    Are we talking about  
4           the existing one?

5                   LIZA PADEN:    Yes.

6                   THOMAS ANNINGER:  The existing.  
7           You're right, it depends on the angle.

8                   WILLIAM TIBBS:    So are we  
9           comfortable with Hugh's suggestion that they  
10          clean-up their previous?

11                  LIZA PADEN:    Sure.

12                  PAMELA WINTERS:  Yes.

13                  WILLIAM TIBBS:  Are you comfortable  
14          with that, Tom?

15                  THOMAS ANNINGER:  Yes.

16                  LIZA PADEN:    So the last  
17          installation is at the -- well, it used to be  
18          the -- called the Hotel at MIT.  But now I  
19          don't know what it's called.

20                  LES BARBER:    Meridian.

21                  LIZA PADEN:    Yes.  Hotel at MIT.

22                  THOMAS ANNINGER:  The firehouse or

1           somethi ng?

2           L I Z A P A D E N:   No.

3           L E S B A R B E R:   The Meri di an.

4           T H O M A S A N N I N G E R:   Oh.

5           L I Z A P A D E N:   The Meri di an now.   So  
6           there' s the bui l di ng.   Agai n, thi s i s an  
7           exi sti ng i nstal l ati on.

8           W I L L I A M T I B B S:   Thi s i s i nteresti ng.

9           L I Z A P A D E N:   And the -- the hotel --

10          T H O M A S A N N I N G E R:   I s that where  
11          there' s al so a Star Market?

12          H U G H R U S S E L L:   Uni versi ty Park.

13          L I Z A P A D E N:   I t i s at Uni versi ty  
14          Park.   You don' t have to guess.   I' l l tel l  
15          you, 20 Si dney Street.

16          W I L L I A M T I B B S:   Thi s one i s very  
17          dear to us.

18          L I Z A P A D E N:   And, agai n, they' re  
19          proposi ng the round di sh antennas.   Thi s  
20          i nstal l ati on i s not so ugly I guess i s the  
21          word.

22          H U G H R U S S E L L:   Loweri ng i t si x

1 inches meaning it wouldn't break the roof  
2 line from the point of view.

3 PAMELA WINTERS: Exactly.

4 WILLIAM TIBBS: Yes, I agree. I  
5 agree. See how it's breaking the roof line?  
6 If they lower it just a little.

7 PAMELA WINTERS: Or is that just the  
8 way it's photographed because it's  
9 photographed going up. Is it below the roof  
10 line?

11 THOMAS ANNINGER: Maybe it is.

12 HUGH RUSSELL: Maybe just not enough  
13 lies, not enough. You see it's parallel here  
14 at the top?

15 THOMAS ANNINGER: What we were just  
16 talking about, the further back you go, it  
17 may be below the roof line. But then it  
18 creates this distance, it creates another  
19 line.

20 PAMELA WINTERS: Right.

21 HUGH RUSSELL: But as a round  
22 object, I think it's always --

1 WILLIAM TIBBS: Better to be -- yes,  
2 I agree.

3 HUGH RUSSELL: -- floating in the  
4 background rather than right at the edge.

5 LIZA PADEN: I'll put that in the  
6 comment.

7 H. THEODORE COHEN: So where would  
8 you see it in this view?

9 LIZA PADEN: You would have to be on  
10 Blanch Street. You would have to be on top  
11 of the parking -- you would have to be on the  
12 top level of the parking garage that's at the  
13 Shaw's.

14 THOMAS ANNINGER: Proposed antennas  
15 not visible. I like that one.

16 LIZA PADEN: Right. You like that  
17 one?

18 WILLIAM TIBBS: You can't see them.

19 LIZA PADEN: That's one of the  
20 advantages for this installation is that you  
21 don't see the antennas on some of them and  
22 the antennas are mounted on the mechanical

1           override of the -- the mechanical penthouse  
2           which has been finished in not grey, not  
3           silver, not sky tone but it's a real  
4           background color, and the antennas are the  
5           same way. And so there's very little  
6           visibility.

7                   HUGH RUSSELL: These must be linking  
8           this facility with some other facility rather  
9           than broadcasting out.

10                   THOMAS ANNINGER: Why is it this  
11           bulbous shape?

12                   LIZA PADEN: I don't know.

13                   HUGH RUSSELL: I think it's probably  
14           essentially a microwave, you know, it's like  
15           Direct TV. These little antennas.

16                   LIZA PADEN: Direct TV?

17                   HUGH RUSSELL: But it's probably  
18           going in both directions.

19                   PAMELA WINTERS: Liza, are you  
20           finding that there's --

21                   THOMAS ANNINGER: It's not a big  
22           deal, but it is distracting and it is --

1 PAMELA WINTERS: Are you finding  
2 that more of these antenna are coming in a  
3 round shape rather than a -- no?

4 LIZA PADEN: No, each of the  
5 carriers has a different -- Sprint has a  
6 different technology. The talk-to-talk  
7 networks tend to have the round ones. So  
8 Nextel and Sprint are in direct competition.  
9 People like Verizon still have the more  
10 traditional antennas.

11 THOMAS ANNINGER: I'm not sure how  
12 everybody -- I can't tell where one stands  
13 where one sees it like this, but I find this  
14 a strange button that doesn't fit anything.

15 LIZA PADEN: You're standing on top  
16 of the parking garage at Shaw's Supermarket.

17 THOMAS ANNINGER: I see.

18 WILLIAM TIBBS: And I think Hugh's  
19 suggestion of having them just place it  
20 better, do that slightly lower and maybe not  
21 quite so close to the edge either. It should  
22 look like a button.

1 PAMELA WINTERS: Yes.

2 HUGH RUSSELL: But I would say the  
3 cri teri on is from the street. You really, I  
4 thi nk i t' s --

5 THOMAS ANNINGER: That' s ri ght.  
6 From the street would be -- I' m not sure thi s  
7 was done to your standard of were they gi vi ng  
8 i t a l ot of thought.

9 WILLIAM TIBBS: Exactl y. That' s  
10 what we' re suggesti ng, they do that.

11 THOMAS ANNINGER: I don' t thi nk i t  
12 mee ts that. I don' t thi nk that somebody -- I  
13 thi nk thi s l ooks l i ke an engi neer' s j ob.

14 LI ZA PADEN: Ri ght.

15 THOMAS ANNINGER: And not an  
16 archi tect.

17 LI ZA PADEN: I' m actual l y getti ng to  
18 know the engi neers.

19 LES BARBER: Li za, can I see i t?

20 LI ZA PADEN: Yes.

21 LES BARBER: I want to know what the  
22 round thi ngs are.



1           there wi th petal s.

2                   THOMAS ANNINGER:  If you got i t,  
3           flaunt i t.

4                   H. THEODORE COHEN:  Put one in every  
5           corner.

6                   LIZA PADEN:  I want to see how I  
7           write that to the Zoni ng.

8                   THOMAS ANNINGER:  Thi s i s cryi ng out  
9           for some steal th archi tecture I thi nk.

10                  PAMELA WINTERS:  We can get Barry to  
11           do some graffi ti .

12                  WILLIAM TIBBS:  But so are we  
13           comfortabl e wi th Hugh' s comment to have them  
14           plac e i t better?  And you got that?

15                  LIZA PADEN:  Yes, I got i t.

16                  WILLIAM TIBBS:  Yes.  Your comment?

17                  STEVEN WINTER:  Yes, j ust qui ckl y  
18           somethi ng for us to thi nk about.  I' d l i ke us  
19           to thi nk about i t.  Firs t of al l , peopl e are  
20           maki ng money by havi ng these thi ngs posted on  
21           thei r bui l di ngs?

22                  LIZA PADEN:  Yes.

1                   STEVEN WINTER: I think that's an  
2                   important thing for us to remember. I don't  
3                   know how much money is involved, thousands or  
4                   hundreds of thousands or billions. I really  
5                   don't. I'm not sure how that fits into the  
6                   way I think about these things.

7                   And the second thing is that I think  
8                   with the pace of technology, that very soon  
9                   we'll be saying when this technology is dead  
10                  technology and there is much smaller or less  
11                  obtrusive or hidden other technology to beam  
12                  these signals, we may be figuring out how to  
13                  get rid of the dead technology.

14                  PAMELA WINTERS: That's true.

15                  WILLIAM TIBBS: We should be.

16                  STEVEN WINTER: I just want that on  
17                  the table.

18                  LIZA PADEN: We've already thought  
19                  about that. And the Board of Zoning Appeal,  
20                  the last thing I knew, all of their decisions  
21                  required for any of the Special Permits that  
22                  part of the lease have a removal clause that

1           w i t h i n s i x m o n t h s a l l t h e e q u i p m e n t h a s t o --  
2           e v e r y t h i n g h a s t o b e r e m o v e d a t t h e  
3           t e r m i n a t i o n . S o a s f a r a s I k n o w , t h a t ' s  
4           s t i l l b e i n g a t t h e b o i l e r p l a t e .

5                     W I L L I A M T I B B S : G o o d . I  
6           w h o l e h e a r t e d l y a g r e e w i t h t h a t o n e , t o o .

7                     T H O M A S A N N I N G E R : A n d c a n I a s k a  
8           q u e s t i o n o f f t h e r e c o r d ? T h e r e w e r e p e o p l e  
9           h e r e l i s t e n i n g t o u s . W e r e t h e y c o n n e c t e d t o  
10          a n y o f t h e s e c a s e s ?

11                    L I Z A P A D E N : T h e p e o p l e w h o w e r e --  
12          t h e m e m b e r s o f t h e p u b l i c , t h e r e w e r e t w o  
13          g r o u p s t o n i g h t . O n e w a s a g r o u p o f s t u d e n t s  
14          w h o h a v e a p a p e r t o w r i t e o n t h e p u b l i c  
15          p r o c e s s . I s a i d t h i s i s g o i n g t o b e a n o d d  
16          m e e t i n g , b u t t h e d e a d l i n e ' s o n t h e 23 r d . S o  
17          t h e r e ' s n o t a l o t o f o p t i o n s t o w a i t u n t i l  
18          t h e 20 t h b e c a u s e t h a t ' s a b i g m e e t i n g a n d  
19          t h e y w o u l d n ' t h a v e t i m e t o w r i t e a b o u t i t .  
20          A n d t h e o t h e r -- I w a s q u i t e p l e a s e d t o s e e ,  
21          i t ' s M r . F a n n i n g , a t t h e F a n n i n g , e t a l .  
22          p e t i t i o n . A n d I q u i t e o f t e n s a y t o p e o p l e i f

1           you have to make a presentation to the  
2           Planning Board or the Board of Zoning Appeal  
3           or Historical Commission, it would be worth  
4           your time to see how things are done so the  
5           first time you're seeing people is not when  
6           you're making your presentation. So he came  
7           with his group --

8                     THOMAS ANNINGER: I see.

9                     H. THEODORE COHEN: What's the  
10           Fanning petition?

11                    LIZA PADEN: The Fanning petition is  
12           a petition to delete the One Kendall Square  
13           parking garage from the Eastern Cambridge  
14           Housing Overlay district. That's it in a  
15           nutshell.

16                    LES BARBER: It's to reverse -- it's  
17           an existing garage, therefore, it's exempt  
18           from floor area. When we made the change,  
19           that makes above-ground parking facilities  
20           counted for floor area. We exempted the  
21           existing facilities. So because this very  
22           large garage is exempt is actually a lot of

1 gross floor area remaining on that parcel  
2 even with a fairly modest zoning district.  
3 So they would like to make that garage count  
4 as floor area so I gather. I haven't  
5 actually read the petition. But the  
6 objective is to make this existing garage  
7 counted for floor area.

8 STEVEN WINTER: Is the petition on  
9 the web site?

10 LIZA PADEN: Yes, it should be  
11 loaded up.

12 H. THEODORE COHEN: Wouldn't it  
13 still be grandfathered?

14 LES BARBER: I haven't read the  
15 petition, so I don't know exactly what it  
16 says. But if it counts as gross floor  
17 area --

18 WILLIAM TIBBS: I think we get ahead  
19 of ourselves.

20 H. THEODORE COHEN: Yes.

21 LIZA PADEN: I would like to say  
22 thank you to the Planning Board. I know you

1 get a lot of e-mails can you meet this night  
2 and meet that night. I'm trying to make sure  
3 you have as much notice as possible. Unless  
4 of course Discovery Park requires a public  
5 hearing, but don't let that influence your  
6 judgment.

7 WILLIAM TIBBS: Are we done with the  
8 22nd BZ cases? Then we are adjourned.

9 LIZA PADEN: Thank you.

10 (Whereupon, at 8:45 p.m., the  
11 meeting was adjourned.)

12

13

14

15

16

17

18

19

20

21

22

## 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:

I am not related to any of the parties  
in this matter by blood or marriage and that  
I am in no way interested in the outcome of  
this matter.

I further certify that the testimony  
hereinbefore set forth is a true and accurate  
transcription of my stenographic notes to the  
best of my knowledge, skill and ability.

IN WITNESS WHEREOF, I have hereunto set  
my hand this 19th day of October 2009.

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

My Commission Expires:  
April 23, 2015

THE FOREGOING CERTIFICATION OF THIS  
TRANSCRIPT DOES NOT APPLY TO ANY REPRODUCTION  
OF THE SAME BY ANY MEANS UNLESS UNDER THE  
DIRECT CONTROL AND/OR DIRECTION OF THE  
CERTIFYING REPORTER.