

1
2 PLANNING BOARD
3 FOR THE CITY OF CAMBRIDGE

4 Tuesday, November 17, 2009

5 7:30 p.m.

6 in

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

10 William Tibbs, Chair
11 Pamela Winters, Vice Chair
12 Thomas Anninger, Member
13 Hugh Russell, Member
14 H. Theodore Cohen, Member
15 Patricia Singer, Member
16 Steven Winter, Member
17 Ahmed Nur, Member

18 Beth Rubenstein,
19 Assistant City Manager
20 for Community Development

21 Community Development Staff:
Liza Paden
Les Barber
Roger Booth
Susan Glazer

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3. Other

P R O C E E D I N G S

WILLIAM TIBBS: Welcome to the November 17th meeting of the Cambridge Planning Board. We have two public hearings on our agenda tonight. One is the Fanning Zoning Petition, and the other is a major amendment to reduce parking at the Maple Leaf Office building. I will review the criteria steps relative to the public hearing after Beth Rubenstein from the Community Development gives us her update.

BETH RUBENSTEIN: Thanks, Bill.

Not too much to report. Just wanted to let folks who are here tonight know that tomorrow at 7:15 the City Ordinance Council is going to hold their hearing on the Fanning proposed ordinance. There's a hearing here at the Planning Board, and also the Ordinance Committee and that will be held tomorrow and the public is welcome to come and speak.

The Planning Board will be meeting on

1 December 1st and 15th, and that will be it
2 for the month. And right now it looks like
3 our January meetings will be January 5th, and
4 then skipping to January 26th because there
5 is a Special Election on January 19th. We
6 don't meet on election days.

7 And then just really looking ahead in
8 February, on February 2nd we'll have our
9 Annual Town Down presentations, and those
10 will be held over at the Senior Center where
11 we can accommodate a slightly larger crowd.
12 And I think that's it.

13 WILLIAM TIBBS: As I said, we've got
14 two public hearings. The first is a Zoning
15 Petition for the -- I'm sorry, it's the
16 Fanning Petition. And for a public hearing,
17 the proponent makes a presentation, then the
18 Planning Board asks for clarifying questions
19 and then we open the hearing for public
20 comment. And during the public comment there
21 is a sign-up sheet, and if you've been able

1 to sign up, we go by the sign-up sheet.
2 However, at the end if anybody either was
3 late or changes their mind or wasn't able to
4 sign up on the sign-up sheet, we will allow
5 anyone who wants to speak a chance to speak.
6 And we ask that you limit your comments to
7 about three minutes and not repeat what other
8 folks have said. You can acknowledge what
9 they have said, but we'd like you to bring up
10 new issues if you can. Pam Winters will be
11 keeping track of time and we'll give you a
12 warning when you're getting close to your
13 time. And we ask that when you come up to
14 speak, that you come to the podium, if you
15 can, and give your name and address and spell
16 your name for the recorder.

17 So with that, I'll turn the floor over
18 to Mr. Fanning.

19 RICHARD FANNING: Mr. Becerra will
20 lead off.

21 WILLIAM TIBBS: Great.

1 LINO BECERRA: Good evening. My
2 name is Lino Becerra, L-i-n-o B-e-c-e-r-r-a,
3 and I'm one of the petitioners along with the
4 other 82 neighbors from East Cambridge, from
5 the Wellington/Harrington Neighborhood and
6 the Linden Park Association.

7 I'm going to speak ahead of Mr. Fanning
8 just to give you a brief pictorial overview
9 of why we are here. With all the development
10 taking place around us, especially with the
11 Alexandria property encompassing such a large
12 development, we're starting to look at our
13 neighborhood, and especially a piece of land
14 that has been intended to be redeveloped by
15 the current owner and the previous owner. As
16 neighbors, we decided that it's also time for
17 us to chip in and provide to you our
18 perspective of what we want to do there.
19 This slide summarizes what our goals are.
20 But I would like to take you a couple of
21 steps back and tell you how we arrived to

1 this conclusions.

2 This is taken from the zoning map, and
3 I think as Les Barber has a copy over here.
4 The area with the red is the area of
5 consideration. All around it we have the
6 Wellington/Harrington Neighborhood is the
7 C-1, so most properties are triple deckers
8 not more than 35 feet tall. There's a small
9 development here called the Linden Park
10 Neighborhood -- I forgot to give my address.
11 It's Six Cornelius Way.

12 These are a bunch of townhouses with
13 some back and front yards, and none of them
14 is higher than 25, 27 feet tall. And next to
15 it is the Kendall Cinema Theatre that we like
16 to address.

17 This is a satellite picture of the
18 area. Again, all of this is the
19 Wellington/Harrington Neighborhood, triple
20 deckers, 25 feet tall. The Linden Park
21 Neighborhood. This is the Kendall Square

1 Parking Garage. This is a movie, and this is
2 One Kendall Square. If you look south, you
3 will start to see buildings that reach 80 to
4 135 feet tall high buildings. Our concern is
5 that we need to have a great transition, a
6 smooth transition from this residential area,
7 that nothing goes over 35 feet tall to this
8 development area, industrial area that tops
9 135 feet. And the best way to do that is to
10 look at this piece of property and make it
11 compatible with what we have around. We want
12 to preserve our neighborhood. We want to
13 preserve the quality of life we have, the
14 ability to walk around town and the streets
15 and not encounter a tremendous building that
16 current zoning allows.

17 This is a closer look of the same area.
18 Again, this is Binney Street. This is
19 Cardinal Medeiros. I'm going to take a quick
20 look at the corner of Binney and Cardinal
21 Medeiros, stop here to look at the garage and

1 walk you down to Cornelius Way. This is One
2 Kendall Square. In the back you see the
3 tower that is part of the garage. That's the
4 elevator access. And this is what you see if
5 you look down Cardinal Medeiros toward
6 Cambridge Street. Lots of triple deckers,
7 triple deckers. All of them front entrance.
8 There's a lot of interaction among neighbors.
9 Actually the piano teacher for my son lives
10 right here. So we can interact and see each
11 other very frequently.

12 If you keep walking, turn around, this
13 is what you see, is the garage. What the
14 current zoning through Echo allows is a
15 building about 30 feet taller than this and
16 much closer to the street. And so we would
17 like to control that. We want to reduce that
18 height.

19 This is the first street that surrounds
20 the property and is called Cornelius Way.
21 And we walk down there, turn a right, we can

1 see part of the garage structure peaking up
2 in the back. That particular piece is about
3 40 to 55 feet I believe. I haven't measured
4 it. And what we want to avoid is having an
5 85 feet tall building right over it.

6 And this is what the current zoning
7 allows. And if we assume that whatever is
8 put there has a 15 feet mechanical penthouse,
9 we are talking about a building of about 100
10 feet tall. We don't have the resources to
11 find an electronic way to find a building
12 like that. What we did is we took bikes and
13 went around Cambridge and tried to find
14 something that would resemble what we are
15 looking at. And we found one on Line Street
16 in Somerville. This is 56 Line Street. It's
17 about 28 feet tall, the house. And the
18 building in the back is about 100 feet tall.
19 And it's about 140 feet behind. So it more
20 or less resembles what the situation will be.
21 So, what we want to avoid on this

1 neighborhood, having a building that looks
2 like this. And we want to achieve that by
3 removing that particular lot from ECHO. It's
4 important to know that by doing that we are
5 not touching, we are not touching the
6 commercial development of the area because
7 ECHO is a bonus for us in residential
8 development not for commercial. But just for
9 removing that we are limiting in size the
10 building that can be built there, but we keep
11 all the commercial development intact.
12 Because we understand the city needs revenue.
13 And if we are going to over-emphasize housing
14 over commercial development, we might hurt
15 all of us. So, if we just limit the area to
16 reduce it or put it back to what is based on
17 which is industrial A-1 not have building go
18 over 135 feet tall with the same setback.

19 The impact is not only size but also
20 the quality of life as represented by a
21 simple shadow study we did. This is what the

1 current zoning allows, 85 foot building allow
2 for a 15 foot penthouse over it. This is in
3 December, December 21st. These are projected
4 shadows that will have a nine, eleven, one
5 p.m. and three p.m. and it covers an
6 extensive area. If we take that area out of
7 that lot, out of ECHO, and just put it back
8 into A-1, this is the kind of shadow we get.
9 It will still affect some neighborhood, but
10 the reduction is significant as you can see
11 by just flipping with this.

12 I'm going to take you on a 3-D flight
13 with some pictures. We're going to be flying
14 right over here on top of these houses and
15 facing over toward the garage at One Kendall
16 development. And this is what you see here.
17 This is taken out of Google Earth, and I'm
18 more than happy to show you how to do it.
19 And I can actually -- since we have Tina here
20 I can have her bring it directly. What we
21 see here is the Kendall Cinema. This is

1 called the Red Jacket Building, I don't know
2 why. All represented here is a first row of
3 houses of Cornelius Way and some of the
4 triple deckers that lie between the rest of
5 Harrington and Lyla Court. Back here you see
6 some of the buildings. I think it used to be
7 Genzyme. It's about 81, 85 feet tall. I
8 think this is (inaudible), it's about 135
9 feet tall building. And so we draw a cube or
10 a polygon that will fit in that place with
11 the right dimensions, and this is what you
12 get if we keep ECHO in place. It's 100 feet
13 tall extending over the whole lot, 85 plus 15
14 extending over the whole lot. It covers the
15 garage by an extensive amount because the
16 garage is about 75, so we're going about 25,
17 30 feet on top and it's extended 100 feet at
18 the setback from the property line on
19 Cardinal Medeiros. If we are to actually
20 take it out of ECHO and we bring it back to
21 industrial A-1, this is what we get. And

1 this is a 60 feet tall building. Going from
2 here we have nothing, and it clearly needs a
3 development. It doesn't provide the
4 transition that we're looking for. It just
5 doesn't make sense to have 25, 30 feet tall
6 houses going up to 100 and dropping to 80.
7 It's not what it's intended in any of the
8 guidelines for the development of this area.
9 While this makes a lot more sense. And
10 that's why we are proposing that what we do
11 is remove the house for tall buildings
12 because that's what we care about, the tall
13 buildings in that area, and bring it back to
14 industrial A-1.

15 The second aspect of our proposal is to
16 reconsider the garage. The garage under
17 circumstances that we don't understand is --
18 it's FAR exempt from the total FAR
19 calculations from the lot. And closest
20 dimension for the garage gross floor area is
21 about 370,000 square feet. The lot area is

1 about 175. So to us it's not reasonable to
2 talk about any development in that lot when
3 there is 370,000 square feet built out that
4 is not being considered. And so we think
5 that it is reasonable that for any future
6 development, the exception be removed and
7 that the garage FAR counts for total here.
8 Mr. Fanning will elaborate more about the
9 garage in a few minutes.

10 So what we think we achieve with our
11 petition is that we obtain the greater
12 transition that we would like to have to
13 preserve the quality of our neighborhood,
14 maintain the human scale of the area, and
15 also we think it's a win/win situation
16 because we maintain the commercial
17 development intact. We are not impacting at
18 all in the opportunities or rights of any
19 commercial development.

20 Okay, and that's it for me.
21 Mr. Fanning will address you now.

1 RICHARD FANNING: If you would pass
2 these around. They're more or less
3 duplicates of what I'm going to show you.

4 I'm not an extemporaneous speaker so if
5 you bear with me. My name is Richard Fanning
6 and I'm an abutter living at 21 Cornelius
7 Way. The purpose of our petition submitted
8 for your approval is to implement changes of
9 the Zoning Ordinance applicable to the
10 Kendall Cinema site which is stated in
11 Article 1 for those objectives stated in the
12 Eastern Cambridge Planning Study ECaP. I
13 would like to address the portion of our
14 petition which we both finish garage floor
15 area exception. We have submitted a photo
16 montage of that structure's facilities
17 illustrating its immensity and placement's
18 total disregard for proximity to the existing
19 townhouses in the Linden Park where in my
20 case it's eight feet away.

21 If you'll -- this is the plot of land.

1 This is the cinema. This is the day care
2 center. And this is the garage. So you can
3 visually see it has a large portion. This is
4 the perimeter. This is the garage. This is
5 the cinema. And this is the day care center.
6 Again, this is a mini -- or you have reduced
7 portions of this. And you can see it's hard
8 to say that it's currently is the case, it
9 has no FAR. Also with respect to this FAR
10 please recall that we previously brought to
11 your attention that a statement -- I should
12 be over here. Please recall that we
13 previously brought to your attention that a
14 statement and the ECaP Study led us to
15 believe that the garage exception had already
16 been rescinded. Also please note that the
17 selection of the townhouses to favor
18 relatively low density development in then
19 and now highly dense Wellington/Harrington
20 was a city development and that redevelopment
21 authority decision. So we invite you to

1 visit our townhouse community which is unique
2 in the city with generous front lawns,
3 without fences, rear yards with tomatoes and
4 tree lined streets, while close to the east
5 is a railroad right of way with train
6 whistles reminding us of our urbanity four or
7 five times a day beginning at 10:30. We like
8 our neighborhood the way it is and ask you to
9 approve our petition so it will stay that
10 way. I can verify the aforementioned as the
11 architect who drew up the Linden Park and has
12 lived there going on 30 years. It's obvious
13 that however it came about the current zoning
14 does not fulfill the objectives and purposes
15 of CaP's vision statement and design
16 guidelines nor the zoning ordinance's stated
17 purposes. Endorsing this conclusion is a
18 letter from Ms. Carole Bellew an East
19 Cambridge resident and active member of the
20 ECaP Study Committee from which the Eastern
21 Cambridge Housing Overlay Plan evolved.

1 As her first paragraph indicates, she
2 regrets not being here to speak for herself.
3 I would like to -- you also have this letter
4 but I would like to read portions of it.
5 Quoting from her letter: "As neighborhood
6 residents and active participant members of
7 the 2001 Eastern Cambridge Planning Study, we
8 fully support the Fanning Zoning Petition
9 nullifying the Binney Street garage's floor
10 area ratio exemption and deleting the area
11 known as the Kendall Cinema site from the
12 Eastern Cambridge Housing Overlay District.

13 "Although the ECHO district was
14 unquestionably a result of the ECaP study and
15 undoubtedly well intended, ECHO's provisions
16 specifically applicable to the cinema site
17 clearly do not fulfill the stated objectives
18 contained in the study's vision statement and
19 its design guidelines, particularly with the
20 following excerpts:

21 "Create better transition in massing

1 and scale from higher density mixed-use
2 districts to residential neighborhoods.

3 "Manage redevelopment to maintain
4 liveability in residential neighborhoods and
5 ensure compatibility with existing
6 neighborhood character.

7 "Apply new, finely graded height
8 limits.

9 "Provide better transitions between
10 developed/developing areas and residential
11 neighborhoods.

12 "Pursue urban design policies that
13 enhance the character of residential
14 neighborhoods.

15 "In addition, the ECHO district
16 provisions applicable to the cinema site do
17 not satisfy similar portions of the Zoning
18 Ordinance's purposes stated in Article 1
19 which I'm sure the Board is knowledgeable.

20 "As a member of the Rooftop Mechanical
21 Committee also, I'm very concerned about the

1 abutting buildings being so close to
2 neighborhoods with their heights and mass
3 quite inappropriate for vulnerable and
4 smaller areas such as Cardinal Medeiros Way,
5 Linden Park and various extensions to
6 Cambridge Street.

7 "For the above reasons and numerous
8 others enumerated in detail by petitioners, I
9 strongly recommend that each Planning Board
10 Member vote to approve the petition.

11 Respectfully submitted, Carole Bellew, 257
12 Charles Street, Cambridge, Mass."

13 I don't have a great deal more to add
14 unless there are any questions.

15 WILLIAM TIBBS: Do we have any
16 clarifying questions from the Board? Was
17 that a yes or a no?

18 RICHARD FANNING: Thank you.

19 WILLIAM TIBBS: Thank you.

20 We'll now open the hearing up for
21 public comment. As a reminder for those who

1 may have come in a little late, we do have a
2 sign-up sheet, but we will allow people to
3 speak if they are not signed up. We would
4 like you to keep your comments to around
5 three minutes and Pam Winters will keep track
6 of time and let you know when you're getting
7 close to that. When you come up, please use
8 the podium and give your name and address and
9 spell your name for the recorder. And the
10 first person who has asked to speak is
11 Richard St. Clare. And what I'll do is I'll
12 announce the next person who is asked to
13 speak, too, so you can at least start to get
14 ready, particularly if you're sitting in the
15 middle of the room. And the next person is
16 Tony Keber.

17 RICHARD ST. CLARE: Good evening.
18 My name is Richard St. Clare and I and my
19 wife live at Three Michael Way. And it's an
20 honor to address this Board this evening.
21 And I speak in support of the Richard

1 Fanning, et al. Petition. I have addressed
2 the City Council on this issue twice before
3 and state again we do not need and would be
4 harmed by an 85 foot or larger high rise
5 building between Cornelius Way and Binney
6 Street on Cardinal Medeiros Avenue. And I
7 forgot to spell my name. Richard St. Clare,
8 Richard, R-i-c-h-a-r-d St. Clare,
9 S-t.-C-l-a-r-e I feel the petition addresses
10 this problem by putting a reasonable cap on
11 the height of any building constructed at the
12 site in question and provides for a better
13 transition of commercial buildings to
14 residential houses in this area. This is the
15 most densely populated area of Cambridge. A
16 high rise building the size of Holyoke Center
17 would tower over the neighborhood, would
18 block out sunlight for a huge area,
19 comprising several area city blocks, would
20 kill the residents' vegetable gardens by
21 denying them sunlight, and make snow melting

1 in the winter and spring a much slower
2 process with the sun to naturally melt the
3 snow a real problem for the mainly elderly
4 residents in our neighborhood. A reasonable
5 limit has to be put on the size of any
6 building constructed in this area in
7 consideration of the needs and quality of
8 life of the neighborhood. Our neighbors
9 across the street have installed solar panels
10 on their roof to have green energy instead of
11 relying on fossil energy. A huge building
12 like this will block the sunlight on their
13 roof and would render their solar panels
14 useless. My wife and I would also like to
15 convert to solar energy as well, and a
16 towering building would render such plans
17 impossible to realize. The petition puts an
18 end to any such high rise building in our
19 neighborhood once and for all, and I highly
20 recommend the Board pass this petition. Can
21 I put this into the record?

1 WILLIAM TIBBS: Yes.

2 RICHARD ST. CLARE: Thank you.

3 WILLIAM TIBBS: Thank you.

4 Tony.

5 TONY KEBER: Hi.

6 WILLIAM TIBBS: And the next person
7 who's asked to speak is Mr. Rafferty.

8 TONY KEBER: Good evening. My name
9 is Tony Keber, I live at Four Cornelius Way.
10 Sorry, K-e-b-e-r my last name. I'll take
11 Mr. Tibbs' suggestion seriously and not
12 repeat anything. So I just have two very
13 brief things to say that have not been said I
14 believe.

15 One is that the thrust of our petition
16 is not to focus on residential or industrial
17 sites. The focus of our petition is only to
18 deal with the height of the buildings. So
19 the use is really not something that occurs
20 to us. The second thing is I'm told that
21 this Board spent considerable time in the

1 past on ECaPs and its evolution into ECHO.

2 And it's not our intent to in any way to be
3 disrespectful or to disregard the work that
4 this Board has done in those areas, however,
5 for our -- and we also I think a lot of us
6 appreciate the fact that ECHO was seeing to
7 be a boom to housing which many of us
8 support. However, we'd also ask you to keep
9 in mind with our proposal the fact that there
10 have been lots of changes. Frankly, a lot of
11 them very recently in East Cambridge with 303
12 Third Street, the Alexandria project. And
13 it's our sense that there's going to be a lot
14 more housing around than maybe there was back
15 at the time of ECaPs and ECHO and we think
16 that might affect your decision. We'd ask
17 you to keep that in mind.

18 Thank you.

19 WILLIAM TIBBS: Thank you.

20 Mr. Rafferty is next. And the person who
21 asked to speak after that is Emily Pollock.

1 ATTORNEY JAMES RAFFERTY: Good
2 evening, Mr. Chairman, Members of the Board.
3 For the record, James Rafferty. I'm
4 appearing on behalf of the property owner
5 Beale Companies. With met his evening is
6 Attorney Shawn Hope, also representing Beale.
7 And from the Beale Companies, the owner of
8 the subject property is Karen Muller,
9 M-u-l-l-e-r. She is the general manager at
10 One Kendall Square.

11 WILLIAM TIBBS: I just want to let
12 the public know because they are the property
13 owners, we said Mr. Rafferty could go over
14 his three minutes but we would like you to
15 keep it fairly short.

16 ATTORNEY JAMES RAFFERTY: Thank you.
17 As noted, Mr. Chairman, this is a petition
18 that affects a single parcel of land owned by
19 a single property owner, the Beale Companies.
20 And I thought it would be helpful,
21 particularly for some members of the public

1 as well as some members of the Board just to
2 have a brief history of how we got to the
3 current zoning. I would suggest that this
4 particular parcel in 2000 probably
5 experienced the most significant down zoning
6 than any other parcel in the City of
7 Cambridge, when the city-wide rezoning
8 occurred. Prior to city-wide rezoning it was
9 zoned Industrial B. It had a 4-0 commercial
10 FAR and a 120 foot height limit. When
11 city-wide rezoning was done, that 4-0 FAR
12 went to 1.25. And the height went to 45 and
13 35 feet for the first hundred feet in from
14 the center line of Cardinal Medeiros. I was
15 closely involved, as I know members of the
16 Board were. I can't think nor locate a
17 parcel in the city that was more
18 significantly impacted by city-wide rezoning.
19 The other aspect of the city-wide rezoning,
20 of course, is that it did introduce -- was
21 the precursor to ECaPs which led to -- which

1 led to the analysis that's before you
2 tonight. There are three elements of the
3 petition, I just want to go through them
4 quickly because they're all significant.

5 The first one under 5.25.3, that was an
6 acknowledgement. That was a change in how
7 above-ground parking structures are treated.
8 And the Board knows this. Prior to the city
9 adoption in 2000, the city-wide rezoning,
10 that 2001, structures that were parking
11 structures above ground were not included
12 within the definition of gross floor area.
13 That was seen as something needing change.
14 The change took place on a city-wide basis,
15 but there's an affirmative statement in there
16 that says that this change however doesn't
17 apply to those structures already in place.
18 A classic grandfathering type language.

19 In the petition year, the petitioners
20 say that they want that exception not to
21 apply in the Industry A-1 District. And at

1 first glance that sounds fairly generic, at
2 least it applies district-wide and not to
3 this particular garage. But if you look at
4 the realities of the zoning map and the
5 physical buildings in the district, you'll
6 learn that this, this particular provision
7 applies to a single structure in the city.
8 There are only three other Industrial A-1
9 districts in the city. They're very small.
10 One is up on Harvey Street. A small piece
11 along the Linear Park. There's another one
12 on New Street as you come in behind the
13 cinema off of the Fresh Pond Rotary. And
14 then a small piece over in Walden Square,
15 there's a little bit of an Industrial A-1
16 along -- again, along the commuter rail line.
17 And then of course you have Industrial A-1
18 that runs from Hampshire Street -- excuse me,
19 Cardinal Medeiros to First Street this was
20 Industrial A-1. Well, if you go through all
21 of those districts, as we did, you'll find

1 there's only one above-ground parking
2 structure in those districts. So, the
3 authors here must have decided that it would
4 have been too precise to call out this
5 particular garage. So there's an attempt to
6 cloak this in somewhat generic founding
7 language. The reality is no more garages can
8 be built where the above ground structure
9 isn't included in the GFA. And there's only
10 one in the Industrial A-1 District that
11 applies. So it really has disparage
12 treatment. There are above-ground parking
13 garages all over Cambridge, they would be
14 treated differently than this one. You can
15 imagine the difficulty the property owner has
16 with that type of treatment.

17 The other thing that should be
18 recognized here is that were this provision
19 to be adopted, nothing else will ever get
20 built on this site. The notion that we would
21 take housing or 300 units of housing could be

1 built, I would suggest to you there is no
2 economic model out there which would support
3 sinking 1500 parking spaces beneath ground
4 for the opportunity to build 300 dwelling
5 units. That will never happen. So the
6 status quo is frozen. That's the real world
7 practical effect of singling out this garage,
8 treating it differently than any other garage
9 in the city. So all the other goals of
10 housing and compatibility and uses, they'll
11 never get there. And, I'm sure this is a
12 well-intentioned efforts by people who are
13 looking to preserve their neighborhood. I
14 would just respectfully fully suggest it's
15 not a well done petition. 5.25.33, a
16 disparage treatment for this garage, and it
17 should be rejected for what it is. It's
18 reverse zoning, it's unlawful. And I would
19 ask you not to recommend it to the Council to
20 engage in it.

21 The second portion of the petition

1 deals with the Section 20.44.3. It's a
2 rather curious issue to come before the Board
3 because there's been much commentary in
4 letters to the editor and other forums that
5 this site was somehow overlooked in the
6 city-wide or ECaPs process. This is classic
7 transition zoning. Section 2 of 20.443,
8 which for reasons that are totally unclear to
9 me, is being deleted here, provides a
10 reduction from the base height of 45 feet in
11 IA-1 district to 35 feet for 100 feet in from
12 Cardinal Medeiros. This petition, if
13 adopted, would do away with that transitional
14 zone. It would raise by 10 feet the building
15 height for commercial and residential
16 buildings at the property edge on Cardinal
17 Medeiros. After months of study and
18 neighborhood work that said we wanted a
19 transition to the Resident C-1 District, this
20 petition gets rid of it. The transitional
21 zone which was a fundamental element of

1 analyzing this site 35 feet in from the
2 midpoint of Medeiros and also 35 feet in from
3 the neighboring community which you saw on
4 the maps. That goes away when you delete No.
5 2 which the petition says. The petition says
6 delete No. 1, which says 85 feet. And delete
7 No. 2. Surprising, and my sense is
8 unintentional, but again, something that I
9 think would suggest that the Planning Board
10 should not recommend that this petition go
11 forward.

12 In closing I would just say that in the
13 time since this has -- this zoning has been
14 adopted, there hasn't been any development at
15 that location. And there has been an attempt
16 to have some conversation around what
17 development at that site might look like.
18 And if this process opens up a further
19 dialogue in that, I know that the property
20 owner would be eager to participate. But
21 it's our belief that the work associated with

1 the transitional zoning, the singular
2 treatment of this garage and the effect of
3 freezing any further development at this site
4 really should be recognized as something that
5 should not be recommended to the Council. If
6 there's a desire to have further conversation
7 with the neighbors, there was some indication
8 as recently as today that that existed, then
9 the property owner would welcome that
10 opportunity. But this petition for a variety
11 of reasons is flawed. And in the view of the
12 property owner fatally flawed and we would
13 urge you not to recommend this to the City
14 Council.

15 Thank you.

16 WILLIAM TIBBS: Thank you.

17 Emily. And the next person who has
18 asked to speak after that is Joseph Burke.

19 JOSEPH BURKE: Burke.

20 WILLIAM TIBBS: Thanks.

21 EMILY POLLOCK: My name is Emily

1 Pollock, P-o-l-l-o-c-k. I live at Ten James
2 Way. A few brief points I wanted to make.

3 First, though I am sympathetic to the
4 Beale's economic concerns, I would like to
5 point out they bought the property a couple
6 years ago so I'm not sure that the zoning in
7 2000 is terribly relevant. You should
8 certainly be looking at what the change is,
9 but you should be looking at the current
10 zoning not the proposed change, not something
11 historic. I have one brief point about the
12 transitional zoning and I apologize for the
13 lack of professionalism, but I pulled out my
14 crayons. I'll pass this around. This is the
15 rest of the ECHO Overlay District. And what
16 you see in the more East Cambridge side of
17 it, is there's a slow gradient in the maximum
18 height. And these are the maximum
19 residential heights that Lino indicated. The
20 commercial heights are limited in the entire
21 area. So there's this nice gradient here

1 protecting the residential supports of East
2 Cambridge. The density from One Kendall
3 Square. This little spot here where we
4 suddenly allowed this much higher height,
5 even though these parts of the neighborhood
6 are residential, and it's unclear to me why
7 there's this distinction. I think that's a
8 broader context and I'll pass this around.
9 And that is all I had to say.

10 Thank you.

11 WILLIAM TIBBS: Thank you.

12 The next person who's asked to speak is
13 Ann Cullen.

14 JOSEPH BURKE: Yes, my name is
15 Joseph Burke, B-u-r-k-e. I live at 327
16 Windsor Street and I'm a member of the
17 Wellington/Harrington Neighborhood
18 Association. I want to give you a letter
19 that was sent to the City Council in support
20 of the Fanning Petition and make it as part
21 of the record.

1 WILLIAM TIBBS: Thank you.

2 JOSEPH BURKE: Thank you.

3 WILLIAM TIBBS: Ann Cullen. And the
4 next person who's asked to speak is Heather
5 Hoffman.

6 ANN CULLEN: My name is Ann Cullen,
7 C-u-l-l-e-n. I live at 11 James Way in
8 Linden Park Neighborhood where I've lived for
9 18 years. And I just want to voice my
10 support for the proposal put forward by
11 Mr. Fanning for all the reasons he mentioned,
12 to preserve the quality of life that we've
13 enjoyed in this neighborhood for, you know,
14 for some of us many, many years. And I think
15 in particular the diagrams of the shadows
16 that this potential development could cause
17 and the comparable building site from
18 Somerville were indications of where that
19 quality of life might go if this proposal is
20 not passed. That's all.

21 Thank you very much.

1 WILLIAM TIBBS: Thank you.

2 Heather? And the next person who asked
3 to speak is Mark Jaquith.

4 HEATHER HOFFMAN: Hello. My name is
5 Heather Hoffman and I live at 213 Hurley
6 Street in East Cambridge and I'm here to
7 support this petition. One of the things
8 that I understand that the state is involved
9 with, because I have heard Gregory Bialecki
10 (phonetic) talk about it twice at real estate
11 Bar Association meetings, is changing the way
12 zoning is done in Massachusetts. What their
13 vision is is that cities and towns will do
14 comprehensive plans for the whole place and
15 then they will turn those plans into zoning
16 and then they will follow the zoning. I
17 think that's incredibly cool. We have a
18 little microcosm of it in ECaPs, people from
19 all sides of this, residents and commercial
20 property owners, developers, urban planners,
21 all kinds of people came together and gave a

1 year and a half of their lives. The city
2 gave a quarter of a million dollars and came
3 up with what was seen as a compromise, but
4 something that everybody could live with.
5 And what we have seen is that the property
6 owners weren't willing to live with it. The
7 ink was barely dry on the zoning changes when
8 a previous owner of this property tried to
9 up-zone this parcel. We've seen other
10 developer-led up-zoning in the same area.
11 And I can understand why residents would say
12 let us just get out of this, we'll go back to
13 the base zoning because at least we know
14 where that is. And I hope that you will take
15 this very seriously and you will understand
16 why people are reacting this way and why
17 there are other citizen-led down zoning
18 petitions that have been before you. Because
19 people are seeing that comprehensive zoning
20 isn't observed by the city and that it is not
21 taken seriously. And as soon as a developer

1 says, well, you know, I don't like what I
2 bought, so I think I will get better, and the
3 city gives it to them. I don't think it's
4 fair. And this is one little tiny blow of
5 citizens trying to make it right for
6 themselves.

7 Thank you.

8 WILLIAM TIBBS: Thank you.

9 Next person who has asked to speak is
10 Regina Chung.

11 MARK JAQUITH: Good evening. My
12 name is Mark Jaquith, J-a-q-u-i-t-h. I live
13 at 213 Hurley Street in Cambridge and I have
14 a written statement so I'm likely to brush on
15 one or two things that have already been
16 spoken.

17 I've come to speak in favor of the
18 Fanning Petition to -- for the protection of
19 their small neighborhood known as Linden Park
20 and surrounding areas of
21 Wellington/Harrington. I've gotten to know

1 my fellow petitioners over the past couple of
2 years in discussions over the Alexandria and
3 Beale rezoning efforts. The Alexandria and
4 this Beale site are within the bounds of the
5 ECHO District which was ordained about a
6 decade ago to promote the development of
7 housing over industrial uses. The overlay
8 district is a biggest failure as I've ever
9 seen in Cambridge Zoning. While it leads
10 several hundreds and likely over a thousand
11 dwelling units have been built within a mile
12 of this district, the provisions of ECHO have
13 never been utilized as hoped. They've been
14 used twice for exactly the opposite purpose:
15 To increase the allowable density of
16 commercial development. The petition brought
17 by Alexandria was passed and the petition
18 that Beale put forward earlier this year was
19 withdrawn.

20 A couple of reminders of what Beale was
21 asking for earlier this year. An increase in

1 allowable building height from 45 to 80 feet
2 with the addition of rooftop mechanicals,
3 making actual building heights over 100 feet.
4 They requested the elimination of the 50 foot
5 height setback zone from the residential
6 boundaries, and they asked for an increase in
7 the floor area ratio of the site as a whole
8 regardless of the fact that the parking
9 garage was already a major exception in the
10 FAR calculations. As all of us in Eastern
11 Cambridge know what it's like to be living in
12 the proverbial shadow of such development,
13 you can hear it from up to a mile away, 24
14 hours a day, 365 days a year. Such tall
15 buildings cast shadows that dim entire
16 districts. This is obviously particularly
17 bad in the winters when not only does it
18 create a massive balloon, your home becomes
19 that much more expensive to heat. So with
20 Beale's petition withdrawn, why do we come
21 before you with this petition? Beale has

1 said they will try again, and a responsible
2 citizen will protect his home. It really is
3 as simple as that. Towards that end we ask
4 that the area bounded by Cardinal Medeiros
5 Ave. on the west, Linden Park homes on the
6 north, the Grand Junction Railroad Tracks on
7 the east and the field Kendall site be
8 rezoned as requested. That would -- as
9 Mr. Rafferty and others have said, put it to
10 a straight A-1 Zoning, Industrial A-1 Zoning
11 which as far as we've ever been told is
12 entirely consistent with uses that the Beale
13 Companies have requested.

14 Thank you very much. I'd like to
15 submit this for the record.

16 WILLIAM TIBBS: Thank you.

17 MARK JAQUITH: Thank you.

18 WILLIAM TIBBS: Regina. And the
19 next person that's asked to speak is Michael
20 Heggarty.

21 REGINA CHUNG: Hi. My name is

1 Regina Chung, R-e-g-i-n-a C-h-u-n-g, and I
2 live at 14 James Way and I support the
3 Fanning Petition. I have been asked to read
4 a letter that we've received from Joseph
5 Grasse of the Cambridge School Committee to
6 the Planning Board. And he couldn't be here
7 tonight so he wanted to express his support
8 for the Fanning Petition. So I have some
9 excerpts from that letter I'd like to read
10 and then I'd like to enter this letter for
11 the record.

12 So it says: "Members of the Cambridge
13 Planning Board, I'm writing this letter to
14 support the zoning petition by Richard
15 Fanning, et al. As a neighbor, I'm extremely
16 concerned about protecting the quality of
17 life of the residents Harrington/Wellington
18 Neighborhoods. The residents of our
19 community have never been opposed to
20 development. We understand the fact that our
21 houses are in close proximity to commercial

1 property. We are opposed to irresponsible
2 development that threatens our quality of
3 life. City leaders, elected or appointed,
4 should also be opposed to irresponsible
5 development. We expect protection from the
6 City Council, the Planning Board, and the
7 Community Development Department. This is a
8 rare occasion where residents are in unison
9 in opposition to a large scale development.
10 I am requesting that you not only listen to
11 the concerns of residents but act to support
12 the zoning petition by Richard Fanning, et
13 al. Thank you for your attention and
14 support, Sincerely, Joseph Grasse."

15 So, I also urge you to please support
16 our petition. Thank you.

17 WILLIAM TIBBS: Thank you.

18 Michael.

19 MICHAEL HEGGARTY: Good evening.

20 Michael Heggarty, H-e-g-g-a-r-t-y 143 Otis
21 Street. I want to speak this evening also in

1 favor of the Fanning Petition. I -- you
2 know, it's a lot of -- a lot of what I think
3 needs to be said has been said in support of
4 the petition already. I think Mr. Grasse's
5 letter just kind of echoed a lot of what I
6 was going to say. I would -- I know myself
7 as an individual, and I think that my
8 neighbors as a community are not now and have
9 never been antidevelopment. I think what we
10 want to see is proper development, good
11 development and responsible development. I
12 think in light of a lot of the reasons that
13 other people have stated so far, the nature
14 and the siting of this particular parcel and
15 what's been done on other comparable parcels
16 and proposed for this one before, are not in
17 line with those guidelines. They're not
18 responsible, they're not proper. And quite
19 honestly they're not good. And I think in
20 some ways, I think we've lost our vision as
21 for how our community needs to interact and

1 transition between commercial property and
2 residential property and what lies in
3 between. I know that there have been
4 heartfelt efforts in the past to try to come
5 up with some ways to cope with that. And I
6 think they've -- I think for one reason or
7 another a lot of them haven't worked. I
8 think consequent to that, until we regain or
9 reestablish some vision as to how this
10 transition is supposed to happen, what we're
11 going to be looking at is citizen-led
12 petitions such as the one you have before you
13 tonight to limit what could be developed on a
14 property until such time as we have a
15 comprehensive vision in place. And for those
16 reasons, I strongly support the Fanning
17 Petition.

18 Thank you.

19 WILLIAM TIBBS: Thank you.

20 Michael was the last person to sign up.
21 Was there anyone else who'd like to speak?

1 CHARLES MARQUARDT: I was late.

2 WILLIAM TIBBS: Give your name and
3 address.

4 CHARLES MARQUARDT: I'll try and be
5 brief and not recreate what Michael and
6 others said. Charles last name Marquardt,
7 M-a-r-q-u-a-r-d-t. Ten Roger Street, East
8 Cambridge.

9 This is an opportunity between the
10 Planning Board, Community Development Board
11 and also the City Council to look at history
12 and look at what we've done in the past. You
13 know, Mr. Rafferty talked about the history
14 of what we've done with the ECHO and the
15 ECaPs project, but I think we need to go back
16 and look at the history of what Linden Park
17 was. For those of you who don't remember,
18 Linden Park was abandoned garages. It was a
19 mess. It is a monument to what the city and
20 the state did to come up with a reclamation
21 project to put a wonderful neighborhood in

1 its place. A wonderful neighborhood that's
2 sort of encapsulated everything that
3 Cambridge is trying to become. You heard one
4 of the prior petitioners speaking about
5 putting solar panels on their roof and
6 speaking about ways to become more green.
7 December 12th we're having a Green Congress
8 here in Cambridge. It would be a real shame
9 that we had a zoning that allowed that these
10 buildings and these petitioners, actually
11 taken their personal initiative and personal
12 funds to head in that green direction and
13 actually make it unusable. I don't think
14 it's the goal of the City of Cambridge. The
15 goal is to try to work together as the
16 petitioners have noted to have industrial
17 development right next to a neighborhood, but
18 have a good, smooth transition. And 85 to
19 100 feet doesn't look like a smooth
20 transition. That looks like a pretty big
21 wall to me. So I think there's a good use

1 for the Planning Board and the City Council
2 and the Community Development Department to
3 actually work with the community to come up
4 with something that works for them as we
5 don't have the money, the resources and all
6 the other stuff to come up with great
7 pictures, great attorneys to go through all
8 the little niceties. We're looking for your
9 help to bring this petition through and, you
10 know, really achieve what the goal is to have
11 a neighborhood that's protected from
12 overdevelopment encroachment and those
13 horrific shadows that will make them actually
14 have more ice, have more colds, have more
15 heat and do everything that Cambridge is
16 trying not to do. So, I urge you to pass the
17 petition and to encourage the City Council
18 not to past petition.

19 Thank you.

20 WILLIAM TIBBS: Thank you.

21 FRANK NELSON: My name is Frank

1 Nelson. I live at One Cornelius Way. It's
2 F-r-a-n-k N-e-l-s-o-n. I wasn't going to
3 speak tonight and I changed my mind when I
4 saw the picture of the building on Line
5 Street in Somerville. I live at One
6 Cornelius Way which was the first slide that
7 Lino showed. I live on the corner. I would
8 be blocked from sunlight nine a.m. all
9 through the afternoon. Some winter days the
10 ice has a hard time melting on Cardinal
11 Medeiros as it is. And when I look out my
12 back window, I see the ugly parking garage
13 building. If you put a building up there, I
14 think it would be tantamount to putting like
15 a carnival next-door or something so huge it
16 would just dwarf the building.

17 I moved there 13 -- '93, 16 years ago
18 and the more I live there, the more I love
19 the place. It's a friend of my wife's --
20 when my wife told her where she lived, she
21 said, oh, you live in Disney Land? It's just

1 an ideal place. It's a gem. It's -- I've
2 never lived in a suburb within a city and
3 that's what it seems to be like.

4 Thank you. I am for the Fanning.

5 WILLIAM TIBBS: Thank you. Is there
6 anyone else who would like to speak?

7 JANICE ST. CLAIR: Yes.

8 WILLIAM TIBBS: Go ahead.

9 JANICE ST. CLAIR: I'm Janice St.
10 Clair. I live at Three Michael Way. St.
11 Clair is S-t. C-l-a-i-r my last name. I
12 would like to leave you with an image. If
13 you would get up tomorrow morning and look
14 out in your backyard and imagine looking up
15 to Holyoke Center right behind your backyard,
16 that's the size of the building that we would
17 face. So, put yourselves in our place,
18 please. Thank you.

19 WILLIAM TIBBS: Thank you.

20 Anyone else?

21 (No response.)

1 WILLIAM TIBBS: What we typically do
2 at this point is close the public hearing for
3 verbal comment, but you are allowed to submit
4 written comment to us up until the point
5 where we make a decision. And also just to
6 remind you, the Planning Board makes a
7 recommendation to the City Council but the
8 City Council makes the final decision as to
9 whether this petition goes or not. And are
10 you comfortable with -- my fellow Board
11 members, comfortable with closing it to
12 verbal testimony?

13 PAMELA WINTERS: Yes.

14 HUGH RUSSELL: Yes.

15 WILLIAM TIBBS: We will do that
16 definitely.

17 Any questions or comments or requests
18 for information from the Planning Board?
19 Hugh?

20 HUGH RUSSELL: Yes, I was wanting to
21 know if Mr. Becerra or Mr. Fanning would

1 comment on why they were putting the deletion
2 of the transition zone into their petition,
3 the point that Mr. Rafferty brought up. And
4 specifically --

5 LINO BECERRA: Do you mind repeating
6 the question I didn't quite understand it?

7 HUGH RUSSELL: Sure. In your
8 petition --

9 LINO BECERRA: Yes.

10 HUGH RUSSELL: -- you propose to
11 delete a transition district that has a 35
12 foot height limit, 100 feet back. I'm
13 wondering why you put the -- propose to take
14 that transition district away?

15 LINO BECERRA: I think it's in the
16 Zoning Board. If you look at Table 5
17 footnote No. 2 or 3, it indicates that for
18 Industrial A-1, abutting C-1 residential
19 areas, the setback is 100 feet. So we didn't
20 add anything that is not already in the
21 Zoning.

1 HUGH RUSSELL: Okay. Thank you.

2 WILLIAM TIBBS: Tom.

3 THOMAS ANNINGER: I guess I'd like
4 to ask sort of the other side of that
5 question. Mr. Rafferty spoke to just about
6 everything except the deletion of the 85 foot
7 height requirement. What do you have to say
8 to that?

9 ATTORNEY JAMES RAFFERTY: Well, it's
10 not favored either. I'm sorry, if I -- I
11 should have been more -- both of those
12 elements, the 85 foot height, it was a
13 function of the transition zone. It's what
14 led to 120 feet being reduced to 85 for a
15 particular use, but setback to 35 feet for
16 the first 100 feet. Similarly it applies
17 only to residential and it's seen -- it was
18 seen at the time as a way to incentivize the
19 possibility of residential use. So, no, the
20 proponent -- the property owner is equally
21 opposed to that reduction.

1 WILLIAM TIBBS: Go ahead.

2 THOMAS ANNINGER: Well, why don't we
3 come back to that point? Why don't you keep
4 going for a moment.

5 WILLIAM TIBBS: I was going to ask
6 Mr. Fanning did he have a comments to make.

7 RICHARD FANNING: I was wondering
8 when the --

9 WILLIAM TIBBS: Use the microphone.

10 RICHARD FANNING: Sorry. Just a
11 question when the transcript would be
12 available for review so we might respond in
13 writing?

14 WILLIAM TIBBS: Beth will answer
15 that question.

16 BETH RUBENSTEIN: It generally takes
17 a couple of weeks for the transcript to be
18 available, but you're certainly welcome to
19 contact the staff and we can give you our
20 sense of what the questions are. And I
21 encourage folks to keep track of the

1 questions that come up. But we'll have the
2 staff version.

3 WILLIAM TIBBS: Tom, do you have any
4 other issues or questions?

5 THOMAS ANNINGER: Yes. What's a
6 little bizarre about this whole discussion is
7 that there is apparently some proposal that
8 the Beale Companies have made that perhaps
9 everyone in the audience is aware of. We
10 know nothing about that.

11 PAMELA WINTERS: Right.

12 THOMAS ANNINGER: And I guess we're
13 supposed to pretend that this is just a
14 Zoning Petition and, therefore, we're just
15 talking zoning in the abstract. But, this
16 elephant needs to be described or we really
17 don't fully understand what it is that is
18 going on here. I think you do need to speak
19 to this 85 foot height because it doesn't
20 take much to walk down Cornelius Way and to
21 wonder what 85 feet would look like. It's

1 not a logical jump in transition. And so
2 somehow you can talk about, you know,
3 somewhat legalistic way about the provisions
4 of this and some of his inconsistencies, but
5 I don't think you've addressed the urban
6 planning issue, this transition, call it a
7 transition if you will, that may well have
8 been the intent, but when you take a look at
9 the site, it is, it is puzzling to see, to
10 imagine a mass that is substantially higher
11 than a very ugly garage building. So I think
12 somehow we have to -- we have some of that
13 into the discussion or we're talking much too
14 much in the abstract.

15 PAMELA WINTERS: I guess I would
16 agree with you.

17 WILLIAM TIBBS: I typically make my
18 comments last, but since you brought this
19 particular one up. I was going to ask staff
20 as part of the things, to actually give us a
21 better idea of the comparison of the zoning

1 with the petition, but very specifically to
2 ask for some graphic representation of what
3 the development potential both are so we can
4 get a good sense of what the -- what the mass
5 would look like on those properties under our
6 current zoning and under the petition itself.
7 I think that might help some.

8 ATTORNEY JAMES RAFFERTY:

9 Mr. Chairman, excuse me, you have all that.

10 WILLIAM TIBBS: This is --

11 ATTORNEY JAMES RAFFERTY: You have
12 that in 2000 in the ECaP report.

13 WILLIAM TIBBS: Mr. Rafferty, as you
14 know, we usually do not ask people to --

15 ATTORNEY JAMES RAFFERTY: I
16 apologize.

17 WILLIAM TIBBS: -- make comments to
18 us. You know that very well. And we are --
19 we can ask the staff to provide us with
20 anything we want. So, thank you.

21 Anyone else?

1 PAMELA WINTERS: I was just going to
2 say I wanted to echo what Tom had just
3 mentioned about the elephant in the room and
4 what was going to be proposed in this
5 particular site. I'm not sure what it is,
6 but I would like to know more about it. And
7 the ECaPs petition, I remember, really called
8 for, you know, transitional zoning. And this
9 seems to be, really from looking at it, it
10 seems to be rather a high amount of -- a
11 large height abutting three deckers -- three
12 decker neighborhood, and I'm wondering how
13 that came about. So I guess I'd like to know
14 a little bit more of the history of that
15 particular site. And maybe the staff could
16 provide that, too.

17 HUGH RUSSELL: Actually, there's
18 something particularly in my memory about
19 this and I don't know whether I'm inventing
20 it or whether I'm remembering it, but -- so I
21 pose it as a question to staff to look at. I

1 believe the parking garage is in fact about
2 85 feet tall itself in the highest portions.
3 And I think if you look at the provision, it
4 says first, the first 100 feet back from the
5 property line is supposed to be 35 feet tall.
6 And then it jumps up to 85 feet which is the
7 height of the garage. But the only place
8 that can really happen, assuming the garage
9 stays, and I think you have to assume it
10 stays, is between the garage and Cardinal
11 Medeiros. And I think there was -- the
12 people said we'd rather look at an apartment
13 house up against then the parking garage. So
14 this gave you the opportunity to build a
15 screening residential building. It would
16 screen the parking garage and people from the
17 -- whatever direction it is, the west. So I
18 don't know whether -- I'd like to find out
19 whether that's a memory or a fabrication or
20 what it is. But it does seem to sort of
21 explain the dual nature of these things. The

1 fact that 85 feet only starts up close to the
2 parking garage.

3 PAMELA WINTERS: Okay.

4 WILLIAM TIBBS: I think that brings
5 up also the issue of just getting some good
6 clarification on the parking garage itself.
7 What does it look like if it's not there?
8 What does it look like if it is there? And
9 the real understanding of what that
10 grandfathering means. Obviously it's there
11 and it's counting now. But does that mean
12 it's -- if they get some kind of structural
13 way to figure out a way to build a building
14 over the top of the garage that, that area is
15 not considered FAR even at the height
16 obviously, but just to get some, I think it
17 would just be helpful to get clarity of those
18 issues.

19 STEVEN WINTER: Mr. Chairman.

20 WILLIAM TIBBS: Yes. Sorry, Steve.

21 STEVEN WINTER: Beth, I'd like to

1 ask a question of Roger if I could do that.

2 BETH RUBENSTEIN: Sure.

3 STEVEN WINTER: And, Roger, this is
4 my question: I wonder if you could just talk
5 to us a little bit about this -- the
6 transitional issue that we're talking about.

7 ROGER BOOTH: I'd like to ask if
8 some of the ECaP staff --

9 STEVEN WINTER: That would be fine.
10 So here's where I'm going with this.
11 Cambridge is a mix of -- it's a very dense
12 urban mix of neighborhoods that are very
13 nicely defined and that's why it works.
14 There's all kinds of things that happen here.
15 What are the values that we look at when we
16 create transitional zoning from -- not
17 zoning, transitional feel from industrial to
18 the residential. What are the values that
19 guide us and have guided us in the past?

20 STUART DASH: This is sort of
21 broader beyond ECaPs certainly. And any of

1 us on -- Roger included could also add in. I
2 think when we did that -- I'm trying to think
3 back. When we went through citywide, we
4 tried to define it. I can say in terms of
5 values, we talked about in both public
6 discussions and in committee discussions, the
7 importance of having a transition between
8 neighborhood areas both in the use and in
9 scale. And we tried to identify it and we
10 actually said -- I recall sitting back and
11 Hugh was on the committee as well, and Pam,
12 and sitting back and trying to think where is
13 it actually an issue for us? And we tried to
14 actually identify the areas in the city that
15 had differences that were beyond sort of what
16 we thought were comfortable differences in
17 terms of scale, differences. And we
18 identified sort of a string of areas around
19 the city, and actually tried to move around
20 and actually identify -- work on all those
21 sections of the city that had differences

1 that were more than a certain amount that we
2 felt were comfortable and were identified as
3 use differences that were different. And I
4 think it's -- I'm trying to remember, there
5 was actually specific numbers where we said
6 below 15, 20 feet it wasn't an issue. We
7 said next 35, next to 55 you can sort of deal
8 with that issue. And I think we tried to
9 identify areas where it got above that. And
10 we said those are areas we should look at. I
11 don't think we said those are areas that we
12 should immediately change. But those areas,
13 as a committee and during the ordinance and
14 during the discussion, we said those areas we
15 should look at, think about carefully and
16 look at what the transitions are in those
17 areas. And I think the kind of comments you
18 heard in terms of what people care about,
19 shadow and light and views are all things we
20 consider important for, you know, the
21 residential areas. And as you look, our --

1 towards the sustainable future and the
2 documents, I think the preservation of the
3 residential areas or the corporate areas at
4 the same time of encouraging, you know, the
5 responsible in the city are the two things
6 you have to balance side by side and try to
7 do that as best we can.

8 STEVEN WINTER: Thank you.

9 IRAM FAROOQ: I just wanted to
10 answer his question that that is actually a
11 memory, not a fabrication, that this site is
12 difficult as we think about -- as we thought
13 about the transition just because of what
14 exists on the site already. And as Stuart
15 pointed out, as we thought about transitions,
16 we were thinking both of use and of scale.
17 And so on this particular site, except for
18 the one edge where we could in fact think of
19 a height transition, the focus was much more
20 on use. Hence, you know, having the 85 foot
21 base line and only allowing the taller height

1 for residential uses. So if that helps. And
2 the idea of trying to bring in residential
3 into this area that was very much -- or
4 continues to be very much industrial was
5 considered to be a big benefit transition
6 wise.

7 WILLIAM TIBBS: I think just for
8 information, how many of us were on the Board
9 at the time when we passed city-wide zoning?

10 (Show of hands.)

11 WILLIAM TIBBS: So I think just
12 having the staff helping to clarify some of
13 the issues were at the time, because I think
14 it's going to be very helpful since only half
15 of us were around at that time.

16 Any other questions? Comments?

17 H. THEODORE COHEN: I just have a
18 procedural question.

19 WILLIAM TIBBS: Go ahead.

20 H. THEODORE COHEN: What is the
21 timing on this proposal?

1 BETH RUBENSTEIN: Good question.

2 LES BARBER: 90 days from tomorrow
3 night.

4 LIZA PADEN: Which is the City
5 Council's Ordinance Committee.

6 BETH RUBENSTEIN: Mid February.

7 LIZA PADEN: For final action.

8 H. THEODORE COHEN: So our action
9 just needs to get to the Council before they
10 take final --

11 LIZA PADEN: Right. And what
12 happens is there's a 21-day period of time
13 where the Council can't act on the petition
14 unless they have the Planning Board
15 recommendation. So there is time for the
16 Planning Board to discuss this further.

17 THOMAS ANNINGER: 21 days starting
18 tomorrow?

19 LIZA PADEN: Tonight. 21 days from
20 the hearing tonight. Or if the Planning
21 Board got the recommendation to the City

1 Council.

2 HUGH RUSSELL: However as a matter
3 of practice, the Council usually tends to
4 decide things towards the end of the time
5 period and they usually very much want to
6 hear our report. So you may remember, you
7 may not remember, that we get out about 60
8 days. It start being said there's only two
9 more meetings and they're waiting for your
10 report. So, we have more than 21 days, but
11 the Council could act in that time if they
12 wished.

13 BETH RUBENSTEIN: I think you're
14 right, Hugh. I think it's very unlikely that
15 the Council would act before January or
16 February.

17 HUGH RUSSELL: I had one other
18 question.

19 WILLIAM TIBBS: Sure.

20 HUGH RUSSELL: And because this
21 proposal affects a single ownership, I wonder

1 if we should ask the City Solicitor to look
2 and see whether it meets the notion of spot
3 zoning. Spot zoning is a very complicated,
4 legal matter and I just like to know whether
5 it does or it doesn't. I don't have any
6 particular --

7 BETH RUBENSTEIN: Is that the will
8 of the Board?

9 WILLIAM TIBBS: Sure. And I feel
10 that if a Board member asks a question like
11 that, that we should -- and I don't think the
12 whole Board has to agree, it's just a
13 specific question that Hugh wants an answer
14 to.

15 Tom?

16 THOMAS ANNINGER: Well, spot zoning
17 is complex and often not what you think it
18 is, but I do know that much turns on whether
19 we speak in urban planning terms or whether
20 we focus on specificity. Mr. Rafferty was
21 talking very much about the garage and the

1 specifics of it, but I do think that the
2 hearing, and in particular the initial
3 presentation was very much framed in urban
4 planning terms. And I would like to see us
5 focus a little bit on that before we close
6 the hearing because I do think that that is
7 key to what we have before us and I think it
8 is key to the spot zoning question.

9 WILLIAM TIBBS: Well, for me it was,
10 it really gets down to the fact that there
11 was a transition mechanism put into -- there
12 was down zone and the transition mechanism
13 was put in the zoning, and this petition
14 wants to either change or further that
15 transition mechanism. So for me it's really
16 just a clarification as to what we have and
17 is there some problem associated with it.
18 And there's a new, there's the -- does the
19 new petition do the transition better in some
20 way or some way that, you know, particularly
21 is in line with what the concept was at the

1 time, that they were trying to create the
2 transition around this particular area?
3 That's just my personal thoughts on this one.

4 THOMAS ANNINGER: Well, I agree that
5 I think it does come down to a transition
6 question, but it is possible that while we
7 were doing such a broad-gauged work, we
8 didn't fully see this rather narrow little
9 corner through the right lens. And 85 feet
10 may have seemed like a reasonable line if we
11 were focusing on the garage, but we were
12 probably not quite looking at it through the
13 eyes of the people that live there and who
14 have now woken up to what could be a very
15 serious change for them. And I must say I'm
16 in sympathy with the issue on height very
17 much so. And I guess I would like to know
18 whether my colleagues see it that way as
19 well. I don't, I don't quite know the
20 implications of the change in FAR and whether
21 that may be problematic so that when the

1 question is put to the Council as to
2 what's -- what works and what doesn't in
3 terms of change, we might have to slice it
4 somewhat more thinly in terms of the various
5 pieces that are being proposed. I think the
6 85 feet is one thing. I think the FAR is
7 another. And it's possible that the 85 feet
8 may be the real solution to this and that the
9 FAR may be a different matter.

10 STEVEN WINTER: Mr. Chair.

11 WILLIAM TIBBS: Sure.

12 STEVEN WINTER: Tom, I'd like to
13 follow on that just a little bit. I think
14 that the 85 feet was talked about in terms of
15 a use rather than a height or what it would
16 look like. I think that the idea -- and I
17 was not there, but I think that the idea may
18 have been to encourage residential
19 development and to encourage the use of the
20 street. And we may have been at a time in
21 the development of that fabric when that was

1 really what we wanted and we really wanted to
2 make that happen. And it could be that's the
3 point that we need to revisit.

4 WILLIAM TIBBS: Pam.

5 PAMELA WINTERS: And I do remember
6 that as being true. We were trying to
7 encourage housing as part of the ECaPs
8 Petition. That was very important. But I do
9 feel as though this one building would impact
10 a lot of houses and the neighborhood in
11 general. And particularly looking at the
12 shadow studies and, you know, it's not, it is
13 just one building, but it's not just one
14 building. It does have a larger impact. So,
15 Tom, I do agree with you on that.

16 WILLIAM TIBBS: Ahmed.

17 AHMED NUR: I could be wrong about
18 this but I have not seen enough shadow
19 studies on summer months and other months.
20 We're only looking at one in December. I'd
21 like to see from the petitioners and from the

1 owner -- I'd like to take a look at that.

2 WILLIAM TIBBS: Is that something
3 you can incorporate into your -- I know it's
4 hard to do because you don't have a building.
5 But in terms of at least the building if
6 developed?

7 BETH RUBENSTEIN: We'll see what we
8 can do. If we feel we're limited, we'll ask
9 the neighbors and the developer to help us
10 out.

11 LINO BECERRA: I offer to make those
12 shadow studies for you.

13 WILLIAM TIBBS: Thanks.

14 Okay. Just relative to where I am, I'd
15 like to again see the stuff that the staff is
16 going to put together so I have a very clear
17 idea as to what the thing is. So I'm not --
18 I haven't determined where I am yet, but I
19 think I will be very quickly once I see that.

20 Patricia.

21 PATRICIA SINGER: Vis-a-vis the

1 shadow studies, I'd like to make one request
2 and that is generally speaking, mechanicals
3 do not stretch over an entire building. They
4 are usually placed interior to a building.
5 Again, following in line with what my
6 colleagues have said, there seems to be an
7 elephant in the room, and the shadow studies
8 we saw today showed the total property build
9 up to 85 to 15. I don't know if that's
10 realistic. And so I would respectfully
11 request that whatever shadow studies put
12 forward show a series of scenarios.

13 WILLIAM TIBBS: Go ahead, Ted.

14 H. THEODORE COHEN: Well, I hesitate
15 to go there and ask staff this, but if we're
16 following up on comments that others have
17 made with historical information of fact that
18 the 85 feet was to promote a particular use,
19 a residential use, and that maybe things have
20 changed, I guess I would like to know what
21 are the other areas around it where we are

1 still promoting the residential -- I'm not
2 expressing that clearly, I'm sorry. But if
3 we see we don't want 85 feet regardless of
4 the use and that we're therefore eliminating
5 a certain amount of residential units, what
6 else in this area that might be promoting
7 residential use would be allowed?

8 BETH RUBENSTEIN: We can answer
9 that.

10 WILLIAM TIBBS: Great.

11 H. THEODORE COHEN: And you can put
12 it in better terms than I, I'm sure.

13 WILLIAM TIBBS: Okay? We are done
14 with this public hearing. Do we want to take
15 a short break?

16 BETH RUBENSTEIN: Bill, folks should
17 check on the Community Development web site
18 to find out when this particular item is
19 going to be on the agenda again. And
20 obviously you can feel free to call us. We
21 don't know tonight, but we'll know soon.

1 (A short recess was taken.)

2 * * * * *

3 WILLIAM TIBBS: All right. We're
4 proceeding with our second public hearing.
5 It's our case No. 175. It's a Major
6 Amendment to reduce the number of parking
7 spaces required for the housing and office
8 uses at One Leighton Street in the Maple
9 Office Building.

10 For those who wish to speak at the
11 public hearing, we continually let the
12 proponent make their case. The Planning
13 Board then asks clarifying questions and then
14 we open the hearing for public comment.
15 During the public comment we ask the people
16 to keep their comments to three minutes, and
17 Pam Winters will be the time keeper. And if
18 you do speak, we'd like you to come to the
19 podium and give your name and address and
20 spell your last name for the recorder. So
21 with that, I'll turn it over to Mr. McKinnon.

1 RICHARD MCKINNON: Does the three
2 minutes include me, Mr. Chairman?

3 WILLIAM TIBBS: No, it does not.

4 RICHARD MCKINNON: Thanks very much.
5 This is a unique evening for me. It's a very
6 important amendment for us. My name is Rich
7 McKinnon and I live at One Leighton Street
8 which is the subject of tonight's request for
9 a Major Amendment. As you know, from the
10 materials that Liza -- thank you, Les -- that
11 Liza has passed along to you, we are seeking
12 a request to reduce the parking ratio at One
13 Leighton Street which is the big one. That's
14 the picture of it. Let's go to the next one.

15 By the way, Tom, that slide is called
16 taking ownership. I am asking to request, a
17 request to change the parking ratio, which
18 was the very same one that I personally asked
19 for and signed off for. So, we've come to an
20 interesting place in the development where
21 we've learned a little bit something, but

1 this, this slide is entitled own your own
2 work. Next.

3 The request called for our ability to
4 park this small building, the Maple Leaf
5 building in the garage that we built
6 exclusively for One Leighton Street. And
7 there's a daytime and a nighttime view. You
8 can see the obvious gigantic disparity in
9 value and size, and I can assure you that a
10 conservative company like ours, you know,
11 dealing with the tough financing right now
12 will do nothing to jeopardize the sanctity of
13 One Leighton Street by taking parking and
14 couldn't afford to give over to the Maple
15 Leaf building.

16 We have looked at different ways --
17 here's the Maple Leaf building, a closer
18 picture of it. It's been in disrepair for
19 quite sometime. We've looked at different
20 ways, putting an additional two floors on it.
21 We've looked at it as office building, we

1 looked at it as a housing building, but we
2 always came up against the same thing,
3 they -- the parking requirements. The
4 parking requirements for the Maple Leaf
5 building were going to be fulfilled in Phase
6 2 of our project at North Point and the
7 answer to well, when are you going to build
8 Phase 2? We don't know yet. What are you
9 going to build there? We don't know that
10 yet. And so it's made selling the Maple
11 Leaf -- marketing it just impossible. What
12 we do know now is that we've come to -- just
13 back up, Joe. We've come to a -- one more,
14 Joe -- a really important place. I think in
15 North Point's history, but certainly in our
16 own, in a very rapid period of time Phase 1
17 is leased up. We're close to 92 percent
18 occupancy. And so it shows that North Point
19 is a viable place even when it's still a
20 little bit rough and ready around the edges.
21 And you can build there, you can build there

1 with success. And I think that -- I know in
2 my conversations with the City Manager, it's
3 great news for him in terms of talking the
4 barn holders down on Wall Street, this place
5 really truly has a future and we're going to
6 be able to finance our city services out
7 there in due time.

8 We ask for one space per thousand
9 because that was the city's limit, the
10 absolute minimum. It was what the design guy
11 called for the North Point zoning. But we
12 have come to learn, and we only learned it
13 recently with the building full, that we
14 don't need that. That I asked for more
15 parking than I needed. And what that does it
16 let's me park the Maple Leaf building in the
17 Archstone One Leighton Street building.
18 There's more than enough parking in the
19 existing Maple -- the existing One Leighton
20 Street building to handle my neighbor's
21 parking needs, my fellow tenant's parking

1 needs, and the needs of the Maple Leaf
2 building as one.

3 Sue Clippinger has made a -- our
4 request to the Board involved only a
5 reduction in parking for the One Leighton
6 Street building, and giving parking,
7 additional parking from there, that garage,
8 over to the Maple Leaf building. Sue has
9 come up with I think a more elegant solution
10 of just reducing the parking ratio across the
11 entire site, including Phase 2 to 0.8. It
12 means hopefully I won't be coming back here
13 again talking about parking. And it also
14 keeps Sue from keeping her impromada
15 (phonetic) which was a grant too many spaces
16 for the Maple Leaf building which was part of
17 my request and she was uncomfortable with
18 that. And I understand that.

19 To talk about Phase 2 means just taking
20 a quick step backwards so that we understand
21 its context. And it involves really what

1 we've been trying to do at North Point. It
2 is a city what we've tried to do with the
3 Charles River. The Charles River always was
4 doing well along the river banks of Harvard
5 and MIT. They're always pleasant to walk
6 along the river up there. When you turn the
7 corner back in 1975, '76 to East Cambridge,
8 it was a totally different story. They had
9 been surrendered to industry. There was just
10 a six-lane highway going up and down the
11 river. It was the last place you'd ever take
12 your kid to the riverfront in East Cambridge.
13 The people, some of them are in this room,
14 Roger, Les, Liza, you, Russell, that worked
15 on the reclamation of the river. And we
16 wound up doing some enormous things like
17 you're taking the six-lane highway, getting
18 it off the river, having a quiet single lane
19 of traffic along the Charles River. And more
20 importantly, connecting open spaces to one
21 another but connecting the neighborhood to a

1 series of open spaces down to the Charles
2 River. And with an audacious project really
3 when you looked at it from the beginning, but
4 with the help of Tip O'Neill and the very
5 last UNED Grant that the United States
6 government ever issued in 1977, we were able
7 to do it. And I think we've got a lot to be
8 proud of. Mistakes are made along the way,
9 but we did a tremendous job. And when we go
10 over to north -- by the way --

11 WILLIAM TIBBS: I hate to interrupt
12 you but where are you going with this?

13 RICHARD MCKINNON: Going to Phase 2.

14 WILLIAM TIBBS: In the sense that
15 you make your case with the issue that's
16 before us.

17 RICHARD MCKINNON: I am,
18 Mr. Chairman.

19 WILLIAM TIBBS: I mean -- North
20 Point is great, but I hope you're not going
21 to re -- you know.

1 RICHARD MCKINNON: No. It says a
2 lightening plan in history in North Point and
3 I take that history.

4 Phase 2 has been included with Sue's
5 recommendation today, and so we just backed
6 up a bit to put Phase 2 in some context.
7 That's it. It was a two building
8 presentation until we met with the Traffic
9 Department. I think it's better now but
10 Phase 2 has a little bit of context to it.
11 I, Mr. Chairman, I have the only viable
12 existing permit at North Point that has not
13 been subject to litigation or lapse. And so,
14 I have tried very hard to spend the time that
15 I spend here asking for buildings that I
16 actually build and for changes that I
17 actually need.

18 WILLIAM TIBBS: I'd like to
19 respectfully ask that you do it.

20 RICHARD MCKINNON: Do it faster?

21 WILLIAM TIBBS: Just remind us what

1 Phase 2 was and we'll go from there.

2 RICHARD MCKINNON: Next slide. And
3 just leaving North Point. We leave North
4 Point the east in great shape. We've got
5 North Point Park and Museum Towers and
6 development and EF and future skateboard park
7 coming out there. All of that is in place.
8 I think the city has left the eastern part of
9 North Point on the other side of the Gilmore
10 Bridge in very, very good shape.

11 Phase 2. When we look at Sue's
12 recommendation, it involves Phase 2. And so
13 Phase 2, I need the Planning Board to
14 understand, that when I look at it, I have a
15 couple of challenges and they're planning
16 challenges and they go to the work all of us
17 have done together on Phase 2. One of them
18 is door knobs on the street. And if you look
19 at -- you guys went through a lot of work in
20 the design review of the two buildings that
21 Tim Mello winded up building by himself. He

1 wounded making that a street that has stoops,
2 that has door knobs on the street that feels
3 like a city street. I look at that side of
4 the street on my side for Phase 2 as an
5 absolute obligation. I'm going to have to do
6 that. I call it a plan in absolute. It's
7 something important, and it also will let the
8 Planning Board tell the next person that
9 succeeds the North Point land company that
10 city streets mean something and how they look
11 means something.

12 I have another plan in absolute that I
13 look at when I look at what I've got to do in
14 Phase 2. And it means connecting open
15 spaces. And in order to do that you may
16 recall I had to punch a -- we had several
17 ways. One was separating the two buildings
18 of Phase 2. The other is putting an arch
19 through it, but that allows me to connect to
20 the Finger Park that was respected with
21 Sierra and Tango out to Central Park and of

1 course from Central Park out back again to
2 the river. And so that, that's the context,
3 Mr. Chairman, that I look at Phase 2. And
4 what it helps in terms of the benefits of the
5 Major Amendments, that we requested where
6 Traffic's inclusion, Traffic's recommendation
7 added on. It let's me answer the question,
8 Tom, if you're going to buy the Maple Leaf
9 building from me. If you ask me where do I
10 park? The answer is under my existing
11 permit. Well, Phase 2. When are you going
12 to build it? I don't know. What's it going
13 to look like? I still don't know that yet.
14 You ask me if we're given this Major
15 Amendment, where do I park the Maple Leaf
16 building? The answer is right next-door at
17 One Leighton. When can I do it? Right now.
18 That's going to help me tremendously in terms
19 of financing the Maple Leaf building, selling
20 it, marketing it and it really lets us focus
21 really laser attention on the Maple Leaf

1 building and that's where we want to put our
2 attention right now.

3 When I look ahead at Phase 2, which has
4 got its challenges, its obligations, but we
5 still don't know where we're going with it
6 yet. It still is going to help me with the
7 parking portion of the Phase 2 analysis just
8 by giving us more options, Mr. Chairman, if
9 we follow Sue's recommendation. Joe, next.

10 This slide -- I found this article,
11 it's from 1988. Mr. Chairman, I live at
12 North Point today and I love living out
13 there, but there is some advantages to being
14 stubborn, Mr. Chairman, and finding your own
15 way. And I take too long up here doing it
16 sometimes, but I try to be careful and I try
17 to connect the dots as best as I can. And
18 I've been out here for 21 years now. I love
19 it. It means everything to me. And I assure
20 the Chairman that there's not a word I say
21 here that at least in my mind doesn't have a

1 purpose, and I say it with great care. I've
2 just included -- and, Sue, I'm sorry, you put
3 your draft up rather than your final one, but
4 we had copies of the final one. I put my --
5 Sue Clippinger's draft, and in the first
6 paragraph her recommendation is included. We
7 accept Sue's recommendation, but I'd like to
8 ask my lawyer who has done a great job
9 helping me stay out of court just to finish
10 and tidy up the request and talk about the
11 procedure.

12	Thank you very much.
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13 WILLIAM TIBBS: Thanks.

14 ATTORNEY DEBORAH HOROWITZ: I'm
15 Debbie Horowitz with Goulston and Storrs. I
16 represent Archstone and I don't claim to keep
17 Rich out of trouble. I just want to be clear
18 on the record there. So I'm going to be
19 really quick and try and simplify what we're
20 asking for.

21 | what we're asking for is a reduction in

1 parking to allow us to park both the Maple
2 Leaf building and the Phase 1 units in the
3 Phase 1 existing parking garage. I'm going
4 to let Sue talk herself because we've done
5 enough talking for her tonight, but we do
6 accept her recommendation which would allow
7 us the flexibility to go as low as 0.8 for
8 all the residential units, Phase 1, Phase 2
9 combined, whatever that is. And zero for
10 Maple Leaf. We've had a lot of conversation
11 about how that's going to shake out, but at
12 Sue's recommendation that we be given the
13 flexibility to go that low which will help us
14 figure out how to work the finances with the
15 market, with tenants, with potential buyers,
16 both for Maple Leaf and Phase 2. We're
17 grateful for their attention to it and being
18 really thoughtful and accept that as the
19 modification. And again I want to be clear,
20 and I think Sue's recommendation is clear,
21 she'll talk for herself, but that the overall

1 reduction is a floor that we can work within
2 as we go forward with rehabbing hopefully
3 Maple Leaf and doing Phase 2.

4 A couple of other things I just wanted
5 to point out to the Board and a couple of our
6 friends on CDD pointed out to me as well. I
7 got carried away with making sure I was
8 making all the appropriate cases, and I was
9 making the Special Permit case under the BZA
10 and got carried away with whether we needed a
11 Special Permit through BZA, which you guys
12 probably know well we don't. You're entitled
13 to grant that permit as well while we're
14 here. So that was me just being a lawyer and
15 getting it wrong. And you know the only
16 other --

17 RICHARD MCKINNON: And me
18 forgetting.

19 ATTORNEY DEBORAH HOROWITZ: It
20 happens. The only other couple things I
21 wanted to make sure that we talked about is

1 getting the Maple Leaf rehabbed means we need
2 to attract tenants. And in order to attract
3 -- in order to do rehab, we need financing.
4 And in order to get financing, we need
5 tenants. The whole thing is incredibly
6 circular. We've actually gone out and talked
7 to the marketplace to try and figure out how
8 to get Maple Leaf done. And one of the
9 things we heard was we need to get the
10 parking solution done because nobody wants to
11 be up in the air about it. So that's one of
12 the reasons why we're here. Also obviously
13 getting that Maple Leaf building rehabbed, I
14 thought it looked relatively nice in the
15 picture. If you've been out there, you know,
16 it doesn't really look that nice in person.
17 Is it -- it helps us rent Phase 1. We've got
18 some residents of Phase 1 here. I'm sure
19 they'd really like to get that cleaned up.
20 It's going to help us get a financing
21 commitment and get interested in doing Phase

1 2 because it cleans up the whole area. It
2 helps with the rest of North Point. We
3 created this whole interest into the whole
4 area both for our own project and back in for
5 the North Point Land Company project. So
6 getting this underway, being able to rehab
7 Maple Leaf is going to have significant
8 ripple effects for the whole project and all
9 of North Point.

10 I think I'm going to be done and let
11 you guys take it from here unless you have
12 questions.

13 HUGH RUSSELL: Right now are Maple
14 Leaf Phase 1 and the Phase 2 land all owned
15 by the same people?

16 ATTORNEY DEBORAH HOROWITZ: Maple
17 Leaf is owned by an affiliate of Archstone
18 but essentially the same people.

19 RICHARD MCKINNON: You gave us
20 rights under a Minor Amendment to subdivide
21 the site previously.

1 HUGH RUSSELL: Ordinarily you would
2 have to do that for financing.

3 ATTORNEY DEBORAH HOROWITZ: Right.

4 HUGH RUSSELL: But at the moment
5 it's a part of a big umbrella organization.

6 ATTORNEY DEBORAH HOROWITZ: The
7 Maple Leaf parcel is actually owned by a
8 separate subsidiary. It's a separate
9 subdivided parcel.

10 HUGH RUSSELL: Okay. I think my
11 next question goes to Sue after she talks to
12 us. Because I'm -- if the solution for Maple
13 Leaf is, as I understand it, a shared parking
14 scheme with the residential uses, there's
15 enough at 0.8 for the residential uses there
16 is enough parking for a commercial use in the
17 Maple Leaf building, the Maple Leaf building
18 were a residential use, then the 0.8 would
19 have to extend to the whatever units were in
20 Maple Leaf.

21 ATTORNEY DEBORAH HOROWITZ: Right.

1 And if we did that, we'd obviously have to
2 come back for an another Major Amendment
3 because that would be different than what we
4 have in our plan.

5 THOMAS ANNINGER: If it's only say
6 floor, why would you have to come back?

7 ATTORNEY DEBORAH HOROWITZ: If we
8 only did it before you mean?

9 THOMAS ANNINGER: If what we're
10 approving is only a floor, you have some
11 leeway.

12 ATTORNEY DEBORAH HOROWITZ: We
13 wouldn't have to come back for the parking
14 ratio. We would have to come back for the
15 change in use.

16 THOMAS ANNINGER: I understand. Not
17 for the parking.

18 ATTORNEY DEBORAH HOROWITZ: You're
19 correct.

20 THOMAS ANNINGER: Okay.

21 WILLIAM TIBBS: Actually that's what

1 I was going to ask you. Can you explain this
2 floor? How is this variable being worked?

3 ATTORNEY DEBORAH HOROWITZ: The
4 floor works so that if we can, if we can
5 achieve what Sue really would love for us to
6 achieve and what, you know, in many respects
7 we agree would be great, less expensive,
8 etcetera for us, we would end up after Phase
9 2 is done with a 0.8 ratio for all 767 units
10 which Adam did the math for us and came to
11 800 and --

12 HUGH RUSSELL: 614 wasn't it?

13 RICHARD MCKINNON: 614 spaces.

14 ATTORNEY DEBORAH HOROWITZ: 614
15 spaces and zero for the Maple Leaf which
16 would mean the Maple Leaf and all the
17 residential parking -- it would mean kind of
18 a shared use of the underground parking under
19 Phase 1 and Phase 2 by both Phase 1 and Phase
20 2 and Maple Leaf. And we agree if we could
21 achieve that, that would be great. We're not

1 clear that we can achieve it in the
2 marketplace, either in the financing
3 marketplace or in the tenant or sale
4 marketplace for the office. Which is why
5 we're asking for the flexibility so that we
6 can go that low. But that we have some
7 ability to work with it as we go.

8 WILLIAM TIBBS: So it's not an
9 absolute, it's just a flexibility to go with
10 when Phase 2 comes before us.

11 ATTORNEY DEBORAH HOROWITZ: Exactly.

12 WILLIAM TIBBS: When that happens,
13 you come back and say this is what we're
14 thinking.

15 ATTORNEY DEBORAH HOROWITZ: Right.

16 WILLIAM TIBBS: This is where we're
17 going with the direction.

18 ATTORNEY DEBORAH HOROWITZ: That's
19 right.

20 H. THEODORE COHEN: That just
21 confused me. Are you talking about the 0.8

1 basically being a minimum beyond below what
2 you couldn't go?

3 ATTORNEY DEBORAH HOROWITZ: Correct.

4 H. THEODORE COHEN: And you don't go
5 higher. And I'll ask Sue later, does she
6 have a problem if it goes above the 0.8 if
7 that's the figure she now likes.

8 ATTORNEY DEBORAH HOROWITZ: We had
9 some conversations with her.

10 WILLIAM TIBBS: Is it nice to know
11 your questions before?

12 ATTORNEY DEBORAH HOROWITZ: You knew
13 them last week.

14 HUGH RUSSELL: Bill, I have another.
15 I'm assuming in all of this they're not
16 assigned parking places in the garage?

17 RICHARD MCKINNON: They're assigned
18 parking spaces in the One Leighton Street
19 garage now, yes. It's a way of keeping track
20 of someone parking in someone's space that
21 isn't supposed to be there. You can match

1 the space number with it.

2 HUGH RUSSELL: So we have assigned
3 spaces. How do you share parking with an
4 office building?

5 RICHARD MCKINNON: The shared
6 parking doesn't exist -- what we're able to
7 do obviously with greater number down to 0.8
8 is immediately solves the Maple Leaf problem.
9 How it works with Phase 2 is a bit ahead of
10 where we are, but it's obviously going to
11 involve looking at something other than
12 assigned spaces, but at least it gets us in
13 that direction. Because what Sue very
14 definitely wants me to do is not rent 91
15 spaces out to the Maple Leaf tenant, whoever
16 that is.

17 H. THEODORE COHEN: Could I follow
18 up on that question? What is the mix of
19 rental versus condominium?

20 ATTORNEY DEBORAH HOROWITZ: All
21 rental.

1 H. THEODORE COHEN: All rental?

2 ATTORNEY DEBORAH HOROWITZ: All
3 rental.

4 H. THEODORE COHEN: Everything?

5 ATTORNEY DEBORAH HOROWITZ: Yes.

6 WILLIAM TIBBS: Any other questions?
7 Comments?

8 THOMAS ANNINGER: Until you change
9 your mind.

10 ATTORNEY DEBORAH HOROWITZ: What do
11 you mean?

12 HUGH RUSSELL: Or somebody makes
13 them an offer they can't refuse.

14 THOMAS ANNINGER: Turn it into
15 something that it isn't now.

16 ATTORNEY DEBORAH HOROWITZ: Then we
17 come back.

18 THOMAS ANNINGER: You would have to
19 come back if you condominiumized?

20 RICHARD MCKINNON: That's a good
21 question. I mean, Archstone does not do

1 condos. They typically own their property as
2 rental property, but I don't know the answer.

3 ATTORNEY DEBORAH HOROWITZ: I don't
4 know the answer under the permit. I'd have
5 to go look at it.

6 RICHARD MCKINNON: It's never been a
7 concern of ours, Tom, just because they build
8 inventory rather than -- but, you know, it
9 could be sold to someone else.

10 ATTORNEY DEBORAH HOROWITZ: Right.
11 And typically the building would be
12 different, would take some changes.

13 WILLIAM TIBBS: As we found out
14 next-door.

15 RICHARD MCKINNON: As we found out
16 next-door and elsewhere, yes. As I found out
17 next-door.

18 HUGH RUSSELL: Right. There are
19 actually two rental buildings that went condo
20 nearby.

21 RICHARD MCKINNON: Glassworks.

1 ATTORNEY DEBORAH HOROWITZ: On
2 either side.

3 HUGH RUSSELL: Glassworks and Museum
4 Towers. And I don't believe either of them
5 came back. I know Glassworks didn't come
6 back. And I don't -- Museum Towers has had a
7 lot of trouble with their parking, but I
8 don't think they came back because they were
9 converting from rental to condo. They -- I
10 don't know. They still have value over
11 there? So....

12 RICHARD MCKINNON: That was also
13 pre-Article 11.2. Our Affordable Housing
14 Article. And there are safeguards for
15 affordable tenants in Article 11.2, they
16 simply weren't there back in the late
17 eighties when Dean and I did Museum Towers.
18 It didn't exist.

19 WILLIAM TIBBS: Sue, typically I
20 would usually ask for your comments after the
21 public hearing, but I think -- the public

1 comments portion, but it probably makes sense
2 particularly since the Board has questions
3 for you to make your comments now, and that
4 way whoever might wants to speak at least can
5 have that information as they speak.

6 SUE CLIPPINGER: So, not
7 surprisingly we saw this as an opportunity to
8 think about parking in line with things we've
9 been learning along the last few years, and
10 the opportunities that this represented, and
11 looked at it more broadly than what Archstone
12 was originally thinking about. And they
13 provided us a study that showed what the
14 parking utilization for their building and
15 other buildings were in the area, all of
16 which were showing less than one space per
17 unit which is consistent with work we've done
18 separate from this about parking close to
19 transit. So, you know, we felt quite
20 comfortable that a proposal 0.8 which is
21 actually more parking than they currently

1 have a demand for, and which is also more
2 than some of the other locations closer to
3 more -- to the better transit, to the Red
4 Line stations, was showing -- seemed to be a
5 very reasonable proposal to be making and
6 consistent with things that we were seeing.

7 There were two things that we looked at
8 in addition and thought about in addition in
9 terms of thinking about doing less than one
10 space per unit. One of them is we have the
11 opportunity to look at our resident parking
12 database. And so we wanted to look to see if
13 the information about -- the information that
14 had been provided to us was consistent with
15 the resident parking database. What we found
16 is that there's even fewer cars I had said in
17 the memo, a very small percentage of cars
18 that actually had resident stickers. So
19 there's always this concern that we have that
20 if you make the parking available smaller,
21 are you just pushing people out on to the

1 street from a residential building or are you
2 actually providing less parking because
3 there's less demand? And so we looked at the
4 resident parking numbers which are really
5 small. We also thought about if you were
6 living here and you were looking for parking
7 options, would you actually cross O'Brien
8 Highway and park your car on the other side?
9 And our feeling is that's not a particularly
10 desirable option. And I'm sure there's
11 somebody who does it, but it would not be
12 something that people would be interested in
13 doing to have their car, you know, that far
14 away. So we felt like this was a very good
15 location for recommending the 0.8 parking.
16 And feel very, you know, feel very positive
17 that all the information we know and the
18 information about this project indicates that
19 the 0.8 parking makes sense.

20 The other thing that we've been
21 thinking about really in anticipation of some

1 of the larger projects and mixed use projects
2 that are coming along is what is the
3 opportunity for shared parking. And we
4 talked a little bit about the little set of
5 projects along First Street, but this is a
6 very large residential project both in Phase
7 1 and in the full build out. And the Maple
8 Leaf building at 60,000-something, 63,000
9 square feet is not a huge building. So
10 there's at obvious opportunity to try to make
11 the shared parking work. And we had done
12 some work already, trying to look at garages
13 for residential buildings and trying to
14 figure out how many vehicles left during the
15 day. So at ten o'clock in the morning how
16 many cars had left that garage, and what was
17 the reasonable assumption to make about how
18 many people who were living in a residential
19 building with a car just leave their car
20 there during the week and use it on the
21 weekend and use their car on a regular basis.

1 And we were coming up with a 60 percent
2 number. So we also were feeling very
3 comfortable that there would be sufficient
4 people who would use their car during the
5 workday, that the Maple Leaf building could
6 be accommodated dated within the existing
7 garage. In the future garage even more
8 easily. Because obviously the more
9 residential units you build at 0.8, the more
10 the larger number of people who may be
11 leaving and make a space available.

12 The other thing that we talked a little
13 bit about is sort of zoning requirements and
14 legal leasing requirements for the project.
15 So what I've been advocating is that Maple
16 Leaf not having, not have a zoning required
17 minimum parking. It would be relieved from
18 the minimum parking on the assumption that
19 parking supplies being handled within the
20 garage so that there's no zoning requirement.
21 That the only requirements that are made are

1 those -- a relationship that happen to
2 happen, you know, among lawyers or among
3 financiers, among developers to get the
4 project to go. So if you need -- if they
5 think they need 90 spaces for Maple Leaf but
6 they can either lease or sell or somehow
7 develop it, and they only have to commit 20
8 spaces, say, and the rest can be, you know, a
9 shared parking ratio, some, these are all the
10 variations that may be possible. I'm just
11 looking at it sort of pure on the numbers
12 without trying to figure out what's -- what
13 is doable in the marketplace. That's why we
14 talked about the floor. From my perspective
15 the floor should be ceiling, obviously you'll
16 be surprised to hear. But what I think
17 Archstone is saying is that in order to be
18 working in the marketplace, there needs to be
19 some flexibility. And by making the floor
20 sort of the minimum but it's realistic, it's
21 not a crazy number, it's an ideal number, it

1 would be a fabulous number to be at, it's
2 providing them the flexibility and some
3 incentive, some financial incentive to try to
4 make it work, because parking spaces are
5 really expensive. So if you look at the
6 convenient slide that we've got here, which
7 is the back side of the memo, Phase 1 has 426
8 units, and the parking garage is 434 spaces
9 in the garage itself. So it's already more
10 parking spaces than you would need even at a
11 one per one residential. The parking demand
12 at the 0.8 is 341 spaces. So what we feel is
13 happening is that during the nighttime
14 there's probably at least 93 spaces that
15 aren't being used. They're overbuilt. And
16 that ideally, those could be spaces that
17 reduce the parking supply for Phase 2 so that
18 your Phase 2 is a more viable option, and the
19 additional units will get built in the North
20 Point area. In the daytime we believe that
21 there's probably at least 229 parking spaces

1 that are available for use during the day for
2 shared parking which is way more than what
3 Maple Leaf would ever need for whatever uses
4 are happening in there. So if we did our
5 calculations right, the zoning minimum for
6 Maple Leaf is 51 spaces. We're recommending
7 there be no zoning minimum, and that there
8 are -- the 220 spaces available in the
9 garage. And then when you do the full build
10 out if you do the full 767 units as permitted
11 for this project, you would have 245 spaces
12 available during the day. The current permit
13 allows them to have -- to build up to 873
14 spaces which now seems like a really much too
15 big a number. And that based on what we're
16 recommending here tonight if you did the 0.8
17 with zero for Maple Leaf, and Maple Leaf is
18 handled through shared parking. Then the
19 full 767 units would only require the 614
20 spaces. So you'd only need to build 180
21 additional spaces in order to build the

1 remaining units to build -- to get to the 767
2 full build out.

3 So, what we've been recommending is
4 we're looking at the reduced parking ratios
5 for projects like this which are near a
6 transit station, based on the experience at
7 this project and that similar projects at 0.8
8 we're looking at, shared parking as an
9 opportunity to much more efficiently use
10 existing garages which if they're being used
11 for residential will have space available
12 during the day that can easily handle the
13 Maple Leaf building so that there should be
14 no zoning minimum parking required for the
15 building. It's then up to Archstone to work
16 out whatever the marketplace environment is
17 for them to renovate and get Maple Leaf to be
18 what they want it to be, and ideally in the
19 context that also allows some of the, what
20 now is excess parking that's already been
21 built in Phase 1 to also go towards Phase 2

1 to make that also a more viable and not
2 obviously meet the goals I'm always talking
3 about of trying to have the parking that's
4 needed but not excess parking.

5 So questions?

6 WILLIAM TIBBS: I think that's goes
7 on the record to be one of your longest
8 comments.

9 STEVEN WINTER: I have a comment,
10 please. I want to note that this is a really
11 great threshold for Cambridge here. We've
12 got the give and take between the public
13 sector and the proponent and we've got a
14 public sector that understands that the
15 potential changes in the development plans
16 are going to happen, they're going to occur.
17 Sometimes it's a little fluid. But this is a
18 terrific threshold where I think we've solved
19 some interesting problems for the first time
20 in a very solid way that meet your value of
21 reducing the number of spaces and encouraging

1 people to use public transit. I think this
2 is a terrific piece of work.

3 RICHARD MCKINNON: She gives and I
4 take, Mr. Winters.

5 WILLIAM TIBBS: Hugh.

6 HUGH RUSSELL: Do we already, in the
7 ordinance, have the ability to reduce parking
8 for structures that are close to transit
9 stations?

10 RICHARD MCKINNON: And also for
11 Special Permits under 1045.

12 LES BARBER: It's one of the
13 standards for granting reduction in parking,
14 but there is not an automatic reduction.

15 HUGH RUSSELL: Right. But you can
16 do it so that as more people come, Sue and
17 her staff analyze the building location and
18 say we think what. They make a
19 recommendation what the appropriate ratio is
20 and they have a discussion with the developer
21 so that we don't have to change the ordinance

1 in order to implement this principle in the
2 future for new developments. We just have to
3 get the word out.

4 ATTORNEY DEBORAH HOROWITZ: I just
5 want to -- can I clarify that? Is that okay,
6 Mr. Chairman?

7 WILLIAM TIBBS: Sure.

8 ATTORNEY DEBORAH HOROWITZ: The
9 ordinance right now allows the BZA to grant a
10 Special Permit to reduce parking in part
11 because it's near a transit station except in
12 the case where the proponent also has to come
13 to the Planning Board with an application for
14 a Special Permit on whatever topic. In which
15 case the Planning Board can then grant it.
16 So I just wanted to be clear that it might be
17 the Planning Board, it might be the BZA,
18 depending on whatever else is going on.

19 HUGH RUSSELL: Great. We could do
20 the elements that reach the development
21 consultation threshold, and then the BZA

1 would do the ones that didn't in general.

2 ATTORNEY DEBORAH HOROWITZ: Exactly.

3 RICHARD MCKINNON: There you go.

4 WILLIAM TIBBS: Any other questions
5 for Sue?

6 BETH RUBENSTEIN: I had a factual
7 question, Sue. I'm not sure I understood
8 this completely. You said that 614 is the
9 new minimum that could rise up. What's the
10 limit at how much it could go up?

11 SUSAN CLIPPINGER: That's a really
12 good question because what's been approved is
13 873 which is a pretty big number.

14 BETH RUBENSTEIN: Do you --

15 SUSAN CLIPPINGER: The current
16 permit says 873. All of our discussions with
17 Archstone were about how low could you go? I
18 think you're raising an interesting question.
19 Is, you know, is it as low as 614 or as high
20 as 873? And I believe based on what we're
21 saying is a floor and what the permit says is

1 a ceiling, that that's where it would be.

2 WILLIAM TIBBS: They will come in
3 and lock them in at the time of the building
4 but they're allowed to go for a range?

5 SUSAN CLIPPINGER: Yes.

6 THOMAS ANNINGER: If the ceiling is
7 to change we'd have to, we'd have to figure
8 something out. So far nobody's talked about
9 that.

10 WILLIAM TIBBS: No.

11 RICHARD MCKINNON: That's correct.
12 I think you make it a condition of the
13 approval that we come back and answer that
14 question. We've gotten to what the minimum
15 is and how we can deal with that question,
16 but I think we're going to have to meet with
17 Sue and see if it in fact -- the problem is
18 we're not at Phase 2. So to answer that
19 question in a way that encompasses Phase 2 is
20 the complication.

21 HUGH RUSSELL: But it's not --

1 RICHARD MCKINNON: At the Maple Leaf
2 building.

3 HUGH RUSSELL: It's only really
4 possible when you get to Phase 2 then we
5 address that question.

6 SUSAN CLIPPINGER: I have a slightly
7 different take on this, but it may be the
8 same thing you're saying. I think that it
9 may not matter what Phase 2 is if it's 0.8.
10 So the Phase 2 ceiling can be 0.8. Your
11 permitted for up to 768. The real question
12 is is Archstone going to be able to make a --
13 get the Maple Leaf building going with 100
14 percent shored parking and nothing dedicated
15 to the building. I think that's the piece
16 that changes how high the floor goes over the
17 floor. So if --

18 THOMAS ANNINGER: You mean from a
19 financing point of view?

20 SUSAN CLIPPINGER: Yes.

21 ATTORNEY DEBORAH HOROWITZ: Or a

1 seller or a tenant.

2 SUSAN CLIPPINGER: So, and I, I'm
3 hopeful that, you know, if the financial
4 business deal requires some kind of a
5 dedication of spaces, then it's more on the
6 line of how many VIP people in the building
7 want their name on a space and not what their
8 parking needs are for the whole building.
9 And, you know, if we're successful here and
10 they take the message and are successful in
11 the marketplace, then you're gonna be
12 something over 614 but not very much over.

13 ATTORNEY DEBORAH HOROWITZ: So the
14 reason we actually like Sue's idea was that
15 it really incentivized us and our client to
16 go as low as 614 because we save a boat load
17 of money if we can get that low. But without
18 a cap, a cap other than what we already have,
19 because we just don't know what the market is
20 going to be on either getting Maple Leaf done
21 or Phase 2, so that's why we really

1 appreciated the idea of the flexibility. But
2 with the incentives being in the same
3 direction.

4 WILLIAM TIBBS: Stuart.

5 STUART DASH: I think a missing
6 piece here, and it's not clear whether it's
7 proper or not, but there's no maximum on the
8 spaces that may be shared with midweek it
9 seems. So I think an interest of ours, the
10 city goals and DPM goals, the 250 spaces you
11 wouldn't want them -- you'd want to have a
12 maximum if they can offer it to Maple Leaf I
13 would imagine. If Maple Leaf, if stand alone
14 was a building that would require 50 spaces,
15 then we should have some discussion of should
16 that be a maximum for Maple Leaf. If it
17 turns out there's rented spaces, would you
18 want them to offer 150 spaces to Maple Leaf.
19 I think that's our concern. I'm not sure and
20 that's something maybe you can address.

21 RICHARD MCKINNON: I guess I would

1 say it's not a 200 number. At least it's a
2 91 number isn't it?

3 ATTORNEY DEBORAH HOROWITZ: The
4 maximum -- the current maximum under the
5 zoning and what we have in the permit is 102.
6 We've asked for -- when we came in with our
7 application, we asked for 91 which is what we
8 think, you know, where we think the market
9 is. So it's, there's not a big swing there,
10 Stuart. So if we wanted to say 102, which is
11 the max, I'm sure that part is fine.

12 STUART DASH: Just some mention
13 about maximum.

14 ATTORNEY DEBORAH HOROWITZ: Just the
15 maximum that could be shared with the Maple
16 Leaf, that's fine.

17 RICHARD MCKINNON: Susan has given
18 us some great ideas to be stingy when we
19 allocate parking to the Maple Leaf building.

20 WILLIAM TIBBS: If folks don't have
21 any other questions, we can open it up to

1 public comments. Open it up the hearing to
2 public comments. Do I have a sign-up sheet?

3 If you didn't get a chance to sign the
4 sign-up sheet, I will ask if you would like
5 to speak. Please keep your comments to three
6 minutes and don't repeat what others have
7 said, if possible. And if we can come up,
8 please come up to the podium and give your
9 name and address and spell your last name.
10 And the first person who's asked to speak is
11 Mark Jarquith.

12 MARK JARQUITH: Good evening. Mark
13 Jarquith. I'm at 213 Hurley Street.
14 J-a-q-u-i-t-h. And I've heard of this kind
15 of reduction in requirements before. It's
16 sort of making the rounds in all the
17 environmental planning stuff that one reads
18 these days. It seems to be like the type of
19 experiment that the City of Cambridge should
20 give a good chance to. Mr. McKinnon brought
21 this before the East Cambridge Planning Team

1 last week. It was received fairly well.
2 There were a few people who commented that
3 oh, people are gonna park, you know, over,
4 you know, in East Cambridge. It's several
5 blocks away. It's across a six-lane highway.
6 I'd sell my car first personally and, you
7 know, as everybody knows, basically the
8 greenest parking space is the one you don't
9 build. The greenest car is the one that you
10 don't buy. And this is probably a good step
11 in that direction.

12 Thank you very much.

13 WILLIAM TIBBS: Thank you.

14 The next person is Michael Heggarty.

15 MICHAEL HEGGARTY: Hi. Michael
16 Heggarty, H-e-g-g-a-r-t-y, 143 Otis Street.

17 Just to prove I am not antidevelopment.
18 I want to say that I strongly, strongly
19 support reduction of parking spaces for this
20 particular project. In fact, I would support
21 putting them maximum parking level lower than

1 it's been recommended in the spirit of
2 sustainability and transit-oriented
3 development and, you know, our transition
4 away from fossil fuel dependence, etcetera.
5 That being said, there are a couple of points
6 around this that I think bear serious
7 consideration.

8 One of which is what happens if the
9 Maple Leaf building becomes separated from
10 the ownership? How is that shared and how
11 does that get divvied up in the future?

12 The second thing I'll bring up, I am
13 strongly in favor of reducing overall parking
14 requirements in this project and to some
15 degree overall, so some of my neighbors are
16 not. And as Mark said, a lot of the people
17 think people are going to park on the streets
18 in the neighborhood. I've been to Rich's
19 building, I've seen the cars that most of
20 people who live in in Rich's building drive,
21 and I'm pretty darn certain that those guys

1 are not parking their cars on the streets in
2 East Cambridge. However, where it comes an
3 issue with this property and other
4 properties, and this is an important issue is
5 for the affordable units of the building.
6 And I know from personal experience, and that
7 of my friends and neighbors, people who are
8 moving into the affordable units in these
9 buildings, which is 15 percent of the
10 building, oftentimes cannot and do not afford
11 to park inside the building particularly if
12 it's a rental unit and the parking is not
13 included. And those are the people, and it
14 is not exclusively in this development or
15 this building at all, those are the people
16 that are going to be parking their cars on
17 the street. And overall in a broader scope,
18 perhaps not in the purview of this
19 discussion, we need to look at how the people
20 in the affordable units both in this
21 development and across the city are able to

1 park their cars. Because I know resoundingly
2 what I hear over and over again is we can
3 afford the affordable unit but we can't
4 afford to park our car or we can't afford the
5 condo fee if it's a condo building. So
6 that's another important issue, perhaps off
7 the point.

8 The last point I would like to bring up
9 is although I do strongly support reduction
10 in the parking limits for this building, I
11 think what we've also got to look at in
12 interest of development is by reducing the
13 parking commitment significantly, we also
14 reduce the development cost to the developer
15 by tens of millions of dollars. And what I
16 would like to see both as a resident
17 neighborhood and a resident of the city
18 overall is some kind of public amenity if we
19 are going to decrease the parking commitment
20 significantly, and in this building and in
21 this development or otherwise. And I don't

1 know if that's a -- you know, I don't know if
2 that has something to do with park space in
3 North Point or the skate park or the
4 revitalization of the Lechmere Square once
5 the T station moves across McGrath Highway.
6 I would like to see some quid pro quo for the
7 community in both for reducing the parking
8 commitment and significantly reducing the
9 development cost.

10 Thank you.

11 WILLIAM TIBBS: Thank you.

12 The next person that's asked to speak
13 is Charles Marquardt.

14 CHARLES MARQUARDT: That's
15 M-a-r-q-u-a-r-d-t. Ten Rogers Street, East
16 Cambridge. And one of those buildings that
17 Rich was talking about is revitalization of
18 the river. I live in one of those new
19 buildings. I'm going to say that's sort of
20 scary for me. I'm in support of this change
21 as well. Although I'm not a fan of taking

1 away parking and pushing people on to the
2 streets, but these guys have made a great
3 case for in terms of what you can do with the
4 building and the neighborhood and saving
5 serious money and helping the next building
6 get started a little bit earlier and
7 revitalizing. What had been and continues to
8 be a little bit north of him pretty much a
9 waste land.

10 A couple of additional items, though,
11 is we talk about 33 parking permits, if you
12 really be interesting instead of saying as
13 I've said before, taking away the ability to
14 park, how about looking at visitor parking
15 and not allowing 700 something visitor
16 parking stickers come on the city. Because I
17 can see that being a nice secondary sale.
18 Not that anybody sells parking permits, but
19 maybe if we limit those they wouldn't do
20 that.

21 Also I run around there and I've

1 noticed something, I don't know if it's
2 Rich's area or your area, but there's a
3 shuttle bus over that that seems to stop in a
4 place where there's no people. And I don't
5 know if you can maybe move it back to where
6 the people are so maybe they wouldn't take
7 their car, maybe they would take the shuttle
8 bus.

9 And the last thing I'm going to do is
10 say something really kind about Sue and glad
11 to hear that you're in support of the --
12 trying to limit the impact on pedestrians
13 crossing on Monsignor O'Brien Highway as we
14 do the Green Line. Because if we're looking
15 at that as a reason why people won't park in
16 East Cambridge, I really shutter to think
17 what that means to people crossing the street
18 to get out other side. I know that was a
19 little bit of a side note, but since Sue
20 brought it up I thought I would mention it.
21 And that's all I have.

1 WILLIAM TIBBS: Thank you.

2 Charles is the last person that signed
3 up. Is there anyone else who wants to speak
4 on this issue?

5 (No response.)

6 WILLIAM TIBBS: Then we'll close the
7 public hearing for verbal comments, but we'll
8 leave it open to written comment unless the
9 Board feels otherwise. We all in an
10 agreement? Okay, good.

11 Further questions or comments?

12 HUGH RUSSELL: Sure. I believe this
13 is the first stage PUD process where what we
14 do is make a preliminary determination
15 tonight which I'm suggesting might be telling
16 them to go back and adopt Sue's report.

17 WILLIAM TIBBS: Yes. And also come
18 up with the proper language for how to state
19 it.

20 RICHARD MCKINNON: Yes.

21 HUGH RUSSELL: So I think what we're

1 doing now is coming up with a change that
2 they should make to their proposal?

3 WILLIAM TIBBS: Yes.

4 HUGH RUSSELL: That's on the table
5 now.

6 THOMAS ANNINGER: I thought the
7 separation point was the one worth thinking
8 about. What do you do when you go your
9 separate ways, Maple Leaf and the other
10 building? I also think you're going to have
11 to -- I do think the idea of turning the
12 possibility of selling these apartments as
13 units is another issue that I do think we
14 have to have some answer to. What happens
15 then?

16 RICHARD MCKINNON: I think this
17 reminds me so much of an original PUD because
18 it has the same process of the hearing and
19 then send us off to another public hearing.
20 And I think we'd be happy to make a condition
21 of any send-off approval of this preliminary

1 piece of it that we work with Sue to come
2 back with some answers on the joint
3 questions, but also to give you some answers
4 specifically from Archstone's point of view.
5 Some of those are just clearly for us to
6 answer, give you our best guess. Some of
7 them involve working with Sue as well, and
8 doing that I think makes sense.

9 WILLIAM TIBBS: Comments?
10 Questions? Someone like to make a motion?

11 HUGH RUSSELL: What's the precise
12 wording we -- preliminary?

13 LIZA PADEN: It's a preliminary
14 determination.

15 HUGH RUSSELL: So I would move that
16 we make a preliminary determination on this
17 Major Amendment PUD, that we are in support
18 of the basic principle, and that they go back
19 and make the additional studies and
20 incorporate Sue's comments.

21 WILLIAM TIBBS: Second?

1 H. THEODORE COHEN: Second.

2 WILLIAM TIBBS: All those in favor?

3 (Show of hands.)

4 WILLIAM TIBBS: Unanimous.

5 (Tibbs, Winters, Singer, Nur, Cohen,
6 Anninger, Winter, Russell.)

7 H. THEODORE COHEN: Mr. Chair, can I
8 make one comment?

9 WILLIAM TIBBS: Sure.

10 H. THEODORE COHEN: Since I was not
11 involved in that, I would like to thank
12 everybody who was involved in the Leighton
13 Street building because I think that is
14 beautiful. I go by it all the time and
15 especially makes me happy at night when I
16 drive by and see the beacon in the tower. I
17 don't know what your energy costs are, I
18 don't know how green it is, but I think it's
19 fabulous.

20 RICHARD MCKINNON: It makes me happy
21 when I give people directions to the

1 building, look up.

2 WILLIAM TIBBS: I can also say I was
3 quite pleased to hear that it's almost
4 completely leased which I would have guessed
5 very differently.

6 RICHARD MCKINNON: It's great news.

7 ATTORNEY DEBORAH HOROWITZ: Thank
8 you all.

9 RICHARD MCKINNON: Thank you very
10 much.

11 WILLIAM TIBBS: We still are going
12 to be -- our next order of business is the
13 deliberation of the Saint James development.
14 It sounds like there's a crew outside. Let's
15 take another break and get started on that.

16 (A short recess was taken.)

17 * * * * *

18 WILLIAM TIBBS: Tonight we'll be
19 doing our deliberation and possible decision.
20 I only say possible depending on what the
21 deliberations are like for our case No. 241,

1 1991 and 2013 Mass. Ave, the Saint James
2 development.

3 I just want to remind folks that we are
4 now -- we had the public hearing, so we're
5 now in our deliberation period. We ask the
6 proponent to come back to us with reactions
7 to your comments and suggestions. So we will
8 ask them to do that and present it. But we
9 typically don't ask -- we don't have any
10 public comment during the period, so there
11 will be a dialogue between us and them to get
12 a better understanding of the project as we
13 have to make our decision. And with that,
14 would you like to -- let us know how you
15 responded to our last comments?

16 GWENDOLEN NOYES: Yes, thank you.
17 My name is Gwen Noyes from Oaktree
18 Development and I'd like to express my
19 appreciation that you do this every week or
20 as often as you do and as late as you do and
21 you're doing this for the city.

1 Following our hearing on October 20th
2 we're here tonight to provide a comprehensive
3 response to your questions. A booklet was
4 sent out last week that articulated a number
5 of our responses. But in addition, we have
6 done some more work since then and we've
7 given you a supplement to respond to that.
8 There are a few more things that I'd like to
9 say that don't have pictures, and when we get
10 to a place Rick Dumont from Sasaki
11 Associates, the senior design partner will go
12 through the slides that we're presenting.

13 So the request that didn't have
14 pictures related to them, that you had last
15 week, one of them was about setting up a
16 mediation with our neighbors. And Holly and
17 I have been in discussion with Alice Wolfe
18 about doing that and Alice is consulting with
19 the PSA neighbors to see about setting this
20 up after Thanksgiving. I'm not sure exactly
21 what the result of her conversations are, but

1 we're making an attempt to do that.

2 Regarding the Kingdom Hall foundation,
3 there's a letter in your package, but
4 tomorrow Phil Terzis of Oaktree together with
5 our engineer and someone from the Kingdom
6 Hall congregation, the minister and his
7 structural engineer, will also be meeting at
8 their site to see what the foundation
9 conditions are for Kingdom Hall and how we
10 can preserve the integrity of the foundation.

11 And also you asked for a brief summary
12 of the traffic points. In the report there
13 is a one pager in that supplement that does
14 that. And if you have any questions about
15 that we can go over that later. And there is
16 a drawing about the Beech Street ramp which
17 gets into one of the questions about
18 preserving the tree and having the proper
19 setback that is as right now an unresolved
20 question. But if we go to the point of being
21 -- of getting our -- going on to -- getting a

1 building permit, then we can solve that at
2 that time. That was the suggestion of the
3 Traffic Department to that.

4 Our effort would be to preserve the
5 tree of course if we can. There's also a
6 listing of various meetings that we've had
7 and a number of changes that we've made in
8 the plans in the course of the months since
9 December of last year that we started having
10 meetings. There's a listing of those changes
11 and adjustments to the plans. And we have,
12 in August we submitted an application to the
13 Historic Commission, Mass. Historic
14 Commission about the project. And we, this
15 afternoon, we were able to have a joint
16 meeting with Paul Hulse from the Mass.
17 Historic and with Charlie Sullivan at the
18 church. We toured the church, and went
19 around into the basement and all around the
20 outside and so on, and Mr. Hulse thought he
21 said he would have a letter for us within the

1 next few weeks.

2 We also have a hearing scheduled with
3 the Cambridge Historic Commission on December
4 3rd and that's partly because of our
5 submission for a demolition request that go
6 for the parish house and for the car wash
7 site, but there's also been a petition since
8 we last met by some of the neighbors for the
9 property to be landmarked. So that's going
10 to be a discussion on the 3rd.

11 And then there have been some relating
12 to the Historic Commission and some of their
13 concerns we have made, a few small or not so
14 small adjustments in the front of the
15 building along Mass. Avenue where we have cut
16 back the facade in order to provide longer
17 views to the fire station and tower on the
18 facade of the fire station.

19 So that's a brief listing of the things
20 that -- some of the things that are in your
21 packet. And the rest of what we like to show

1 has illustrations that Rick is going to be
2 giving the commentary for. So Rick, thank
3 you.

4 RICARDO DUMONT: Good evening.
5 Thank you for your time again. My name is
6 Ricardo Dumont. I'm representing Sasaki and
7 the church and Oaktree.

8 So, what we're going to go through here
9 is basically as we remember, you recall last
10 time is we went over in a more broad-based
11 fashion the mission and intent of the
12 project. Is a positive mission of the church
13 to move forward with its own sort of inside
14 mission of expanding its programs. The
15 congregation is in a positive growth spurt
16 and combining that mission and its duty to
17 maintain the church with a development
18 philosophy with Oaktree for residential
19 units, some of which would be affordable.
20 So, that seemed to be, you know, sort of
21 broadly received in a fairly -- favorable

1 fashion. But you asked very specific details
2 about the architectural intent and the site
3 plan intent. So we're going to review those
4 today.

5 So, on October we presented a site plan
6 with -- here's the church, Mass. Ave. on
7 Beech, historic church. Essentially the old
8 parish hall was here. We presented a site
9 plan that essentially had an L-shape building
10 frontage on Mass. Ave. The ground floor was
11 parish hall with some residential in the rear
12 and then two and a half stories of
13 residential above that. The access ramp was
14 off of Beech. We're continuing to maintain
15 that. And the landscape was surrounding it
16 adhering to all the present setbacks. This
17 is a matter of right submission relative to
18 density. It's actually 20 percent less than
19 the allowable density and adheres to all the
20 setback conditions.

21 So, as we've gone through the

1 transformation in response to both
2 neighborhood and your own concerns, one of
3 the goals we didn't really go into last time
4 was the idea of the integrated site and the
5 architectural ideas. And what we're
6 beginning to show here is you'll see all
7 throughout the illustrations is still the
8 idea of the preservation of the great
9 courtyard or the garden here. Roughly the
10 same size as the lawn area of the present
11 garden today. And the church function would
12 be surrounding that in its entirety still.
13 So the ground floor is essentially around
14 that garden church. Same composition of two
15 and a half stories of residential units above
16 that. In the rear you'll see one of the main
17 ideas as we go around this, is just touch
18 base because try to go through this
19 efficiently given the lateness of the hour.
20 We use the idea not just to buffer but a
21 positive statement about using rows of trees

1 to start defining space and the views to and
2 from the buildings. We'll talk about the
3 idea of the balconies and the bays. You will
4 not see balconies anymore. So the idea of
5 bays have come into mind. And now we've
6 integrated the landscape philosophy with the
7 idea of the new bays. So the idea of the
8 groves will be integrated into the
9 composition.

10 And when we look at that, the groves
11 allow, as you'll start seeing, these are the
12 bays, the bays occur on the living rooms of
13 all the units. And you'll see on all two and
14 a half to three floors. And you'll see the
15 blue projections are two and a half feet bays
16 projecting out from the building. We
17 articulated the building and got more
18 articulation or steps in the building and
19 really tried to divide up into two masses.
20 One mass here, and we completely changed this
21 elevation so that we have all glass here to

1 basically make it feel like two masses, not
2 one continuous large mass. And you'll see
3 that in the elevations next. But the idea of
4 the bays and the trees is one where the trees
5 are protecting both parties, and the bays are
6 only, you only see the bays if you look from
7 the neighborhood. So that idea you'll see in
8 the coming up elevations.

9 Obviously the view of the church,
10 especially the bell tower of the church and
11 eastbound condition would be very
12 improminent. So in maintaining you'll see
13 the cut back conditions we'll show you here
14 later on to maintain and enhance the entry
15 later on. And of course what we're also
16 trying to do is the garden is a huge feature
17 and social event for us. It also ends the
18 access Regent Street opposite of us. And
19 it's a south facing space from the aspect of
20 sustainability, a highly valuable space. In
21 fact, standing out there today with Charlie

1 and Paul from the state, we could all see the
2 potential of this great space surrounded by
3 the parish hall and residents south facing
4 space.

5 And then of course the idea of the
6 chapel. There will be a small chapel, 30
7 seat chapel as sort of a beacon or jewel in
8 the composition, one story with its private
9 contemplative active garden next to it.

10 So, you asked last time for specifics
11 of what the church will occupy at the ground
12 floor. So we're going to talk about that a
13 little bit, so I can actually give you the
14 array of program. So, in the parish hall
15 which all exists right here now in two or
16 three floors, basement raised ground floor
17 three different levels, and then a second
18 story. We've taken that program that is now
19 here and basically aligned it around the
20 entire garden. So if I were to start where
21 we attached to the sort of rear entry to the

1 church, existing church right here, there
2 will be the sackastry where the vestments are
3 kept when mass is not in -- music room. This
4 is a sort of a hallway that combines a south
5 facing glassed hallway along the entire
6 connection. Then there will be lounges and
7 children's rooms here. This is the new
8 parish hall space where most of the events
9 will occur from the congregation. All will
10 be there right there looking out into the
11 garden. You'll see elevations of all this
12 later. Four children's classrooms with
13 access to a children's garden out here. The
14 food pantry, one of the largest in the city,
15 right here. Women's meals occur right here.
16 Small kitchen facilities right here. And
17 administration and Holly's offices right
18 here. And a library on the corner. That's
19 basically the array of the composition at the
20 ground floor. This would still be the idea
21 of a retail space for rent or for sale. And

1 the idea, there are three or four units along
2 the back side facing their own garden space
3 and overlooking to the groves of trees and
4 above the ramp, and then this is an entry
5 space in arrival for the residential coming
6 off of Beech.

7 So the red is still showing the --
8 basically the parish hall all on one floor
9 around that garden space with multiple
10 accesses out into the garden.

11 So, in -- and we're going to go -- and
12 let me just go back one. Let's take a walk.
13 We're going to walk down Blake. Then we're
14 going to walk down Orchard Street so we can
15 understand what those potential neighbors are
16 looking for, and what they'd be looking at
17 and what's the relationship.

18 So, again, the plan above the fire
19 station, here's Mass. Ave. This would be
20 that retail corner. Obviously the fire
21 station right here and three of our neighbors

1 are right here. And the fence line, property
2 line is right there. And of course the
3 present car wash is actually at that property
4 line along this length right now. So the
5 elevation here -- so we have it's a
6 three-story elevation. In the background 30
7 feet away would be the four-story right there
8 with some mechanical penthouse and private
9 gardens. So we're dealing with a three-story
10 elevation. The bays are -- you see the
11 groves of trees, a bay. Groves of trees and
12 the bay. And we've articulated the building.
13 So now the bays once were balconies are all
14 now bays, enclosed bays. The idea would be
15 that's a three-story elevation, collaborative
16 elevation. We'll go into the detail of
17 materials later, and we step up to the Mass.
18 Ave. with the proper setback to a masonry
19 material with a stone base that picks up on
20 either the slate of the roof or the stone of
21 the church itself. So we'll talk more about

1 that in detail.

2 So, when we look at the effect on
3 neighbors, we look at this -- this is the
4 profile of the fire station. This is the, of
5 course, regulated fence separation at the
6 property line. Then when we look at this
7 again and we then impose the profiles of the
8 neighbors behind us. So here is the pattern
9 if I'm walking down Blake Street, this we
10 would see. That patter of one or two-family
11 homes. Their glimpses to the back. The idea
12 of this interplay between the forest or
13 groves of trees with only glimpses to the
14 bays, basically which give you separation and
15 a sort of privacy for both parties. Both the
16 three-story new and the existing houses
17 beyond. So that's Blake Street.

18 And the section that shows that, of
19 course, we have all of our parking
20 underground. We'll talk about that later.
21 Again, the idea per zoning, this is the fence

1 line here. You can barely see it. The home
2 is right there. The bay projection two and a
3 half feet wide. The idea of the groves, the
4 property line would be right there. The
5 children's court on this side. The step back
6 to either a terrace enclosure or a mechanical
7 enclosure. The parapet itself is also step
8 back, and then this is the beginning of that
9 fourth floor that overlooks the interior
10 garden. So that adheres again to both the
11 neighborhood concerns as of course all the
12 city regulatory framework.

13 And this is if we take all the trees,
14 the fence line, the buildings away, again
15 this is the composition of that elevation.
16 The idea that we've actually popped out this
17 two feet to that two feet in-depth, and that
18 width is equal to the back of the houses. So
19 we're trying to play with the depth of the
20 houses, trying to articulate the back
21 elevations as well as adding the sort of

1 architecture of the bays as well.

2 And then again the building comes
3 forward ten feet closer to the property line,
4 we're allowed to next to the fire station
5 here.

6 So now we're going to go to the Orchard
7 Street side. I'll go through the same idea.
8 So again, this is the -- here's Beech Street
9 right here. This is the ramp down the at
10 grade handicap parking for the church, tucked
11 under the building there. And the grants
12 starts right here about halfway down the
13 Kingdom Hall elevation and then down into
14 this area. Again, because of the jog in the
15 property line, we have ample room to not only
16 accommodate the ramp in the needed setback
17 but also have more room to accommodate the
18 groves as we have on the western side.

19 So again the same idea of the bays
20 being the what you see through the groves and
21 the idea these are private gardens for the

1 first floor residents here.

2 You see the elevation again here.

3 Again, this is a-three story elevation. So
4 you'll see in the section that relationship
5 to the neighborhood housing. And this is the
6 ridge line of the Kingdom Hall. The fence
7 line and the bumps are the existing garages
8 for each of the neighbors there now.

9 And again, the idea that the bays are
10 sort of framed by the groves of trees, two or
11 three trees deep to perform this sort of
12 patera type space between gardens and
13 building.

14 And then when we add the profiles of
15 the houses going back towards Orchard Street,
16 you can begin to understand again the
17 building right here. This is where the big
18 jog in the building occurs. We'll talk about
19 that in a second. And then that split I
20 talked about earlier, the long access this
21 way and the building that way. We'll show

1 you that in detail. And then the building
2 right here jogs back 30 feet to then form
3 this other residential elevation. Again,
4 that whole elevation is 35 feet tall with the
5 30 foot setback to the fourth floor.

6 So, in this condition where we have the
7 ramp down in sort of the deepest part of the
8 ramp, you have the fence line, the existing
9 homes are right here, and they should showing
10 up. They're too light in there I guess. The
11 parking below, the first floor units, second
12 and third floor and then the sort of roof
13 deck garden. The enclosed mechanical or
14 garden, private gardens and then the step up
15 to the fourth floor. So that's that
16 condition as well.

17 So, again, in the full elevation where
18 we actually show the ramp as well, you can
19 see again this is ground level today where
20 the fence line would be. This is the tucked
21 under parking before the ramp starts. These

1 are the ground floor units. And right here,
2 this is where the building jog 30 feet back
3 away from the neighbors with the property
4 line jog. And you can see again this idea of
5 pulling out the entire building right here
6 two feet within the setback, of course, to
7 give that articulation that it's equal to the
8 width of some of the neighboring homes. And
9 again the idea of bays without the balconies
10 anymore being this sort of device to give
11 increased living room access and views out
12 from those units. And, again, the groves are
13 basically allowing you to only see those
14 bays.

15 Now we're going to go to the Beech
16 Street elevation. So, again, the ramp --
17 here's Beech. And the ramp and drive down.
18 And so this is the facade right here. We'll
19 be talking about very little frontage here,
20 about 670 feet of front each along Beech
21 Street, and then the garden court that allows

1 for pedestrian walk into the residences above
2 or into the secondary entrance of the church.
3 And this is the apps of the church right
4 here.

5 So again the Kingdom Hall over here,
6 that ridge line of Kingdom Hall is about 35
7 feet, equal to the step back, which is
8 required right here. So this is the 35 foot
9 three-unit step back. And we step back up to
10 the fourth floor there. And then there's the
11 18 and 20 foot space between closest
12 proximity to the church to that side and into
13 the garden court. You'll see perspectives of
14 this later. So, again, the idea of
15 materials, the stone base, picking up on one
16 of the slate of the building or the stone of
17 the building in composition and the clapboard
18 on this residential space running
19 horizontally. You'll see more details of
20 that. And you're seeing here Mass. Ave. off
21 in the distance at the front of the church.

1 So if we strip the church away, this is
2 the elevation that's actually beyond the
3 church on the garden court, but you can see
4 here on Beech the idea of a masonry base,
5 picking up the masonry base of the church.
6 And the idea sort of clapboard idea basically
7 tying into the neighborhood materials there.
8 And that step back condition again. So,
9 again, that's that elevation.

10 And we look in perspective of that, so
11 you can obviously -- here's the apps of the
12 church, the main tower of the church. Again,
13 this is the fourth floor. This is 45 feet,
14 this is 35 feet. The cars are screened
15 behind this masonry wall here. The ramp
16 would be over here. So that's the sort of
17 raw condition, of course, we know those five
18 great pen oaks are here. So when we start
19 adding in the pen oaks and the composition of
20 landscape to the actual picture, this is the
21 pen oak that we'll talk about later that

1 we're trying to save with that driveway cut.
2 So you have the three-story elevation here, a
3 garden setback equal -- it's actually one
4 foot greater than the setback than the
5 adjacent Kingdom Hall. And the idea of the
6 horizontal clapboard. And the bay here for
7 that living room unit and we turn around the
8 corner. And we're bringing more stone around
9 the corner to form the entry with the base of
10 the church. We'll talk about the materials
11 again in the material pallet that we're
12 looking at.

13 So the idea of a foreground small
14 landscape, this is the living room for the
15 residential units for the public part of the
16 resident units is the lobby, and then the
17 small courtyard entrance right here for both
18 the church and the residential units. And
19 the goal here is to reset the brick sidewalk
20 obviously to preserve the trees, even the one
21 that's tight on the new driveway.

1 And then, just for effect since we're
2 in the fall condition, we added the spring
3 condition. So hopefully spring will be here
4 soon.

5 We're going to go to Massachusetts
6 Avenue now. Again, the fire station profile
7 with a great tower. We'll talk about Blake
8 is right here. Here's our elevation. It's
9 about an 80 feet I think in length elevation
10 here, which is where the former car wash was.
11 We have a retail right here. This is that
12 library of the church -- or actually there's
13 more glass you'll see in the new drawings of
14 this. So stone base, and then the masonry
15 wider plank wrap around the building here to
16 relate to the specific qualities of Mass.
17 Ave. And again three -- two stories of
18 residential with a four store setback
19 according to the current setback. We'll show
20 you that in detail later.

21 So in larger composition again the

1 retail space for rent or for sale. This will
2 be the church's library. You'll see another
3 vision of that. And the idea of the
4 residential. And then you'll see us in plans
5 show that we've actually stepped the building
6 deeply back right here and gone -- this faces
7 orthogonal to or parallel to Mass. Ave. This
8 space will be orthogonal and swept back and
9 orthogonal to the fire station, and you'll
10 have a bigger glimpse of the fire station.
11 So again this will be the church here, and
12 this will be the long courtyard or garden.
13 So in view -- so again these perspectives are
14 from photographs. They're very accurate. So
15 there's the church, the great bell tower we
16 see coming in in the eastbound condition on
17 the street. And again we're showing, going
18 to be showing more windows right here which
19 would be the library for the church. The
20 offices, parish hall, the -- so this is the
21 four-story, four-story elevation right here.

1 Three stories are residential. The idea of
2 that sort of masonry wider, masonry material
3 horizontally placed here with the bays, sort
4 of really respecting what we've -- I know
5 there's a lot of discussion on historic or
6 modern. We like the idea that this is a
7 canvas for church. No way we're ever going
8 to compete with the quality of construction
9 here and the materials. So our goal is to be
10 very sophisticated, elegant but in the
11 background.

12 And, again, the idea of the step back
13 by regulation, the storefront in this right
14 here, you'll see a better picture in a
15 second, the glazing right here. So when we
16 add the landscape composition here, the idea
17 of the garden development, groves of trees to
18 form a forecourt before you go deeper into
19 the garden which is about 100 feet deep and
20 south facing as I said, and the idea of
21 redoing the street trees along Mass. Ave.

1 And that idea of gentle curb cuts so we can
2 get some short term parking along here. Six
3 faces respecting the cantonal lines of the T
4 right now. So that would be sort of this
5 idea of that landscaping, and of course in a
6 few months it will be a spring condition.

7 So, again, the idea of, you know, a
8 full composition of landscape and building
9 respecting that part of the church.

10 Now, we're looking in the garden. So
11 we're looking back toward the building.
12 Again, we'll talk about more the material
13 pallets here. So the existing church. This
14 will be the idea of the one-story tall chapel
15 right here. The goal is to get the stone
16 again on flanking the alter over here. And
17 an open corner with glass. So this will be a
18 lit very used space, about 30 seats during
19 the course of the day and evening for many
20 events, and that chapel offers a lot of
21 advantages for the church in not opening the

1 main sanctuary and having some services
2 during the week in here. And it plays a
3 contemplation, and there will be a small
4 garden there. So again when we start adding
5 the eventual landscape, this will be space
6 that's actually -- this space is actually
7 equal to the side with the main of the
8 sanctuary, about 120 by 50. And that chapel
9 will be a special little event on that space.
10 And then you'll see some of the parish
11 functions around the perimeter. Essentially
12 that ground floor around the garden, as I
13 said, is all on parish hall services. And
14 then of course when spring arrives.

15 And now looking eastbound, the
16 firehouse is right here. Again, the retail
17 corner. Again, this larger -- we're now
18 bevelling the building back to be equal or
19 parallel or orthogonal to the fire station
20 with a bay to those units, and then we step
21 back out, back to our -- we're already

1 stepping back six foot, eight you'll see in a
2 minute from the property line which runs
3 right here. And of course this step back,
4 and pushing the building back allows us to
5 maintain for three blocks westward up Mass.
6 Ave. of all a view of the bell tower of the
7 church. And of course the great rows at the
8 entry.

9 So when we add in the landscape we're
10 showing you in those diagrams, street
11 replanting, you know, paving, redoing the
12 paving along the entire public course here,
13 that sort of short-term parking and drop off
14 right here, and then the fence line that
15 demarks the alley for the fire station and
16 the pedestrian courtyard to the secondary
17 door for the church and the food pantry back
18 there and then the retail space. So, again,
19 that idea of that composition in its
20 totality. And again when spring arrives.

21 So now I'm going to go into materials.

1 Where are we in the materials selection?
2 Again, we're dealing with two very different
3 specific environments. We're dealing with a
4 neighborhood environment of really clapboard
5 and shingle and vinyl siding unfortunately in
6 some places, and the idea that we're dealing
7 with I civic environment and try to use more
8 respect and masonry material there.
9 Obviously the stone material even often the
10 slate off the roof or the stone of the church
11 as a masonry base, and then a larger panel,
12 horizontally set masonry panels for this sort
13 of public sides of garden and Mass. Ave.
14 faces of the residential development up
15 above. And then in the rear would face a
16 horizontal clapboard much smaller and even
17 maybe differentiated in size to get some
18 unique play of the clapboard. Basically a
19 three-story elevation of that material with
20 the base as a sort of device to breakup those
21 articulations. And these are the classrooms

1 that you would see down below on the west
2 facing garden.

3 So, you know, these are pictures of
4 those materials, this sort of horizontal
5 clapboard. Of course this is a very flat
6 faced window treatment. This is the wider
7 masonry material used in wider applications.
8 And the stone, these are the -- what we call
9 slate tallyings. That would be possibly the
10 base of all around the perimeter of the
11 garden and Mass. Ave. face. And a metal
12 window system appropriate for that sort of
13 masonry context.

14 And, again, the idea of laying up the
15 slate. We're doing this in a couple of
16 pieces institutional jobs now. Laying up
17 those slate tallyings which are actually the
18 same composition of the roof of the church.

19 And the idea, this is vertically set
20 but the idea of clapboard being sort of the
21 neighborhood material and more masonry again

1 vertically set here on that sort of civic
2 material on the street and the garden
3 courtyard.

4 So coloration, again, we're trying not
5 to make a decision right now. We obviously
6 want to do a mock-up on the site as we begin
7 construction. So if we're lucky enough and
8 fortunate enough to be approved, we would go
9 through the normal architectural and design
10 process working Historic as we told Charlie
11 and Paul today to determine the exact pallet
12 and coloration of these materials because
13 there is some play in those materials. And
14 of course what we're trying to so is be a
15 background canvas to the great ornamented
16 sculpted qualities of the church. So we're
17 looking at different materials, all these
18 material arrangements are able to be had with
19 the materials we're talking about today.

20 Lastly, almost done here now, some of
21 the other issues that we've been dealing with

1 in response to your questions from last time.
2 Building setback. So this talks about the
3 Mass. Ave. So a matter of right, the
4 building can go to a zero lot line setback
5 and the retail portion of this for three
6 stories, and then accordingly it's supposed
7 to 35 feet step back. So that's the
8 regulatory permission right now. What we did
9 last time was move the building back six
10 foot, eight to allow more views to the face
11 of the church, but also begin being
12 responsive to the historic firehouse. So
13 that is still in play, and we actually cut
14 the building, watch this corner right here.
15 We've actually cut that corner back, shaved
16 it back a full three stories with only the
17 ground floor the retail projecting. And that
18 allowed -- and that's now orthogonal to the
19 fire station, and that's allowed us to
20 actually get more glimpses of the fire
21 station when approaching from -- going

1 westbound on Mass. Ave. from downtown.

2 We talked last time about some
3 questions about trash and access. Of course
4 this is Mass. Ave, the short term drop off
5 idea that we've spoke of with city traffic
6 and transportation. And the trash will be
7 handled in two gestures. For the church back
8 of house will come out sort of the rear, be
9 stored during the week here, and then on the
10 appropriate trash pick up day will be wheeled
11 out by the section of the church to the curb
12 side and brought back just as we do today on
13 Beech Street. So that will be the church
14 side of that.

15 And on the Beech Street side, again,
16 that will be wheeled out from the basement
17 that is stored in the basement during the
18 week, and that will be wheeled out on trash
19 pick up day and sort of set on this curb side
20 along the grove of trees there in front and
21 then taken back in a managed fashion just as

1 we would do today with the church. So we're
2 basically separating out the two entities
3 there.

4 This is the issue of the tree and the
5 condition we're dealing with. This is the
6 tree in front of the Kingdom Hall right
7 there, and this is the tree in question.
8 There's a 22 foot space, plus or minus, that
9 would be on the property. This is the ramp
10 down that -- they sort of handicapped and
11 parking surface level before the ramp starts
12 down, and we are trying to preserve this
13 tree. So we are talking to Sue Clippinger
14 about looking at the necking of this curb
15 cut. We're getting the appropriate 22 foot
16 back here for backup that's required, and the
17 five foot setback from the property line.
18 But we're looking at trying to preserve that
19 tree. So our philosophy here would be at all
20 costs we would preserve the tree because
21 we're going to go through with an arborist

1 and do a lot of work on these trees before
2 construction, and that we would like to
3 preserve that tree and see if we can work
4 around it.

5 So that shows you what we're trying to
6 do some root cutting and try to avoid the
7 root cutting here and try to save that tree.
8 Obviously if it were to come down or die over
9 time, that would be a tree we'd want to
10 replace in a big way.

11 And then the idea of delivery trucks
12 that would come to the residences as they
13 come to the church today, we are providing
14 for a delivery truck to pull over because we
15 have the extra wide space here anyway, and
16 allow still drive in movements for cars
17 coming up and down the ramp to get around a
18 delivery truck if they were to come inside
19 this and park. So there is some short term
20 availability if not on Mass. Ave. even on
21 this area here and adhering to the setback

1 qualities.

2 So. And then lastly you asked about
3 the underground parking, the basement -- this
4 is the last slide so we can get back to your
5 questions hopefully. And the way this works,
6 the ramp comes in off of Beech Street, down
7 into the basement, the yellow are the
8 parkings required for the residential homes
9 above. The blue are the church designated
10 spots. You can see the elevator stair
11 egress. So this is short term drop off and
12 parking for church. Essentially around that
13 elevator egress and stair egress that allows
14 for children's drop off to occur in the
15 basement during drop off and pick up time,
16 and they would be then escorted into the
17 elevator and up into the parish hall and vice
18 versa. That could also happen for
19 handicapped accessibility for church services
20 and functions as well. There's that drop off
21 right there, the elevator core. And then the

1 rest of the church parking would be in the
2 front with access via the secondary egress
3 stair into the main hall of the parish hall.

4 So, that's our response to the last
5 time we were with you before. I'll open it
6 up to questions if you have any on that.
7 Thank you very much.

8 WILLIAM TIBBS: Thank you.

9 Questions, comments?

10 HUGH RUSSELL: I have a lot. Maybe
11 other people want to start.

12 WILLIAM TIBBS: Tom.

13 THOMAS ANNINGER: I have a
14 suggestion. As Hugh says there's a lot to
15 talk about. And it's tempting to see if we
16 can break things down into some major issues
17 to address. And if people would be
18 interested in that approach, the issue that I
19 would like to address first and see if we can
20 deal with it and put it aside so then we get
21 to what I think are even the more important

1 and harder issues is to, is this
2 access/egress -- access and coming and going.

3 WILLIAM TIBBS: It's getting late.

4 THOMAS ANNINGER: It is very late
5 and that's a problem in itself. If there
6 were patience for that, I think we had a lot
7 of testimony from Sue last time. I think we
8 know what the issues are. I guess I'd like
9 to know how people feel about whether we
10 accept the Beech Street/Mass. Avenue or there
11 was a suggestion in one of the letters that
12 we have perhaps entrance on Mass. Avenue and
13 exit on Beech Street. I think we need to
14 come to terms with that one way or another
15 before -- at some point in the discussion.

16 WILLIAM TIBBS: Comments?

17 HUGH RUSSELL: So I guess it's a
18 question of whether you believe the traffic
19 study and you believe the city's Traffic
20 Parking and Transportation Department that
21 says that's an accurate study. Because the

1 study basically says, with proposal, there is
2 virtually no change to the number of vehicles
3 that are going to be on Beech Street. And so
4 to me it's a no-brainer. The experts seem to
5 be all telling us that because of the, you
6 know, it's not going to be a big change.
7 It's not going to be probably even a
8 measurable or noticeable change. And given
9 that, I think we should go with the experts.

10 WILLIAM TIBBS: Yes, Ted.

11 H. THEODORE COHEN: I go by here all
12 the time. I live a couple blocks away. I'm
13 on Mass. Ave. and Beech Street all the time.
14 I'm perfectly prepared to go with what
15 Traffic and Parking says. I know that all
16 the traffic patterns there -- I know where it
17 backs up. It backs up on Beech Street. It
18 backs up on Mass. Ave. I feel very
19 comfortable with this being a residential
20 property. That it's not going to be a rush
21 hour in and out like office building. I

1 think people will be coming and going at all
2 times. There are backups on Beech Street.
3 There are backups now and there are backups
4 on Mass. Ave. Or where it's going to be it
5 would add some traffic, but the car wash
6 certainly was not a wonderful aspect to the
7 traffic there. And so I'm perfectly content
8 with what Traffic and Parking has to say.

9 I have a related but somewhat different
10 question about parking. Where will church
11 goers park on Sunday morning?

12 RICARDO DUMONT: Historically
13 they've parked on the 18 car lot on Beech
14 Street. That is being replicated in the
15 basement or in the four spaces off of Beech.
16 And of course there's the short term Sunday
17 parking that could occur along Mass. Ave.
18 Other parishioners, I don't know percentages,
19 are walking to services. And we have a
20 present location to park in the Henderson lot
21 on Sunday mornings.

1 H. THEODORE COHEN: It's certainly
2 my experience that there are more than 18
3 cars in that lot on Sunday.

4 RICARDO DUMONT: I would never say
5 that. Yes, there are. They're packed in.

6 H. THEODORE COHEN: They're packed
7 in. And so now they won't be able to be
8 packed in underground so they're going to
9 have to go someplace else. And that's going
10 to be on the street and perhaps behind the
11 Henderson carriage building.

12 RICARDO DUMONT: That's the
13 relationship we have now. A verbal agreement
14 right now. I don't think we've solidified
15 that agreement one way or the other, but
16 that's been the tradition for the last
17 several years. There's seven spaces on the
18 Mass. Ave. Obviously we're getting 150 to
19 250 parishioners on a service. Some
20 percentage are walking, some percentage are
21 taking public transport as you would expect.

1 And those of us not living in the
2 neighborhood anymore, we park on the street
3 at Mass. Ave. or at the Henderson carriage.

4 H. THEODORE COHEN: And am I correct
5 that Kingdom Hall has no parking? No lot?
6 And also the church across.

7 REVEREND HOLLY LYMAN ANTOLIM: A
8 very small lot along the side. Very small.
9 It's like six spaces or eight spaces.

10 H. THEODORE COHEN: Thank you.

11 WILLIAM TIBBS: Just if you want
12 opinion, I too would agree with Traffic and
13 Parking's recommendation, particularly
14 relative to the stigmatize it to better
15 control it. So I have no problem with that,
16 with the way it is.

17 STEVEN WINTER: Tom, does that bring
18 us to some consensus that we want to agree
19 with this scenario of exiting and entering?

20 THOMAS ANNINGER: I think that was
21 -- by my lights that would be an important

1 step and maybe it seemed like a no-brainer
2 but it was one we had to -- I know it was not
3 a no-brainer to the community. And I'm
4 reluctant to even label it that way, but I
5 think I agree with it. And I'm with you on
6 the point about the traffic light providing
7 safety and control which are words that Sue
8 used several times and I was persuaded by
9 that as well as the traffic study. So I
10 think it has to be that way. I really don't
11 think there's another way that would work
12 nearly as well. So I think we're on to other
13 issues.

14 STEVEN WINTER: Keeping with your
15 program then, can you maybe then put up the
16 next issue that you think is important?

17 THOMAS ANNINGER: It gets harder
18 then. It doesn't break down quite so easily
19 into bite size pieces. I think then we have
20 to go to -- then they all relate together.
21 It is architecture and views and

1 relationships to the streets and all the rest
2 of it and how it fits in. So I do think it's
3 a whole cluster of things after that.

4 WILLIAM TIBBS: Ahmed.

5 AHMED NUR: Well, I guess your last
6 comment was a whole cluster of things, I
7 guess I have very quick three questions that
8 maybe people can pick on which one to talk
9 about. But my concerns are: As we headed
10 north on Mass. Avenue, I noticed that the --
11 well, first of all let me just say that I
12 sympathize with the church and the time that
13 they put into this as well as the neighbors,
14 and appreciate what the developers are doing
15 with cutting back that six feet, and as well
16 as putting stone to match up with the church.
17 And along those lines if I'm heading north
18 along Mass. Avenue or west, I noticed that
19 the church and the historical fire station
20 sort of jive together both in color and in
21 windows. They really do. The trees in the

1 middle. You decided to go and put the
2 shopping area and the building area coming
3 out that you already made an investment,
4 which I really appreciate. I think that the
5 other view -- going in the other direction --

6 RICARDO DUMONT: Let me get that for
7 you.

8 AHMED NUR: Please. Notice this
9 photograph was taken from the west side of
10 Mass. Avenue. But if I was walking the way I
11 was walking on the east side of Mass. Avenue
12 on the church side, there I was looking at
13 where the car wash was and where the property
14 line is, where the fence is. I couldn't
15 really see the fire station as I'm driving
16 between your church.

17 RICARDO DUMONT: You're correct.

18 AHMED NUR: I wanted to express
19 that. Both of you had mentioned that you
20 haven't decided yet the architectural looks
21 of the skin of the building, but to me it's

1 really important for that to be decided in
2 order for I to vote on it. That's one
3 comment I wanted to make.

4 Another comment I wanted to make is the
5 difference between a balcony and a bay. You
6 said something about when the trees, growing
7 trees there. What happens in the forest, the
8 tree is growing, maybe consideration of a
9 screening of some sort both in the wintertime
10 and maybe while the trees are growing, it's
11 an idea that I would like to see, to touch on
12 for the privacy of the neighbors.

13 RICARDO DUMONT: So in the bay
14 condition? Because there are no more
15 balconies.

16 AHMED NUR: Right in the bay
17 condition depending on the height of the
18 trees and so on and so forth.

19 And the last comment that I wanted to
20 make, let's see -- that's actually it for me.
21 Thank you.

1 RICARDO DUMONT: Okay. Thank you.

2 WILLIAM TIBBS: I just have a
3 related question since you brought it up, and
4 that's your grove of trees is such a
5 signature part of how this works. I was
6 interested in the kind of tree that you would
7 use to do that. Because at least in your
8 elevations you're showing them very high.
9 And also just what happens, as you were
10 implying, what happens as you put in a
11 relatively small caliber tree and then it has
12 to grow? And I'm just interested in -- have
13 you thought about that?

14 RICARDO DUMONT: We would probably
15 put in, you know, two and a half inch, three
16 inch caliber tree which would be 16 to 18
17 feet in height. So that would give us
18 coverage to -- closer to the, you know, the
19 middle of the second floor initially. That
20 tree would be -- we'd work with the David the
21 urban forester for the City of Cambridge.

1 We're looking either pioneer species of fast
2 growing birch, to lighten up -- that's the
3 north facade of the building. Or we would
4 use something like a gingko type packed roped
5 that does well in urban conditions. Right
6 now we'll leave it up to both of those
7 species and we'll leave that up to David the
8 arborist.

9 WILLIAM TIBBS: But you would have
10 sufficient caliber to get you started so to
11 speak and they would just grow?

12 RICARDO DUMONT: Yes. As a firm we
13 do this a lot. We would prepare in each of
14 those areas, planting soil and really, you
15 know, put the trees in and basically primo
16 conditions to begin with to ensure their
17 longevity and health from the start.

18 WILLIAM TIBBS: Anyone else?
19 Patricia.

20 PATRICIA SINGER: I had asked one
21 question that I didn't hear addressed and it

1 was really more in the form of a
2 clarification. There was mention by people
3 in the neighborhood about trust documents,
4 and my understanding from their comments was
5 that the trust documents really had more to
6 do with the perspective of Historical
7 Society's and I just wanted to make sure that
8 whatever those documents were didn't have any
9 impact on the Planning Board decision. And I
10 didn't hear that mentioned anywhere.

11 GWENDOLEN NOYES: Maybe Holly or
12 Karen.

13 KAREN MERIDITH: Our understanding
14 -- we're working with the diocese right now
15 who holds the trust, and we have been told
16 thus far that that's not gonna be a problem.
17 And that in the seventies the Episcopal
18 church went through this whole thing that
19 ameliorated trust into the hands of the
20 diocese, and they have the ability to modify
21 the trust if they need to. But their

1 understanding, from what we've given them and
2 from what they've looked at, that that's not
3 going to be an issue. Part of what's being
4 talked about last time is land that right now
5 is under the parking lot and running parallel
6 to the Kingdom Hall under part of the new
7 wing of the building.

8 REVEREND HOLLY LYMAN ANTOLIM: What
9 would be the parking ramp.

10 KAREN MERIDITH: Where the parking
11 ramp is going to be basically.

12 PATRICIA SINGER: So the trust
13 document is between the church and the
14 diocese?

15 KAREN MERIDITH: The Episcopal
16 diocese actually owns all land under
17 Episcopal church.

18 PATRICIA SINGER: Thank you. That's
19 the clarifying part.

20 WILLIAM TIBBS: Steve?

21 STEVEN WINTER: I have no comments

1 at this point.

2 WILLIAM TIBBS: Hugh.

3 HUGH RUSSELL: Well, as I said, I
4 have a number of comments. Actually, I want
5 to sort of respond to Tom's process question.
6 We have a series of findings we need to make,
7 and the first substantive finding is about
8 traffic. So that's appropriate to knock that
9 one off first. Also it frees up to consider
10 the proposal. The next substantive finding
11 is that continued operation of adjacent uses
12 would not be adversely affected by the nature
13 of the proposed use. This is a use finding,
14 not a design finding. And I think that's
15 also easy for us to find that using this land
16 for a combination of housing and a church is
17 an appropriate use, you know. So the hard
18 one comes down to the Chapter 19 findings
19 because they're quite detailed. And I
20 actually went through the Chapter 19 findings
21 this afternoon trying to see where there were

1 pieces that -- I mean, some things are clear,
2 some things aren't clear, where we might need
3 more information. So I thought I might now
4 just hit the ones that I'm thinking aren't
5 clear. But I also wanted to respond to the
6 presentation a little bit. And following up
7 on the Ahmed's comments on bays, it appears
8 from the drawings that the bays are fully
9 glazed about nine feet high, maybe 12 or 14
10 feet wide.

11 RICARDO DUMONT: A little less wide
12 than that.

13 HUGH RUSSELL: How wide are they?

14 RICARDO DUMONT: About nine feet
15 wide right now.

16 HUGH RUSSELL: Nine feet wide. And
17 the way the basque work on the left side of
18 the property, the basques are designed to go
19 in between the bays so that if you're in the
20 back room of adjacent house, you can see this
21 really very large window that's may be four

1 times larger than any window in your house.
2 And the people in their living room are going
3 to be looking straight into your house. And
4 it's not just one person, it's quite a number
5 of people. So, that was my reaction to the
6 bays. I like the idea of the bays. I like
7 the idea of the jigs and the jogs. I like
8 the idea to use color to again work with
9 scale. I particularly like the idea of using
10 color to emphasize those gestures, because
11 two foot jogs aren't very noticeable. I used
12 to work for (inaudible), a famous architect,
13 and his rule was you never jog anything less
14 than six feet because you couldn't see it.
15 But if you use color as well as that you can
16 actually be much more successful.

17 There's a space -- there's land on the
18 ground, on the left side of the building
19 where there are classrooms that abut it, and
20 it's roughly 25 feet of space to the property
21 line. How is that space going to be used?

1 Is that play space for --

2 RICARDO DUMONT: Play space for the
3 children in the classroom. So there would be
4 a surface there. Probably a rubberized
5 surface apart from the growing mean for the
6 trees. And like there is today for the
7 church historically, there's play equipment
8 basically working with the current trees in
9 the back corner. So the goal would be, would
10 work in the tree sculpture and that would be
11 the play space.

12 HUGH RUSSELL: And the play space is
13 going to be used by the child care function
14 during the week and then maybe also on
15 Sunday?

16 RICARDO DUMONT: Sunday services,
17 that's where the children go play in good
18 weather.

19 HUGH RUSSELL: That's a huge change
20 to somebody who is living on the street to
21 have a playground in your backyard rather

1 than having a wall of a car wash. I just
2 wanted to say that.

3 Next item.

4 THOMAS ANNINGER: Well, that sounds
5 to me, I mean just you kind of leave that
6 hanging. That sounds to me like an
7 improvement.

8 WILLIAM TIBBS: Yes.

9 HUGH RUSSELL: To me.

10 THOMAS ANNINGER: I'll take children
11 over a car wash any day.

12 HUGH RUSSELL: Yes, it's a blank
13 wall that has a car wash hidden inside of it.

14 THOMAS ANNINGER: That was not a
15 quiet car wash.

16 HUGH RUSSELL: Right. In any case,
17 you know, living next to a school that has a
18 45 foot high wall when kids are in that
19 space, it's very noisy. Unfortunately. And
20 so it's a, it's an issue that I don't think
21 has been addressed. And I don't think it's

1 very clear in the plans of how that's used.
2 You don't see play equipment in the plans
3 mentioned.

4 RICARDO DUMONT: There is play
5 equipment shown in the plans.

6 HUGH RUSSELL: There is?

7 THOMAS ANNINGER: What age are these
8 children that we're talking about?

9 RICARDO DUMONT: They're basically
10 under ten years old.

11 THOMAS ANNINGER: They're young,
12 which makes a difference.

13 RICARDO DUMONT: There's a preschool
14 program for the school during the week and
15 Sunday mass. The kids are either on Sunday
16 School, and if the weather's good, they'll go
17 out and play. And usually the kids -- by
18 natural the kids under 10 will play outside
19 and the older kids will be in jamming with
20 themselves inside. That's the normal way it
21 breaks down.

1 HUGH RUSSELL: Okay. So I just -- I
2 want it noted, to me that's an issue about
3 how, how is the neighbor -- how are the
4 neighbors affected to have basically a day
5 care center playground in their backyard
6 abutting their backyard?

7 PATRICIA SINGER: Not for noise but
8 for vision, could you describe the fence
9 that's required to divide the properties?

10 RICARDO DUMONT: So it's a six foot
11 high fence is allowed, right?

12 PATRICIA SINGER: Up to six feet
13 high.

14 GWENDOLEN NOYES: Up to six feet.
15 And we haven't designed that fence.

16 RICARDO DUMONT: We cost it out a
17 wood fence, you know, appropriate wood fence,
18 solid wood fence so it wouldn't be a visual
19 thing back and forth.

20 THOMAS ANNINGER: In Cambridge you
21 can go higher than six feet without any

1 trouble. I know it's surprising but that's
2 the way it is.

3 RICARDO DUMONT: Well, then we would
4 obviously consider that.

5 GWENDOLEN NOYES: We should point
6 out there is a playground out there now. It
7 isn't exactly the same place, but it backs up
8 to neighborhood houses and we have heard from
9 some of the neighbors that the noise from the
10 car wash and the music they play and so on
11 has been very annoying. We haven't heard
12 people concerned about --

13 RICARDO DUMONT: We heard one
14 neighbor Janet who requested a gateway so her
15 grandchildren could go into the space.

16 HUGH RUSSELL: There was something
17 curious on the perspective on Beech Street.
18 If you could put that up. That's the exactly
19 the one I want to see. So there's a bay
20 window and there's a door. It looks like a
21 door under the bay window on the sidewalk.

1 That's going up to it. Now, to me that looks
2 terrific. That looks like an appropriate
3 entrance for 46-unit apartment building, not
4 the little path that speaks around the corner
5 and goes in between them. It seems to me
6 it's much more secure. It's visible. It
7 looks right. It's the appropriate type of
8 entry. So -- and I don't believe you're
9 proposing to do that even though it's shown
10 there.

11 GWENDOLEN NOYES: It's the first
12 time I've seen it, but we're willing to
13 entertain that thought if you think --

14 RICARDO DUMONT: Right now, Hugh,
15 this is sort of common living room, that
16 glassed area. So the goal there was to
17 simply show a relationship back to the public
18 civic sidewalk. But the entry, still the
19 intent is in the courtyard, the common
20 courtyard, but it's an interesting point
21 you're raising.

1 HUGH RUSSELL: The principal point
2 in the ordinance has to do with relationships
3 essentially to streets. And so I think this
4 is something that ought to be considered.
5 Why don't we get into the nitty-gritty of it.

6 We have to make a finding that the
7 historical context is respected, and it seems
8 to me what we have to do as a Board is allow
9 enough time for the Historic Commission to
10 advise us on that question. That's --
11 because we know they're interested in this
12 project and they're meeting on the project,
13 and that -- I don't think we substitute our
14 view of history for the Historic Commission,
15 but we need -- we do have this potential
16 finding to make about historic context.

17 THOMAS ANNINGER: Can we stop there
18 for a second? If we're doing it step by
19 step, maybe we can peel these off one at a
20 time. On the historical question there are a
21 couple of things to talk about. One is what

1 Ahmed was -- I think you found important. I
2 wasn't quite sure how you meant it. These
3 views of the fire tower and of the church
4 from different angles on Mass. Avenue. And I
5 guess I wouldn't mind revisiting that, and if
6 we think it's adequate, I see no harm in
7 saying that to the Historical Commission
8 because I think that's on their mind, too.
9 You remember in particular you made a rather
10 significant notch in your building for the
11 fire tower. I wouldn't be surprised if
12 that's a Charlie Sullivan notch?

13 RICARDO DUMONT: That was a
14 recommendation by Mr. Sullivan, yes, it was.

15 HUGH RUSSELL: I'd love to see the
16 same sort of a notch on the other corner.

17 THOMAS ANNINGER: Well, that's the
18 kind of thing we ought to -- can we see that
19 again?

20 HUGH RUSSELL: I'll show the church
21 hidden behind the apartment building.

1 WILLIAM TIBBS: The Beech Street
2 side?

3 HUGH RUSSELL: No, on the right --
4 they made the notch on the left side of the
5 projection. I think they ought to consider
6 doing the same thing on the right side.

7 RICARDO DUMONT: Let me go to the
8 eastbound shot here.

9 THOMAS ANNINGER: Did you show him
10 that, Mr. Sullivan?

11 RICARDO DUMONT: He saw this and he
12 saw a model of this and responded positively.

13 THOMAS ANNINGER: By the way, did
14 you bring that model tonight?

15 RICARDO DUMONT: I didn't, sorry.
16 Let's go to the longer view. So that's where
17 the building -- so two-thirds of the building
18 responds with a six foot, eight setback and
19 then there's the typical setback on Mass.
20 Ave. At this point we change the geometry,
21 this is parallel to Mass. Ave, and change the

1 geometry, then that's orthogonal. Then it's
2 perpendicular to the geometry of the
3 firehouse. And then we setback, you know,
4 that much you can see right there to defer to
5 the fire station. And that bay is there as
6 well.

7 GWENDOLEN NOYES: Can I make a
8 comment that we showed some slides with
9 various colors on them? It should be
10 understood that this is not representative of
11 the colors that we're thinking about.

12 WILLIAM TIBBS: All of them are
13 darker.

14 RICARDO DUMONT: The color pallet,
15 we're still in that range of -- what we
16 really want to do there as honest as what we
17 would and normally what we would do in any
18 work you would be under construction, ask for
19 a mock-up like we normally would. Window
20 pallet, stone pallet, and the masonry units
21 above and we would look for the proper color

1 pallet with the sunlight with the church.

2 Our goal is not compete with the church, be a
3 background and let the church come forward
4 with the textures.

5 HUGH RUSSELL: We ask Roger Booth,
6 to go out with you.

7 WILLIAM TIBBS: We'd like to know
8 your attitude about it. I mean, obviously
9 you're not doing that but that's a very light
10 color, and I'm sure an architect can usually
11 make a comment about why they thought that
12 would be appropriate. So if it is dark
13 colors in harmony with the stone and the
14 variations, are variations we just need to --
15 I would need to know what you're doing or
16 what you're looking at in that color, it's
17 just not random. You had implied that
18 there's a range that material comes in.

19 RICARDO DUMONT: Right. It means
20 you go out today, you know, walking around
21 with Charlie and Paul. You photograph the

1 church in a good sunlight today and you see a
2 lot of cream color with the textures of brick
3 accents or a red sandstone accent. So it's
4 again depending on the light of the day and
5 what's the best color? So, you know, normal
6 process for design would be to make that
7 distinction fairly soon, but to make it in
8 the field.

9 WILLIAM TIBBS: Again, I'm just
10 saying I want to hear what you're using,
11 you're trying to use the color that's in the
12 stone.

13 RICARDO DUMONT: Oh, definitely the
14 whole idea.

15 WILLIAM TIBBS: But there are
16 variations on that. So there are variations
17 on that. So that's my comment.

18 RICARDO DUMONT: So just to
19 reinforce that, that would be the Mass. Ave.
20 elevation and just the side of the alley you
21 see here, and of course the entire garden

1 elevation would be that background to the
2 church. So that would all come under that
3 sort of pallet, would be the one that would
4 be most representing and compatible with the
5 church. And then if you get on the rear
6 sides to the neighborhoods, then we can play
7 with colors a little bit more where we have
8 some --

9 GWENDOLEN NOYES: Well, we've heard
10 from the neighbor having a clapboard that's a
11 lighter color, you know, a grey -- a warm
12 grey tones and then with some color
13 variations. Something like that would work.
14 It would be lighter.

15 THOMAS ANNINGER: Going back to the
16 historical analysis so we can move on, I'm
17 speaking my own opinion, is that I think the
18 views of the fire tower and of the church
19 from what you have shown us so far, and
20 maybe we'll need a model and a little bit
21 more perspective is adequate, and if others

1 feel differently, I guess I'd like to know
2 about that. And the only other point I'd
3 make under the heading of historical is I
4 think it's the deeper point about the whole
5 concept of the project that this church is
6 historical, and for it to be sustainable, it
7 will need to do something like this or we
8 have a much bigger historical issues than
9 just the views of the church. And,
10 therefore, I think on the historical point,
11 there are some strong arguments on what
12 they're doing. I think the whole concept
13 speaks to the historical survival of what's
14 really significant.

15 RICARDO DUMONT: Can I actually say,
16 because we had a very good discussion with
17 Paul the state representative from Historic.
18 What we're asking is -- this is not a church
19 in a big open meadow, never has been. In
20 fact, this is the low ebb of its density in
21 its history having a garden next to it.

1 Before was the stables, and on the north side
2 was a parking lot and another smaller chapel.
3 This is not a church in the middle of a
4 beautiful green field. This is a historic
5 church in an urban civic environment. And
6 given the mission of the church for people to
7 realize, is that not only is it a
8 continuation of the church as a structure,
9 but as an idea in all their missions is that
10 this is a common reality of churches in
11 Europe. That they were built as a communal
12 thing for health or residences or wellness.
13 They had parish functions at the ground
14 floor. They had community or health reasons
15 for people to live near. This is the idea of
16 a bigger, bolder community, not a recoiling
17 of about being in the city.

18 WILLIAM TIBBS: We hear you. It's
19 up to us to determine how we feel about it.

20 My feeling is if anything, I think --
21 and I think Ahmed might help, I feel as you

1 move away from the site, it actually -- you
2 do see the views. It's only in certain
3 places where you're close to the site, and I
4 think, Ahmed, you came across one as you were
5 kind of walking through, that you maybe
6 missed some of those. And I particularly
7 think if the materials indeed have a better
8 relationship to the church then these do, I
9 mean -- or that image does at least, then
10 that would actually help it. I mean, if
11 there's a color pallet that's -- it's almost
12 like this thing is a very -- it actually
13 leads you to looking at the church. And I do
14 agree that it's a church in a very urban
15 environment, and it was -- I mean, just
16 looking at how -- I mean, it just sits right
17 there. So I think historically I would feel
18 comfortable with that. It's always nice and
19 it's convenient to have some note or letter
20 from Charlie stating something in light of
21 some of the issues that are before them if

1 the timing were such that would be great.
2 But I'm comfortable with at least the
3 historical piece of this particularly given
4 the suggestion that Charlie made which you
5 did, but that's where I am with it.

6 Ted.

7 H. THEODORE COHEN: One other point
8 that you haven't mentioned and doesn't
9 necessarily show in these plans, but when I
10 was looking walking around the site over the
11 weekend, it seems to me that the demolition
12 of the existing parish house is actually
13 freeing up one entire facade of the church
14 that right now is pretty much obscured. And
15 I think from -- it will bring the church back
16 to a more historic look and a more attractive
17 look as to that one facade. I do agree with
18 you that it would, you know, it would be nice
19 if there were a notch in that other side of
20 the building. So when you're heading up
21 Mass. Ave. in that direction, you do see more

1 of the road and the tower. But I think -- I
2 don't have a great difficulty with feeling
3 that it fits in historically with both the
4 firehouse and the church.

5 STEVEN WINTER: Hugh, if I could
6 ask, do you concur with what seems to be a
7 consensus that we're in the right place with
8 historic preservation?

9 HUGH RUSSELL: No, I do not.

10 STEVEN WINTER: Got it. Okay.

11 HUGH RUSSELL: I really think right
12 now the church is exposed on a corner. You
13 see all the way around. You see the whole
14 composition at once from quite a distance.
15 And the construction of the apartment
16 building means that the principal facade of
17 the church is tucked away behind a commercial
18 building and the less tucked it seems, the
19 happier I'll be.

20 Bill, you and I had a little
21 conversation about why is the church at the

1 angle it's at? And I think we speculated
2 that the reason it is so that the nave can be
3 on the east/west access.

4 RICARDO DUMONT: Exactly. The
5 access --

6 HUGH RUSSELL: Right. Because it's
7 a traditional church thing. And so in some
8 ways you'd like to take that access of the
9 nave and continue it out as far as you can
10 continue it. I think that will cut too much
11 in the building's footprint. But I would
12 like some thought given that. But in the
13 final analysis, if the Historic Commission or
14 the director Charles Sullivan tells us that
15 in his judgment what needs to be done, then I
16 think we should pay a lot of attention to
17 that recommendation.

18 RICARDO DUMONT: So, Hugh, I've just
19 put on the access of the nave and the app, so
20 the app is obviously eastside, the upper
21 side, the south traditional entry we're

1 trying to get back to with the parish hall
2 development, the use of that --

3 HUGH RUSSELL: Right. So ideally
4 from my point of view you'd extend that line
5 out. So that the whole facade can breathe.

6 RICARDO DUMONT: But that's not the
7 main nave of the church.

8 HUGH RUSSELL: But it's the volume
9 of the nave. It's not just the align that
10 they walk down to carry the casket at a
11 funeral. It's the entire body of the church.

12 WILLIAM TIBBS: See, I have a
13 slightly different --

14 HUGH RUSSELL: But the street is not
15 straight, it curves. You know, it's an urban
16 church. I just think if you can do more
17 making it the plan. Apartment on that
18 corner, it seemed like that was an unusually
19 deep apartment and there might be an
20 opportunity to --

21 RICARDO DUMONT: So this is the

1 corner you're concerned with?

2 HUGH RUSSELL: Yes. The more you
3 can do with that corner the happier I'll be.

4 RICARDO DUMONT: This is the volume.

5 WILLIAM TIBBS: Excuse me. Wait a
6 minute. I just want to say this is our
7 deliberation. I just want to make sure we
8 can talk. We'll ask you to chip in when we
9 need to.

10 I have a slightly different opinion,
11 and that is in designing the church on that
12 angle there's no way it can really have that
13 kind of exposure, and they were kind of aware
14 of that. I mean because they knew, they were
15 designing it. And there wasn't a passed lane
16 as you called it. So it doesn't bother me as
17 much to see that as a whole. But what I
18 really liked is the idea of your emphasis of
19 the tower, the bell tower, which is right on
20 the street/ and then as you come down the
21 street, you see more and more and more of it

1 which is kind of a nice experience as you're
2 going by. But it doesn't, I think just
3 because of that angle, it's so odd and so
4 almost out of place with everything around it
5 in the neighborhood. And they knew they were
6 doing that consciously because they were
7 setting that building for different reasons
8 than integrating into the neighborhood and it
9 doesn't, it doesn't bother me as much. I'm
10 just giving you my opinion. But I hear you,
11 too.

12 STEVEN WINTER: The building is set
13 ecclesiastically. It's not in the context of
14 the neighborhood so it has two complete
15 different meanings which I think we need to
16 be aware of.

17 HUGH RUSSELL: Shall we proceed on
18 to another topic?

19 STEVEN WINTER: Sure.

20 HUGH RUSSELL: So one of the
21 provisions in the -- in 19.32.2 says you

1 don't want to put covered parking out so
2 where you can see it from the street. And as
3 you're walking towards Mass. Avenue on Beech
4 Street, you're going to see that covered
5 parking. And I'm curious to know just how
6 annoying that will be, and what can be done
7 to make that experience, you know, the --
8 when you get opposite the building, it's
9 shielded. But as you're walking passed the
10 driveway, it's exposed. And what are the
11 colors inside? The finishes? The lighting?
12 Does it look like an outside space? Does it
13 look like most garages with concrete block
14 and fluorescent lights and, you know, you can
15 make that experience different by the
16 architectural choices you make. And I'm not
17 suggesting that you were going to make that
18 terrible choice, but a lot of people seem to
19 have done that.

20 Next issue is about bicycle access.
21 And as I understand it, there's bicycle

1 parking in the basement and that residents
2 would probably bicycle down the ramp.

3 There's I guess a little door next to the
4 rolling door that you can go through and go
5 in. So that's going to have to be lit so
6 that it's safe at night. And that -- I'd
7 like to know how it's going to be lit so that
8 it doesn't, so it becomes safe, yet it isn't
9 an annoyance to the neighbors who will be
10 overlooking it from their upper floor
11 windows. I'm pretty sure there's a solution
12 to that, but I'd like to see it.

13 H. THEODORE COHEN: Excuse me. What
14 neighbors?

15 HUGH RUSSELL: The Orchard Street
16 neighbors.

17 H. THEODORE COHEN: So you're
18 talking about an entrance for bicycles off of
19 Beech Street?

20 HUGH RUSSELL: You go all the way
21 down the ramp to the bottom of the ramp and

1 turn into the garage.

2 H. THEODORE COHEN: Isn't the
3 building going to be blocking that from
4 Orchard Street?

5 HUGH RUSSELL: So if you've got a
6 house on Orchard Street, you're going to be
7 overlooking that ramp. So the lighting on
8 the ramp could change what it looks like. It
9 could be, you know, very bright with light --
10 I mean, underneath you're not going to be
11 shining into people's eyes. But just how
12 that's going to be done to meet these two
13 different competing goals, safe for the
14 bicyclist. Because really you have to see
15 that it's a safe place to go into. So it's
16 got to be bright enough so you can see if
17 there's somebody lurking. It's a very clean
18 design. There aren't hiding places, that's
19 good. But if you make it too bright, it's
20 like when they leave the lights on in the
21 school next-door to me in one classroom, it's

1 just, you know, blinds you. It changes your
2 whole experience in your house to have a lot
3 of light coming from a neighbor.

4 PATRICIA SINGER: Is it perhaps
5 blocked by the Kingdom Hall and maybe not an
6 issue to the neighbors across the street?

7 HUGH RUSSELL: I'm not concerned
8 about the Kingdom Hall. But I'm talking
9 about directly across from Kingdom Hall.

10 There's a requirement that mechanical
11 equipment on the roof be acoustically
12 buffered from neighbors. Maybe the word
13 requirement is something we need to consider.
14 There's a list of considerations that preface
15 as nobody can do everything, but we have to
16 ask the questions and see that they do their
17 best they can do. And we have to decide if
18 that best is generally okay. That's the way
19 we deal with this list. And so I believe
20 what you're saying is that they're just
21 little condenser units. They're a whole

1 bunch of them up there, and you can't see
2 them from the houses because the solid
3 parapet blocks the line of site.

4 BETH RUBENSTEIN: Okay.

5 HUGH RUSSELL: Now there are
6 different types of compressors that you can
7 get. You can get the Beacon Hill compressor
8 that's much quieter than the Woburn
9 compressor so to speak. There are different
10 noise levels with those compressors. I'd
11 like to know what you're proposing.

12 GWENDOLEN NOYES: I don't know the
13 name of the brand. But we've put on our
14 Ridgedale building which is a couple blocks
15 away and had no complaints from anybody in
16 the building and next-door. And it also is
17 at the same level of our roof deck which we
18 have a roof deck up there. And it provides
19 no annoyance. They're really this big so
20 they're -- and they're quiet. They're high
21 efficiency.

1 HUGH RUSSELL: Now, are there other
2 mechanical units that are serving the church
3 spaces?

4 RICARDO DUMONT: Underneath in the
5 basement, in the, undercroft or in the
6 adjacent connection to the future building
7 here.

8 HUGH RUSSELL: Is there a cooling
9 tower or something that serves those? How
10 does it project heat to the rest of the
11 world?

12 GWENDOLEN NOYES: We haven't got a
13 mechanical engineer on board yet. But the
14 church space is underneath condition space
15 and fairly well shaded. So we're not
16 anticipating any large equipment.

17 HUGH RUSSELL: Okay. We have to
18 consider trash handling and I'm not happy
19 with a notion of 20 or 25 barrels lined up on
20 Beech Street waiting to be picked up on trash
21 day. That's not I think appropriate for a

1 346 unit apartment building. And that's as I
2 -- I mean, I'm guessing at how many barrels,
3 you know, you need. So I would ask you to
4 reconsider that. I think it may work okay
5 for the church which probably has a lower
6 volume of trash, but I really don't think
7 that strategy works for an apartment house of
8 that size.

9 WILLIAM TIBBS: Are you referring to
10 a dumpster as an alternative where a truck
11 pulls in and picks it up or something on
12 Mass. Ave. or something like that? I'm just
13 asking.

14 HUGH RUSSELL: Right. I mean, the
15 often buildings have, you know, compactors
16 inside and then compact the container and
17 then somebody picks it up. That's annoying
18 and noisy and intrusive, but it's short and
19 is sort of scheduled.

20 GWENDOLEN NOYES: In response to
21 that, we haven't made a decision about that

1 if -- where I live we manage getting --
2 having a minimum amount of garbage, we try to
3 recycle and it works. If there was some
4 condition that beyond which or dimension or
5 whatever, if we exceeded that, I would think
6 a compactor would be a way to solve the
7 problem. So we haven't got a firm decision
8 other than a preference for using the city
9 service and making that workable.

10 HUGH RUSSELL: There's a wonderful
11 phrase in here, structure is designed and
12 cited to minimize shadowing impacts on
13 neighboring lots. And I wondered what did
14 that mean? And so I thought let's look at
15 from the other way. What would you do if you
16 were trying to maximize the shadow impact?
17 You'd build as close as you could to the
18 north side of the lot. You'd have an
19 unbroken wall. You'd build this as high as
20 you're permitted. And they're pretty close
21 to that. They're not quite as close to the

1 -- I think the minimum setback is 20 feet,
2 and they're 25 on the left side and there's
3 considerably more on the Richard Street side.
4 But it's, you know, it's maybe one that we're
5 just going to have to say well, this
6 basically maximizes the shadow impacts rather
7 than minimize it.

8 THOMAS ANNINGER: Aren't we talking
9 about a trade off with what they do on Mass.
10 Avenue and the views of the church?

11 HUGH RUSSELL: I'm not sure -- I'm
12 not sure it's that cut and dry.

13 THOMAS ANNINGER: Maybe not.

14 HUGH RUSSELL: That's -- so this
15 question on outdoor lighting which I talked
16 about one thing, but it's a more general
17 question.

18 The last piece has to do with criterion
19 which I've skipped passed which is about open
20 space. There are many other things here,
21 most of them in my list have check marks

1 saying yes, they've basically done that. And
2 obviously in a decision-making mode we would
3 go through all those, but I'm -- I think
4 we're in the mode of trying to see what all
5 the questions are. And the standard, I don't
6 -- I can't find it right here in front of me,
7 is that public open space is enhanced. So
8 I'd like, I looked at the landscape plan, and
9 the garden looks to me to be about half paved
10 and half green based on the plans that I had
11 in my hands earlier. There's a lot of paving
12 in that -- so I'm curious to know in the
13 present garden, I think is maybe 80 or 90
14 percent green. And there's a small amount of
15 paving. So I'd just like to know what the
16 numbers are. What's the amount of green
17 space that's in the present garden? What's
18 the amount of green space and art scape in
19 the new garden? And you might find, and if
20 you find that the new garden is half art
21 scape, you might want to reconsider that. I

1 don't think it's really been -- I don't think
2 it's been considered except in the really big
3 picture sense. And maybe we need some more
4 consideration on that so we --

5 RICARDO DUMONT: I only say, Hugh,
6 there that civic space isn't defined by
7 greenness or paved. It's usable on one hand.
8 So obviously the church is looking at this
9 courtyard as a very usable space. So we're
10 showing a relationship of two-thirds to
11 four-fifths green and, you know, a perimeter
12 around the edge of the building as you would
13 in any sort of courtyard like environment to
14 be paved. That could be done with turf
15 joints and stone. A lot of ways to get more
16 permeability there. We're looking at strong
17 water issues here as well. So I understand
18 your concern and I'll get back to you with
19 exactly the percentages.

20 HUGH RUSSELL: Right, because you're
21 showing less than 50 percent during now.

1 Right, believe it or not when you started --
2 you mean the plan I calculated was last
3 week's plan. It wasn't the plan I got last
4 week. So I think there's a little more green
5 on this. And I basically, you know, took
6 sort of the whole area, including the area in
7 front of the church which you obviously would
8 want to be paved.

9 RICARDO DUMONT: In comparison of
10 the whole side, Hugh, roughly we actually
11 have a few percentage points here in the
12 overall green space than what was there
13 before, because of course, the entire car
14 wash state was paved to roof scape.

15 HUGH RUSSELL: Having that data in
16 our hands I think would help us with that
17 finding.

18 H. THEODORE COHEN: Can we go back
19 to your earlier point about shadows? And I'm
20 just curious if you know or if staff knows or
21 if that's something we could get if it were

1 just the original project on the car wash
2 site, what could have been done as of right
3 and what sort of sighting would it have in
4 the shadows would there be?

5 HUGH RUSSELL: I think the setback
6 rule would be the same covering by a footnote
7 on it in the table that says in this district
8 abutting a residential district you need a 20
9 foot setback.

10 H. THEODORE COHEN: So are you
11 saying the massing on that side could be the
12 same?

13 HUGH RUSSELL: I mean, if you're
14 only at the car wash site and you'd have 20
15 feet rather than what now is on average of
16 about 25 on the plans that I looked at when I
17 did the measurements, so it's a little better
18 than it would be -- it's so narrow you've got
19 to use every inch you can. I'm not sure you
20 can do the building on the car wash site
21 frankly. The 20 foot setback on both sides

1 there's not much left to the building.

2 WILLIAM TIBBS: Do you have a
3 question?

4 THOMAS ANNINGER: I think Hugh is
5 finished. And I, I know it's terribly late,
6 but I think if I dare say, I think we're
7 doing a good job of doing step by step what
8 we have to do. And late as it is, I don't
9 want to -- I think we need to finish. And so
10 there's one area that I don't think we've
11 talked enough about and it's one that
12 Patricia raised last time. It's the ramp and
13 the tree and the Kingdom -- what is it called
14 Kingdom Hall?

15 RICARDO DUMONT: Kingdom Hall.

16 THOMAS ANNINGER: I'm not sure I
17 understand exactly what's going on there.
18 Can you bring that up and tell us what that
19 tree is forcing us to do?

20 RICARDO DUMONT: Before I find the
21 shot here, the tree is not forcing us to do

1 anything here other than saving it. We are
2 five foot within the -- we are within the
3 five foot setback, you know.

4 HUGH RUSSELL: The change in the
5 proposal between last time and this time I
6 think is a significant step forward because
7 you're preserving the five foot setback so
8 they don't need that relief, and you're
9 narrowing the driveway in the thing. That's
10 perfectly reasonable.

11 RICARDO DUMONT: So what we're --
12 right now is the red, the property line.
13 There are buttresses on the church that
14 support the church. Historically it's a
15 rebel foundation, and that wall is outside
16 those buttresses. You can see them right
17 here. And this is that five foot setback
18 which is allowed.

19 THOMAS ANNINGER: Which is enough to
20 make the Kingdom happy?

21 RICARDO DUMONT: We're going to be

1 meeting with them tomorrow to re-enforce
2 them. There's no concern here because
3 there's no wall required. When the wall
4 begins and starts cutting in the ramp, that's
5 where the concern is, rightfully so. So, a s
6 we have with other zero lot line projects we
7 would work tremendously with them to make
8 sure we re-enforce the wall here, to not only
9 carry its load but to acknowledge the
10 church's support. Bill Duval is going out
11 with you us tomorrow.

12 WILLIAM TIBBS: Your original
13 proposal went into that five foot?

14 RICARDO DUMONT: Yes, it did.

15 THOMAS ANNINGER: What was it that
16 changed other than the tree moving -- the
17 tree didn't move.

18 RICARDO DUMONT: No. What we did is
19 we had a wider, you know, because we were
20 trying to get 18 to 20 feet that we talked to
21 with Parking and Traffic which is what they

1 wanted, and we said we can try to do that but
2 it might be at the consequence of the tree.
3 So would they consider us working carefully
4 around the tree. Possibly narrowing it down
5 if we can show the turning movement's
6 working. We still need that 22 foot back up
7 space here which we have, and within the five
8 foot thing. So, we're prosing in order to
9 save the tree and monitor that, if we could
10 have narrowed consideration, narrow this down
11 to 16 feet we can possibly save the tree.

12 WILLIAM TIBBS: Just for clarity was
13 the tree the reason that you angled into that
14 setback in the first time?

15 RICARDO DUMONT: My partner's --
16 you're right. I angled the driveway to save
17 the tree.

18 WILLIAM TIBBS: So you're doing it
19 in a different way without having to --

20 RICARDO DUMONT: We're doing it in a
21 different way.

1 WILLIAM TIBBS: That was one of
2 their concerns.

3 RICARDO DUMONT: Right. We've
4 spoken with Lincoln and reinforcing with him
5 in a meeting tomorrow to make sure the
6 structural walls are sound. And looking out
7 there today, everybody thought that this
8 could be a workable solution to do this.

9 THOMAS ANNINGER: I have a more
10 general comment to close my views on this. I
11 guess I'd like to talk about the architecture
12 in general, No. 1. I request that since
13 you're not going to be able to give you
14 approval tonight, I think that's not coming
15 as a surprise to you, because it's too late
16 among other things. And because we haven't
17 heard from the Historical Commission. I'm
18 hoping that can you bring a model next time.
19 I think that will be helpful to us to give
20 us -- and I'm hoping that that model is broad
21 enough to give us a sense of the

1 neighborhood.

2 RICARDO DUMONT: Our working model
3 does include all the houses.

4 THOMAS ANNINGER: Right. That would
5 be helpful.

6 In terms of my sense of the
7 architecture, I think you have made good
8 progress since the last time, and I think the
9 articulation and sense of scale is starting
10 to come along. I think there's room still to
11 grow. I think there's room for improvement
12 still as you keep working on it and refining
13 it. And the theme the community sounded last
14 time, the word they used was integration, and
15 I think there's still some room to go to make
16 it integrate. And I'm not by any means
17 saying that a modern contemporary 21st
18 century building isn't exactly what's called
19 for here, but I think there's still some work
20 to be done. I for one am not entirely
21 convinced by your materials, the interplay of

1 stone and wood. Maybe that's perfect. To me
2 it feels a little bit like a sock to the
3 community and it isn't as convincing as I
4 thought it was. I don't know how well that
5 wood and stone is really going to blend
6 together. I think you're straining a little
7 too hard almost there to look like what's out
8 there, and I'm not sure how, how wonderful
9 it's going to feel.

10 And the last comment I want to make,
11 you're placing a lot of emphasis on these
12 trees. What are you calling them?

13 GWENDOLEN NOYES: The grove?

14 THOMAS ANNINGER: The grove of
15 trees.

16 RICARDO DUMONT: The grove.

17 THOMAS ANNINGER: It feels, and this
18 is a bad metaphor, but it feels a little bit
19 of a thin lead to place so much emphasis on
20 that kind of landscaping to make the
21 architecture work. I think the architecture

1 ought to stand on its own more than to lean
2 so heavily on something that is more femoral
3 than a building, and has its own risks to --
4 that means we have to rely the 30, 40 years
5 from now on the willingness and the financial
6 capability of you and the church to maintain
7 those trees in good working order. I'm
8 uncomfortable about that. The buildings will
9 be there. The trees I'm not convinced. So I
10 would like whatever you do to think beyond
11 just the groves.

12 HUGH RUSSELL: I guess my comments
13 on the trees, it's very hard to grow birch
14 trees in the shade. I've tried and it's just
15 very difficult. They're a volunteer species
16 that come into the fields and then they get
17 shaded out by, in my case, pines and then
18 eventually hard wood, so I'm not -- birches
19 are nice, but I don't think that's the right
20 species. You need something that grows in
21 the shade because you're creating the shade.

1 WILLIAM TIBBS: I think relative to
2 the materials, I agree with Hugh, that the
3 glazing, the amount of glazing in the bays is
4 something you should look at. And I'm not
5 quite sure what the answer is. But I agree,
6 that struck me as I looked at it. The trees
7 don't bother me as much because I think one
8 of the things -- I know one of the things we
9 struggle with at work a lot is the fact that
10 landscaping really is an important part of
11 design. And a lot of times the landscape
12 gets left out of budgets and stuff. So I
13 agree with you that the building itself
14 should have some integrity so that if the
15 landscape can't be kept up. So I like the
16 idea of having a landscape idea. One
17 shouldn't overpower the other one or one
18 shouldn't be -- the landscape shouldn't be
19 something that makes the architecture work.
20 But I like integrating the two is important.
21 And I for one kind of like the idea of what

1 we are trying to do, which is given the
2 concern for privacy and screening that you
3 just, we had a very logical approach with how
4 you were trying to deal with that.

5 Relative to the materials themselves, I
6 think if you can be more clearer about your
7 intentions I think it's helpful for us. For
8 instance, I observed that you're using the
9 stone primarily where the church spaces are.
10 So to me that was, I'm seeing a correlation
11 between where I see stoneware at the church
12 and where I don't see stone. If I see wood,
13 it's residual. So those are very clear
14 understandings. If anything, the other
15 masonry piece, the upper masonry, I just --
16 for me it's just helpful to have clarity so I
17 understand what you're doing, but the stone
18 doesn't -- I don't see the stone as coming to
19 the neighborhood unless you are trying to do
20 something.

21 THOMAS ANNINGER: I was bothered by

1 the wood.

2 WILLIAM TIBBS: I like the idea of
3 you having the stone material. To me that
4 begins to integrate the materials into the
5 church in a way which -- and I -- actually,
6 one of the things I was doing -- is that
7 stone on the back of the building? It's not.
8 So anyway just being more clearer about how
9 you use the materials and why you're using
10 the materials and what is the range of power
11 so that we're just not confused. I think it
12 will be helpful when you come back and --
13 that will help all of us to sort of what
14 those issues are.

15 I'm mindful of Patricia's comments last
16 time where we were saying we were concerned
17 about the architectural approach. And you
18 said that you sort of liked the simplicity of
19 having a simple building to really make the
20 church stand out. So I'm interested in
21 hearing -- tell us comments like that, what

1 you're doing so that we can all shake our
2 heads and say well, we can see that. Or say
3 oops, we don't like that one. But we
4 shouldn't be saying I see the stone as
5 linking to the facade. It's a material
6 linking back to the church or this building
7 has a simplicity to it, because we feel very
8 strongly there needs to be a good backdrop to
9 the church. You need to tell us that so you
10 can either get on board or tell you our
11 comments and vote on it one way or the other.
12 That's my comments about it. So I'm not
13 disagreeing with you at all. I just want
14 more clarity so I understand it.

15 I think everybody is looking at me. I
16 want to go -- yes, Ahmed.

17 AHMED NUR: I just had one question
18 about that retail area. I wonder if they're
19 going to put a gym in there.

20 RICARDO DUMONT: That's a new fad.

21 WILLIAM TIBBS: We must say if you

1 do, make sure that you can't see them
2 exercising when you walk by.

3 STEVEN WINTER: Do we have
4 instructions for the proponent?

5 WILLIAM TIBBS: Yes, can we be clear
6 what we're asking them to do in the next go
7 round. You went through a whole list of
8 things that you wanted clarification on, but
9 I just want to make sure that there's
10 specific stuff.

11 Obviously bringing the model and really
12 discussing materials is really something
13 that's key. I'm going over your list.

14 The entry to the street is one I'm not
15 -- you said that's something you would at
16 least look into from Beech Street.

17 Hugh was saying the door being there,
18 the entry. If that's something you should --
19 oh, the covered parkway which I think the
20 understanding -- how you're going to deal
21 with that material-wise. I think it's

1 clearly -- Sue mentioned last time when we
2 asked her that she liked the idea of those
3 covered positions. I think you have a --
4 it's something I think Oaktree should be
5 sensitive to because we've been concerned
6 about that past project at least.

7 Parking. Being able to see the parking
8 and what it looks like.

9 The safe bicycle access.

10 The mechanical equipment.

11 Trash, you said you're going to scratch
12 your head on that a little and hopefully tell
13 us something.

14 Outdoor lighting, you mentioned at
15 least we should know what your plans are
16 there so we can understand it.

17 And the open space, the calculations of
18 a green -- I'm not hitting all of them, but I
19 want to make sure we're hitting on the
20 specific things we're asking them to do.

21 STEVEN WINTER: Another important

1 thing was the mitigation between the
2 children's play space and the homes right
3 across from them, just to give that material
4 a good look on the fence and to make sure
5 you're providing some sort of separation so
6 the residents won't be bothered.

7 WILLIAM TIBBS: Did I miss anything?
8 Is there anything else?

9 Patricia.

10 PATRICIA SINGER: To take another
11 look at the shadow study.

12 WILLIAM TIBBS: Get a good
13 understanding of that. Yes, Les.

14 LES BARBER: I'm a little unclear as
15 to what our interaction with the Historic
16 Commission is intended to be. Are we writing
17 them a letter and asking them to respond in
18 some specific way or wait for them? Their
19 meeting on the 3rd and then exactly what the
20 details of that is.

21 WILLIAM TIBBS: That's a good point.

1 Do we want to ask them for some idea at least
2 about how they feel about historically I
3 think they're -- there are a couple of issues
4 on the 3rd from a landmark status that
5 doesn't affect us at all. That's just a
6 different process. But do we want to ask
7 them for, do you want to ask Charlie for an
8 -- just --

9 HUGH RUSSELL: There's two ways to
10 ask him have it in our discussion that Roger
11 and Les have been keeping notes on and
12 they'll -- in talking about the project with
13 Charles Sullivan is probably they're going to
14 be doing, they can say this Board is looking
15 for some guidance here. Or we can send a
16 formal letter from our Board to their Board.
17 I think it's better handled on the staff end
18 of it. I think they're two different
19 entities, they have different jurisdictions
20 and you just like keeping good communication
21 with them because we don't want to exert

1 their role and we don't want to -- we want to
2 do the best for the resource that can be
3 done. I mean, that's what the issue is how
4 can you do that.

5 ROGER BOOTH: I think we can get an
6 idea of what Charlie is thinking. He still
7 has to go through his commission. We can
8 certainly report to you the best we can when
9 this comes back up.

10 THOMAS ANNINGER: I'm going to say
11 one thing quickly. I wish we could get
12 across the point that they will --
13 undoubtedly will occur to them, but I hope
14 so, that a one year delay is not in the
15 historical interest of the church as I see
16 it. I think we place a great risk in the
17 preservation of that church.

18 LES BARBER: They review it as if it
19 were a landmark in that period of time. So
20 it's not that they can't continue to review
21 and make decisions about the project, but

1 it's -- if they recommend a landmark in the
2 future, the Council does that or not. But in
3 the interim it's treated as if it were a
4 landmark and they review it as if it were a
5 landmark. But it does not mean that they
6 cannot go forward and approve things and
7 grant approval.

8 I think we reviewed the project in --
9 although that was in process being designated
10 a landmark.

11 THOMAS ANNINGER: Similar to what
12 Lesley had to go through with that church.
13 To me it's a real problem.

14 LES BARBER: It isn't that it holds
15 the project up for a year until the Council
16 acts.

17 THOMAS ANNINGER: I'm not convinced
18 of that.

19 WILLIAM TIBBS: Any other comments?
20 Then we are adjourned.

21 (At 12:00 a.m., the meeting adjourned.)

C E R T I F I C A T E

COMMONWEALTH OF MASSACHUSETTS
BRISTOL, SS.

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