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PLANNING BOARD
FOR THE CITY OF CAMBRIDGE

Tuesday, December 15, 2009

7:30 p.m.

in

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

- William Tibbs, Chair
- Thomas Anninger, Member
- Hugh Russell, Member
- H. Theodore Cohen, Member
- Patricia Singer, Member
- Ahmed Nur, Member
- Steven Winter, Member
- Charles Studen, Member

Beth Rubenstein,
Assistant City Manager
for Community Development

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

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P R O C E E D I N G S

1
2 WILLIAM TIBBS: Welcome to the
3 December 15th meeting of the Cambridge
4 Planning Board. We have two items on the
5 agenda where we'll be deliberating and
6 possibly making a decision on 241, 1991 and
7 2013 Mass. Ave. And we'll also be
8 deliberating and making a possible
9 recommendation for the Fanning petition.
10 Before we start doing that can we get an
11 update from Beth?

12 BETH RUBENSTEIN: Thanks, Bill.

13 This is our last meeting for 2009. And
14 our next meeting will be January 5th. It's
15 the first meeting of the new year. We're
16 going to have three public hearings on that
17 night. Normally we would meet January 19th,
18 but we won't meet because that's the special
19 election day, so we've rescheduled to January
20 26th. And it looks like on the 26th we'll be
21 holding the first public hearing which is the

1 permitting for the first buildings for
2 Alexandria under the zoning that was
3 conducted about a year ago. I think the
4 Board heard a pre-proposal summary of that
5 project recently and they're ready to move
6 into Zoning.

7 February 2nd will be the town down
8 presentation, and that meeting will be held
9 at the Senior Center in Central Square. And
10 then again on February 16th we will hold
11 another public hearing, this time on the
12 Rounder Records site. I think the Board will
13 determine that the BZA granted them
14 additional GFA, they would come back. And
15 indeed they do have that additional GFA, and
16 they'll be coming back for how they're going
17 to use that. I think that's it.

18 The only other public meeting I'll make
19 note of for folks who might be interested in,
20 the state's extension of the Green Line over
21 in the Lechmere area. Mass. DOT is holding a

1 public meeting tomorrow night at six p.m. in
2 East Cambridge at the Multicultural Art
3 Center, and at that time -- it's Mass. DOT's
4 meeting, they'll be talking about their plans
5 for moving the station across Monsignor
6 O'Brien Highway. I think they'll be talking
7 a little bit about station design and their
8 citing of the meeting maintenance facility.
9 So I encourage folks who are interested in
10 that facility to join us tomorrow night.

11 Thanks.

12 WILLIAM TIBBS: Beth, Tom would like
13 to ask you a question.

14 BETH RUBENSTEIN: Sure.

15 THOMAS ANNINGER: Do you remember
16 Mr. Schlager's discussion of Discovery Park,
17 he was going to come back to see us about the
18 garage, and I'm sure he's not in a hurry to
19 do that.

20 BETH RUBENSTEIN: Staff is telling
21 me he hasn't done that, so we're not

1 scheduled yet.

2 THOMAS ANNINGER: I think in our
3 experience when he doesn't need something
4 from us, we need to go to him rather than the
5 reverse. He may not have much --

6 BETH RUBENSTEIN: I'm trying to
7 remember the issue was the parking maximum as
8 well as --

9 THOMAS ANNINGER: It was the design
10 of the garage. It was the whole garage which
11 he didn't, for some reason, really show us.

12 BETH RUBENSTEIN: We'll look into
13 that and we'll give him a call.

14 THOMAS ANNINGER: Thank you.

15 WILLIAM TIBBS: All right.

16 As I said, the first item on our agenda
17 tonight is the deliberation and possible
18 decision for Case No. 241, 1991 and 2013
19 Mass. Ave. And at the last Planning Board
20 meeting we asked the proponent for some items
21 and clarifications. And if you're -- are you

1 ready to give your response? Thank you.

2 GWENDOLEN NOYSE: I'm going to recap
3 some of what you received already in the
4 package.

5 My name is Gwen Noyse. I'm with
6 Oaktree Development. One of the questions
7 you asked at the last meeting is where we
8 stood with the Cambridge Historic Commission.
9 I'm not sure if Charlie Sullivan is here. We
10 met on December 3rd with the Historic
11 Commission, and that meeting also was
12 preceded with some informal meetings. And we
13 presented for that hearing some of the things
14 that we've been working on with you, and some
15 more that were new at that time, but we have
16 sent to you since. We're going to have
17 another hearing on January 7th. That hearing
18 was focussed on several of the items that
19 we've talked about here, and we will continue
20 to talk with them particularly about
21 materials and the colors and the garden

1 design for the church. And they gave us a
2 list, a small list of things that they'd like
3 us to continue to look at that were very
4 doable as we can see they weren't erroneous,
5 they had to do with what the program for --
6 you know, ongoing maintenance for the church
7 would be and that kind of thing. It had to
8 do more with the historic structure. So
9 we're going back on January 7th to meet with
10 them. There was a motion about the
11 landmarking. And what they decided to do was
12 to put the project in a study mode, and they
13 thought that the study mode could go until
14 January 7th. And then if we were able to
15 respond to their questions, which we believe
16 we can, that they would then issue a
17 Certificate of Appropriateness. And they
18 also said that if we were able to proceed
19 with the project and everything went well,
20 that at the end of the project, that at that
21 point they would be likely to landmark the

1 project so that the finished building would
2 be protected from then on until who knows
3 when. But that would be the process that was
4 anticipated. So we're looking forward to
5 going back on January 7th and hopefully
6 resolving the small list of items that they
7 asked for.

8 Other things that you talked about at
9 the last meeting, we were with you on
10 November 17th, just a rundown of that and
11 then we'll show you the visual side of it
12 with Rick Dumont from Sasaki. We have been
13 working on a meeting with the neighbors.
14 Alice Wolfe has kindly agreed to moderate
15 such a meeting. But finding the right dates
16 at this time of year has been challenging.
17 So that is continuing to be worked on. We're
18 willing to participate in that as is the
19 Saint James group also. We'll see what dates
20 can be made for that.

21 I mentioned that the materials and

1 colors for the building have been worked on
2 and we will continue to work on that with the
3 Historic Commission. And you'll see some of
4 the modifications that we've made this
5 evening.

6 One of the modifications that you asked
7 was to look at our bays. And we have shown
8 how we intend to assist in the privacy bay,
9 including some of the louvers in the interior
10 of the building which would show the work for
11 both privacy, managing light, and have some
12 kind of thermal benefit also. We have
13 included in the package that you got some
14 examples of light fixtures that would assure
15 that all the lighting for both the garage
16 ramp and the exterior of the building would
17 be down lighting and moderate, and certainly
18 not shining in people's eyes in the
19 neighborhood. And this would also be part of
20 how we handled the interior of the ADA
21 parking at the top of the ramp.

1 We have -- and this is one of the
2 things we worked with the Historic
3 Commission. We managed to lower the height
4 of the building by two and a half feet below
5 where it was when we were last in here, which
6 makes it lower than the roof line of the
7 church. And that was something that was
8 appreciated when we went to the Historic
9 Commission. We've also given more space
10 between the church and the Beech Street
11 facade of the building, and the drawings that
12 you have been given illustrate how that
13 changes the proportion of that little
14 forecourt. And we think it's been an
15 improvement.

16 We've shown in the garage plan where
17 trash compactor will be. Courtyard landscape
18 is being worked on by Sasaki, and they are --
19 will continue to work with the arborist in
20 the city about any of the plantings that will
21 go in and be chosen for their adaptability to

1 that particular locations.

2 And as far as the children's play area
3 is concerned, I talked with a neighbor on
4 Blake Street and she assures me that the
5 neighbors on Blake Street are in favor of the
6 project, and that in the past the church
7 hasn't had any difficulties with the play
8 yard that is currently there, and the hours
9 and uses will be similar to that now. It's
10 very close to where the play yard is right
11 now, so I think that's not going to be a
12 problem.

13 So that is a wrap up of the verbal
14 part. And Rick Dumont is now going to show
15 you the pictures. And we're going to try to
16 make this quick for you.

17 RICARDO DUMONT: Good evening. My
18 name is Ricardo Dumont. I represent the
19 church and Sasaki. Also with me is my
20 partner Vinicius Gorgiti, senior partner at
21 Sasaki as well. Given Gwen's lead in we'll

1 talk about many of the modifications that
2 she's talked about.

3 Again, the site plan for orientation.
4 Massachusetts Avenue, right here. Beech
5 Street. Of course Blake, here. And behind
6 it just off the screen is Orchard. The
7 church main sanctuary is here. And the
8 proposal -- essentially this was the car wash
9 site. And essentially the proposal is this
10 piece with some retail. You'll see all this
11 in perspective in the elevations later.

12 So this is the parish hall plus three
13 stories of residential on this side, and two
14 stories of residential on this side. Again,
15 the same thing, parish hall, ground floor and
16 then three stories of residential on this
17 side, and four stories of residential -- or
18 three stories of residential here and three
19 stories here.

20 One of the critical things in working
21 with the Historic Commission was getting more

1 relief at this very critical area of the axis
2 where the altar is in the church. The goal
3 was to increase this distance, and we've
4 increased that upwards of 30 inches away from
5 the axis moving that way. And you'll see
6 that in three different perspectives to show
7 that new critical dimension.

8 As Gwen said, we are working with the
9 church and Holly and the congregation
10 directly as we start refining the use and
11 major intent of the garden. You can see the
12 street replanting and the planting you saw
13 last time and the series of blocks of grows
14 of birch or ginkgo that begin to affect sort
15 of a nice screening idea both for neighbors
16 off-site as well as the on-site residents.
17 We'll talk more about that and see that in
18 the sketches and elevations as well.

19 The idea that there will be a secondary
20 chapel. That chapel is located in sort of
21 the nexus of where the building comes

1 together where the church is right here, that
2 will be a 30 seat, 35 seat smaller chapel
3 with a view and axis directly out into the
4 garden court.

5 And this will be a one-story
6 connection, flat roof connection probably
7 green roof for both elements here that
8 connects back to the historic church.

9 The vehicular access as we've shown
10 before, continues to be off of Beech Street.
11 And that ramps down to this point. And
12 you'll see it inside the garage later that
13 comes in right here. And then accesses all
14 the parking, except for the four to five
15 handicap spaces underneath the building here.
16 Again, you'll see that in perspective.

17 So other critical things there would be
18 the curb cuts as we discussed with Sue
19 Clippinger and with city parking and
20 transportation. There will be a short term
21 drop off right here, that would allow the

1 bicycle lane to carry on through, and that
2 would be the short term drop off here.

3 There is the secondary egress into the
4 parish hall where a lot of the functions for
5 the food pantry, etcetera, would have access
6 for service right here. And there would be
7 the collective repository for trash and stuff
8 and closed structure right there. And then
9 trash would be wheeled out. And we'll show
10 you that later as well. So, in general the
11 site plan.

12 Then in the basement plan, you'll see
13 again the majority of the parked cars and the
14 drop off functions do happen here. Again,
15 the ramp is outside. We enter the garage
16 right here. Gwen mentioned the idea of the
17 trash compactors. So all the trash will be
18 compacted right here from all the residents
19 and then wheeled out from maintenance
20 facilities on pickup day.

21 The children's drop off for classroom

1 events will be dropped off down here as well.
2 So there will be three or four cars parked
3 for drop offs, parking for drop off and
4 children would be escorted up the elevator
5 and into the parish hall itself which is
6 above. Most of the church parking is located
7 down here, with bicycle parking here and
8 underneath the chapel. So most of the church
9 parking here, egress and up through the
10 staircase and into the main parish hall of
11 the church.

12 And this is at the ground floor. So
13 this is essentially the plan of the ground
14 floor with -- outlined in red is the majority
15 of the parish hall uses. So essentially all
16 the ground floor surrounding the south facing
17 courtyard will be parish hall uses, including
18 the chapel. Going out to Mass. Avenue, this
19 will be the parish library. This sort of key
20 corner location. And then of course the
21 secondary retail for rent or for sale

1 next-door as well.

2 This will be the classrooms, the main
3 parish hall, dining and food pantry areas
4 here. Service and sacristy and other events
5 located relative to the church right here.
6 So essentially all of this will be church
7 parish hall and new chapel surrounding the
8 garden.

9 And then in the front area on Beech,
10 this will be the living room, common living
11 room for residents of the two to three
12 stories of residential. The main entry will
13 be right here off this common court. So you
14 come up a pathway in through the initial
15 front court here for residents and then you
16 go deeper into another courtyard, which will
17 take you into the secondary entrance into the
18 parish hall. And you'll see this again in
19 perspective as well.

20 So then the main elevator core for both
21 parish hall and residence here in this area.

1 Main entrance for residents here and main
2 elevator core here.

3 There will be three or four units in
4 the back here with its private gardens, and
5 then here with access to this common garden
6 area right here.

7 You'll see again in perspective one of
8 the things we worked with Historic Commission
9 on, again, the issue of westbound traffic
10 coming from Porter Square on the view
11 corridor for the fire station. So you'll see
12 a major notch out here that's in direct
13 response to some of the concerns raised by
14 the Commission. So that standing here there
15 will then be the glimpse of the tower. So
16 you'll see that notch out of the program of
17 the ground floor there. And then there will
18 be -- you'll see again the bay structure as
19 well.

20 So again as Gwen said, we've been
21 working with the city arborist, again, since

1 we are removing trees on the property line
2 between the present car wash and the church,
3 these are the trees that will be removed. We
4 are replacing those trees in kind according
5 to the formula as set forth by the city
6 arborist. In fact, given the plan from the
7 previous time, we've increased the number of
8 trees almost two-fold to actually come
9 closest to the exact replication of caliber
10 of the sides. Again, that aids both the
11 visual screening. It also helps us to meet
12 that condition.

13 Of course one of the critical factors
14 is preserving the five pin oaks. Along the
15 way we continue to work with city traffic,
16 and everyone's agreed that we're going to
17 save this pin oak which is favorable to me
18 and to us as well, and that we'll work to
19 modify the driveway around that tree. And
20 that will also save the five critical pin
21 oaks here. And you can see some major trees

1 we're preserving off of -- directly off the
2 property line here, abutting the property.
3 The tree and landscape continues to be a
4 concern. As we work with the church
5 congregation, we'll continue to refine this
6 garden which will be under the purview of the
7 Historic Commission.

8 So now these context elevations and
9 sections. So, this is the Mass. Avenue side.
10 So we have in scale, the church. Main
11 sanctuary, the historic sanctuary, the former
12 funeral home right here, and then of course
13 the great fire station right here with its
14 tower. And one of the key factors here is
15 getting -- lowering this down so we're
16 basically two feet under the ridge line of
17 the church. You'll see this in both model
18 and other elevations later on. And of course
19 the section shows the underground parking,
20 first floor parish hall or retail, and then
21 three floor of residential facing the court

1 and two floors of residential facing
2 neighborhood homes.

3 So, this is on Beech Street. So again,
4 you see this is actually one of the great
5 elevations of the church. So you see the
6 apps right here, which is facing due east.
7 And then the main entry on Massachusetts
8 Avenue. And then you can see here the
9 elevation right there of the Beech Street
10 elevation. This is the Kingdom Hall. And
11 then entrance to the ramp and the 1, 2, 3, 4,
12 5 great pin oaks that are there now. Average
13 height around 55 to 60 feet.

14 So the elevation is this portion here.
15 The parked cars are behind the screen.
16 You'll see this in more detail later. And
17 the living room for the residents is right
18 here. You'll see in perspective that this
19 gives us even a larger view into the absence
20 of the entry courtyard.

21 Now these are the elevations if I were

1 on Orchard Street or Looking from a
2 neighborhood on Orchard Street Looking back
3 in, again, the idea of the covered handi cap
4 parking right here, which is screened from
5 the street view. From the face-on view
6 you'll see a glimpse of this. You'll again
7 see this in perspective. There are four
8 handi capped parking spaces there. In plan
9 we're making this a courtyard texture so the
10 same brick material that is now in the
11 historic sidewalk here will continue in and
12 form that courtyard. You'll see that in
13 perspectives before we start down in the
14 ramp.

15 This bottom is the same perspective.
16 You can see the screening of the idea of the
17 blocks of trees that alternate with the bays
18 on the buildings. So again all the exterior
19 of the building, all the facades are now
20 using the enclosed bays. And the idea that
21 the blocks will be alternating with the bays

1 to allow glimpses in and out between both
2 on-site and off-site with residential
3 parties.

4 This is the silhouette of the Kingdom
5 Hall. So essentially this block overlays on
6 top of this will be covering that. And we
7 have three major neighbors here on the
8 existing on to our Orchard Street side. And,
9 of course, the fence line and some of the
10 garage structures that are now in the back
11 yards. So we're looking at that back side,
12 you can see in the sketch there. Again,
13 that's a three-story elevation. Same on
14 Blake.

15 So from Blake we are seeing this is the
16 Mass. Ave. portion the entrance to the
17 retail, the common courtyard between the
18 secondary entrance to the parish hall. This
19 is the four-story where it steps down to a
20 three-story elevation here facing the
21 neighborhood. This is a four-story setback

1 35 to 35 feet. This is really the three
2 classrooms, the four classrooms for the
3 parish hall right here with a common
4 children's garden. And then this becomes a
5 residential element right here. This is a
6 door access to the parish hall main place to
7 the court. And then there's a typical
8 setback, and this is the larger setback for
9 the building here and of course the fence and
10 the existing neighbors. Again, these are
11 silhouettes of the existing or single family
12 homes and the silhouette of the fire station.

13 Mass. Ave. elevation is, again, you can
14 see right here, this is one of the major
15 shifts in the work in working with Historic
16 Commission essentially making this a
17 proportion of a two, two to one proportion.
18 So we've gotten a -- you'll see in the
19 perspectives, the ground floor retail, the
20 parish hall library, two floors of
21 residential, and then a setback for a third

1 floor -- fourth floor, which is deeply
2 setback. And actually changes material with
3 the setback. So we actually have a
4 pronounced elevation, more of a three-story
5 elevation with a setback and changed material
6 for the fourth floor.

7 Then this is where we are more deeply
8 setback that allows the view of the fire
9 station's tower. And then that allows us to
10 catch that -- and sacrifice that program to
11 do that. And this would be the common
12 alleyway where there's a courtyard. So we
13 have ten feet of courtyard right here, and
14 the fire station continues to have its own
15 courtyard where they continue to park cars
16 there today. Again, a silhouette of the
17 church.

18 East elevation on Beech again. So this
19 is the major elevation here where we have
20 essentially that scale elevation, that scale
21 of this piece, this unit size, and that unit

1 size is actually -- I'm mimicking the Italian
2 homes across the way. Again deeply recessed
3 entry here, and that's the ground floor
4 living room for the residential component of
5 the plan. And then you can see again the
6 distance from the apps to that side of the
7 building which we've increased from that
8 previously was right here. And that allowed
9 for a most gracious courtyard for both the
10 residential and secondary egress to the
11 chapel.

12 So, now I'm going to show you a series
13 of perspectives of the same. So, again,
14 these have been -- they literally reflect
15 that model and those elevations that has been
16 dropped into a perspective model and reflect
17 very accurately what the conditions should
18 be. So we're going to show you one looking
19 eastbound into Cambridge this way to look at
20 the effect of maintaining the bell tower for
21 the church and the rose window, as well as

1 the elevation for this building. And then
2 we'll have one westbound that looks to this
3 corner and shows the setback condition and
4 the view.

5 So again, you'll see with leaves and
6 without leaves here. So this is the retail
7 space. Then at the end of the building here
8 would be the library, two floors of
9 residential. You can see the step back
10 fourth floor. And this is the larger step
11 back which actually the building bends here
12 to reflect an orthogonal relationship with
13 the existing adjacent fire station where the
14 bay is the same relationship parallel to
15 Mass. Ave. So that allows us to get a much
16 better view of the fire station. And you can
17 see the protective canopy for retail and
18 solar screen -- this is the south elevation.
19 And then that covers and goes all the way to
20 the end of the corner here. And then you can
21 see the main -- this will be the main

1 entrance reestablished for the church on
2 Mass. Ave. with the great rose window and of
3 course the bell tower. And the bell tower,
4 when you test the perspective further back
5 and can be seen up to three to four blocks
6 away. So all this shifts that have been made
7 to accommodate both the fire station as well
8 as to preserve the great views to the church.

9 So, of course in -- and we have to wait
10 five more months for this to occur as we're
11 entering winter.

12 Now, the other view, so now we're
13 westbound. So the critical view -- a lot of
14 work has been done here. We'll talk about
15 materials as well. So you can see firstly
16 the step back. So the large step back as
17 dictated by current overlay district, and the
18 more dramatic change in materials. So going
19 from an cementitious limestone like or
20 mixture here wall panel, local stone coming
21 close to the stone on the church, and just

1 more discrete panels on the ground floor with
2 a metal panel and storefront system. The
3 bays are all metal on the storefronts so
4 quite elegant materials, and a copper-like
5 color. And, again, picking up some of the
6 rust colors on the church. And again for the
7 loft-like fourth floor here.

8 Again, you can see the canopy line, and
9 this would be the library corner for the
10 church. And the parish hall entry falls
11 under this bay. You'll see this in
12 perspective later looking into the courtyard.
13 So that bay and the canopy announce the
14 parish hall new entry. Holly's offices will
15 be in here. And as I said, the library is
16 here.

17 And again, you can see the idea once we
18 get into the courtyard here, we go back to
19 three stories of residential on top of the
20 parish hall.

21 And, again, we're working in the

1 garden. The garden will continue to be
2 enhanced as we look at sort of a more
3 stronger gross of trees and the foreground of
4 Mass. Ave. to give some filter, but probably
5 without a fence condition as there existed
6 there for a more welcoming effect. Again,
7 you can see the cutbacks for the curb line
8 for the short term drop off.

9 And, again -- oh, yes. Let me go back
10 the fire station. So one the critical
11 things, instead of the building coming all
12 the way to here, which would be allowed under
13 the zoning, this was one of the big cut backs
14 here to actually bend the building back to
15 allow this better glimpse of the fire
16 station. So this is -- I'm literally
17 standing opposite where the old Long Funeral
18 Home was. So we can catch that view. And as
19 we go further down the street, you can catch
20 that broader perspective. Across the street
21 from the Long Funeral Home, Hugh. And the

1 foliage condition there.

2 Now, Beech Street. Again, a lot of
3 work has been done on this elevation so we're
4 going to show you three different
5 perspectives walking down the street. Some
6 of the critical relationships here -- oh, let
7 me just show you and remind you again -- so
8 one of the key things is we moved this facade
9 back 30 inches, two and a half feet, to this
10 location here to allow us to get more view of
11 the apps of the church.

12 So from our furthest point away again,
13 you can see the idea of the brick historic
14 walk that will carry into the level area of
15 the handicap parking court. The louvered
16 screen here with vegetation, vines covering
17 it, and a screen device. And as we said,
18 lighting will be all down lighting in the
19 garage so there won't be glare coming out of
20 the garage. Same thing with the ramp that
21 goes down. So we'll have two stacked units

1 here. As you can see, this is a three-story
2 elevation. And we step back to a four-story
3 elevation as we go to the church. Again,
4 according to the legal overlays. So you can
5 see the 1, 2, 3, 4, 5 -- or pin oaks here.
6 This is the pin oak we're desperately trying
7 to save and maintain as we go through the
8 process. Again, in -- these -- you know the
9 pin oaks are very dense here, both winter and
10 summer, very dense foliage branching
11 structure. Literally the top three floors
12 will be in the trees. We'll continue the
13 same setback as the great Kingdom Hall
14 next-door, and continuing the same planting
15 idea of sort of a raised shrub and vine
16 covered base here that continues the
17 continuity all the way to the apps of the
18 church.

19 So now we're a little closer. Passed
20 the -- now the entry into the ramp. So this
21 is the louvered effect here with the louvers

1 slanted so you don't look in, but it just
2 allows the sunlight into the space. Again,
3 the forecourt of the garden. This is the
4 living room area for the residential above.
5 Again, mostly three-quarters glass here so we
6 actually get more light and freedom for the
7 apps. And now you see the apps totally free
8 here. The idea of the bay, corner open, and
9 then this is setback again according to
10 working with the Commission, we setback the
11 top floor 30 inches. And that allowed again
12 as you come walking down the street to get a
13 view of the tower of the church and the apps.
14 This was setback 30 inches from this plane
15 right here. Again, the idea the Beech trees,
16 the brick sidewalk would then lead you into
17 the courtyard between the church and the
18 parish hall residence. So again in foliage
19 condition.

20 So looking straight on -- so, this is
21 the idea -- so the building was right here.

1 So the walls were right here. Again, we've
2 set that back 30 inches. The living room, as
3 you can see, fairly open and glassy. Great
4 sunlight coming into the room here. And
5 initial courtyard here will pick up a little
6 bit of grade change here in this sidewalk
7 ramp. That will be the entry before you hit
8 the fence. Screen wall there. The first
9 entry is for the residence, and then you go
10 through into an inner courtyard that will
11 then give you an entrance into the secondary
12 entrance for the parish hall. Again, common
13 courtyard for this line and then a more
14 private courtyard for the church functions
15 beyond. And again, you can see beyond the
16 other side of the courtyard the idea of
17 residents on the other side of the
18 courtyards. Again, in our foliage condition
19 here.

20 So again the continuity of the historic
21 streetscape, the brick sidewalk, the

1 foundati on pl anti ng consi stent wi th what the
2 Ki ngdom Hall has done really i ntegrates thi s
3 i nto a l arger perspecti ve. Remember, thi s i s
4 a parki ng l ot today.

5 So i n pl an, agai n, to more i nteri or
6 vi ews l ooki ng i n from Mass. Ave. and then
7 I' ll wrap up. So the vi ew l ooki ng i nto
8 courtyard ri ght here, and then we' ll see a
9 secondary vi ew to the chapel i nto the gardens
10 i n here. So, agai n, thi s i s thi s area here.
11 Thi s i s the entrance to the church. The
12 rel ati onshi p here woul d be reusi ng thi s as
13 really the mai n front door of the church,
14 reestabl i shi ng that entry and the pari sh hall
15 entry woul d be ri ght here under thi s l ong bay
16 and extended canopy. So the i dea that there
17 wi ll be a cross court here functi on so the
18 two are uni ted once agai n.

19 The forecourt wi ll be the grove of
20 trees we showed i n pl ans. So i t wi ll be
21 passi ng through that to gi ve some sense of

1 sort of separation from Mass. Ave, to get
2 more of that sort of garden feel that you get
3 today. And we'll continue to work on this.

4 The ground floor you can see the idea
5 of again taking advantage of this is direct
6 southern exposure in this courtyard so we
7 should be able to get great use of the
8 courtyard, and the tempering of that southern
9 sun consistent throughout through open
10 privacy and solar with interior wood shutters
11 in all the bays.

12 You can see the courtyard, again,
13 someone asked the last time the total site
14 was 27 percent open space before. The new
15 site is 52 percent. So dramatic increase in
16 open space conditions as defined by the
17 guidelines. And the reduce -- a reduction of
18 paved space from 27 to 6 percent at the
19 surface. So, again, the idea of the bays,
20 the more background material for the Board of
21 the fenestration for the residents and the

1 glass and stone combination working around to
2 the new chapel. Again, at foliage
3 conditions. So, again, the foliage will help
4 carry some sustainable benefits because we're
5 trying to reduce the heating load in the
6 summer.

7 So now looking the other way. This
8 would be the canopy for the entrance to the
9 parish hall. Again, very, you know, simple
10 use of the stone from across the way here at
11 key areas by the long spans of glass. Yet
12 all the rooms are facing to the courtyard,
13 and the idea of a more private garden space
14 here behind the low wall, and then the Beacon
15 elements of the new chapel of 30 to 35 seats.
16 That will be a slightly raised roof here to
17 get a taller expansion inside. And then we
18 go to a shorter roof here before we go back
19 into the residential portion here. So,
20 again, courtyard is doing several things for
21 us: Recreation, use of the courtyard for

1 events. It's also a storm water resource, so
2 all the storm water from the roofs is stored
3 underneath that lawn panel and then sent out
4 into the city system or infiltrated into the
5 ground cavities. So the goal is
6 multi functional purpose of that courtyard
7 again facing due south. So it would be a
8 tremendous asset for both public and
9 community of the church. So, again in the
10 foliage condition.

11 So, again, this is the area we're
12 working more intently now with the church,
13 and it would be worked on getting ready for
14 January 7th as Gwen said.

15 So, that's our update of where we've
16 come since we last saw you a couple months
17 ago.

18 WILLIAM TIBBS: Thank you.

19 Now, before we have our comments and
20 questions, I was wondering, Charlie, if you
21 would like to comment on this. And in

1 particular I think we would see if we got a
2 fair representation of what happened on the
3 3rd?

4 CHARLES SULLIVAN: Yes. I'm Charles
5 Sullivan. I'm director of the Cambridge
6 Historical Commission.

7 The status and jurisdiction of this
8 project is complicated. It's on the National
9 Register of Historic Places. The church
10 received two grants from the Massachusetts
11 Historical Commission which has a perpetual
12 preservation restriction on the property
13 bonding the church to their permission to
14 demolish, to do construction and to alter the
15 property. Mass. Historical Commission is in
16 the midst of their review. I've been in
17 consultation with them. We share some
18 concerns, but we haven't seen their finding
19 yet. The Cambridge Historical Commission
20 staff has been talking to Oaktree on and off
21 for the passed year, more intensively in the

1 last couple of months. Our concerns at the
2 staff level were the bulk of the proposed
3 construction, the destruction of the existing
4 parish hall, the Knights garden, and whether
5 it would be possible to preserve that or any
6 aspect of that. The changes that have been
7 described pulling the building back to allow
8 the fire station greater view, pulling it
9 back to recognize Kingdom Hall, to make it a
10 little kinder to the streetscape, are
11 certainly positive from our point of view.
12 When the Commission met last -- the other
13 day, they initiated a landmark designation,
14 study which under city ordinance means that
15 the building -- the property is treated as a
16 landmark for up to a year while we formulate
17 a recommendation of the City Council for
18 possible permanent designation. That means
19 that any alterations to the property that are
20 requested during the year require a
21 Certificate of Appropriateness, partially but

1 the -- any building that's been designated in
2 the historic district as a landmark.

3 So at the Commission's last meeting
4 they initiated the study and then they had an
5 introduction to the project that Oaktree had
6 already filed an application for a
7 Certificate of Appropriateness. So there was
8 a hearing, but it was really in the nature of
9 an introductory discussion to the project
10 that we saw the earlier version of this
11 proposal. The Commission, we only had half
12 our strength that night, so not all of our
13 members have been heard from. The Commission
14 agreed with the staff concerns about the need
15 to make this a subsidiary building to the
16 church. They agreed that for the right
17 project the parish hall buildings could be
18 demolished. They were concerned about the
19 bulk and density of the buildings. They were
20 concerned about the Knights garden. And we
21 asked for more details about those, as well

1 as the exterior materials. We have -- do
2 have another hearing on January 7th. We
3 expect to see more details at that time. I'm
4 not sure that the Commission's review will be
5 completed at that time. I think there are
6 still some areas that we perhaps haven't
7 pushed hard enough. We -- it's seen that the
8 building's been reduced in height two and a
9 half feet. We originally had heard it could
10 be reduced four feet which would have been a
11 significant reduction in height. It came
12 down to two and a half feet because the
13 church understandably wanted a parish hall
14 with an adequate ceiling height on the
15 Massachusetts Avenue wing. I'm not sure that
16 the Beech Street wing could be further
17 reduced since that has been the functions.
18 I'm not sure that the top floor near the
19 church couldn't be setback further than it is
20 now. We're -- we are definitely interested
21 in studying the exterior materials. I'm not

1 sure that using stone in the way they have is
2 adequate complement to the church. It's --
3 it can't duplicate that stone masonry. And
4 if you try to echo it, you get some strange,
5 strange design choices are being made.

6 I'm especially concerned about the
7 garden. The Knights garden as it was called,
8 was designed sometime after the church bought
9 the property in 1915 by John Nolan who was a
10 famous landscape architect. It's a very
11 gentle sort of organic garden characterized
12 by shrubs and small trees as far as we can
13 tell. We found a partial design of the
14 garden. The design hasn't been found. The
15 courtyard as is designed is very hard-edged,
16 very rigid, very mechanical and not a very
17 humane space. So, the garden's been
18 identified as historically significant spot.
19 We think it needs more attention from that
20 perspective as part of the Historic
21 Commission's review. I think that covers it.

1 But, the Commission -- the sense of the
2 meeting was that the Commission thought this
3 project was doable, but they had serious
4 concerns about the high density materials and
5 so on. So we're still working on it.

6 WILLIAM TIBBS: Thank you. Any
7 questions for Charlie while he's here?

8 HUGH RUSSELL: Yes, I do. Some of
9 the serious questions you put forward, and
10 actually most of them are the questions on my
11 list, personal list. And so I'm wondering
12 what's the appropriate process to allow both
13 bodies to do the work they should be doing?
14 And so that's sort of -- I mean, I think in a
15 cooperative thing we can delay our decision
16 with a consent of the proponent sort of
17 indefinitely so we could decide let's let you
18 do your work, get -- so we're both reaching
19 this conclusion at the same time before
20 either board goes further and votes. I think
21 in some ways I'd rather wait to have you

1 conclude your work because that's the deal in
2 terms of the appearance that we should be
3 thinking about. And if you do your work as
4 well as you usually do, you can sort of say
5 well, they've done it, we don't have to focus
6 on those issues.

7 In particular I'm interested in the
8 height of the building and whether it
9 overshadows the church and the fire station.
10 And there have been suggestions by abutters
11 that the building be a three-story -- limited
12 to three stories. My own view is that the
13 three-story -- the elevations that are
14 articulated as three stories, look better to
15 me. At the same time, they like the
16 four-story at the -- next to the fire station
17 where it's set back, and the change of
18 material seems to be quite successful. The
19 same thing on Beech Street. Like, who is
20 going to be addressing that issue? Is that
21 something we can leave to the Historic

1 Commission or are they going to say well, no,
2 if the Planning Board says it can be four
3 stories, we can work within that? You
4 understand the dilemma I'm having?

5 CHARLES SULLIVAN: Mr. Chair, can I
6 respond?

7 WILLIAM TIBBS: Sure.

8 CHARLES SULLIVAN: Our ordinance
9 allows us to be more restrictive than zoning
10 in reviewing applications like this. We
11 don't take that lightly. Since we can be
12 more restrictive in zoning, I think the Board
13 of Zoning Appeal and the Planning Board and
14 many projects let us do our review first
15 because it might result in a substantial
16 smaller project. In this case the Planning
17 Board's in the midst of this, and I think a
18 lot of good has come of the Planning Board's
19 review. So, I would hesitate to have you all
20 pause and let us do our thing which you may
21 not like since you're in the middle of your

1 review. I would encourage you to go ahead.
2 We also haven't heard from the state Historic
3 Commission which also can be more restrictive
4 than us. They also are concerned about the
5 height of the Beech Street wing, and they
6 have suggested that perhaps that could be
7 three stories. When they heard that the
8 building might be lowered four feet, they
9 thought well, maybe that's significant. Two
10 and a half feet, well, it's -- it's up in the
11 air. So I would suggest going ahead.

12 I mean, the other aspect I forgot to
13 mention is the Commission's very interested
14 in the financial benefits to the church that
15 will allow them to maintain that sanctuary.
16 That's, that's major. A major argument for a
17 lot of this project to go ahead from our
18 point of view. So it's -- to allow this
19 project to go ahead -- I don't want to be
20 tough on this project, but I want to make it
21 clear that the Commission would like to see

1 something go ahead for the benefit of the
2 church.

3 HUGH RUSSELL: Thank you.

4 WILLIAM TIBBS: Ted?

5 H. THEODORE COHEN: Can I follow up
6 on that? And maybe it's a question for Beth
7 or the staff. Let's just assume for the sake
8 of argument we were to vote tonight to
9 approve this as it is and then it goes
10 through your process and you are more
11 restrictive and require different things than
12 we approve. What then happens to us, it
13 comes back for an amendment?

14 BETH RUBENSTEIN: These are good
15 questions. Charlie, I welcome your thoughts
16 on this, too. If you did feel you were ready
17 tonight and you wanted to make a decision,
18 they grant a permit with conditions, you can
19 also condition it that should the subsequent
20 decision, the Local Historic Commission or
21 the state, you know, alter what it is you're

1 doing. That you request that it come back to
2 you for another look. I think we've done
3 that. I think we could do that.

4 CHARLES SULLIVAN: I would say
5 either that or a continuance with the
6 applicant's consent until after the next
7 Commission meeting. At which time we will
8 have heard from the state commission and
9 should have more clarity on that.

10 HUGH RUSSELL: So that's sort of a
11 suggestion that we go as far as we can and --
12 but don't finalize what we're doing until we
13 get more input from you but we don't stop
14 work?

15 WILLIAM TIBBS: Tom, did you want to
16 say something?

17 THOMAS ANNINGER: No, I think I'll
18 wait until later.

19 WILLIAM TIBBS: Okay. Thank you,
20 Charlie.

21 CHARLES SULLIVAN: Thank you.

1 WILLIAM TIBBS: Now, do we have
2 questions or comments for the proponents?

3 Ahmed.

4 AHMED NUR: I just had a quick
5 question for the setback on the second floor.
6 What was the setback so that way you could
7 see the fire station?

8 RICARDO DUMONT: Cutting back the
9 building there?

10 AHMED NUR: Cutting back the
11 building.

12 RICARDO DUMONT: Let me see, I'd say
13 roughly eight or nine feet was taken out
14 missing there.

15 VINICIUS GORGITI: It was a
16 45-degree --

17 THE STENOGRAPHER: I'm sorry, you
18 have to speak up. I can't hear you.

19 VINICIUS GORGITI: The setback is a
20 45-degree angle so the floor to floor the top
21 is about 10 feet so the fourth floor pushes

1 back off Mass. Ave. or ten feet and then it
2 angles back so it's ten feet plus.

3 WILLIAM TIBBS: You have to give
4 your name and address.

5 VINICIUS GORGITI: Vinicius Gorgiti.

6 WILLIAM TIBBS: You'll have to spell
7 that.

8 VINICIUS GORGITI: V-i-n-i-c-i-u-s
9 G-o-r-g-i-t-i. It's 16 Dartmouth Place,
10 Boston, 02116.

11 AHMED NUR: I just have one more.
12 And what is the use of that area? Is it
13 going to be a rooftop?

14 RICARDO DUMONT: Yes, roof terrace
15 for the two units that are accessing that
16 terrace there.

17 AHMED NUR: Okay. So it would be
18 roof units on top of that?

19 RICARDO DUMONT: Yeah, a roof
20 terrace.

21 AHMED NUR: A roof terrace?

1 project any further and still have it be an
2 economi cal l y devel oped vi abl e proj ect.
3 Unfortunatel y we' re not pri vy to the pro
4 formas that you' re worki ng wi th where that
5 break even poi nt i s or where it makes no
6 sense to do the proj ect any further. So wi th
7 that bei ng sai d, I, you know, I' m just
8 wonderi ng how far we can push on some of
9 these i ssues havi ng to do wi th the hei ght and
10 the setbacks and so on that we are making the
11 proj ect not possi bl e. And I l i ke thi s
12 proj ect very much from a vari ety of poi nts of
13 vi ew. I l i ke the di agram. I thi nk i t works
14 real l y ni cel y. And I thi nk the benefi ts to
15 the church and to the communi ty ul ti matel y
16 wi ll be very, very si gni fi cant i f we can
17 reach an agreement and move i t forward.

18 RICARDO DUMONT: Thank you for your
19 comments. And I thi nk Gwen wi ll have
20 somethi ng to say. Let me just say one thi ng,
21 Gwen. The fi nanci al pro forma i s di fferent

1 than a usual development pro forma. Here
2 we're entering into a relationship with the
3 church, and part of the reason for doing this
4 project is to put -- set aside an endowment.
5 An endowment is actually what will preserve
6 for the future the sanctuary upkeep and
7 repair. Already this is a deferred
8 maintenance liability of close to a million
9 dollars. So that's the primary purpose of
10 the church in fact entering this agreement.
11 So, the pro forma is set-up not just as a
12 profitability statement for the developer
13 with its normal associated affordable units,
14 but as a way to get the church up to speed
15 with that historic sanctuary.

16 Now, I want to remind you as you all
17 know, we're not even maximizing the capacity
18 of the site. The fact that we are having the
19 south facing courtyard is a civic space, we
20 are sacrificing right off the bat 15 percent
21 of the FAR allowable. As we massaged and

1 sculpted the building back and forth, we're
2 trying to maintain the number of homes there,
3 and the capacity to a degree because
4 ultimately that's going to finance two major
5 things that I think you're very concerned
6 about. The quality of the materials of the
7 project. And two, the quality of the
8 endowment that will be the remnant and
9 manifested in the development pro forma. So
10 it's more than just profitability for units,
11 that's what it comes down to. So as you make
12 your deliberation, we ask you to think about
13 that.

14 GWENDOLEN NOYSE: Rick has been very
15 articulate about the changes that we've made
16 and the cutting back. We have been pairing
17 the building and we have significant
18 obligations that we've agreed to with the
19 church. So this is going to end up being
20 something not only we're building a new
21 parish house for them, but there is an

1 endowment portion of this. And frankly the
2 project has cost us in terms of the time that
3 it's taken for us to work all these things
4 out. We've owned the property next-door for
5 a year and a half now, and that's not been
6 easy to carry. And it is going to be a very,
7 very tight project at this point. I mean,
8 there's nothing to spare. The top floor is
9 absolutely essential for us to move ahead.

10 WILLIAM TIBBS: Thank you.

11 Any other comments or questions?

12 Charles? Were you not done, Charles?

13 CHARLES STUDEN: Well, on a slightly
14 different tack though, I just did want to
15 echo what Charlie said about the garden that
16 was designed by John Nolan. I too am
17 troubled by the kind of brutality of what I
18 see in the plan, the linearity of it, and
19 somehow I see that as being a much more
20 organic kind of space ultimately that could
21 benefit not only the church but the new

1 construction that's going to be adjacent to
2 it. So, I don't know, right now it looks too
3 much like a diagram. And I know you said
4 you're working on it, but I'd just like to
5 emphasize that.

6 RICARDO DUMONT: Good comments.
7 Again, that was one of the major issues we
8 were working on for January. Again, and
9 we're working with the church. We're trying
10 to understand the use of the garden. We
11 talked to Holly about establishing the idea
12 of a floor of a labyrinth which is a common
13 theme in a church community of facade and
14 paving, special paving in there, in addition
15 to trying to maintain some of the shrub
16 character, especially in the contemplative
17 garden in the foreground from Massachusetts
18 Avenue, which is actually recognized by some
19 of the residents. As we move forward, those
20 are going to be the key things we're trying
21 to address as well as using the space for

1 events inside. Good comments.

2 WILLIAM TIBBS: Thank you.

3 Tom?

4 THOMAS ANNINGER: Before I make
5 general comments can I ask you to put up the
6 site plan? There's just one thing that
7 struck me tonight when you had the overview,
8 the bird's eye view. Yes, that's pretty
9 good.

10 The one thing that seems to be a desire
11 line that I just cannot be accommodated is to
12 be able to walk all the way around the
13 church. That little neck there that connects
14 the two -- I guess there's no way of walking
15 through there because the doors -- there are
16 doors there and that's a hall and that's a
17 part of the church and there's nothing you
18 can do about that.

19 RICARDO DUMONT: Right.

20 THOMAS ANNINGER: And it's kind of
21 too bad. It would be awfully nice if you

1 could access the garden from -- somebody
2 wants -- somebody is signalling to me. I'm
3 going down a bad track here.

4 RICARDO DUMONT: Holly, would like
5 to speak to that?

6 THOMAS ANNINGER: I'm ready for the
7 worst of it.

8 REVEREND HOLLY LYMAN ALTOLIM: The
9 connector that you see there now, the
10 connector that connects the church to the
11 parish hall, which means we have ADA covered
12 weather worthy passage from anywhere in the
13 church to anywhere in the parish hall. If
14 you disconnect the building from the church,
15 you would always have to go outdoors from the
16 church to go anywhere and that just doesn't
17 make sense. Especially if you have a kid in
18 the nursery on the other side of the hall.

19 RICARDO DUMONT: There are,
20 though -- you do bring up a good points, you
21 know. That is a key issue of the design, of

1 that connection. Civic connection -- the
2 Historic Commission has brought it up. We
3 kept it low one level story element so not to
4 play with the sort of very groove of the
5 church there. There is a lot of the glass at
6 the entry here, and another entry door here,
7 and another entry door here. So the goal
8 once you're in the vestibule, you can see out
9 in the garden, it would be accessible but you
10 are in an enclosed space. So we're making it
11 as light as it can be. But given the
12 functions the church desperately needs there,
13 does need to be a cover connection.

14 THOMAS ANNINGER: I understand that.
15 There are two desire lines. The one I was
16 talking about and the one you're talking
17 about. And I see why perhaps yours should
18 prevail. More than just perhaps. I can see
19 the answer makes sense to me.

20 Overall I can't say it much better than
21 how Charles said it, I think it's come a very

1 long way. I think it's vastly improved from
2 what we saw two meetings ago and last
3 meeting. In a number of ways, I like the
4 fact that it's come down in height. I like a
5 lot of the adjustments, the tightening up. I
6 think the materials are what are most
7 striking, both the colors, and I think you
8 may remember, I was objecting to the
9 clapboard and I'm very glad to see that you
10 found a material that you can substitute for
11 it, which to me is a lot more appropriate. I
12 have no problem in that being further
13 developed as often materials are. That's not
14 unfamiliar to us that you keep working on it
15 until you think you get it right.

16 I believe Gwen when she says this is
17 now a tight project. I don't think I'm
18 prepared to grind down the developer to the
19 point where it really becomes a question
20 whether this is even going to go. There have
21 been so many projects that we've approved

1 here in the last few years that have not
2 gone. I'd hate to see this be one of them,
3 because I think the concept is really
4 exceptionally strong and important for this
5 church and this site, and I like -- I'd like
6 it to go. I'd like it to work. So, I'm
7 prepared to go so far as to say that for the
8 sake of encouraging what you've shown us and
9 the progress, I'm prepared to vote in favor
10 of this project tonight subject to whatever
11 Historical Commission, both of them, want to
12 do with this, with the encouragement to the
13 Historical Commission that they also -- as
14 Charlie well understood, keep their eye on
15 the balance that if you go too far, we'll
16 lose what's the key aspect of this, which is
17 that it enables the church to sustain itself
18 for perhaps many years to come. So I -- I
19 think we can find a way to not have yet one
20 more meeting like this which I now think is
21 close to unnecessary, and to defer to the

1 Hi stori cal Commi ssi on for the next ground
2 wi th possi bl y a fi nal vi ew after i t' s al l
3 done. But that' s where I am toni ght.

4 WILLIAM TIBBS: Steve?

5 STEVEN WINTER: I' d l i ke to say that
6 I concur wi th my col l eague Tom Anni nger and
7 the col l eagues on my l eft al so. I thi nk thi s
8 proj ect has done real l y wel l wi th the revi ew
9 that we' ve put i t through. I thi nk i t' s done
10 real l y wel l. They al ways do. I al so feel
11 from my perspe cti ve as both as a board
12 member, but al so wi th a sense of stewardshi p
13 for the Ci ty of Cambri dge, for the l ong run,
14 that we can' t forget -- we can' t l ose track
15 of the fact that thi s devel opment i s goi ng to
16 preserve the church i n spectacul ar capi tal
17 fashi on for the next 50, 75, maybe 100 years.
18 So we have to real l y keep our eyes on that
19 al so. So Tom, I woul d be wi l l i ng to do that
20 al so.

21 WILLIAM TIBBS: Patri ci a?

1 PATRICIA SINGER: I absolutely agree
2 with my colleagues and further add my voice
3 to that. I have minor points to make.

4 First of all, having lived up on
5 Russell Street and walked by this property
6 for a very long time back and forth until I
7 moved, I would respectfully request that you
8 not put a fence at the edge of the courtyard.
9 It not only excludes the public, but it makes
10 -- really makes an emotional barrier for the
11 community. That would be my first comment.

12 And similarly I would respectfully
13 request that the plantings not exclude the
14 public. Walking by and looking at green but
15 not having access to it is almost more
16 frustrating than not having green at all.

17 And the second comment that I wanted to
18 make was sort of in a similar vein. I heard
19 in passing that you say, Ricardo, that the
20 top of the one-story connector building might
21 be a green roof.

1 RICARDO DUMONT: Correct.

2 PATRICIA SINGER: And I think that's
3 not only important for the people who would
4 be looking in upon it for the environment,
5 but I think it's really important for the
6 city to start to move forward with green
7 roofs and green walls, vertical walls. So I
8 commend you on having added those things
9 without us having discussed it beforehand.

10 WILLIAM TIBBS: Any other comments,
11 questions?

12 Hugh?

13 HUGH RUSSELL: Yes, there are a
14 couple of things that I really don't like
15 about this proposal and I'm going to start
16 off actually with a slightly different
17 question. Could you put up the westbound
18 perspective?

19 RICARDO DUMONT: This is westbound,
20 Hugh?

21 HUGH RUSSELL: The one that shows --

1 is that it? Yes, that's it. I'm trying to
2 figure out where you're standing. So, I see
3 that the --

4 RICARDO DUMONT: Probably in the
5 crosswalk right now the church side going
6 over across.

7 HUGH RUSSELL: The tower of the
8 church, I can see it free of the building.
9 So that means you've got to be standing
10 somewhere on this side of this line. And I
11 can see a little bit of the face of the
12 church. So that means that you're probably
13 standing somewhere in here.

14 RICARDO DUMONT: Well, here's what I
15 would do. I'd raise it up like this and you
16 put your eye right down at eye level and you
17 can see because of the cut backs that the
18 tower is visible standing in the crosswalk
19 right here.

20 HUGH RUSSELL: What I see in that
21 drawing is this corner and that line up more

1 or less.

2 RICARDO DUMONT: Well, this is the
3 fact right here. So that's as close as we
4 can get to with that. This is the fact.

5 HUGH RUSSELL: Right. And in the
6 fact I can't see the tower that's the point
7 I'm making.

8 RICARDO DUMONT: Are you in the
9 crosswalk? If you stood right there.

10 HUGH RUSSELL: I'm driving down or
11 walking down Mass. Ave. and I'm trying to
12 see, can I see the tower?

13 RICARDO DUMONT: Well, with my bad
14 eyes, Hugh, I can see it.

15 HUGH RUSSELL: Well, I can't because
16 there's a building in front of it. I just
17 want to make a point.

18 RICARDO DUMONT: We're not giving
19 any illusions here. What you see there and
20 what you see there is the best replication is
21 what we can possibly give you.

1 HUGH RUSSELL: I've done these
2 studies myself a number of times. They're
3 very difficult to do, you know, little tiny
4 changes. So the point is, I don't know --
5 I'm pretty sure that when you're here, you
6 look that way, this building is in front of
7 that tower. And I think the model
8 demonstrates that. And that's a concern of
9 mine.

10 RICARDO DUMONT: Okay.

11 HUGH RUSSELL: It's a concern of the
12 Historic Commission. I'm just saying
13 basically to benefit the Historic Commission
14 look at the model, the drawing. I believe
15 this drawing isn't, the station -- it was an
16 accurate drawing, but it's not from the place
17 that's being represented to be from.

18 RICARDO DUMONT: That's No. 1.

19 HUGH RUSSELL: That's No. 1. And I
20 -- the four parking spaces that are under the
21 building on Beech Street. Now you say those

1 are handi capped parki ng spaces. What are
2 they servi ng?

3 RICARDO DUMONT: Church communi ty.

4 HUGH RUSSELL: So those are for the
5 church and not for the resi denti al project?

6 RICARDO DUMONT: Ri ght.

7 REVEREND HOLLY LYMAN ANTOLIM:

8 Ri ght.

9 HUGH RUSSELL: And so -- okay. The
10 next questi on i s when you're i n the basement
11 garage, how do you get i nto the church?

12 RICARDO DUMONT: Through the
13 el evator core.

14 HUGH RUSSELL: So the el evator has
15 doors on both si des?

16 RICARDO DUMONT: Correct.

17 HUGH RUSSELL: So, for exampl e, you
18 can only -- thi s i s sort of i nteresti ng how
19 securi ty works.

20 RICARDO DUMONT: FABs.

21 GWENDOLEN NOYSE: FABs. A FABs

1 opens one side and not the other.

2 HUGH RUSSELL: So if I'm a
3 parishioner, do I get a FAB?

4 BETH RUBENSTEIN: No, you ring a
5 bell.

6 HUGH RUSSELL: Maybe there will be
7 somebody there on Sunday.

8 GWENDOLEN NOYSE: For any events,
9 they're managed and scheduled so we could
10 override the FAB for those events.

11 HUGH RUSSELL: Okay. So one of the
12 principles about handicap parking places is
13 that they're supposed to be next to the
14 entrance. And so these aren't very -- these
15 are about as far from the entrance to the
16 sanctuary as they could be. And the ones in
17 the garage are much closer. So I'm wondering
18 if these spaces actually would be -- will be
19 approved by the access folks in the
20 department as handicapped spaces.

21 REVEREND HOLLY LYMAN ANTOLIM: Can I

1 speak to that? The door on the Beech Street
2 side leads almost directly to the sanctuary
3 through the space that Tom didn't want to
4 have there. So, if you come around this way,
5 it's true you have to go around the end of
6 the building, because otherwise the cars
7 would be parked and you'd have a double entry
8 and we only wanted one curb cut, etcetera.
9 So you do have to go around the end of the
10 building. If that is a problem to you, we
11 have two turn around spaces right next to the
12 elevator core underneath and the elevator
13 comes up in the hallway that leads right by
14 the chapel and into the church. So actually
15 there is proximity.

16 HUGH RUSSELL: Right. So my -- I
17 hate those spaces because I think parking
18 under buildings when you can see that when
19 you're walking down public sidewalks, it
20 looks bad. And as you walk down the Beech
21 Street sidewalk, those spaces are sort of in

1 your face. So you're heading towards Mass.
2 Avenue. And I'm -- if they're being put
3 there as handicapped spaces, my concern is
4 they don't actually meet the criteria for
5 handicapped spaces, whereas the basement
6 location does meet that criteria. So that's,
7 that's a big problem I have. I don't like
8 those spaces. I'd like to get rid of them in
9 that location and I'm not sure that they'll
10 work.

11 And then the last --

12 RICARDO DUMONT: Just to remind you,
13 there are 20 spaces right there as a parking
14 lot now in that same location.

15 HUGH RUSSELL: Right. And they're
16 open to the sky.

17 RICARDO DUMONT: Right.

18 HUGH RUSSELL: And you know, if you
19 think parking spaces tucked under buildings
20 are better than parking lots, then we
21 disagree. I think a parking lot's okay. I

1 think spaces -- dark spaces that cars are
2 parked in under buildings, visible from the
3 street, it's a specific thing in the overlay
4 district that says don't do it, and there are
5 good reasons why you don't do it if you don't
6 have to. So I really dislike that feature.

7 THOMAS ANNINGER: When covered with
8 some sort of a door, would that make a
9 difference?

10 HUGH RUSSELL: Absolutely. If there
11 were doors there, completely different
12 because then you see the door. And the door
13 is bright and they couldn't be assigned as
14 handicapped spaces, but they could be
15 assigned spaces. This board actually --

16 THOMAS ANNINGER: An electric door
17 would not meet handicap rules?

18 SUSAN CLIPPINGER: Can I say
19 anything on this?

20 WILLIAM TIBBS: Sue, you might have
21 to come up.

1 HUGH RUSSELL: Our expert, yes.

2 SUSAN CLIPPINGER: They weren't
3 originally handicapped, so I don't know when
4 they became handicapped. I became conscious
5 tonight. You -- at the very first hearing
6 you asked about those spaces, and I
7 specifically said that I thought the value of
8 those spaces was as short term parking for
9 people who are going to and from the church
10 activities who might be illegally parked on
11 Beech or Mass. Ave. and might not feel
12 comfortable about going all the way into the
13 garage and, therefore, it would provide an
14 opportunity to try to continue to manage the
15 street. I would actually recommend, if
16 they're handicapped spaces, you should
17 eliminate them.

18 GWENDOLEN NOYSE: Just one.

19 WILLIAM TIBBS: Okay.

20 CHARLES STUDEN: Could you please
21 clarify what is being proposed? I'm very,

1 very confused.

2 GWENDOLEN NOYSE: There's one
3 handi capped space there and the others are --
4 so there are a total of four spaces. One has
5 the extra space beside it for handi capped.
6 And as Ms. Clippinger just said, it makes it
7 easier for somebody to come in through the
8 church through the back entrance there. You
9 know, I think it's -- many of these things
10 are church functional questions. And if it
11 were residential parking, we wouldn't have
12 any problem putting a door there, but it's --
13 the church has 18 spaces that come -- that
14 need to be replaced, and we've tried to put
15 them as conveniently located to the church
16 functions as possible. Some are by the
17 elevator. Some are by the stairs underneath
18 the part, and these four spaces are as close
19 to the Beech Street entry as we can make
20 them.

21 WILLIAM TIBBS: Hugh.

1 HUGH RUSSELL: Okay. So, the -- I'm
2 not going to engage in a dialogue on that. I
3 just want to put that out there.

4 The last thing is the question about
5 the height of the building or perhaps the
6 height of the buildings expressed
7 architecturally. And so I read through the
8 comments of the abutters, and the first thing
9 that's surprising to me is there are eight
10 houses that abut the site. And as far as I
11 can tell, people who live in three of those
12 houses commented to us. And we did not get
13 comments from the other five. There might
14 have been some people whose address was not
15 on the letter so I didn't know where they
16 were, but I went through all the printed
17 things. I write down the addresses when
18 people speak, and we -- so there -- but --
19 and two of the three said they wanted three
20 stories. And in fact, the building is three
21 stories high facing them. Although the --

1 when you get in the upper floors of their
2 houses, you'll see the top of the fourth
3 floor, a blank wall that runs 150 feet or so,
4 that's the fourth floor corridor. I would
5 hope in developing that, they might, might
6 not be a blank wall. But it might be even
7 more interesting is the top of the building.
8 So I would tend to agree that cutting six
9 units out of the project is -- would be very
10 serious for the economics of the project. It
11 just doesn't look to me like a project that's
12 rolling in cash either. So I believe the
13 representations -- the goals are far too
14 broad, far too extensive. But I think the --
15 I really believe the fourth floor should, in
16 all places, be expressed differently than the
17 floors below it. I think there should be
18 some setbacks even on the courtyard side.
19 There actually are some -- if you look at the
20 floor plan on the fourth floor, there are
21 some places that look kind of natural. For

1 some reason there's a corridor running along
2 the wall, but there's a big window in the
3 corridor. So it would actually -- it's kind
4 of foolish to put a bay window in the
5 corridor just because there's a bay window in
6 the floor below. There's a very strange
7 drawing of an apartment there that I do not
8 comprehend. There's one part of the building
9 of the plans that don't make any sense for
10 any floor. There's this apartment that has a
11 living room about the size of this room. So
12 if that's really correct, there's nothing
13 that would prevent you from setting back
14 substantially at that point. I think it's
15 possible to setback the wall on the fourth
16 floor in most places, some, maybe in and out.
17 Maybe someplace to actually come out to the
18 space below and to change the material. I
19 think that would be very important. That
20 would change the scale. And I think to have
21 that fourth floor be dark is important in

1 color because of the roof of the church is
2 dark in color. And so the church is capped
3 by a big, dark surface. And I think that's a
4 -- I think that would help this. And I think
5 -- if you look at the elevation, particularly
6 of Beech Street, that's really kind an
7 elegant design now of how that, that works,
8 you know, various planes of materials and
9 things. Pick up on that kind of interest all
10 the way around the courtyard, I think would
11 be very important. And I don't know how, you
12 know, how we as a board express something
13 like that when it's really the Historic
14 Commission that is going to be making that
15 determination, but to me that's very
16 important that that be addressed. I mean, it
17 might be with a lot of study that the
18 Historic Commission might come up with a
19 slightly somewhat different approach. I
20 don't think we should be telling them exactly
21 what to do, but I think that's very important

1 to change that so there is a one-story
2 church, two-story apartment and then an attic
3 story above that. And that would make a huge
4 difference to the scale, apparent scale of
5 the project.

6 And now my last comment is about the
7 garden design. My statistic was the portion
8 of the garden itself was paved in green. I
9 think it's about 50 percent paved and about
10 50 percent green. That's what happens when
11 you put a band around the perimeter. I
12 think, I think we can simply say we don't
13 approve the -- we recognize that the garden
14 design has not been done. It's not been
15 designed, it's a diagram, and that we, I
16 think, should be looking for a detailed
17 design and one that is -- attempts to
18 maximize the garden-like character and
19 preserve the possible functional areas for
20 the church. And if you look at that, all the
21 paving around the outside really isn't very

1 functional. It doesn't actually -- it
2 doesn't give you a place you can do things,
3 you know. The idea that there might be, you
4 know, a labyrinth worked into this is a --
5 you know, that's an idea that's very -- a lot
6 of people are working with and it can be done
7 interestingly and subtly and yet can be a
8 meaningful experience for the people who want
9 to use it. So I think somebody's got to
10 design that. And I suspect that we're not
11 the right people to be -- to be monitoring
12 that design. And I suspect that the Historic
13 Commission is probably precisely the right
14 people to be monitoring that design. So I
15 think we can easily give up on that design
16 issue simply stating that we expect -- want
17 it to be different. Want a different
18 character than the modest diagram that shows
19 in the plans.

20 So if someone can figure out a way -- I
21 should say, also, I have been keeping my

1 checklist here of all the findings we have to
2 make in great detail, and, you know, we --
3 hearing by hearing things get checked off.
4 So there are very few things left on this
5 list that you can't say they've done as well
6 as can be done. So in that sense I think we
7 could be ready to vote tonight because
8 there's not much left to be done. But there
9 are some things left. And how we -- do we
10 vote tonight? Or do we -- so this is a
11 question. Shall we say we reach a point of
12 conclusion, we make some findings perhaps
13 tonight but we don't take a vote? Is that
14 what we do? And then that -- so we sort of
15 wound up our work almost and we don't vote
16 until we actually hear or do we take a vote
17 and then say well, we'll come back when it's
18 real? I don't know.

19 STEVEN WINTER: May I ask Beth a
20 question?

21 WILLIAM TIBBS: Sure. Steve.

1 STEVEN WINTER: Beth, could you help
2 us to understand the dynamics between our
3 making a vote tonight or some kind of
4 determination that's not a vote and how that
5 would interact with the Historical Commission
6 hearings?

7 BETH RUBENSTEIN: I'll do my best.

8 WILLIAM TIBBS: And can you also
9 give us the sense of the timing of all this,
10 too.

11 BETH RUBENSTEIN: Yes. Sticking to
12 the formal legal schedule, a decision would
13 need to be made by January 18th. Certainly
14 it's our practice not to be shy about asking
15 developers for more time if we need it. But
16 the date right now is January 18th.

17 And I think you have some choices here.
18 I guess I'm inclined to defer and respect
19 Charlie's advice which is I think you've gone
20 pretty far in your thinking, and I would
21 throw out for consideration that you might

1 want to do what Hugh suggests, make the
2 findings, go through the checklist, summarize
3 the things that have been, as you say Hugh,
4 over three meetings: Traffic's been talked
5 about, etcetera, etcetera. Certain things
6 you feel very comfortable. And certainly I
7 think we could, we could begin to draft those
8 findings. You could hold on the vote. If
9 the Historic Commission would like to see it,
10 we certainly could, you know, share notes on
11 your thoughts. It's not a formal vote yet.
12 It's not a formal vote on the permit. You
13 know, we'd be happy to write that up and
14 share that. That's an option.

15 HUGH RUSSELL: I like that option of
16 sort of voting to have a decision prepared.

17 BETH RUBENSTEIN: And what we would
18 pass on, I guess, would be your thoughts, you
19 know, I guess your thoughts toward a vote if
20 you will. I don't know if the staff sees any
21 issues with that.

1 And Charlie I think, you know, so your
2 board would have, you know, essentially a
3 written report from the Planning Board. And
4 then I think we would sort of see where we
5 are after the next meeting of the Historic
6 Commission. Certainly at any time this board
7 could come back and say if the historic
8 process took longer, you can say we really
9 feel ready to take up for a vote. There's
10 nothing that's stopping you from doing that.
11 You have different ways of doing that. That
12 seems to be the way it would work.

13 WILLIAM TIBBS: Steve and then Tom.

14 STEVEN WINTER: Did you indicate
15 that our preliminary findings, this document,
16 would be shared with?

17 BETH RUBENSTEIN: That's up to you
18 but we'd be happy to do that.

19 STEVEN WINTER: Is it a public
20 document at the point we draft it?

21 BETH RUBENSTEIN: I guess it would

1 be. I mean, there's a transcript of this
2 meeting and everything we do is public. It's
3 not a vote on the permit until you take the
4 vote, but it's certainly something that the
5 public is able to see.

6 STEVEN WINTER: Okay. And just for
7 the fellow board members, the reason I'm
8 asking the question, if we do go down that
9 road, I would like that document to be at
10 some point enthusiastic. We may have some
11 reservations, but I'd like it to be the
12 document that conveys the enthusiasm for the
13 parts of this project that we do have.

14 WILLIAM TIBBS: Tom?

15 THOMAS ANNINGER: Let me try and
16 outline a possible alternative to what you
17 just said. Whether I think that's the right
18 way to go will depend on what I say and I
19 don't know quite what I'm going to say.

20 I start from the point of departure
21 which is that this is a very fraught project.

1 And I would like to simplify things going
2 forward. I would like to make it easier on
3 everybody. And it seems to me that if we did
4 a vote tonight, approving it subject to
5 conditions, which is something we do all the
6 time, perhaps there are more conditions here
7 than usual, but some kind of an approval that
8 sends it forward, subject to the Historical
9 Commission, subject to the state Historical
10 Commission, subject to some of the comments
11 that Hugh made which I agree with. I think
12 something has to be done with the parking,
13 but that's not, I think, such a huge issue
14 that it can't be resolved in a satisfactory
15 way. So I would -- that's the kind of the
16 issue that if this were an easier project,
17 we'd probably say Roger, can you work with
18 them to fix that? And so I think that's a
19 Roger kind of an issue if I dare say. Not to
20 belittle it, but I think it's -- you
21 understand.

1 WILLIAM TIBBS: I was going to say
2 Tom, that elevates it.

3 THOMAS ANNINGER: Elevates it.
4 Thank you, you saved me.

5 The comment about the fourth floor
6 getting a different and better and darker
7 treatment is one that I'm -- I'd be surprised
8 if the Historical Commission didn't take you
9 up on it. So I think that's going to also be
10 an issue that either Roger or Charlie will
11 address. I forget, there was also the angle
12 of the firehouse. I happen to not think it's
13 as important as you've made it out to be. I
14 think we see enough of the firehouse now and
15 I don't think that needs any more correction.
16 But I know there are people who care more
17 about that than I do, so I leave it to them.
18 I think we could vote tonight and I think it
19 would simplify things, move it along and give
20 this I think the nudge that frankly I think
21 it needs if it's going to succeed, and that

1 really is what's most important to me.

2 WILLIAM TIBBS: Thank you.

3 Anyone else? Ted?

4 H. THEODORE COHEN: I don't want to
5 go into the procedure issue, I think we could
6 go through a checklist and come down with a
7 sense of where we are and whether we then
8 decide to go forward and say we're ready to
9 vote and take a vote perhaps subject to
10 conditions. But I do want to make a couple
11 of comments because I have a different
12 perspective than some of my colleagues that
13 want some of the things, and I'd like to get
14 them out.

15 I fully concur that the parking be
16 open. Parking at the entryway is awful. I
17 think that's the least attractive thing about
18 the whole building. And if there was some
19 way to deal with it, to do away with it or to
20 somehow cover it, because I think people do
21 walk up and down Beech Street all the time

1 and that's what you're going to see all the
2 time.

3 I think a lot of improvements have been
4 made to the overall design of the building,
5 and I think that's all great. I do like the
6 building. I do understand the need for
7 helping the church. I have a different
8 perspective on height. I think the buildings
9 on Mass. Avenue ought to be tall. I think
10 this is a building that wants to be four
11 stories, especially on Mass. Ave, and I think
12 especially on the Blake Street side. I don't
13 have the strongest feeling about on the
14 Orchard Street side, although I think it
15 should be four stories on Beech Street, also.
16 Whether there can be different articulation,
17 you know, that's something for the architects
18 to work out and think about. But I'm sort of
19 -- been upset at a number of buildings in
20 Cambridge and elsewhere that seem to have
21 been architecturally cut back a story or two

1 for no reason other than to say that it's not
2 tall. And I think they do a disservice to
3 the buildings, and I think they do a
4 disservice to the neighborhoods they're in.
5 And so I think the height is fine with me. I
6 think the best building on Mass. Ave. is the
7 Henderson Carriage Building which is probably
8 six stories if not more. And so that's my
9 perspective on it all. And I would, you
10 know, hope that the Historical Commission
11 doesn't just decide that it wants everything
12 to be three stories, because I think this
13 does provide a nice backdrop to the church as
14 was mentioned at the initial presentation,
15 although at the initial presentation the idea
16 was that the building was going to be pretty
17 much bland and a blank slate to not interfere
18 with the church. And I think that was not a
19 great idea in this trying to communicate with
20 the church is a much better and more
21 successful proposal. Those are my comments

1 on the building. And I'm prepared to go
2 through, you know, our checklist and either
3 reach conditions or not because I do
4 understand that the situation with the
5 historical condition.

6 WILLIAM TIBBS: Ahmed?

7 AHMED NUR: Yes, I'd like to make
8 just one comment. Charlie said that the
9 Historical Commission, the staff has been
10 talking to Oaktree for about 60 days off and
11 on, maybe twice, meeting anyway. And he also
12 said that garden in the courtyard is not
13 humane. And I take that as at this point if
14 the issue hasn't been solved and we approve
15 it with the Historical Commission's approval
16 later on -- I guess the staffing can answer
17 this question for me. How does that work?
18 What if they don't change courtyard
19 gardening?

20 WILLIAM TIBBS: I think the question
21 is what's our recourse should we approve it

1 but it comes back to us -- but is it coming
2 back to us just to see it, or is it coming
3 back to us for some action?

4 BETH RUBENSTEIN: That's a tricky
5 question. I think if you approve it, but you
6 want to see something different, which is
7 sometimes the case, I think it's helpful to
8 be clear about that and say -- let's say for
9 the sake of discussion you approve it but you
10 want to see additional design work on the
11 landscaping and you want the staff to bring
12 it back. You have done such things, you
13 know, what's the recourse? I guess you sort
14 of voted the permit. You're trusting the
15 staff to work with them, and you're kind of
16 hoping it's going to work out. I think
17 generally those kinds of conditions tend to
18 be around building design more than landscape
19 design. But, you know, you all do do that,
20 and I think generally that's worked out. I
21 think it's a --

1 LESTER BARBER: I'm sorry. I don't
2 think there's any problem with approving the
3 project. I mean, the criteria is basically
4 urban design standards. It's not elaborate
5 and very specific architectural detail. So
6 you can approve the general plan as approved
7 and require final sign-off by you of the
8 landscape plan for the courtyard before a
9 permit is issued for the building. And we've
10 done that in the past, and there's nothing
11 unduly complicating about that kind of
12 condition.

13 WILLIAM TIBBS: Go ahead.

14 THOMAS ANNINGER: Never mind.

15 WILLIAM TIBBS: Well, since I'm the
16 person who -- one, I am definitely ready to
17 go through the findings. And after going
18 through the findings we can -- as Ted said,
19 we can determine if we want to vote or delay.
20 I have made my comments, but I will -- I do
21 think it's an improvement. I did have a

1 question about the fence between the fire
2 station and the property. In your
3 perspective you just show kinds of a clear
4 translucent, looks like a Plexiglass mold
5 there. I was wondering what your thoughts
6 were on that.

7 RICARDO DUMONT: Again, we're
8 working with the neighbors on specifically
9 the fence. Last time both yourselves and the
10 Commission raised the height of the fence,
11 should we be higher than six feet? We're
12 more than happy to do that if that's what the
13 neighbors and the Commission want.

14 WILLIAM TIBBS: I'm particularly
15 interested in what that fence looks and feels
16 like as you're walking down Mass. Avenue not
17 necessarily as you get deeper in the lot.

18 RICARDO DUMONT: So right now it's
19 seen as a wood structure, designed similar to
20 the wood fence that's over here in Harvard
21 Square between the new Harvard buildings

1 between where the corner bookstore is.
2 There's a weave redwood fence, very nicely
3 detailed between an abutting building.

4 WILLIAM TIBBS: And the end
5 condi ti on?

6 RICARDO DUMONT: Right now we
7 haven' t desi gned i t, Mr. Chai rman.

8 WILLIAM TIBBS: And the I guess I
9 woul d j ust make a coupl e comments. And
10 you' ll fi nd that once we start making our
11 comments, that we all can have various
12 fl avors of sl ight di sagreements on thi ngs. I
13 actual ly thi nk that the -- I actual ly thi nk
14 that the -- the el evati ons to me seem heavy.
15 And actual ly the mi xt ure of materi als and
16 thei r contrast seems to me to have gone too
17 far the other way from the blandness that we
18 had earl ier, and that actual ly I thi nk that
19 there' s -- the el evati ons can be si mpl i fi ed
20 whi ch wi ll probabl y reduce the cost, too.
21 And they can be done i n a way that whether or

1 not you talk about the darker materials up
2 top, the stepping back or whatever, they can
3 be done in a way which gives the appearance
4 of less bulky, even though you may have the
5 exact same amount of bulk there. So that's
6 what I tossed in my two cents relative to
7 that.

8 And the -- and I guess the -- this
9 whole issue of the views -- and I know that
10 the -- I know a lot of the height reduction,
11 it sounds like from Historical Commission was
12 really to get views of certain things in the
13 buildings and stuff like that, probably with
14 not too much thought about the kind of issues
15 that you're bringing up, what's the right
16 scale of building along Mass. Ave. I think
17 it's more localized. But views are dynamic.
18 Like Tom, I have a tendency about not being
19 concerned to see the tower. And as you're
20 walking down the street, you'll see tower and
21 not see tower, and you'll see church and not

1 see church unless you stay in one spot all
2 the time. It's a dynamic play here. And I
3 do feel that compared to what's there now,
4 this is so much better. But we do -- we do
5 have things to do and to make it better. But
6 I really want -- I agree with Steve, that I
7 would like to -- whatever we say, I think
8 we'd like to say we're enthusiastic about the
9 potential in what they're trying to do. So
10 it's just working out the details between the
11 various commissions and boards that have to
12 do there. And so those are my comments.

13 So if it's the Board's pleasure I'd
14 like to get started with -- it's getting
15 late. I'd like to get started with trying to
16 go through the checklist that you talked
17 about and then we can determine where we --
18 if you want to vote after that.

19 Mr. Russell, you said you had your
20 checklist checked. I think you're a great
21 person to start us down that path.

1 HUGH RUSSELL: Okay. So I'm
2 starting with the general Special Permit
3 criteria and Section 10.43. And I've never
4 understood what the first one means so I'm
5 going to skip that.

6 The second, we discussed traffic in our
7 meeting before, so we conclude, I think, that
8 the items of egress would not cause any
9 additional congestion or substantial change
10 in the neighborhood character.

11 And the next finding is about the
12 operation -- whether the uses proposed for
13 the site are adverse to the other uses. And
14 clearly housing is the same as appropriate
15 use as the retail use is appropriate on the
16 avenue, and the church use is one that we're
17 trying to support.

18 The last is the nuisance or hazard
19 would be created that would be a detriment of
20 the health, safety and welfare. I actually
21 find that finding is the core finding that

1 establishes the right of zoning under the
2 U.S. Constitution. And so I do not see
3 nuisance or hazard being created by this
4 proposal that are in any way unremarkable.
5 The use does not impair the integrity of the
6 district. Uses are the uses that are
7 intended to be in the district.

8 And then the urban design criteria.
9 And I'm going to go into the long form. In
10 1931 to 1937 have any actual test to the
11 actual ordinance specific tests that would
12 consider. So under 1931 we would say that
13 the heights and setbacks are in conformance
14 with the zoning heights and setbacks, but
15 they actually look, they're a little bit
16 greater setbacks. So little lower heights
17 than are permitted. And that the building is
18 only three stories tall up against the
19 abutting residential structures. The new
20 buildings are designed on a lot consistent
21 with the streetscape, and the buildings are,

1 you know, following the building's setback
2 lines on Beech Street, following -- relating
3 to the fire station on Mass. Avenue. And to
4 the extent that the Knights park is part of
5 the streetscape preservation of that
6 preserves the existing streetscape.

7 That we find that the uses are located
8 in the proper places on the site. This is a
9 mixed use project, and the housing relating
10 to the residential use existing, the retail
11 and the church use on the Mass. Avenue side.

12 And then on the historic context, I
13 think we would find that this project is
14 subject to the review of the Historic
15 Commission, and that we have -- and so that's
16 their findings on this point will satisfy us
17 that the project -- and I don't think at this
18 point we would put a progress report in, but
19 clearly there's, you know, discussions are
20 underway. I mean, you refer to a report from
21 the executive director saying that the

1 Commission's intent is to let the project go
2 forward, and that's our intent, I believe,
3 that the project go forward. And so in that
4 sense, we're on the same page and we're
5 allowing them to take the lead on historic
6 issues and the details of the project.

7 The next is that the development shall
8 be bicycle and pedestrian friendly with
9 causal relationship to the surroundings. And
10 so we can note that the ground floor facing
11 Mass. Avenue has retail, has the built-in
12 library, and that the ground floor on Beech
13 Street actually has a common living room in
14 which all of those spaces have windows and
15 are active uses.

16 In terms of -- we have to make a
17 finding of covered parking on lower floors of
18 the building, parking located underneath a
19 building is discouraged, and I think we would
20 discourage that plan for the four parking
21 spaces and would ask that that be studied to

1 see if there's any option to mitigate the
2 view from the pedestrian point of view
3 walking -- is it northbound on Beech Street?
4 Westbound? One of those directions.

5 GWENDOLEN NOYSE: South.

6 HUGH RUSSELL: No, it's walking --
7 the church is east/west, you're kind of
8 walking towards the west.

9 CHARLES STUDEN: Southwest, yes.

10 HUGH RUSSELL: Entries to buildings
11 -- let's see, ground floors shall be
12 generally 25 to 50 percent transparent. And
13 that's what they're doing with their new
14 elevations. Obviously the church isn't that
15 way, and they're not proposing to change the
16 historic structure.

17 Entries to buildings are located to
18 ensure safe pedestrian movement, encourage
19 walking. And I mean what they've
20 accomplished that basically by relating the
21 entries to the various portions the project

1 to the public realm, and one advantage of
2 this overall project is that it allows the
3 entry to the church itself to now be accessed
4 from Mass. Avenue which is a -- it seems like
5 a definite improvement.

6 Pedestrians and bikes are able to
7 access the site safely and conveniently, and
8 there is storage facilities out of the
9 weather for the bicycles. And the next one
10 is not applicable.

11 Then we go into site design, mitigating
12 adverse environmental impacts. So the first
13 one is about rooftop mechanical equipment. I
14 would note that they have only small
15 equipment. They're proposing to screen that
16 behind a rooftop parapet as a way of
17 distinctly buffering it from the neighbors.

18 Trash. I note that they have a --
19 proposing a trash compactor for the
20 residential use and the church's trash is
21 really not a huge significant issue.

1 Loading docks. There are no loading
2 docks.

3 Issues about storm water best
4 management. I assume that's going to be --
5 being done. It's probably in your
6 application, right?

7 RICARDO DUMONT: Correct.

8 STEVEN WINTER: Excuse me, there's
9 also low impact development design in the
10 courtyard to catch -- yes?

11 WILLIAM TIBBS: At this point.

12 HUGH RUSSELL: There's the question
13 of shadow impacts. I think I would just skip
14 over that. I think, however, the shadow
15 impacts are not horrendous, but as I've noted
16 in the earlier hearing, the building is
17 pushed pretty close to the north and --
18 northern boundaries of the property and that
19 tends to, you know, produce a little more
20 shadow than if it was in a different place.
21 There are no changes across the property that

1 are significant.

2 Outdoor Lighting. They've given us
3 cuts of fixtures that show the minimized
4 light pollution. And the tree protection
5 plan is in existence, and it shows the
6 replacement of trees.

7 Infrastructure, they're using water
8 conserving measuring for the plumbing
9 fixtures as evidenced by their Lead to
10 checklist. And we have no -- we believe the
11 drinking water and waste water infrastructure
12 are adequate for the project. And, again,
13 there are -- are you seeking Lead or just
14 following the Lead guidelines?

15 GWENDOLEN NOYSE: We're seeking
16 Lead.

17 HUGH RUSSELL: Okay. Then the next
18 item is new construction shall reinforce and
19 enhance the complex urban aspects of
20 Cambridge as it is developed historically.
21 And there's the most important thing is the

1 hi storic structures and envi ronments are
2 preserved. And that' s obvi ously central to
3 thi s proposal and one that i s under great
4 scruti ny by the ci ty and the state. Thi s
5 wi ll be an expansi on of the i nventory of the
6 housi ng i n the ci ty. You know, that' s 1936.
7 And they are provi di ng affordabl e housi ng
8 uni ts at the standard rati o. Enhancement of
9 the expansi on of open space ameni ti es. So
10 there' s an expansi on of exi sti ng open space.
11 Pri nci pal ly I thi nk because -- rather for the
12 setbacks between the project and the
13 resi denti al abutters, the exi sti ng Knights
14 garden i s more or less preserved an area, and
15 the Beech Street open space i s more or less
16 the same as i t has been.

17 And one of the cri teri a i s that a wi de
18 range of open space acti vi ti es i n the --
19 presentl y found i n the abutti ng areas
20 provi ded. And I thi nk that i s actual ly what
21 many peopl e thought was the i mportance of the

1 Knights garden. That it represents a
2 different kind of an open space than is found
3 -- and here I'm going to setback from my
4 recitation to weigh in on the fence and the
5 street issue. Remind you of the fence that
6 occurs at the Quincy Square Park. There's a
7 granite base and there's a very wonderful
8 wrought iron fence that can't be more than 18
9 inches tall, and there are many ways you can
10 get -- there are entries and gateways, but
11 there's an example of how a fence can
12 actually -- in some ways invites you in. It
13 says there's something special here, come in.
14 And it's not -- it's not right -- you know,
15 it helps. So it's a design question. A
16 six-foot picket fence sends one message. A
17 little fence that you can, you could step
18 over if you wanted to, sends a different kind
19 of a message. So there might well be a place
20 for a fence along there that would, that
21 would say there's a special realm that you're

1 entering.

2 All right. I think that's the end of
3 those findings. And now are there more? I
4 think maybe Mass. Avenue overlay?

5 WILLIAM TIBBS: It says the
6 proponent is not seeking a waiver for any of
7 the overlay requirements. Did you hear what
8 I said, Hugh?

9 HUGH RUSSELL: Yes, I did. I agree
10 that's a finding that we should make. I
11 don't think we have to say more than that
12 really. I mean, we can -- and the staff may
13 feel it's important to recite the ways in
14 which they actually do that, but that's the
15 bottom line is a list here.

16 WILLIAM TIBBS: And I guess now our
17 question is do we want to vote tonight or do
18 we want to -- and add some conditions or do
19 we want to -- yes.

20 LES BARBER: There's just one more
21 condition, the traffic finding and the

1 project review Special Permit.

2 THOMAS ANNINGER: That's the first
3 one.

4 LES BARBER: There is no
5 unreasonable --

6 SUSAN CLIPPINGER: Significant
7 adverse impact to the traffic.

8 BETH RUBENSTEIN: 19225.

9 H. THEODORE COHEN: Can I just ask
10 what are the overlay district requirements
11 that we're being asked to waive?

12 LES BARBER: You're not waiving.

13 WILLIAM TIBBS: They're not asking
14 that we waive any of them.

15 H. THEODORE COHEN: Okay.

16 HUGH RUSSELL: So in terms of the
17 traffic impact findings, I made a general
18 statement under the Special Permit criteria
19 and I think it's -- we can say there was a
20 traffic study made, we got a report from the
21 Traffic and Parking and Transportation

1 Department. They indicated that the traffic
2 on adjacent streets was not going to be
3 materially different than it is today. And
4 that therefore there was no substantial
5 adverse impact because of the project.

6 Now in terms of process, what I would
7 suggest we do is that we ask that a decision
8 be drafted granting the permit for our vote
9 at a later meeting.

10 WILLIAM TIBBS: Which we have done
11 in the past, too. Which is kind of an --
12 because by the time -- if we did that at the
13 next meeting, then we would actually know the
14 findings from -- is that true, Charlie?
15 When's your next meeting?

16 CHARLES SULLIVAN: January 7th.

17 BETH RUBENSTEIN: Ours is the 5th.

18 WILLIAM TIBBS: Interesting point.
19 What do people think about that?

20 CHARLES STUDEN: I'm not clear on
21 what the advantage would be in doing that as

1 I think you can work with --

2 BETH RUBENSTEIN: Staff should work
3 on the massing and the building materials?

4 WILLIAM TIBBS: Yes. But we would
5 definitely like to see the landscaping and
6 the parking.

7 BETH RUBENSTEIN: Okay.

8 WILLIAM TIBBS: Please speak up if
9 somebody thinks that's not correct.

10 THOMAS ANNINGER: I'm not sure what
11 massing meant to you, Beth. What did you
12 mean by massing?

13 BETH RUBENSTEIN: That was something
14 I heard from you.

15 WILLIAM TIBBS: It's the bulk in
16 terms of --

17 THOMAS ANNINGER: I think what I was
18 picking up on Hugh's comments was the design
19 of the fourth floor.

20 BETH RUBENSTEIN: As opposed to?

21 THOMAS ANNINGER: As to what he

1 called a blank wall.

2 BETH RUBENSTEIN: So not so much
3 changing it, moving it back and forth but
4 more the look of it?

5 THOMAS ANNINGER: That's right.

6 BETH RUBENSTEIN: Okay. Is that
7 what we're hearing from the Board?

8 WILLIAM TIBBS: Just so, you know, I
9 used the word massing. I think massing is
10 just the manipulation of, you know, whether
11 or not the upper floor goes in or out. Which
12 is what Hugh was talking about. So I just
13 say how they manipulate the mass of the
14 building. That's how I would define it.

15 HUGH RUSSELL: It's sort of the last
16 few feet of the building, how it's
17 articulated, and particularly the fourth
18 floor.

19 H. THEODORE COHEN: Well, what is
20 the suggestion then? If we were to vote it
21 with this condition, do we never see that

1 again and we just accept whatever they
2 present to staff?

3 CHARLES STUDEN: I would like to
4 suggest that these are issues that the
5 Historical Commission, both the city's
6 Historical Commission as well as the state is
7 going to be dealing with.

8 WILLIAM TIBBS: So, yes.

9 CHARLES STUDEN: So, if we're
10 conditioning it on their approval, presumably
11 they're being resolved satisfactorily unless
12 we want for some reason to have it brought
13 back to us so that we can see what they
14 approved.

15 Roger?

16 ROGER BOOTH: I would say that we've
17 had numerous meetings with Historical
18 Commission staff and Community Development
19 staff working on all those design issues, and
20 we would anticipate continuing that as
21 standard -- continuing design review that the

1 Board would normally have us do if that makes
2 sense to you.

3 BETH RUBENSTEIN: Judgment about
4 whether or not to come back.

5 ROGER BOOTH: Judgment -- if we see
6 something that's wildly different than what
7 you were reviewing, we would always bring it
8 back.

9 BETH RUBENSTEIN: Just to make sure
10 we're hearing on the garden and parking
11 spaces, you definitely want to see -- you'd
12 like them to come back.

13 WILLIAM TIBBS: See and approve.

14 THOMAS ANNINGER: I guess -- I
15 hadn't heard it that way.

16 WILLIAM TIBBS: Yes. That was a
17 suggestion.

18 THOMAS ANNINGER: I was with Hugh on
19 that which is the park needs design, but
20 that's left to others to take on. And
21 typically we don't do that. We just want

1 Landscapi ng and we want i t well done and I
2 thi nk --

3 WILLIAM TIBBS: We' ve revi ewed
4 Landscapi ng i n the past.

5 THOMAS ANNINGER: On occasi on that' s
6 ri ght.

7 WILLIAM TIBBS: Parti cul arl y where
8 proj ects we were concerned about.

9 THOMAS ANNINGER: I thi nk the needs
10 of the church and the needs of the Hi stori cal
11 Commi ssi on wi ll be i nsigni fi cant enough that
12 I' m not sure that I want to add a thi rd
13 di mensi on wi th i t.

14 CHARLES STUDEN: I agree wi th you,
15 Tom. I thi nk because of the si gni fi cance of
16 thi s parti cul ar park, the fact at that i t was
17 desi gned by John Nol an and i ts rel ati onshi p
18 to the Landmark church, i t' s goi ng to get al l
19 the attenti on that i t needs from both
20 Hi stori cal revi ewi ng bodi es, and that woul d
21 sati sfy me.

1 WILLIAM TIBBS: Do we need to see
2 it?

3 CHARLES STUDEN: See it but approve
4 it.

5 THOMAS ANNINGER: I think it would
6 be nice after all of this -- when the smoke
7 clears, it would be nice to see what it looks
8 like. And I hope you'll come back and show
9 it to us.

10 WILLIAM TIBBS: We can ask for it to
11 be seen.

12 THOMAS ANNINGER: I think we -- we'd
13 like to see it again.

14 BETH RUBENSTEIN: I think it's
15 better for us to know what your preference
16 is. Whether the preference is to make the
17 call or if you definitely want us to bring it
18 back.

19 THOMAS ANNINGER: My judgment,
20 though, is that having your choice between
21 having us approve it tonight or not, I don't

1 see how it could not but help the process if
2 we vote favorably for it to move it along.

3 CHARLES STUDEN: Yes.

4 THOMAS ANNINGER: It seems like a no
5 brai ner to me.

6 WILLIAM TIBBS: That's not the
7 questi on at hand. The questi on at hand is
8 who deci des what we want to see? Because
9 we're trying to determine what our condi ti ons
10 are.

11 THOMAS ANNINGER: I understand that.

12 H. THEODORE COHEN: I guess my
13 feeling is that if we're willing to trust
14 staff to come back to us on massing and
15 material issues, if they think it's
16 signi fi cantly di fferent from what we've seen
17 and approved, that they would simi larly bri ng
18 back landscapi ng to us if it was
19 signi fi cantly -- I assume it will be
20 di fferent, but if it violates the concep ti on
21 of what we've seen and what we talked

1 about --

2 HUGH RUSSELL: Actually, I hope we
3 all think it violates the conception of what
4 we've been shown. That's precisely the
5 issue.

6 H. THEODORE COHEN: I agree,
7 violates the conception of what we've been
8 describing as what we would like to see.

9 BETH RUBENSTEIN: Right.

10 HUGH RUSSELL: Right.

11 WILLIAM TIBBS: So we're leaving it
12 to the discretion of the staff to bring it
13 back to us on all those items?

14 BETH RUBENSTEIN: Yes.

15 WILLIAM TIBBS: Does everybody feel
16 comfortable with that?

17 ALL: Yes.

18 HUGH RUSSELL: Given that it seems
19 like then we ought to be voting tonight. The
20 reason we wouldn't vote is because we would
21 want to weigh in on more heavily those issues

1 between the Historic Commission review and
2 our staff's participation in that in the
3 interest of this that we've expressed, the
4 things will be dealt with.

5 WILLIAM TIBBS: So, do we have a
6 motion?

7 THOMAS ANNINGER: I think Hugh did
8 all the hard work. I think you deserve to
9 make the motion on it which I will be glad to
10 second.

11 HUGH RUSSELL: So the -- I have to
12 go back to the sheet that I don't have to
13 know exactly what it is we're voting. We're
14 voting on design review is that it?

15 BETH RUBENSTEIN: General Special
16 Permit criteria. Do we need a vote on the
17 overlay or no?

18 LES BARBER: Project requires
19 Special Permit, that would work.

20 HUGH RUSSELL: And that's the only
21 issue?

1 LES BARBER: Yes.

2 HUGH RUSSELL: So I move that we
3 vote to approve the project on Special Permit
4 based on the findings announced before and
5 our discussion of this.

6 WILLIAM TIBBS: Second?

7 THOMAS ANNINGER: Second.

8 WILLIAM TIBBS: All those in favor?

9 (Show of hands.)

10 WILLIAM TIBBS: We're unanimous.

11 Thank you.

12 (Tibbs, Singer, Nur, Anninger,
13 Winter, Studen, Russell.)

14 WILLIAM TIBBS: We do have what
15 could be a lengthy discussion still. Let's
16 just take a ten minute break and go into our
17 next item.

18 (A short recess was taken.)

19

20

21

1 WILLIAM TIBBS: If folks could take
2 their seats, we're ready to start.

3 We're ready to go to our next item on
4 the agenda which is a discussion and possible
5 recommendations to the City Council on the
6 Fanning Petition. And the Planning Board
7 asks the Community Development staff to give
8 us some comparisons. And I guess we should
9 hear those first. And you said Jeff?

10 BETH RUBENSTEIN: Yes, Jeff Roberts
11 is going to take us through the documentation
12 that's been prepared in response to the
13 questions that were asked last time.

14 WILLIAM TIBBS: Thank you.

15 JEFF ROBERTS: Hello. I was just
16 going to go through briefly some of the
17 points in this chart and the maps, supplement
18 the information that's in the chart. There's
19 three -- on the first page there are three
20 columns in the table. The first column shows
21 the zone -- some of the zoning regulations in

1 the affected area pre the 2001 ECaPs rezoning
2 that was information that was requested by
3 the City Council's ordinance committee when
4 they had a hearing on this petition. The
5 center column is the current zoning which was
6 passed during the ECaPs rezoning process.
7 And the column on the right is the proposed
8 zoning under the Fanning Petition. The main
9 differences and, as you can see on the zoning
10 map, the proposed zoning eliminates the
11 Eastern Cambridge Overlay. And the map shows
12 -- those maps show the entirety of the
13 Eastern Cambridge Overlay District.

14 STEVEN WINTER: Jeff, is that this
15 map here?

16 JEFF ROBERTS: Yes, it's that map.
17 I'll hold it up.

18 BETH RUBENSTEIN: The blueish one,
19 right?

20 JEFF ROBERTS: This map shows the
21 base and the -- the base zoning along with

1 some of the PUD districts and Eastern
2 Cambridge housing overlay.

3 The zoning petition proposes to
4 eliminate the effected area which is outlined
5 in blue from the Eastern Cambridge Housing
6 Overlay. And if you refer back to the table,
7 what that effectively does is, it reduces --
8 it would reduce the residential allowed floor
9 area ratio from 2.5 to 1.5. The
10 non-residential would re -- the FAR would
11 remain 1.25. The heights, and if you refer
12 to the second map, and some of you have this
13 on the back of the first map, this map, the
14 pinkish and yellowish hughes shows the, the
15 current heights and the heights under the
16 proposed zoning. What the map doesn't really
17 show that clearly is that the 85 foot maximum
18 height currently in the zoning for the
19 effected area only applies to residential
20 uses which is indicated in the chart. The 85
21 foot height applies to residential. 45 foot

1 height, which is the base zoning height,
2 would apply to non-residential uses. And the
3 map also shows a 35 foot height within a
4 buffer that's 100 feet from -- 100 feet
5 distant from the Resident C1 District.

6 The setback requirements, there's no
7 change from -- resulting from the removal of
8 the overlay district, but the second element
9 of the proposed zoning is to change from the
10 -- under current zoning new -- any new above
11 ground structured parking built after that
12 ECaPs rezoning would be -- would be counted
13 as gross floor area for the lot. Any
14 existing structured parking that was built
15 before that rezoning would not be counted as
16 gross floor area, and that's the current
17 zoning under the proposed zoning amendment,
18 both new and existing above ground parking in
19 that area, would be counted as gross floor
20 area. So that's a summary of that.

21 And the second page is just applying

1 that zoning -- the proposed zoning change to
2 the site in question. So on page two, which
3 has a different chart -- first of all, it
4 splits the area between the parcel at 282/288
5 Cardinal Medeiros Avenue. And it's labeled
6 on the map. You can see it's the small
7 parcel on the northwest part of the site
8 that's currently owned by the Red Jacket
9 Limited Partnership. The remainder of the
10 parcels are part of the One Kendall Square
11 area. The analysis shows the lot area of
12 those two and just uses the allowed FARs to
13 calculate the total -- on the top chart, the
14 total allowed gross floor area under current
15 zoning in the kind of central column. And
16 then under the proposed zoning on the right.

17 The second chart, which is just below
18 that, instead of the total allowed gross
19 floor area, it looks at the remaining allowed
20 gross floor area, and that would be assuming
21 that the buildings -- all the remaining

1 buildings that are currently on the site
2 remain in place. That just to illustrates
3 what's remaining currently above what's
4 developed. And what this also includes, if
5 you look on the very lower right part of the
6 chart is that if, if the assumption is made
7 that the garage -- the existing parking
8 garage is approximately 350,000 square feet
9 of floor area, if that were considered as
10 part of the FAR for the site, it would -- if
11 you compare it with the chart above, it would
12 exceed the allowed gross floor area under the
13 proposed zoning. So that in a nutshell is
14 the information in those charts.

15 WILLIAM TIBBS: Can you just remind
16 us about the status of residential
17 developments? Or is somebody else doing
18 that?

19 JEFF ROBERTS: I can let Beth speak
20 to that.

21 WILLIAM TIBBS: I think we've seen

1 this before.

2 BETH RUBENSTEIN: Exactly, Bill.

3 This is a map that I think we brought
4 together when the Board was looking at the
5 Alexandria Zoning. And so this isn't
6 something new. You'll see the date on the
7 bottom, it was prepared 2008, but there
8 hasn't been a lot of additional residential
9 developments since then. And the colors are
10 relevant. The yellow are projects that have
11 been built. The purple are residential
12 projects completed roughly in the last ten
13 years. And the blue parcels are the ones
14 that have been permitted and so-called ready
15 to go, but haven't been built yet. So I
16 think the question has come up, you know, if
17 there isn't housing here at the Beale
18 properties or the subject property, you know,
19 what is there in the vicinity?

20 WILLIAM TIBBS: Thank you.

21 We've gotten letters from people for

1 submittal. I think for clarity I would like
2 to comment on them. My understanding is --
3 well, when we have a public hearing, we close
4 it for verbal comment, but we say that
5 written comments can be submitted to us up
6 until the time that we make our decision.
7 And I think there may have been a little
8 confusion between -- when staff said they
9 needed to have something, if you wanted staff
10 to deliver it to us in our packages or when
11 stuff had to come in in general. We, you
12 know, things can be submitted to us at the
13 meeting. It can be submitted directly. It
14 can be submitted to us directly by people.
15 It also can be submitted through the staff.
16 I just want to let people know that
17 regardless of whether or not they got it in
18 -- things in by the deadline, that staff has
19 -- gave you so they could be distributed in
20 our packages, that you folks are in no way at
21 a disadvantage as long as the stuff gets to

1 us so we can read it. There seems to be a
2 little confusion about that. But we accept
3 the material at any point in time. And many
4 times accept it at the meeting itself. We
5 let folks -- since it is their written
6 comments, we just let them get it to us
7 whatever way they can.

8 So, comments from the Board? Charles.

9 CHARLES STUDEN: First, I would like
10 to thank staff for this very helpful analysis
11 that was given to us in helping us understand
12 first what's there now versus what's being
13 proposed, and the impact in particular on
14 subsequent development that I was rather
15 astonished to see that if this proposed
16 zoning were to go forward, that in fact the
17 One Kendall Square parcel would have no
18 remaining development potential for either
19 residential or non-residential uses. So
20 essentially it's a very severe down zoning of
21 the property. And I'm troubled by that

1 frankly. I don't see what -- and then the
2 other question I had is I'm not clear, and
3 perhaps Beth, you can clarify this, what is
4 driving this? We don't have a development
5 proposal for these sites that are currently
6 -- this is currently being considered or
7 not?

8 BETH RUBENSTEIN: There's not a
9 proposal now before the City, but -- and I
10 apologize, I don't remember the exact date.
11 The Beale companies did have some thoughts
12 about wanting to redevelop the parcel that
13 were, I think, discussed with the
14 neighborhood. They were informal discussions
15 with the City. I believe there was some talk
16 about zoning changes that they might need.
17 And then I think when the activity on the
18 Alexandria petition became very active and
19 took up a lot of time and energy here at the
20 Planning Board and at the Council, I think
21 following the adoption of that zoning, I

1 think the Beale folks decided that they
2 wanted to take a break. But there had been
3 talk about redevelopment of this parcel, and
4 I think it's fair to say that that's what got
5 the neighborhood interested.

6 AUDIENCE: No.

7 BETH RUBENSTEIN: Maybe not.

8 CHARLES STUDEN: I see a lot of
9 shaking heads. I'm not sure --

10 WILLIAM TIBBS: Yes.

11 CHARLES STUDEN: What it -- because
12 it just seems like it's hard to look at this
13 and be rationale about it without some
14 context, you know, why are we doing this?
15 What is it designed to do exactly? When I
16 look at the adjacent zoning and height limits
17 and floor area ratios, all of it seems fairly
18 reasonable. For example, the height limits
19 to the south of this, just across the street,
20 are 120 feet. Substantially higher than the
21 current 85 foot limit. And if you go on the

1 other side of the railroad line, it's a 250
2 foot height limit. Now, granted these parcel
3 -- this parcel, the two parcels do come close
4 to residential neighborhoods. But what I am
5 a little puzzled about also is under the
6 current proposal for the rezoning, it's
7 suggesting that the height limit be raised
8 along Cardinal Medeiros to 45 feet from the
9 current 35 feet I think. I went over there
10 today and walked around, and I think 35 feet
11 is much better along Cardinal Medeiros than
12 the 45. I don't know what that's about
13 either. I don't know how my colleagues on
14 the board feel about this.

15 WILLIAM TIBBS: Comments, questions?

16 I can say that my way of looking at
17 this is really to look at the existing zoning
18 which was just, you know, the Eastern
19 Cambridge Housing Overlay which was just done
20 when the city-wide zoning was done. I was on
21 the board at that time. So, I tend to just

1 assess to see if there's issues or problems
2 associated with that. And what was it trying
3 to do? One of the things it clearly was
4 trying to do, it says in the first paragraph,
5 is encourage housing on the site. And it was
6 also trying to create, at what at the time,
7 appeared to be adequate buffering zones
8 between the relatively high density and high
9 height areas to the south. And the
10 transitioning down to the low density and
11 housing stuff to the north. And so I'm
12 interested in what the -- what my fellow
13 board members feel about that. And is the
14 petition, as it is before us, does it do a
15 better job at trying to do what those -- what
16 that criteria was. Or if we feel that that
17 criteria for any reason is currently
18 inadequate, you know, based on the fact that
19 time has passed.

20 CHARLES STUDEN: Well, I think
21 that's a very good way of presenting it. I

1 agree with you. That is the way we need to
2 look at it. I also -- I'm not a land use
3 attorney, but I'm very troubled by the fact
4 that the Fanning proposal would eliminate all
5 development potential on the site. I don't
6 know, can you actually do that legally and
7 not subject yourself to litigation? I don't
8 know.

9 WILLIAM TIBBS: We did ask for -- we
10 did ask for a reading, I guess, from the --
11 or determination from the Law Department as
12 to whether or not this was spot zoning and
13 can you tell us that status?

14 BETH RUBENSTEIN: Yes, you did, and
15 I have passed on that request to the Law
16 Department on more than one occasion and I'm
17 sorry to report that hasn't been completed
18 yet.

19 WILLIAM TIBBS: Okay. Thanks.

20 Ted?

21 H. THEODORE COHEN: I have a

1 question, and maybe it's in this chart and
2 I'm not seeing it or maybe somebody knows.
3 If we were to recommend rezoning to the
4 height level suggested but not recommend the
5 change to how you would count gross floor
6 area for existing parking structures, what if
7 any, development potential on the lot would
8 there be?

9 BETH RUBENSTEIN: Have you guys done
10 that calculation? Or could that be done
11 quickly? I think we can do it based on
12 what's there now and what's allowable if the
13 garage didn't count. If you give us a
14 minute, I think we can figure that out.

15 WILLIAM TIBBS: Thanks.

16 BETH RUBENSTEIN: Because we've got
17 the existing FAR.

18 LES BARBER: Yeah, I think it's --
19 the numbers on the top chart, minus what,
20 60,000 or something like that.

21 JEFF ROBERTS: Right, it would be

1 the for non-residential. Again, it would be
2 the same as under current zoning for
3 residential. It would be, it would be
4 somewhat, somewhat more than that, but less
5 than, less than -- somewhat more than --

6 BETH RUBENSTEIN: Jeff, could you
7 recite what those numbers are? That would be
8 helpful. That would be great.

9 JEFF ROBERTS: Oh. So I guess
10 substantially what you're asking is on this
11 bottom column here if it were -- if it were
12 -- if the garage -- the footnote portion of
13 the garage were not applied, then the
14 non-residential part would be the same as in
15 the column before it. So 168,466
16 approximately.

17 For residential it would be greater
18 than that number, because the allowed floor
19 area ratio would be 1.5 instead of 1.25. So
20 maybe closer to 200,000.

21 BETH RUBENSTEIN: Is it closer to

1 the 100,000 and the 250?

2 STEVEN WINTER: We're getting lost
3 on this. I'm getting lost on it.

4 JEFF ROBERTS: Right.

5 STUART DASH: If your question is to
6 make all the changes except the garage, plus
7 the height, that's height plus FAR changes.
8 If that's the question.

9 H. THEODORE COHEN: That was my
10 question, yes.

11 BETH RUBENSTEIN: So the FAR would
12 be?

13 JEFF ROBERTS: The FAR for
14 residential would be 1.5. The maximum
15 residential. And the maximum non-residential
16 would be 1.25. And so what you would do is
17 just then take the column from the top, the
18 number from the top chart and subtract away
19 the existing 62,306. And you would apply
20 that -- that difference would be applied kind
21 of proportionally based on whether the --

1 whether any new proposed development was
2 non-residential or residential.

3 WILLIAM TIBBS: How does the height
4 factor into that?

5 JEFF ROBERTS: This doesn't account
6 for height. It just accounts for the FAR.

7 CHARLES STUDEN: Jeff, I don't
8 understand. The garage is 350,000 square
9 feet?

10 JEFF ROBERTS: Approximate.

11 BETH RUBENSTEIN: You know what I
12 would like to propose, can we move to the
13 next question and give the staff a minute to
14 do the calculations? Because I think we've
15 got the numbers here to do it but I think we
16 need a minute. Thanks.

17 WILLIAM TIBBS: Tom, were you about
18 to say something?

19 THOMAS ANNINGER: I wanted to make
20 sure that he has more than one calculation to
21 do, because I think you're having some fun

1 with it, I'd like to ask you what if we said
2 the only thing we're interested in is height,
3 none of the other changes, just height? And
4 suppose we took the 85 and change that to 65
5 feet, not 45, but 65 for residential, what
6 would that do?

7 WILLIAM TIBBS: And just for
8 clarity, what that does this link it to, the
9 65 that's already in the --

10 THOMAS ANNINGER: Exactly. Exactly.
11 That's exactly the point.

12 WILLIAM TIBBS: While they're doing
13 that I want to remind the folks in the
14 audience that the Planning Board makes a
15 recommendation to the City Council, but the
16 City Council is the entity that makes the
17 final decision on this. And in the past they
18 have taken our recommendations and in the
19 past they have not.

20 HUGH RUSSELL: I think to partially
21 address Tom's question, they can calculate

1 the numbers, but if you actually look at the
2 plan and you say well, the garage is going to
3 stay, and then what do you have left? You've
4 got the perimeter 100 feet and at 85 foot
5 height which right now has a movie theatre as
6 part of it. Which is a feature I would not
7 like to see go away myself. And it's got a
8 substantial sliver on the right side of the
9 garage that probably is unusable. And it's
10 got a space on the other side of the garage
11 that appears to be approximately --

12 THOMAS ANNINGER: What are you
13 looking at, Hugh?

14 HUGH RUSSELL: I'm looking at the
15 heights under current zoning. And there's a
16 piece that maybe averages a hundred or a
17 little more feet beside the garage. The
18 question is: In that space could you
19 actually achieve an FAR of, you know, 2.5 and
20 actually have a housing development that
21 would be marketable? And I think the answer

1 is probably not. You might not be able to
2 achieve that full FAR. And my suspicion is
3 that's why the 85 feet is there, that
4 somebody looked at that and said well, if you
5 put the 35 foot buffer around, then you need
6 a little extra height and what harm does it
7 do? It will buffer the parking garage. I
8 think the harm it does -- an 85 foot high
9 residential building would have on it almost
10 no mechanical. It would not be mechanical
11 story. I just did a ten-story building
12 that's about 90 feet tall, and there were --
13 we put the boilers on the roof and the
14 elevators on the roof and a certain amount of
15 equipment, but it was like a quarter of the
16 roof, that stuff, and it was 10 or 12 feet
17 tall and it was set way back from the edges.
18 So, you know. So I think you don't have, you
19 know, you don't have 100 foot building 100
20 feet away from the property line to the
21 residential. You could have an 85 foot

1 bui l di ng. And as you look at the shadow
2 studi es, they woul d have a 65 foot bui l di ng
3 and i n the depths of wi nter there woul d be a
4 l ess shadowi ng i mpact and the rest of the
5 year i t woul dn' t make any di fference. That
6 bei ng sai d, I have no probl em recommendi ng
7 cutti ng the 85 to 65. And i f that reduces
8 the potenti al , you know, so you can onl y put
9 i n 200 apartments there i nstead of 300, wel l
10 that' s fi ne.

11 H. THEODORE COHEN: Do we know what
12 the hei ght of the parki ng garage i s now?

13 HUGH RUSSELL: I bel i eve i t' s about
14 85 feet. And i t steps down twi ce.

15 THOMAS ANNI NGER: I t' s 85.

16 HUGH RUSSELL: I thi nk i t' s -- wel l
17 85, 65 and 45 or somethi ng l i ke that. I
18 mean, i t' s a -- i t' s a very substanti al
19 bui l di ng.

20 THOMAS ANNI NGER: Ri ght.

21 BETH RUBENSTEIN: Bi l l , we' re ready

1 for that question when you're ready.

2 THOMAS ANNINGER: Can I ask two
3 things? I didn't understand why you said
4 that a 65-foot building could not be built.

5 HUGH RUSSELL: You can build it. I
6 don't think you can use up all the FAR.

7 THOMAS ANNINGER: Oh, you couldn't
8 use up all the FAR? Right.

9 HUGH RUSSELL: The buildings are
10 only 65 feet thick. They need light and air
11 and views. You have to build courtyards.

12 THOMAS ANNINGER: But you said build
13 200 units.

14 HUGH RUSSELL: I don't think you
15 could do that. If you were to do the whole
16 site, I mean --

17 THOMAS ANNINGER: I mean, the reason
18 -- I was worried about shadows because this
19 is to the south of those buildings that we're
20 worried about on Cornelius Way and so on.

21 There's a whole residential section that I

1 think these people are from, which is what
2 this is all about. And I walked around there
3 and I am in sympathy with their concern. But
4 even if there are no shadows, there's still
5 sky that's lost and particularly sky to the
6 south. So, I think there is some virtue to
7 reducing the height but nothing else. I
8 think 45 feet is too drastic. But I think
9 another 20 feet would go a long way towards
10 helping the situation. I don't think we can
11 resolve -- I think to go all the way to
12 grounding this project and turning it into an
13 impossibility to develop is not a responsible
14 approach. But I think 20 feet is something
15 that I would like -- I'm not sure we need to
16 decide it tonight, but I would welcome some
17 sort of a massing three-dimensional view from
18 the staff on what something like that would
19 look like. With also some numbers to --
20 similar to what we've got here, but with a
21 few other parameters like the ones we're

1 tal ki ng about.

2 CHARLES STUDEN: I thought the El kus
3 Manfredi materi al that we were gi ven back a
4 whi le ago havi ng to do wi th the shadows was
5 very persua si ve, at l east to me, where they
6 used computeri zed model i ng and they
7 demonst rated the shadow on the property that
8 was devel oped under maxi mum extent permi tted
9 under exi sti ng zoni ng. And what they
10 concl uded and what the drawi ngs show, at
11 l east, i s that there woul d be no signi fi cant
12 i ncrease i n that new shadow on adj acent
13 properti es as a resul t of the further
14 devel opment based on exi sti ng zoni ng at the
15 One Kendal l Square si te. And they poi nt out
16 that' s because the hei ght of the garage and
17 the fact that the garage wi ll be retai ned i n
18 connecti on wi th any possi ble devel opment,
19 that the new shadows woul d be l ocated
20 extensi vel y wi thi n the exi sti ng shadow of
21 that garage wi th the signi fi cant porti on of

1 the shadows falling on the garage itself.
2 And because also they're saying that new
3 shadows on abutting residential areas are
4 significantly reduced because of the very
5 substantiation setbacks required by the
6 existing zoning. And if you look at those
7 drawings, I mean, I think it's quite
8 persuasive actually.

9 PATRICIA SINGER: However, and I'm
10 not sure where I got this impression, but in
11 doing background reading for this I thought
12 that one of the original proposals spoke to
13 taking down part of the garage. And I don't
14 know if it was the 45-foot end or the 85-foot
15 end.

16 CHARLES STUDEN: Well, this goes to
17 my earlier comment about trying to do this in
18 the abstract without a proposal before us. I
19 mean, there are all kinds of different
20 scenarios that you can use on the site to try
21 to analyze this, but we don't have one.

1 WILLIAM TIBBS: Yes, but I just want
2 to say that it's only done in the abstract.
3 I mean, the zoning is done with the abstract.
4 Zoning isn't done with a proposal in mind
5 either. Even when a proposal is before us
6 and we're doing zoning I always have to
7 remind folks that we're -- we're doing
8 proposal and not analyzing the proposal. But
9 you can, what they tried to do but there are
10 many ways of skinning that cat.

11 CHARLES STUDEN: I can --

12 WILLIAM TIBBS: Basically we're
13 looking at the development volumes and
14 massing that can happen within the envelope
15 and what shadows can come from there. Which
16 I think is what they tried to do, but
17 obviously you can, you can form that in many
18 ways.

19 CHARLES STUDEN: And the only thing,
20 I go back to your comment, Bill, which I
21 totally agree with, the ECaP study, a

1 tremendous amount of time and energy went
2 into that and that was not even 10 years ago.
3 I'm not suggesting that zoning needs to be
4 frozen in place forever, but there needs to
5 be very good reasons for rezoning. It's not
6 something that should be changed with no
7 purpose. And I'm still struggling to find
8 out what the purpose of this is. I'm
9 persuaded by the shadow studies that even if
10 we developed under the existing zoning, the
11 maximum extent that the shadows would not be
12 a significant problem. So what are the other
13 issues that are before us that the
14 community's concerned about?

15 THOMAS ANNINGER: Well, Charles, I'm
16 just going to repeat what I said before, I
17 don't know whether you agree with it or not,
18 but it seems to me that if you walk down
19 Cornelius Way, you walk the neighborhood
20 today, so you know what I'm talking about,
21 it's not just a matter of shadows. It's also

1 a matter of height and bulk and sky that's
2 being taken away. And it is a pretty
3 dramatic jump up, 85 feet, from that
4 neighborhood more so than we typically see.
5 We like to see transition zones. And this
6 arguably, this 85 feet is a -- seemed
7 somewhat aberrational in its drama, in terms
8 of height. I think it's -- I think it's a
9 lot.

10 CHARLES STUDEN: But we currently
11 have a 35-foot setback, and the neighbors are
12 proposing -- a 35-foot height limit in that
13 setback, 100 feet back. The neighbors are
14 proposing that it be raised to 45 feet. That
15 runs contrary to that argument.

16 THOMAS ANNINGER: I think that's a
17 mistake or an ill conceived concept. I don't
18 buy into that. I think we should ignore that
19 and just talk about the 85 feet and whether
20 that's a problem or not and work on that. To
21 me, I -- I'm not -- I'm open to discussion

1 about it for sure, but I can see that being a
2 -- very troublesome for someone living there.

3 WILLIAM TIBBS: Beth, you said the
4 numbers had been calculated?

5 BETH RUBENSTEIN: Thanks, Bill. We
6 have a rough sense.

7 So if we go back to the chart, and the
8 page two of two, and let's go to the
9 right-hand column, the top half of the page
10 under total allowed GFA under proposed
11 zoning, Fanning. Okay? So on the right-hand
12 most side. So the residential allowed square
13 footage is about 276, 277,000 square feet.
14 Now, if there's an existing building on-site
15 under existing development, there's 62,000
16 square foot building. So if you took the 276
17 and you subtract 62, because that building's
18 already there, you've got about 215,000
19 square feet of residential. On the
20 non-residential side again, under the Fanning
21 Petition, the gross -- the square footage

1 would be about 230, 231,000 square feet. And
2 again, if you subtract out the 62,000, that
3 leaves you with about 168. Again, these are
4 rough approximations, but it's about 215
5 residential and about 168 commercial if you
6 remove the garage footnote.

7 STUART DASH: And just not to take
8 those exactly.

9 BETH RUBENSTEIN: Order of
10 magnitude.

11 STUART DASH: Order of magnitude,
12 because the formula you do with zoning, with
13 commercial is different. But that's order of
14 magnitude what --

15 BETH RUBENSTEIN: We're giving you a
16 rough sense. Obviously as Hugh was pointing
17 out, if the heights change, whether or not
18 you can use all that square footage is a
19 different question. Of course that's not a
20 design building and so on, but just to give a
21 rough sense. If I could just say something

1 briefly, sort of a historical note with the
2 conversation you were just having, and I
3 think your -- I don't know who made this
4 point. Back when we were doing ECaPs, I
5 think the 85 height -- and I think many of
6 you will remember, was very much tied into
7 our interest in getting housing in this part
8 of the city. This was industrial part of the
9 city, it was industrial zoning. We were
10 looking at the world anew. And there was a
11 strong interest in housing so the aim and the
12 little bump up to 85 was to create
13 incentives. And then the 35 was a way,
14 perhaps successful, perhaps not, of saying
15 gee, 85 next to the neighborhood is pretty
16 tall, there ought to be some transition. You
17 know, lead it to the others to sort of make
18 the right call. That was the logic. It's
19 important to remember why did we do 85 there?
20 It was very much tied into the desire for
21 housing.

1 WILLIAM TIBBS: Any comments from
2 either Patricia or Ahmed or Ted? You heard
3 some of this discourse going back and forth.

4 AHMED NUR: The only comment I would
5 add is I agree with Charles, 120 feet on the
6 one side and 85 on the other. So having said
7 that, I would probably -- don't think that 85
8 is out of order comparing to the 120 feet
9 right next to it. Whichever one you look at
10 it, I'm going to have to give more thought.

11 WILLIAM TIBBS: Thanks.

12 Steve?

13 STEVEN WINTER: A couple of
14 comments. I think we have to be very careful
15 about -- one of the board members said this
16 is a very severe down zoning at One Kendall
17 Square. And I think we have to be very
18 careful about doing that. We cannot do that.
19 In fact, because then it does look like spot
20 zoning. And that's not a defensible decision
21 that this board can make.

1 And I also would like to comment at
2 this time that I'm a little disturbed that
3 the Cambridge Legal Department did not
4 respond to repeated requests, and I'd like to
5 go on the record saying that.

6 I've always felt that the thing we do
7 really well in Cambridge is we have a dense
8 urban fabric. This is not a suburb. Parts
9 of it may look suburban, and it may even feel
10 suburban, but it is not a suburb. It is a
11 dense urban environment that we have with a
12 talented development department and other
13 structures, civic structures, we've created a
14 dense urban fabric that changes very
15 dramatically from place to place to place.
16 So you can take three steps and you're in a
17 funny little industrial zone and two blocks
18 over it's a fabulous residential zone. And
19 it just does it all over the city. And we do
20 it really well. And I think we do it well
21 because we're thoughtful about it. In this

1 case, Tom mentioned 65 feet as being a height
2 that's not going to overwhelm that part of
3 the neighborhood, and taking into account
4 what Beth said about, you know, there are
5 significant other residential pieces
6 happening here, and it could be that the 85
7 feet really is out of date at this point for
8 us and that we need to -- if we can do
9 anything, it would be to help structure the
10 appropriate development in that parcel while
11 also allowing the residential components
12 around it to maintain a sense of integrity of
13 their residential zone. So that would be my
14 intent in any tweaking of this at all. And I
15 think there is a -- there is an opportunity
16 for us to meet some very well spoken concerns
17 from the neighbors how they want to protect
18 their residences and their homes. And I
19 guess I'd just like to hear comments from the
20 rest of the board on what you have to say.

21 WILLIAM TIBBS: Ted?

1 H. THEODORE COHEN: Well, I'm
2 somewhat conflicted. I think that when ECaPs
3 was adopted, and this was before my time on
4 the board here, and I wasn't involved with
5 it, but looking at this, this seems like a
6 perfectly rational means of trying to make
7 sense out of this whole area. And you've got
8 120 feet heights right to the south of it.
9 You've got this 35-foot buffer that seems to
10 go all around it, and 65 on one other side.
11 And I look at, you know, where -- you know,
12 the three third or whatever the address is of
13 the new complex is on Third Avenue is 85
14 feet. And that I think is quite lovely.
15 And, you know, I agree with what Steve is
16 saying, but, you know, we are an urban
17 environment and there's tall and there's low,
18 they go next to each other quite nicely in a
19 lot of places. The concept of going down to
20 45 feet just seems, you know, not to make
21 sense to me. It's just much too, too low.

1 Whether 85 is the right number, whether 65 is
2 the right number, I just don't know at this
3 point. And I also think that, you know,
4 changing the gross -- the way to calculate
5 gross floor area by taking out or changing
6 the existing garage calculation, seems to me
7 to be, you know, wrong and to try to prevent
8 something from being developed there. So I
9 would, I would be happy to consider a change
10 in height. I'm not sure that 85 is wrong,
11 but I think it is something that, you know,
12 if we were going to do it or if City Council
13 was going to do it, should be the product of,
14 you know, significant analysis of the whole
15 neighborhood and what's going on. And I
16 think, you know, that's the problem with many
17 citizen petitions is that they're aiming at
18 one particular parcel and trying to resolve
19 one perceived problem. And especially in
20 this case where we don't know what the
21 problem has been presented. I just have

1 di ffi cul ty wi th i t. I 'm not sayi ng that I
2 woul d be oppos ed to down zoni ng i t somewhat,
3 but I 'm not sure that thi s i s the ri ght way.
4 I certai nly don' t thi nk 45 feet i s ri ght. I
5 don' t know that 85 i s wron g or that 65 i s
6 ri ght. I j ust don' t know at thi s poi nt.

7 WILLIAM TIBBS: Hugh?

8 HUGH RUSSELL: I 've been thi nki ng
9 about why was i t 85 feet. And I thi nk there
10 are two reasons:

11 One reason i s there was a strong desi re
12 that any redev elopment on that parcel be for
13 housi ng rather than commerci al .

14 And the second i s i t i s al ready an ugly
15 85-foot garage there. So putti ng somethi ng
16 that' s more attracti ve wi ll tend to screen
17 that ugly garage from some poi nt of vi ew.
18 And I woul d thi nk that i f you lower ed that to
19 65 feet, the screeni ng woul d more or l ess
20 probabl y work from al most any pl ace that was
21 anywhere nearby, upper floor or a bl ock or

1 two away. Right. Because of the way the
2 lines work we'd probably be thinking about
3 that parcel and the buildings on it. What
4 would you tear down to build housing? What
5 would make sense to demolish to build housing
6 there? And I think it's -- in particular,
7 if you can only go six stories, then it
8 doesn't seem too likely. So that's -- is it
9 a bad thing that it's not housing now? No.
10 I mean, I don't have a lot of problems with
11 it staying the way it is, you know, changing
12 tenants from time to time. So, I think if we
13 recommend a lower height, we are making it
14 much less likely there will be a transition
15 to housing. There might be some in-fill.
16 It's more likely that in-fill or
17 redevelopment would be commercial just
18 because of the way the parcel seems to lay
19 out.

20 THOMAS ANNINGER: Commercial at 45
21 feet?

1 HUGH RUSSELL: Right. Three-story
2 biotech building that at some point that
3 might be very blocky. I think you might find
4 that somebody who is looking for 100,000
5 square feet, and I don't think the chart says
6 you can do that, and probably keep the movie
7 theatres. So, you know, the market sometimes
8 makes those decisions for you. I think
9 you're -- the 85 feet was to try to tilt the
10 market a little bit. And this will sort of,
11 if you lower the height, it will tilt.

12 THOMAS ANNINGER: Tilt it back.

13 HUGH RUSSELL: Back. But not
14 preclude both things. I mean, maybe that
15 should be the substance of our report to the
16 Council, that we don't think we want to see a
17 parking garage and the development density --
18 parking garage counted as FAR and the FAR
19 density, that seems unfair.

20 The height of -- 85 feet, if it were --
21 you know, absolute closest place to the

1 residential might have a little impact, maybe
2 just stepping a residential building to 65
3 feet for the last, you know, last apartment
4 might change all of that completely. Would
5 you change the zoning or would you just do
6 that as part of a design review about a
7 project? You know, I don't think we've got a
8 -- I don't think we believe that 85 feet is
9 an impossible height for many portions of
10 that site. And it's really just that last
11 little bit, you know. And if you -- if the
12 Council decides they want to preclude that
13 possibility, then you can do it by -- I mean,
14 you could do it just by introducing another
15 65-foot buffer strip another 100 foot back.
16 And that might be the simplest way to do it.
17 Take the last 100 feet and make it 65.

18 THOMAS ANNINGER: Why not just do
19 the whole 85 feet and make it 65? I mean,
20 what's the difference?

21 HUGH RUSSELL: The difference is

1 you' re knocki ng out a lot of good apartments
2 on the south si de.

3 THOMAS ANNINGER: On the Bi nney
4 Street si de.

5 JEFF ROBERTS: On the Bi nney Street
6 si de.

7 HUGH RUSSELL: Potential apartments.
8 So when somebody was i nterested i n looki ng
9 for housi ng, they might be that much less to
10 do i t. We' re tryi ng to guess, we sti ll
11 believe I thi nk, that some amount of housi ng
12 is not a bad thi ng.

13 THOMAS ANNINGER: How many feet for
14 buffer?

15 HUGH RUSSELL: A hundred.

16 THOMAS ANNINGER: Then you' d have a
17 second hundred woul d be 65 feet?

18 HUGH RUSSELL: Yes.

19 THOMAS ANNINGER: 65 feet, anythi ng
20 over coul d go to 85?

21 HUGH RUSSELL: Yes.

1 THOMAS ANNINGER: I don't see how
2 there's room there.

3 HUGH RUSSELL: That's the way the
4 ECHO zoning does it, steps up as you step
5 back from the lot. You're taking away a
6 little bit of development potential, but not
7 a horrendous amount. So it leaves that
8 decision.

9 CHARLES STUDEN: I think these are
10 suggestions, Hugh. I would also convey to
11 the Council that we felt that the maximum FAR
12 and residential should remain at 2.50 and not
13 be reduced to 1.50. I don't know how others
14 feel about that.

15 HUGH RUSSELL: I think you'd never
16 get housing. You would be very unlikely to
17 get housing if you didn't have that
18 additional FAR.

19 CHARLES STUDEN: I think so, too.

20 WILLIAM TIBBS: I don't know. I
21 guess I'm not one to down zone a property

1 unless there's good reason I guess. And so
2 that -- I don't think we need to tinker with
3 something to try to get something in between
4 what's there and -- at least that's my sense.
5 I guess I'm just not convinced the 45 just
6 doesn't work, whereas I'm probably open to
7 the idea of 65, that seems -- in fact, I like
8 the -- was it Ted, was it you, or was it you,
9 Tom, that said if we're going to do that it
10 should be studied. And we should just be,
11 you know, willy-nilly just doing it just
12 because we have a petition before us. So I
13 guess I'm -- I'm tending to feel that I
14 haven't been convinced, even though I
15 understand some of the issues and some of the
16 concerns that the neighbors have, I'm not
17 convinced that the existing zoning should be
18 changed in light of the thought that it put
19 into it before. And as I said, I'm -- I
20 like, Hugh, your thought that the 85
21 definitely favors housing. And if we go to

1 65 or something like that, it would tend to
2 favor the commercial even though you can get
3 some housing there. And I think it gets to
4 the point what do you want to encourage in
5 terms of development? Which was clearly
6 something -- I mean, the first paragraph in
7 the overlay is that it's trying to encourage
8 housing. So I think it's up to the Council
9 to say do they want to continue with this?
10 And if they do, I say we keep it at 85. And
11 if they don't, we explore other alternatives.
12 But that's where I am right now.

13 Patricia?

14 PATRICIA SINGER: Being mindful that
15 I once told Hugh that we shouldn't rely on
16 precedent, I want to go back and talk about
17 what we discussed on the Connor Petition,
18 which really only basically impacted only two
19 property owners. Take that as sort of
20 keeping that as a frame of reference, go from
21 the proponent in the first meeting who said,

1 and I quote, "We like our neighborhood the
2 way it is. And we'd like to keep it this
3 way." And then be reminded of -- and I'm
4 paraphrasing here -- of a very famous Latin
5 quote which is "Things change and we change
6 with it." Having said that, I can sort of
7 see the fear of having some monster looming
8 over my neighborhood. But I mean this is
9 sort of the character of the neighborhood
10 surrounding this neighborhood. And if in
11 fact our goals are to promote residential
12 housing, and in particular to promote
13 residential in this area, absent driving it
14 in another direction, I don't see any reason
15 to change this.

16 THOMAS ANNINGER: Were you heading
17 us in the direction of possibly studying more
18 height levels to see what it was before we
19 recommend? I thought that's where you were
20 headed, Bill.

21 WILLIAM TIBBS: No. I was saying we

1 should do that, but I almost think the City
2 Council should request that themselves if
3 they want to.

4 CHARLES STUDEN: Yes.

5 WILLIAM TIBBS: Because I think it's
6 up to them to decide what the goal of that
7 site is. I mean, unless we wanted to make
8 some recommendations as to what we feel, if
9 we felt, for instance, that looking at the
10 residential units that have been built since
11 then, that we're -- you know, it's not in
12 that area that we're getting a reasonable
13 amount of residential stuff in East
14 Cambridge, and we would reconsider whether or
15 not that's a priority on this particular
16 site, that I think that's something that
17 maybe we can make a call on. But I would
18 necessarily -- by looking at this, I wouldn't
19 make that conclusion. But we could -- that's
20 just my personal sense. But I guess really
21 the question is what do we want to do?

1 Because I haven't quite decided what we
2 shoul d do.

3 PATRICIA SINGER: If I may, I'd like
4 to make another comment, which is that if we
5 just look at what we did in the first two and
6 a hal f hours of thi s board meeting, we took a
7 project that many of us were not comfortabl e
8 with ini ti ally, and we worked, and we worked
9 unti l we got a better product. And there
10 were other enti ties in the ci ty that worked
11 in thei r own expertise. So I mean even if
12 zoni ng says somethi ng i s permi tted, peopl e
13 don' t al ways bui ld the maxi mum. And frankl y,
14 we very often recommend that they not bui ld
15 to the maxi mum.

16 WILLIAM TIBBS: You' re ki nd of
17 commenti ng on ki nd of the dul lness of the
18 zoni ng tool that doesn' t necessari l y -- just
19 because i t' s there doesn' t mean peopl e do
20 exactl y, you know, and bui lt upon the l i mi t
21 that they can.

1 PATRICIA SINGER: We just had that
2 example, that proponent came in -- the Mass.
3 Ave. proponent came in with a building that
4 was substantially bigger than what was
5 permitted on that site.

6 H. THEODORE COHEN: Well, I'm just
7 following up on what you said. If I look at
8 the map of what has been developed
9 residentially, it seems that there's still a
10 very good argument for increased residential
11 development on the western part of the ECaPs,
12 East Cambridge area. It seems to me we're
13 not going to be able to resolve things this
14 evening. And what I would suggest, I think,
15 Bill, is what you said was very valid. You
16 know, I -- it would be my sense that this
17 Board does not support the Fanning Petition
18 as it is currently drafted, and that we ought
19 to tell the City Council that we don't
20 support it the way it is, but that it may be
21 an appropriate time to reconsider, you know,

1 what we think should go in that area. And if
2 they were so inclined, you know, certainly we
3 and staff could look at and make a
4 recommendation on.

5 WILLIAM TIBBS: In a sense you'd be
6 asking them to send it back to us with their
7 -- yes, sort of -- and that not just reacting
8 to a petition, being a little more proactive,
9 saying obviously there were some concerns
10 being addressed in the neighborhood so let's
11 study it a little more instead of taking this
12 petition and -- that sounds good to me, but I
13 don't know how people feel about it.

14 STEVEN WINTER: I'm comfortable with
15 that.

16 THOMAS ANNINGER: I think I would
17 prefer something along the lines of either
18 what Hugh was suggesting, which is a
19 transition zone of 65 feet, leading to 85.
20 So 35, 65, 85. Or just taking the 85 and
21 making that 65. I think that's the cleanest

1 and simplest way with what I think is a
2 legitimate issue. But I do not support the
3 whole Fanning Petition. I support the height
4 aspect of it and that alone. And I would
5 respond to that. I think it's a real issue.
6 Having walked the neighborhood, I believe in
7 it.

8 WILLIAM TIBBS: Steve?

9 STEVEN WINTER: I think we may all
10 be heading to the same page, but, you know,
11 Ted's point is a very good point, and that is
12 that I don't believe this Board is prepared
13 to support the Fanning Petition as it is.
14 And I think that's a good point. I'm not
15 sure it's up to us to change it around and
16 present something to the Council to say we
17 didn't like that, but we like this. I think
18 it may be up to the Council to say we agree
19 or don't agree with you. And we can leave
20 the door open to our communication that says
21 please, send it back if you think it deserves

1 more studying and we would be thrilled to
2 look at it again, to create some long lasting
3 solution that provides an edge, that could
4 exist peacefully with the residential
5 district.

6 WILLIAM TIBBS: Your thoughts, Hugh?

7 HUGH RUSSELL: Well, I was staring
8 at this map of residential developments.
9 Looking at the number which is 200,000 square
10 foot in the development, potential -- that
11 means you could put a couple of hundred
12 apartments on that site. I don't think
13 that's right. I think -- and that's just
14 part of what people were saying.

15 STEVEN WINTER: That is correct.

16 HUGH RUSSELL: That's what we heard,
17 which was the -- that would be way too
18 intense for that street and that location. I
19 mean, if you look at the chart and say what
20 does 200 units look like, you can say --
21 let's see now, all of those like the --

1 closest to 200 is the Esplanade. River Court
2 is 166 units. And it's 10 or 12 stories I
3 believe.

4 ROGER BOOTH: 23.

5 HUGH RUSSELL: So you couldn't
6 get -- River Court is already too high. It's
7 about the right foot, but it's -- the client
8 already admits you can't -- imagine River
9 Court on that site. It doesn't.

10 THOMAS ANNINGER: That's true.

11 HUGH RUSSELL: That may say looking
12 at the height or the development density. If
13 the only way to get housing is to do it at
14 that density, maybe this isn't the right
15 place to do that. You know, if you want to
16 come in and, you know, leave the movie
17 theatre and maybe leave a street building on
18 Binney Street and build a residential
19 building in one of the courtyards and then
20 went back to the -- you know, maybe you have
21 50 or 60 units there, maybe that's a good

1 development proposal. So I've come to the
2 conclusion that the incentives are out of
3 scale with the site and location, both in
4 terms of height and in terms of density.

5 WILLIAM TIBBS: I think I'd have a
6 tendency to agree with you. But I guess I'm
7 -- I just feel that if that is a conclusion
8 we'd want to reach, I'd like to have a more
9 reasoned discussion of all the zoning
10 parameters. There's height, there's FAR.
11 There's -- you -- yes, I mean -- yes, I'd
12 like -- I wouldn't like to just say okay,
13 let's make it 65. I'd at least like to have
14 a discussion and say okay, what is the proper
15 size? And, you know, I would like to -- to
16 me, I would like to do that in the context of
17 really studying it. That's why I like the
18 idea of letting the City Council do it on
19 their own if they're so inclined to do it.
20 Or, you know, just ask us to really study it
21 as opposed to -- yes, that's my -- I would be

1 inclined to agree with you. But I just want
2 to do it that would be more thoughtful.

3 That's my sense.

4 Ahmed?

5 AHMED NUR: Yes, I do agree with
6 you. I think that study needs to be done
7 because we start compromising and saying
8 let's make it 65, we've got a whole
9 neighborhood on Second and Sixth Street along
10 Charles Street that's going to be doing the
11 same thing. There are buildings. The zoning
12 is 85, zoning is 78, 75 feet all south of --
13 west of Charles Street. That's probably some
14 in the future will probably be proposed
15 buildings to go up and what do we do then?

16 HUGH RUSSELL: Those heights were
17 actually changed last year. Those are the
18 Alexandria properties. But I don't -- that
19 doesn't detract from your logic, but in fact
20 it is a very recent change.

21 AHMED NUR: I was looking at the

1 allowance heights under the current zoning.

2 HUGH RUSSELL: The current zoning is
3 very fresh.

4 BETH RUBENSTEIN: ECaPs got revised.

5 AHMED NUR: Oh, I see.

6 CHARLES STUDEN: I want to get back
7 to the issue of whether this constitutes spot
8 zoning in any way. So I look for some
9 direction on the city attorney, the spot
10 zoning issue as well as the fact that this
11 could be, removing a Fanning Petition from
12 all development potential on the site. It
13 seems a little severe to me.

14 BETH RUBENSTEIN: That could be in
15 your comments to counsel.

16 CHARLES STUDEN: Yes.

17 WILLIAM TIBBS: So, what do we want
18 to do? I want to go home because it's
19 getting close to eleven o'clock. Any
20 suggestions?

21 H. THEODORE COHEN: Why don't I move

1 that we not recommend the Fanning Petition to
2 the City Council for a couple of reasons:

3 One, that it appears to remove all
4 development potential from the lot. That it
5 was premised on promoting residential, which
6 maybe we still want or don't want. And we
7 indicate to them that if they are desirous to
8 consider a change in the use of the property
9 or the development potential of the property
10 or the density of the property, that they
11 might wish to refer it back to the Planning
12 Board and the department to analyze the
13 situation and make a recommendation to them.

14 STEVEN WINTER: May I add something
15 kindly?

16 I'd also like to add that the -- I
17 would like us to add that the Planning Board
18 feels that the neighbors are bringing a valid
19 point with this petition in that they're
20 looking for an edge to transition the higher
21 density to a lower density residential

1 district and we support that. We want to
2 help them to do that.

3 WILLIAM TIBBS: You comfortable with
4 that?

5 H. THEODORE COHEN: Yes, I'm
6 comfortable with the concept that the
7 neighbors have a very valid point and that
8 the issue ought to be analyzed and discussed.
9 I don't know that --

10 WILLIAM TIBBS: The transition in
11 the end --

12 H. THEODORE COHEN: The transition
13 in the end result is going to be a
14 transition. Or the transition maybe already
15 exists. I don't want to prejudge what may
16 come out of it.

17 WILLIAM TIBBS: Do we have a second?

18 CHARLES STUDEN: Second.

19 WILLIAM TIBBS: Any more discussion?

20 All those in favor?

21 (Show of hands.)

1 WILLIAM TIBBS: We're unanimous.

2 Great. Thank you.

3 (Tibbs, Singer, Nur, Cohen,
4 Anninger, Winter, Studen, Russell.)

5 WILLIAM TIBBS: We do have one more
6 bit of business to do, so if you are leaving,
7 if you can go quietly. And if you want to
8 stay and listen, you're free to do that.

9 BZA.

10 LIZA PADEN: BZA cases. There's two
11 of them. You may be wondering why there are
12 two of them. The rest of the BZA agenda is
13 deliberating nine continued cases.

14 WILLIAM TIBBS: So they actually
15 have nine other cases that they're
16 deliberating? These are the new ones?

17 LIZA PADEN: These are the new ones.

18 WILLIAM TIBBS: They can't make the
19 decisions these days?

20 LIZA PADEN: I didn't see anything
21 that the Board usually comments on, okay?

1 So that's no comment. Thank you.

2 WILLIAM TIBBS: Then I guess --
3 unless anybody wants to bring up anything
4 else, we're adjourned.

5 BETH RUBENSTEIN: Happy holidays.

6 WILLIAM TIBBS: We're adjourned.

7 (Whereupon, at 11:00 p.m., the
8 meeting adjourned.)

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1 C E R T I F I C A T E

2 COMMONWEALTH OF MASSACHUSETTS
3 BRISTOL, SS.

4 I, Catherine Lawson Zelinski, a
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11 IN WITNESS WHEREOF, I have hereunto set
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