

PLANNING BOARD FOR THE CITY OF CAMBRIDGE
GENERAL HEARING

Tuesday, April 20, 2010

7:00 p.m.

Held at

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

PLANNING BOARD MEMBERS:

Hugh Russell, Chairman
Thomas Anninger, Vice-Chair
H. Theodore Cohen
Patricia Singer
William Tibbs
Pamela Winters
Charles Studen
Ahmed Nur

COMMUNITY DEVELOPMENT STAFF

Beth Rubenstein
Liza Paden
Les Barber
Roger Boothe
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Street

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PB#243, Alexandria, PUD and Project Review
Special Permit, Extension Request

P R O C E E D I N G S

HUGH RUSSELL, CHAIRMAN: Good evening. This is the meeting of the Cambridge Planning Board and I think I'll perhaps wait for your report until everybody is here, and then we'll start reviewing the Board of Zoning Appeal cases.

LIZA PADEN: Thank you. The first case on the agenda is one I want to draw your attention to is, One Broadway down in Kendall Square, and this is to operate a restaurant with an outdoor patio at the building at the corner of Third Street and Broadway.

Mr. Rafferty represents the applicants and he would be happy to answer any questions. But also one of the things that Community Development staff wanted to point out is that because this is an office district, the restaurant is not allowed use as of right. And one of the nice -- yes.

It's the way offices uses are, but if this was a PUD, the Planning Board could approve this use as they can do in a PUD 3.

So Mr. Rafferty wanted to explain maybe some details. Do you want to explain any details or --

ATTORNEY JAMES RAFFERTY: Thank you. James Rafferty for the applicant.

I know how much time the Board has put into neighboring PUD, a block from here, encouraging retail, and every once in awhile I have been here and there's been some discussion about ways in which we can incent to rise retail, and I often say, well, we could always amend our zoning district to allow retail in the office districts. But not all of my ideas get noticed. It is like being at home sometimes when I come up with these great ideas.

But none of less, we could go through a PUD Special Permit process and get

this by Special Permit. The Board of Zoning Appeals is appropriately focused on hardship, so when I'm there next week, they'll want to have me explain the hardship as to why the allowed uses, which includes banks and insurance companies in retail, so I think there's a sense that at the Board that direction -- a commentary from the Planning Board would assist them, perhaps, in addressing this issue. That's my hunch. So I will leave it to you. I'm sure I don't have to spell out the obvious advantages of having this kind of use.

Ironically there are a couple of fast food variances in the building, in this space itself, had a variance for a restaurant about a 20 years ago. But you do have to get there by variance if you don't go there by PUD Special Permit.

So, I would welcome your weighing in and presumably favor me.

Thank you.

BETH RUBENSTEIN: If you don't mind, Jim, I was curious if you're at liberty to tell us what kind of restaurant.

ATTORNEY JAMES RAFFERTY: Oh, sure, sure. The proprietor is Gary Struck (phonetic) who operates the Central Kitchen in Central Square, and he has named this establishment Slow Fire Academy. And he's has been working with the people at the MIT real estate office. In fairness, they engage in a process to try to find someone local and reach out.

So, they spent many months with Gary and some others. It was Gary's concept largely because it was the success he's had at Central Kitchen.

So, part of the plan is not only the restaurant, but there's a significant expanse between the building and the sidewalk, and they've got a proposal to put a patio there,

which would serve to enliven that location.

BETH RUBENSTEIN: Is there something in the space that he's taking on now, or is it space that is really occupied?

ATTORNEY JAMES RAFFERTY: I'm sure it was occupied. It might have been a bank. It might've -- I think it was a bank.

HUGH RUSSELL, CHAIRMAN: This was the portion of the frontage that faces Broadway rather than the street?

ATTORNEY JAMES RAFFERTY: Third Street, yes, that's correct. It's probably midpoint in the building.

Thank you.

HUGH RUSSELL, CHAIRMAN: So I'm gonna offer a theory as to why this is not permitted. And it is the history which is, you know, our ordinance comes from 1943 mostly. That's when the present structure of the variance was established and planning theory in zoning was that uses should be

separated and places that -- office districts were established were -- there was one on Store Street they were seen as often transitional between residential areas and commercial areas, and somehow the offices were a purer use.

I don't think that applies at all to this site or does it probably apply to any Office 3 District. I think that's maybe how it came about.

And in my 20 years on the Board, we've never questioned that because I think now people go and get variances and -- but I believe that we really ought to be encouraging this use here and that whatever reasons one might imagine for requiring a variance which might relate to the historical use of density office districts to be buffers don't apply in this site.

So, I think I would like us to go on record as a -- encouraging the Zoning Board

to grant the relief.

Do you have a comment?

PATRICIA SINGER: I am glad someone brought our attention to this, I don't think I would have made a comment, and I would have assumed it would've gone through the ZBA through the regular process, so I agree with you.

H. THEODORE COHEN: I, too, agree. I think restaurants are good things and office buildings and the more retail we can bring into this area is a good thing.

THOMAS ANNINGER: It's fine with me.

HUGH RUSSELL, CHAIRMAN: Okay.

LIZA PADEN: Very well, thank you.

Is there any other case anybody wants to see?

PATRICIA SINGER: There's a generic understanding about this one.

LIZA PADEN: Right now you have a commercial use at Cottage Park Avenue, which

is one of the streets that goes from Massachusetts Avenue down towards Little Linear Path and they're looking to reconfigure the parking lot. Mr. Rafferty actually represents this applicant as well.

So what they're looking to do is to reduce the amount of parking and then change the layout in what's required, which is landscaping, setbacks and things like that.

According to the application, it has been a parking lot over time, so it is not as if they're taking over some non-parking lot use. They're requesting that they have ten tandem spaces out of the 30 spaces that are on the lot.

PATRICIA SINGER: Thank you. That just answered the question because we talked about tandem parking in the past.

I just didn't -- from the description, I didn't quite understand what the issue was.

Thank you.

Again, I was not questioning this one in particular, but just more generically what was wrong to get a better understanding of parking.

LIZA PADEN: Any other?

Yes.

THOMAS ANNINGER: Just because of its prominence on Brattle Street, I would be interested to at least see what drawings Charles Myer has come up with for Appleton Street.

LIZA PADEN: If I can find them. Here they are.

I don't know if that's going to be more interesting or if you want this whole packet?

Then if you want, Hugh, we can do the extensions. So the case on Appleton Street is they're looking to put in a 400 square foot addition to the rear of the

second floor. The house itself is non-conforming.

THOMAS ANNINGER: There's no elevations here.

LIZA PADEN: Oh, there's no -- okay, so it must be in the other package.

THOMAS ANNINGER: Do you have any idea what -- what the neighbors are saying about this?

LIZA PADEN: Nope.

THOMAS ANNINGER: Thank you.

LIZA PADEN: Do you want to see it, Charles?

CHARLES STUDEN: No, that's fine. Thank you.

HUGH RUSSELL, CHAIRMAN: Does anybody have any other questions about any other case?

If not, Liza, I suggest that we take up one of the extension requests from our general business.

LIZA PADEN: Since Mr. Dickey is here, I was going to suggest that we take up the extension request for the existing Special Permit. This is No. 231. And this is the one that covers a number of blocks for a street, Bent Street and Charles Street, and they're looking for an extension for the 12 months.

Do you want to come up?

ROB DICKEY: Rob Dickey representing Bent Street Lang Company.

And thank you, Liza, for hearing us this evening, and thank you, Chairman Russell.

Our plan had been to move forward with the commercial lab building is the first phase of the project, and we're the tenant with financing, we have done that in the last two years.

But given the circumstances, we're -- we don't have a tenant and it is very

difficult to move forward, and we have been delayed by the market, but we're still very much committed to the project and the plan.

HUGH RUSSELL, CHAIRMAN: Thank you.

So I would ask my colleagues, do we think that any of the basic planning principles in the area have changed in those two years, or if there's some new development that might affect these properties? I can't think of one myself.

PATRICIA SINGER: Although I can't believe two years has passed.

THOMAS ANNINGER: Can you just give me something to remind me of this project?

HUGH RUSSELL, CHAIRMAN: This is the -- there's an apartment building on First Street next to Helmann --

THOMAS ANNINGER: Oh, okay.

HUGH RUSSELL, CHAIRMAN: -- or across the street or something, there's an office building.

THOMAS ANNINGER: Now I remember.

ROB DICKEY: Three-story, it's like an office laboratory building with parking underneath.

THOMAS ANNINGER: It's the one where you knit three different streets together.

ROB DICKEY: Exactly.

THOMAS ANNINGER: Okay.

ROB DICKEY: And it was PUD Special Permit --

HUGH RUSSELL, CHAIRMAN: Too bad.

ROB DICKEY: It is too bad.

HUGH RUSSELL, CHAIRMAN: So, is this something we normally grant?

Would someone like to make a motion.

H. THEODORE COHEN: I would move that we grant the 12-month extension in Planning Board Case 231, and if we need a reason on the basis of the unusual economy, which has prevented the developer from obtaining tenants and the ability to go

forward at this time.

HUGH RUSSELL, CHAIRMAN: Is there a second?

CHARLES STUDEN: Seconded.

PATRICIA SINGER: Seconded.

HUGH RUSSELL, CHAIRMAN: I think I saw Charles first.

All those in favor?

Any opposed?

It pretty much carries.

BETH RUBENSTEIN: And for one additional year?

HUGH RUSSELL, CHAIRMAN: For one year as requested.

ROB DICKEY: Thank you.

LIZA PADEN: One more.

HUGH RUSSELL, CHAIRMAN: Sure, why not.

LIZA PADEN: Planning Board Special Permit No. 38, this is a major amendment for the ground floor retail at 1 Canal Park and

they are not -- they were not able to come back to the Planning Board, and this is an extension for the time.

So this is a time extension for the process, not the permit itself. So they are scheduled and they will be here on May 18th for their second public hearing. And so, I was going to ask if the Planning Board would adopt the new schedule?

HUGH RUSSELL, CHAIRMAN: They submitted a written request?

LIZA PADEN: Yes -- I'm sorry. It is May 4th that they'll be back. I misspoke.

HUGH RUSSELL, CHAIRMAN: What is the date we're going to extend the schedule to?

LIZA PADEN: May 20 -- it's May 25th or 27th. I can get it out of the file -- out of the box, but they give us time for the hearing and then time to write the decision, get it reviewed and filed.

HUGH RUSSELL, CHAIRMAN: Okay. So

any discussion?

PATRICIA SINGER: I won't be here on May 4th and I would like to go on record as saying that I really would strongly encourage a retail use of this site.

PAMELA WINTERS: Patricia, I didn't hear your last sentence.

PATRICIA SINGER: Sorry. I said that I wouldn't be here for the next meeting, but I really would strongly encourage a retail use for this site.

PAMELA WINTERS: Thank you.

HUGH RUSSELL, CHAIRMAN: Would someone -- we need a motion on this?

LIZA PADEN: Please.

H. THEODORE COHEN: I move that we extend the time for continuation for the second hearing on the Planning Board Case No. 38 to make time for submitting the decision be extended to May 25th or 27th as requested.

LIZA PADEN: Thank you.

HUGH RUSSELL, CHAIRMAN: Okay. And a second?

Pam?

All those in favor?

Everyone voted in favor.

LIZA PADEN: Is it 7:20.

HUGH RUSSELL, CHAIRMAN: It is 7:20 and --

BETH RUBENSTEIN: Do you want to do the rest?

PAMELA WINTERS: There's two more left.

HUGH RUSSELL, CHAIRMAN: That's one extension left.

LIZA PADEN: The next extension request is for the Alexandria, and this is a waiver of the 90 days filing the decision for the 90 days, which the Alexandria decision is due on April 26th, and since we're not going to have the decision back to the Board until May 18th, we've also asked for additional

time to the last Friday in May to file that decision.

THOMAS ANNINGER: Why didn't I think it was going to be on May 4th?

LIZA PADEN: Originally it was going to be on May 4th, but when the decision started to be drafted, it started to get bigger. I mean, I think what happened was we started writing it up. I mean, in order to get this decision to you a week before the meeting, it would have to be sent out to you next Tuesday and that's really pushing it.

THOMAS ANNINGER: The number of members who are eligible to vote has thinned out somewhat, and I will not be here on the 18th, so I think we may be down to what is needed.

LIZA PADEN: One, two, three, four, five, six, seven, we're down to seven without you.

THOMAS ANNINGER: Oh, all right. I

thought last time we were less than that, but you know better, so fine.

HUGH RUSSEL, CHAIRMAN: You want an opportunity to review the decision?

LIZA PADEN: You will see the decision.

HUGH RUSSELL, CHAIRMAN: Okay. So again, I would like to hear a motion to extend the schedule.

H. THEODORE COHEN: Okay. I move in Planning Board Case No. 243 that we grant the waiver of the 90-day time period for filing the decision, and that it be extended until the last Friday in May.

HUGH RUSSELL, CHAIRMAN: Okay.
Second, Charles?

Charles's hand went up the quickest.
And all those in favor?

Everybody is in favor.

LIZA PADEN: Thank you.

HUGH RUSSELL, CHAIRMAN: Thank you.

So, next I will ask Beth Rubenstein to give her update.

BETH RUBENSTEIN: Thank you.

Not too much new. After tonight we'll be meeting on May 4th and we'll be beginning to hear a number of zoning petitions. We're going to have a hearing on the flood plain zoning new language just to accept the new FEMA map that's coming out in June.

We'll be hearing a case for a major amendment to Case 215, the Albany Street dorm and we will be hearing back from One Canal Park, the second public hearing on the retail issue.

Then on May 18th, we will hold a public hearing on the green building zoning recommendations of the committee, and we'll also be looking at the draft decision on the Alexandria or Binney Street PUD projects, and there may be some other items that night.

And we're still looking at meetings June 1 and June 15th, and I would just add that the Ordinance Committee is beginning to meet for those who are interested in being at that forum.

The first meeting is going to be April 29th at 5:00 on the flood plain zoning, and then May 6th at 5:00 on the changes to the 5.28 section of the zoning ordinance related to nonresidential buildings going into residential use.

And at 6:00 on May 6th on the green building and zoning.

And then May 11th we'll be holding a public hearing at the Ordinance Committee on a petition filed by Boston Properties related to the property behind the road institute where there's an interest in building, an extension to the Broad Institute, and that you will recall that they're maxed out on FAR, except for the FAR they have for

residential use, and this is non-residential use, and so, they need a zone change if they want to go ahead in that regard. So that is pretty much what is going on.

It is budget season in the city for those who are really interested. The budget hearings are going to be held the week of -- I think the first one is May 5th and the second one is May 13th.

HUGH RUSSELL, CHAIRMAN: Thank you.

Okay. Next item is Planning Board Case 248, 1067-1077 Massachusetts Avenue, which is requesting a Special Permit to waive that requirement. 20 residential units. Ground floor retail and 20 parking spaces below grade as permitted in Harvard Square Overlay District.

So I have a furnishing question, Beth. I am wondering if there's a smaller table that we might be able to use in the future for that end.

BETH RUBENSTEIN: You mean for that section?

HUGH RUSSELL, CHAIRMAN: That one section.

BETH RUBENSTEIN: We'll see what we can do.

HUGH RUSSELL, CHAIRMAN: Because that might help.

BETH RUBENSTEIN: Four of this size and then a half.

HUGH RUSSELL, CHAIRMAN: Yes.

So the order and procedure in a public hearing is that at first the proponent explains the proposal, has an opportunity then to the Planning Board to ask questions to clarify the proposal, and then go to the public testimony. There's a sign-up sheet back in the window ledge back there, and we'd appreciate it if you would sign up, and when we get to that point, I'll explain the ground rules about testimony.

So one further logistic thing, when you walk over to talk about the plan, you need to take a microphone with you.

Let's proceed.

PETER QUINN: Thank you.

Good evening. My name is Peter Quinn of Peter Quinn Architects, LLC, here in Cambridge in Porter Square representing tonight Brighton-Allston Properties, Raj Dhanda, managing director.

Also, with me is David Giangrande, our site engineer of Design Consultants, who has done our traffic and site engineering.

Before we get started too far, I'm wondering if we can just clarify what the nature of our Special Permit is. I think there was some question about that, and, in fact, we may have submitted asking for two components but, in fact, we're only asking for one. I just want to clarify that.

HUGH RUSSELL, CHAIRMAN: Please.

PETER QUINN: We understand we're actually requesting a Special Permit for a side yard and for a yard setback, and that we already have been before the Harvard Square Overlay Committee, which fulfills the obligations of the urban design review that comes -- that large building project, large project reviewed in the City of Cambridge; is that correct?

But tonight we're able to discuss the entire project, including the urban design issues well.

HUGH RUSSELL, CHAIRMAN: That's true.

Let me just -- is that correct, Les, that the appearance before --

LES BARBER: Yeah, there's a confusion because of the way we title various procedures in the ordinance. This is not a project review Special Permit because it doesn't reach that threshold. But it is a

large project development consultation with an advisory process that the Harvard Square Advising Committee fulfills.

HUGH RUSSELL, CHAIRMAN: Okay. Now, you're also seeking a reduction of parking?

PETER QUINN: No, we're not. We're meeting our parking requirement.

I want to introduce the owner of the property, Raj Dhanda, and he'll speak a few words about his concept for this site.

RAJ DHANDA: Good evening, ladies and gentleman. My name is Raj Dhanda. Some of you may know me as owner and radio voice of Neenas Lighting, but there's another part of me that many people don't know, which is my interest in owning and developing commercial real estate.

I own a reasonable number of middle size prominent buildings in Brookline, Boston and Harvard Square. And last year, I purchased this building at 1075 Mass Ave.

When I purchased this building at 1075 Mass Ave, my main idea was to renovate the building and create four or five small retail units.

I engaged Peter Quinn as the architect, and we obtained a building permit for the renovation. And as we began the work, I kept asking -- I intended to ask my architect and structural engineer before how it would be if I wanted to add more floors on the building later on, and they all said that I needed to decide either do it now or forget it, that it was not going to be practical.

And so I visited Mr. Blackburn with idea that I now -- work having begun, I now wanted to stop that part and go for permission to build a brand-new building.

I wanted to build a new building in this location. It is a very unique and a very strong location. It's in some ways entrance to Harvard Square, and I thought

this called for a very landmark kind've building.

And it was with this idea that I directed Peter, Peter Quinn, to design this building.

As a part of the process, Peter and myself we reached out to neighborhood associations, we talked with -- we had many meetings with abutters, we visited some of them at their homes and tried to understand their issues and we think we addressed many of them.

So, this was a learning process and I say that in a good way, and we think we've come up with a design which very much suits the location.

It's a very different unique kind've design that many people expected, but the people I've spoken to, lots of people, have generally given it the thumbs up sign.

The building will do a number of

things for the city. It will obviously provide expanded tax base, it will add residential units to Harvard Square. The last I checked, there hadn't been a large building in Harvard Square, I think, this large, although, clearly in another context it wouldn't be considered very large. Last residential -- new residential stock was put in Harvard Square. It will bring vitality to the neighborhood and we will be contributing some affordable units.

And having said all that, I would like Peter to go over the design and then we'll take questions.

HUGH RUSSELL, CHAIRMAN: Okay.

PETER QUINN: We began our design by studying what the urban environment -- what urban design issues are present. We knew that we needed to design a building that was economically sensible and is marketable, but if you start looking at Putnam Square, you

see there's a collection of mostly modern buildings -- mostly modern buildings and fairly neutral.

Most of the local commercial buildings are over the current height and some are very substantially so. It's 1150 and 1100 over here.

For a number of reasons, there's not a lot of street activity in this area.

In the square itself, there are mostly large furniture stores, Crate & Barrel, City Schemes and a few others which don't draw a lot of pedestrians.

And, indeed, the former occupant of our building, the Bowl & Board, was probably the biggest draw to this location and any other retail that was there.

Farther up Mass Ave, up in this area, and a little further down that way, we see a residential and office, multi-story retail. So there's a lot of street activity

up in this area and out in that way
(*indicating*).

And we think there's a real asset built into this area to bring a high quality residential building in wherein the proposed residences would benefit from this existing commercial environment and actually help vitalize them, whether they're restaurants or coffee shops or even furniture stores.

As I said, most of the buildings here have fairly low cost facade materials: Stucco, metal panel, precast concrete. The tall residential senior tower, I think, is cast in concrete.

So, it seems like it is in need of some higher quality and landmark-type building.

There are a few gestures here that, I think, from an urban design point of view are worth noting, namely, there's a canopy that several of the buildings have that

cantilever over the sidewalk, or there's -- such as the Cambridge 7 building does, the Crate & Barrel building does or there's covered walkways, such as the 1105 building has and the 1100 building. So as you see in our design, we drew on that idea.

And the residential context, this is all up Trowbridge Street, to the north and east is the edge of the mid-Cambridge neighborhood. This is a mixed single or multi-family buildings and the neighborhood is zoned Residential C1, which is moderate multi-family -- modern density multi-family buildings.

We're separated from the closest neighbor by a slightly raised parking garage which services 1105. It's raised about two or three feet above grade and there's a deck park -- parking on that surface.

And that closest neighbor is about 70 feet to the property line, or about 86

from the building from our proposed building.

To put that in perspective, 86 feet is about 24 feet wider than the building to building distance on Mass Ave itself.

AUDIENCE MEMBER: Excuse me, we can't see what you're referring to.

PETER QUINN: If you look at the context of Mass Ave as you go farther up, the distance between the buildings is approximately 68 feet, I think, by our measurement, and we're over 86 there. And the other buildings in this area are over 125 feet away.

We think our proposed building -- we have relatively little negative impact on the residential neighbors and substantial positive impact for all its neighbors. I don't say this to minimize any issues any individuals may have with this proposed building, but rather to focus on urban design standards of minimal impact and maximum

benefit.

And I would be happy to discuss further with you, Mr. Chairman, and members of the Board, perhaps after I've gone through the presentation, as to what impact we think, if any, there would be on the neighboring buildings, especially in the way of shadows, which was studied extensively.

The positive impact, as Raj has already mentioned, I can reiterate at the end of our presentation.

We just have a few small design revisions that our construction manager is handing out right now. They -- they're essentially of the detail of how we're handling the curtain wall, which we'll get into in a few minutes.

Now, I would like to turn to the proposed building. Of course, I will give you a program summary. Our proposal is 32,000 square foot building, five stories,

with an underground garage.

The ground floor is general retail with a main residential lobby on Mass Ave. The upper four floors are 20 units of high quality residences, and the underground garage will serve as the residences for parking of 20 cars and ten bikes.

There's no requirement for parking or loading dock or small scale commercial uses, such as we're proposing.

The garage entry is off Trowbridge, the same location where the current entry is.

In terms of a zoning envelope, we have approximately 7,000 square feet of commercial space and 25,000 square feet of residential. And these two work off a balancing of FAR formula that we presented to the CCD.

And the residential areas include an area of bonus for providing affordable units per the zoning bylaw.

In describing the buildings, let me start with the ground floor. As I mentioned, Mr. Chairman, members of the Board, we noticed that the canopies and covered walkways are a theme in this area and have a, we think, some urban design value, and we continued this with a canopy that extends out over the sidewalk about three feet and at a height of 13, 14 feet.

We think, as you can see from this image, that provides a nice sense of pedestrian continuity and as well as an underlying visual element for the square, Putnam Square as this area is called. It also provides a scale break between the intimate retail area below, which we're going to develop, and the bolder upper floors, which I will get into in a minute.

We've proposed at the street level, at this point, four retail areas. They could be combined in different ways. But for the

most part, they lay out nicely into kinda small neighborhood shops and that kind of thing.

I'll just get into the elevations now. You will see in your package we've produced some street context elevations that show our proposed building in relation to buildings, left and right of it, in two different directions, two different axes the first one, of course, along Mass Ave and that's the one on the right there.

As you can see from these three elevations, the proposed building occupies a kind of middle ground between the much taller and lower commercial multi-family buildings that are on each side of it.

Likewise, the building height and mass provides a transition on the second board between the residential neighborhood to the right on the left-hand board to the north and denser kinda square buildings.

We tried to be careful about the way we picked up the lines of the adjoining buildings, such as the two-story retail mass of 1105 Mass Ave. I show that right here (*indicating*).

There's a -- this is kind of a one and a half story, almost two-story area of 1105 where there's upper and lower shops and we, you know, tried to pick up that line as well in order to create more continuity and transition into the standard width of Mass Ave.

We designed the retail to have all the good qualities of a building we're removing. We provide a generous shelter entries for each shop location. I'll show you that.

That's these little areas here (*indicating*), which you can see in the full elevation, these little niches. There's a total of four of these entries. And they

would be provided even if tenants are combined.

We provided a fully glazed base to animate the street and sidewalk view. Hopefully, the tenants are in there will use that to provide window shopping experience.

In the middle of the street level, we provided a residential entry for the residences above and offset that with a black slate cladding right at the entry.

As a footnote here, I believe you know that we went before the Historic Commission in January to seek a demolition permit. Of course, they would need to review a proposal, such as this to determine whether there's merit to justify a demolition permit. And their vote was unanimous and we received significant positive testimony appreciating the way we preserved the best aspects of the existing retail and the scale, and the way that we built upwards from there.

I'll get into the building materials themselves. The residential facade is a curtain wall enclosure of the highest quality. It would be an aluminum mullion system. And this is A6, I think, there in the little package we handed out, there's a small but significant detail changes, small things in which we dealt with the mullions. And the slate, you can get a sense of that residential entry there.

The aluminum mullions would have subtle color chips in the way they're toned and the mullion framing would frame lightly tinted glazing of at least two different colors.

Our spandrel panels, there's like a stairway with a floor line, actually appear as glass because there's a reassessed panel behind it that's opaqued out as white. It's setback several inches.

This will avoid all appearance of

all mirror or opaque panel and gives a glazed surface a tremendous amount of continuity, so that when you're looking at it, it will be highly animated with both being able to see a light reflection of the sky and your eyes drawn into transparencies into the glass or whatever is behind the glass.

All the residential glazing will be either etched near the floor line, such as in the bathrooms, or they will be provided with a built-in drapery system.

The glazing is continuous on all sides of the building. This will give you kind've an idea over here (*indicating*) of some of the other glass buildings. Some of them you may know. Of course, this is on Sidney Street. This is on Mount Auburn Street. This is New York City. These are two of the typical glazing tints we might use. Some type of the glass vertical blinds, mullion panels of different shades that will

be kind of a very subtly textured building that will draw the eye and provide a lot of light to look at.

We're also providing a green roof and we did this by the residential area, the residential level begins at Floor No. 2, and there we've offset the building from its neighbor 1105 by about 38 feet, and in that area, we have established a green roof that's accessible to the residents. We would have walkways. And this gives you some examples. I'm sure you've seen green roofs, but the idea is to have plantings that provide year-round color, not only for our proposed residents, but also for 1105 looking much -- I'm sorry 1150 -- looking down at it. So that it will act as a true green space in a otherwise flat roof situation.

To highlight the green roof, we've also provided a glazed railing lightly frosted at the street line, so that when

you're walking down the street, you can see that there's this garden up above. I think it adds kind've a delight to the building.

The roof of the building itself, as you can see down below here, where we show all sides of the building, we'll have a mechanical -- screen mechanical space open to the sky, but closed on all four sides, and this will have a soundproofing where we need it in order to comply with the Cambridge sound ordinance.

Now, I would just like to summarize what benefits we think that this building would provide the city and the environment. I know Raj's touched on a number of these, but I'll just speak on a couple of these points.

First, we hope that by building an attractive and remarkable landmark building of the highest quality, we hope to vitalize this part of Harvard Square. This includes

not only bringing in more residents, but also extending the neighborhood-type retail businesses.

Secondly, the building will be the first speculative multi-family building in at least two decades in the immediate Harvard Square area. At first, when I heard this, I couldn't believe it, but after talking to a couple realtors, this appears to be true. Of course, there's been many institutional building built, but nobody has had an opportunity to bring residents in who are not connected to Hilliard Street, Harvard University. This is important, I think, from a policy point of view, it serves to vitalize the areas with residents at the same time use a standing infrastructure.

As Raj mentioned, we will provide affordable units in compliance with the City's requirements and the building will provide a substantial tax base without a

large burden on the city, namely, will use the existing infrastructure, it's efficient, and the building is not likely to attract families with school children. This is not necessarily a place where you'll have a large school population.

Finally, as I mentioned, we went before the Harvard Square Advisory Committee to review this project. We had two meetings with them. First one, they sent us back to the drawing board. On our second go-round the project was favorably received. There were a number of considerations for us to look at. And I believe we've addressed them in this design, but if I haven't mentioned them how we addressed those, I would be happy to do so, Mr. Chairman, as you see fit.

But in any case, we hope you agree that we met the goals the Harvard Square design guidelines that form that committee.

Thank you, Mr. Chairman, and members

of the Board.

I also have our site engineer, if you have any questions on the site engineering and traffic.

Thank you.

HUGH RUSSELL, CHAIRMAN: Before you go away, you're actually seeking setback relief?

PETER QUINN: Yes, sir.

HUGH RUSSELL, CHAIRMAN: You didn't actually touch on that.

Can you explain to us what the required setbacks are? It is clear the building is built out to more or less the edge of the property on all sides?

PETER QUINN: Right, right.

The setback requirement applies only to residential component of the building. So, if this were an office building or some other kind of commercial building, there would be zero setback requirement and we

wouldn't be before you.

So, for the residential -- so therefore, this direction facing the tallest building, 1150, we have zero setback on that one-story portion. We're then setback 38 feet so that complies by formula to the -- it's actually a formula of height plus length divided by a number that tells you what your minimum setback is.

On the Harvard -- I'm sorry on the Mass Ave side, we think we would comply with that setback. We might be a foot short of what is required. It happens to be taking the center line of the street. I didn't exactly calculate that, but I estimated approximately one foot that we would seek relief on.

Likewise with Trowbridge, probably about two feet that we're short of what is required under the residential setback.

On this side back here (*indicating*)

if the building were built as a continuous wall like that, that setback is approximately 20 feet.

We've looked at that as carefully as we could, and, you know, we do have this very wide garage deck there, and it's over 70 feet, wide as I mentioned, and so, we felt like this was a reasonable thing to do, we hope you will see it as a reasonable request before the Board.

We have discussed with those neighbors, who live in the tall tower and who use this garage, that we would protect the cars with some kind of a screening above on their property, but also, we would be able to have windows on that side, we would be able to get from the State Building Code Board.

So, it is one of those rare circumstances were it doesn't have a huge effect on a lot of -- there's no immediate abutter here, and, in fact, it's a parking

garage, so it's one of those situations where, you know, you could make a justification for it. Although, you know, I realize there's a residential neighborhood out beyond that, but, as I mentioned before, it is quite a distance.

HUGH RUSSELL, CHAIRMAN: Okay, thank you.

PETER QUINN: I'm sorry that I didn't bring it up before.

HUGH RUSSELL, CHAIRMAN: Are there other questions pending by the Board?

CHARLES STUDEN: I was very pleased to see the exclusion of the green roof on the lower portion, but I didn't hear you speak to any other environmental aspects to the building. Are you seeking lead certification, for example, on this building?

PETER QUINN: We certainly considered it. It is a very extensive proposition for a building of this size. It

is actually, you know, a building of twice this size would end up costing about the same for the same lead certification. When you look at the economy scale, it is hard to do, but on the other hand, we'll certainly gonna do a lot of things in this building that will approach a lead. But I believe Raj and I have discussed it. As of now we are not able to actually commit to that, for instance, to give you an example of some things we do is we'll certainly use a white roof on the main upper level. The glazing is very high efficiency glazing. We'd have -- all the units would be finished out in environmentally sensible and responsible materials. We have done a number of lead or lead type projects. We have a ready list.

CHARLES STUDEN: The reason I ask is I was under the impression if you designed a building from the beginning to these standards that it didn't add incrementally

that much cost, and the long-term benefit is enormous, and I'm only suggesting perhaps especially in Cambridge, where I think there's a heightened sensitivity to the whole issue of the environment that if this building were a green building, the residential units themselves would be much more attractive. I assuming these are for sale units as opposed to rental units?

PETER QUINN: I can say that threshold hasn't been crossed yet. And actually that would affect our building because if you hold a building a long time, you're going to look at that stuff a lot closer. No argument about that.

HUGH RUSSELL, CHAIRMAN: Any other questions?

Patricia?

PATRICIA SINGER: In your introductory remarks, you had mentioned shadow study, would you speak to us about

shadows?

PETER QUINN: I actually have a print out of that if that would be useful.

What we did is we looked at four times a year the winter solstice, the summer solstice and the equinox in March and September, and with that we looked at three times of the day, namely, ten a.m., noon and two p.m. and a few other times we were requested to look at by the neighborhood to see what impact we would have.

When you look at this, you will see -- first, you will see the orientation plan on top, which dimensions are -- it gives distances that we are to neighbors that I referred to earlier.

As you look at each sheet, you will notice that on the left-hand side is the existing building, and on the right-hand side is the additional shadow that was created by our proposed building.

There's also a summary up front.
I'm happy to explain any part of it.

HUGH RUSSELL, CHAIRMAN: If I understand this correctly in looking at the last sheet, which is the worst possible condition --

PETER QUINN: Just about.

HUGH RUSSELL, CHAIRMAN: -- but the blue shadow represents the incremental shadow. The reason there isn't such incremental shadow is because the buildings to the south of you are already shading everything.

PETER QUINN: That's correct.

In fact, that -- to one degree or another is the situation basically from most of the year, except for the summer when things are beaming straight down.

HUGH RUSSELL, CHAIRMAN: Okay.

PATRICIA SINGER: Both south and west.

PETER QUINN: Yep.

HUGH RUSSELL, CHAIRMAN: Yep.

Pam?

PAMELA WINTERS: I was wondering if you can elaborate a little bit more about the building drapery that you have because without it, you know, being a clear building, you look really like a patchwork quilt.

PETER QUINN: Okay. If you look at A6 in the handout I gave you tonight, right now what we're proposing is kind've of a panelized drape system. It is actually built in behind the spandrel panel that marks the floor line. So that's this blue line here. You can see the section on the right-hand side, it's very light, but it's there. That's on a chain or on automatic, you know, closer system and then you can turn it any amount that you want from flat to giving you kind of opaque quality to open.

CHARLES STUDEN: Are these blades

or --

PETER QUINN: They're blade type.

WILLIAM TIBBS: They're stationary, meaning they don't open and close laterally?

PETER QUINN: They do open and close laterally. The idea is they're on a some kind of a gear mechanism. If it's in a small room, you just have a pull chain that pulls it over, but it's built into the whole system from the beginning, and it would be mandatory for the tenants, if it was a rental, or the condo owners to maintain.

PAMELA WINTERS: It would be mandatory?

PETER QUINN: Yes.

HUGH RUSSELL, CHAIRMAN: And the color of the blades?

PETER QUINN: Well, I think probably some kind of off-white so that there's still the sense of the color of the glass in front of it. Not a dark color, of course.

HUGH RUSSELL, CHAIRMAN: Actually, I was thinking of a dark color would make them invisible from the outside.

PETER QUINN: I see. I think what we were thinking actually that it adds another geometry to -- you mentioned, Ms. Winters, a patchwork quilt, but I think actually that kinda overlay of different geometries and then have the whole light reflection of the sky, at the same time there's a very rich kinda tapestry that we really wanted to bring out in this building. So being able to see those vertical blinds is part of that.

HUGH RUSSELL, CHAIRMAN: I think you will have the opportunity, I would think to -- maybe months between the curtain wall is up and the time you have to order the blinds, so you can try different colors and things to see you get the effect you're looking for.

THOMAS ANNINGER: Did I hear right you said the windows will open on every floor?

PETER QUINN: There are windows that open, they're actually built into the mullion system. They're not highly detailed like you might expect with a residential frame building. But if you look A6 again, you'll see these windows, you'll see these inverted triangles, that's actually a venting window that's hinged within the mullion system on the inside. So, when closed, there's just a very, very fine line. Again, that part of texturing of the surface.

HUGH RUSSELL, CHAIRMAN: They're hinged at the top and the bottom swings out.

PETER QUINN: Right. The new hotel on Tremont has that and I think the one on Four Point Channel.

HUGH RUSSELL, CHAIRMAN: Any more questions?

I will go to the public testimony portion. I have a list here of five people requested to speak. I'll call out the names in order for you. When you come up, come up to the microphone, give your name and address, if your name -- I might want to give people help in spelling your name if you think that's something you have to do generally, and we would ask you to limit your remarks to three minutes, and Pam, sitting next to me, is our timekeeper and she'll signal you as you're reaching the end of three minutes.

So the first name among this list is Stanley Sherwood and the second name is Joshua Anderson.

So I probably didn't get your first name right.

SANDRA SHERWOOD: I'm Sandy.

HUGH RUSSELL, CHAIRMAN: Sandy.

SANDRA SHERWOOD: Officially Sandra.

HUGH RUSSELL, CHAIRMAN: Okay.

SANDRA SHERWOOD: I am here mainly for the light study, and I am here to talk about 12 Trowbridge Street as well 10 Trowbridge Street. But before I do, I want to say two things: One about they were saying that there's not much activity in this area. There's delightful activity in this area. That's why I feel safe living here because I can walk up and down Mass Ave without feeling that I'm going to be attacked -- that's too strong -- but, anyway, I feel -- and there's a lot of activity during the day.

And also I will say it's a beautifully typical Cambridge site, and I would hate to see that lost. We're not New York City, we don't want to be a New York City. Yes, it is great to have some tall buildings, but there has to be that moderation.

So, the other thing that I want to say is that although I'm here only for 12 and 14, if you look at the shadow study, it affects 12, 14, 11 and 1105. There's eight apartments, condos, whatever, at 1105 that are affected by the light study. 12 is three apartments are affected, and then 11 is affected.

So, it's not -- I'm just one person that is definitely affected.

And what I want to just point out sort've briefly is that on 12 Trowbridge, he showed you the picture, but 12 Trowbridge overlooks an open area of trees and grass and stuff like that and it faces the south. And there's -- you can see they're long apartments, there's one at the basement level, there's one at the next level and then there's the one at the next level. And what is beautiful about those apartments is that they're sunny. And to me, you know, that

kinda thing means lot, you know, and not just to me, but it means a lot to the City of Cambridge that these are these sunny apartments.

So, to what extent it is affected, 12 is affected in the fall and the spring late afternoon. 10 is affected just along the edge, I think, at the same time. Now the length of time that it's affected, I'm not quite sure because Peter Quinn thought that it was only a maximum of 15 minutes in late afternoon, but he wasn't sure.

The one thing I would love is a second study on this.

So thanks very much and I hope you consider that.

HUGH RUSSELL, CHAIRMAN: Okay.

Thank you.

After Joshua Anderson is William Shortcross.

JOSH ANDERSON: Hi. My name is Josh

Anderson, I'm here with my stepmother, Nancy Anderson, who lives 11 Trowbridge Street and together with my late father who worked really hard at making this a delightful place. The face of the house that faces the building. So it maybe 85 feet across, but it's a significant view.

First, I guess we want to thank the developer for coming by and talking to my stepmother, it was very helpful to understand what they were doing. I didn't know which box to check for or against, but I wanted to make sure that to the extent possible we protect the ability for my stepmother and family to enjoy the property. So I wanted to raise a couple of concerns, the biggest of which is privacy.

This is a big five-story glass residential building that to someone is potentially going to look like a fishbowl, either the residence of the building or my

stepmother, their direct lines of sight to many of her rooms and yard.

And I think there's an opportunity to address the issue with some of the spandrel on the windows. Let's see. So -- oh, actually, I have a letter that I can present, too, that sort've shows all this stuff.

The first is the green space and the screen on the green space, that's an opportunity to look right into the yard. If the screen is high enough that will protect the privacy of the yard and house and I would hope that the -- they consider doing that or you consider making that a part of the decision that privacy would be part of that.

The second thing is the floor plans of the residential units actually worked in our favor because the rooms that are right along the side there are all bedrooms and more likely to be closed up. I don't know if

you can do this, but to the extent possible, we would like to kinda make that a condition of any decision you might make, but that would limit the impact. The only one that's -- that looks like it's a living room actually is the one that has the least sort've intrusion on the view there.

At least I haven't and you probably can't make them always be bedrooms, but if you could make them designed to be bedrooms that would be terrific.

And the third thing on privacy is the elevations say that the skin of the building is gonna be glass and that there's a level of spandrel from the bottom that rises up some. It would be great to have that at least as a normal residential window or, sorry, as the sill of a normal residential window, so the fishbowl affect is limited some.

The second area of concern is

traffic. We haven't heard any discussion of that. The entrance to the garage is pretty close to the intersection of Mass Ave and Trowbridge Street and it's also kind've a blind corner. As you come around from -- through Putnam Square from Putnam Street or Mount Auburn Street, when that light turns green, cars race around that corner. I didn't get the sense from the plans I looked at that it was a real good area to stack cars that are going to be turning in there.

It's also -- there's -- having lived in that house for awhile and driven into the driveway, there's a lot of times when there are cars pulling into the Crate & Barrel parking lot there and into the 1105 parking lot that can cause on occasion backups, and adding another entrance there, can be a problem. Especially, the way it's designed as a turn conflict between going in and out of the garage because --

PAMELA WINTERS: Sir, your time is up.

JOSH ANDERSON: It's all in the letter here. So I just -- I guess the only thing with that is if you could make it so that it's residents only. There are gymnastics you have to do to park there, too, that only trained professionals should be allowed to try. I think if the general public were allowed in that garage, it would be a big challenge, so...

THOMAS ANNINGER: Would you clarify where this house is that you showed us a picture of?

JOSHUA ANDERSON: On their cover sheet. It's right there. You see the red there on the cover? On the plan it's this one (*indicating*).

THOMAS ANNINGER: I see.

JOSHUA ANDERSON: This one here that has -- it's not shown on model, but has a

greenhouse over here. It's the one that's the most --

THOMAS ANNINGER: I got it.

HUGH RUSSELL, CHAIRMAN: Thank you.

JOSH ANDERSON: I'll give you this letter.

HUGH RUSSELL, CHAIRMAN:

Mr. Shortcross followed by Charles Marquardt.

BILL SHORTCROSS: Hi. My name is Bill Shortcross at 1105 Massachusetts Avenue and I'm here in my capacity as chairman of the 1105 Condominium Trust, and what I have to say is what we approved at our board meeting earlier this afternoon, so it's nice and fresh.

We have no objection at all to granting the relief from setback. It's perfectly all right with us if the building comes right up to our parking lot. I mean, we don't the sit out there and look at anything.

And I think my personal opinion, not speaking for the board, is that the setback that they requested on the other side is appropriate to the space, that is, I think the building would look really strange if the residential tower was set back from the line of the stores below it.

And that's really all I have to say. We're looking forward to having an interesting neighbor and one we hope we'll get along with well.

Thank you.

HUGH RUSSELL, CHAIRMAN: Thank you. After Mr. Marquardt is Sarah Miller. Thank you, Mr. Chairman.

CHARLIE MARQUARDT: Thank you, Mr. Chairman.

Charlie Marquardt,
M-A-R-Q-U-A-R-D-as in "dog"-T-as in "Tom."

Couple quick things. First, I find it interesting that we haven't talked about

parking at really all except to say there's going to be 20 spaces underneath.

Our next item is to talk about how we eliminate parking. So, I have a couple questions with regard to parking.

First, is where do the guests park? Are they going to be fitting in the garage with the other 20 spaces or are they going to be out in the neighbor? Up and down Trowbridge Street, parts of Massachusetts that's coin-operated parking. It got extended to 8:00 and the rest there's not a whole lot of parking in that neighborhood. Second, there's no loading zones really around building. In fact, in front, there's a bus stop.

So, if you're looking to attract retail with a loading zone, it's going to make it really difficult for them to have to lug their stuff back and forth.

And I thought we were trying to push

people away from having parking to using transit. I am glad to see there's bikes in there. I didn't see much discussion about how the bikes get in or out of the garage. It's already pretty tight and tricky to get into and out of.

And the last thing it sort've goes to the parking garage. I'm sure the neighbors would really want to have this covered before rather than after. As the cars come out of the garage, will there be a warning? Will there be a light? Will it be a sound? If it is, how is it going to be minimized to keep the neighbors from losing their hair?

Also, we talked a little retail. What is the plan to attract these local retail? I'm happy they're saying local, but what's the plan? Everybody talks to retail and then they come back and ask for something new. We could have someone coming back in a

little bit and say, "Let's put a bank in there." I think we have been banked out. So it's going to be good to have real retail in there.

And I think love looking at shadow studies, but this time of year reminds me of something else. I have to shift my morning to be able to look at my computer screen without glare.

Have we done anything to look at the glare coming off these all glass windows and what it will do to the neighbors. That's something I don't think we talk about at all that often.

And two more quick things: Is this the first building we're doing under the CHECK stretch code or it's not in the stretch code yet? I'm not sure when this actually goes into effect.

THOMAS ANNINGER: What is the stretch code?

BETH RUBENSTEIN: I believe it goes into effect July 1.

CHARLIE MARQUARDT: And the final thing is --

HUGH RUSSELL, CHAIRMAN: So unless they get a building permit within a month should we act favorably, they probably would be under it.

CHARLIE MARQUARDT: My last thing is a question probably more for my own edification: It looks as though some of this building comes out over the sidewalk and then goes up, correct? And if so, how does Cambridge handle air rights? It looks as though we're giving away something that we aren't reimbursed for, and there's a really good example of this. If you drive down Cambridge and go underneath Harvard's underpass, Cambridge pretty much gave Harvard that land for nothing. If we're doing something where it comes up over the public

sidewalk, how does the city and taxpayers get reimbursed other than the regular taxes?

HUGH RUSSELL, CHAIRMAN: I believe the answer to that one is that they (inaudible) it's inside the property line, but there's a canopy that projects out and they have to go to City Council to get permission to do that, and I wouldn't be surprised if you have to pay for that privilege.

CHARLIE MARQUARDT: That's all I have.

HUGH RUSSELL, CHAIRMAN: Thank you.
Sarah Miller.

SARAH MILLER: Good evening. My name is Sarah Miller, I have an office condo at 1105 directly abutting, and I just had three quick points. I -- they're kind've nitpicking, specifically affecting 1105, but one issue has to do with the green space roof deck on the plan. I'll step away from the

mic and just point out. On this plan there's indicated two personal unit decks for these two units. My concern being that my office is equivalent of here is if there are barbecues or grills permitted on those unit decks, especially if they're condos, you could regulate because the smells would definitely draft up into 1105, I would believe, in certain wind conditions, and 1105 doesn't have central air, we all have in-the-wall heating and air conditioning systems that directly bring in the outside air.

So, one concern would just be about those personal -- you know, they are not controlled by the whole building, but whoever owns the condo presumably might be able to what they kind've want on those decks.

My other is with the built-in drapery, the same issue around if it was a condo and being able to ensure that a condo

owner couldn't take that down. I mean, once they decide if they do decide to have big, big condos and not rental units, I assume there's a lot less control over the interior of the space. I know no bylaws would be written at this point, but probably would be a complaint of mine.

Finally, another issue may be the smell of trash. That came up especially during some of our Harvard Square Advisory Committee meetings regarding the amount of cardboard and trash that's produced by the retail spaces when you bring in products as well obviously having a 20-unit building. So, I do have some questions still about how that would be handled in order to prevent impact on the neighborhood and on the streets.

Thank you.

HUGH RUSSELL, CHAIRMAN: Thank you.
That's end of my list. Does anyone else wish

to speak? People speak one time.

AUDIENCE MEMBER: I wanted to respond to something.

HUGH RUSSELL, CHAIRMAN: That's not the way it works here. Does anyone else wish to speak? I see no one.

Shall we close this portion of the hearing for verbal testimony and leave it open for written testimony?

I see everybody agreeing to that.

The next stage in this process is we, on the Board, discuss this matter and we may ask questions. We may ask the traffic and parking people to come up and give a report.

Is there anyone we would like to hear from at this point?

If you would, please.

SUE CLIPPINGER: Sue Clippinger. I want to apologize that we didn't get you a letter right away quickly. The good news is

we were working very feverishly with the proponent to resolve an issue that, I think is in a much better place.

But just to quickly go through the comments here that are included in the letter. First of all, we have been looking at the garage layout trying to make sure that that will function well. It's a very tight spot and there's a lot of things that are being fit in.

We're making sure that the driveway is gonna be 16 feet wide so that it will operate for two-way traffic so that we don't have problems with somebody entering and leaving at the same time.

We're working very actively on the site lines at the very edge of the driveway and the sidewalk on Trowbridge, first and foremost to have holes or setbacks in the edge of the building so that you can see pedestrians on the sidewalk.

Somebody had asked about lights and sounds. We never recommend anybody ever do sound for a garage exit in the city, it would drive people nuts.

And we try not to do lights, if we can do a physical design that prevents that from being necessary. So that's work that can come to a positive conclusion.

And we have worked very hard up until the last minute on the bike parking trying to make sure that the plans now reflect bike parking in the garage structure itself that meets the zoning minimum required for the site which is ten bike parking spaces.

We're also asking them to provide a couple of covered bike parking for employees of the retail activity and work with us to do some -- a couple of bike parking spaces out on the public sidewalk to support people who would be coming to those retail places and

looking for bike parking.

There's no -- there's a large loading zoning in front of the building along with the bus stop, it has been there and supported Crate & Barrel, and Crate & Barrel is there we feel that that can accommodate the loading activity. Bowl & Board, wrong company.

And then we've recommended transportation demand management strategies to try to encourage non- single occupant driving.

I think that's the quick summary what's in the letter, and I don't think there are any significant issues here that -- there are little details to be worked out.

HUGH RUSSELL, CHAIRMAN: Thank you

Do you have any questions for Sue?

H. THEODORE COHEN: Yes. Sue, for nonresident parking for the retail people or visitors to the building, parking area around

here is already pretty horrible. Does the city have any plans to change anything on any -- Mass Ave or any of the side streets at all, or it is what it is and it's going to remain that way for the foreseeable future?

SUE CLIPPINGER: Other than the change we made two weeks ago, which the meter parking is now in effect until 8:00 p.m., which is in the Harvard Square, which was changed that we made to try to get turnover on those spaces into the evening parts, so if you were coming into the square at 6:30 or 7:00, you didn't find that every space which had become free was suddenly was occupied.

We will continue to try to make sure that there's space available in square turnover for the short-term parking and then as you get into Trowbridge and the residential streets, it's resident permit parking only.

So I don't anticipate changes in

this area, and so it will be like any other building really along that area.

H. THEODORE COHEN: Thank you.

HUGH RUSSELL, CHAIRMAN: The relief being sought is very simple. The presentation was very thorough to explain the property -- the proposal.

So, how do we handle it? Should we -- it sounds like we could have a discussion about the actual specific setback relief, we can have another discussion about other conditions we might want to impose on the building, such as the ones that Sue has brought up as a result of the fact that they're getting a Special Permit and, you know...

THOMAS ANNINGER: I don't know whether the time is quite right because I think you're right. We could approach it in a few steps, but I would hope we could go beyond the relief sought, which is fairly

straightforward, I think, and talk at least little bit about our reflection on the building because it is unusual for us to stop, to not consider the urban planning and architectural aspects of it even though this is perhaps somewhat unusual in that it is small enough that we really don't have a project review in the larger sense of things.

So, I guess I would like your comments on whether we can really do that.

HUGH RUSSELL, CHAIRMAN: Well, in the criteria general -- Special Permit criteria, we can talk about the impact on adjacent development. We can talk about hazards, uses and things like that, it's very broad language and consider those items.

I guess maybe I'll start talking about the setbacks because the only significant really request is for the rear lot setback. We have a direct abutter who is supporting the project, and we have then the

first people that are closest residential properties at 10, 11 and 12 that are concerned about both privacy issues and about shadow impacts, and it seems to me that given the relatively long distance compared to the general distance ordinarily between buildings in Cambridge, the privacy issues are kinda beyond our direct control.

You're aware we've had cases where a church is being changed to a residential property, the buildings are 20 or 30 feet apart, and have balconies that look straight down into people's backyards and these are a different kind of arrangement. It is 185 or 100 feet away.

I think we might want to consider some of the suggestions, you know, if it would make a difference to have the railing on the backside of the open space be such that you couldn't see through it, it can still be glass. It might be -- a sustained

glass or something so you can't actually see the parking lot down below, that might actually enhance the experience of the deck.

On the shadow studies, there's nothing in the ordinance that says you can't build a building if it shades any other building in the city.

So this -- in terms of the impacts of this building it's about as small an impact as I've ever seen for a shadow study.

There will be times in the winter when the shadow extends and there are times at the end the day that the shadow extends, but there are many other shadows at that time.

I remember I had an apartment in the basement on Massachusetts Avenue when I was a student, and I noticed one afternoon that the sun passed behind Peabody Terrace, so I was, in fact, in the shadow of Peabody Terrace, although it was about a half mile away on the

river and I was on Massachusetts Avenue. I mean, that's -- and well -- the whole sky was still there, but, yes, the last rays of the sun would block the building far enough away. I think that's part of urban life. You don't get full sun all day everyday.

So I'm not personally very -- if we have to act on the information presented of the shadow study, it's really not very bad.

So, those are my personal opinions on it. And the only reason I bring it up on the setback is because it would change very slightly if the building were set back more from the property line, but can the -- the angles are so small that the impact would be very, very small. It would be a minute or two or three minutes of sun might be affected. So, it's just not -- it doesn't have a big impact in my mind.

Ahmed come to my rescue.

AHMED NUR: You think? Well, I'll

take it from where you left. Looking at December 21st on the shadow study and the setback of 20 feet would you say maybe, is that we need? 20 feet on that elevation?

PETER QUINN: Correct.

AHMED NUR: I don't really know what impact it would have on Property 11. The beautiful photo that the gentleman showed us on 20 feet setback.

Personally, I like to see that or see that work out. Only because it's -- it's the only house unfortunately that I can see that this is affected or fortunately in this case, but -- so if the setback is -- depending on that house that means a lot to that community of that family. That's one question I had.

The other is, curtain wall. If you had two types of a curtain wall on that glazing, you haven't decided which one -- I am assuming you haven't decided which one

you're going with. And the reason I'm asking is glare on the early mornings, if you're headed south on Mass Ave towards Harvard Square is sort've blinding when the sun hits it directly, if you had bad problems with -- it's a question for Peter.

PETER QUINN: Actually, we're using both tones -- tints of that glazing one for the spandrel and one for the transparent glass. And the glazing is actually treated to reduce glare. It's a coating on the glass, there will be a small amount, but what amounts to at certain times on a very shallow angle, you might get a little, but it's not the glare glass you're referring to.

AHMED NUR: For the record, a study has been done that is minimum glare.

PETER QUINN: Minimum glare by definition.

AHMED NUR: Thank you.

HUGH RUSSELL, CHAIRMAN: I can

actually take a stab at answering your other question about the shadows.

Because I spent a great deal of time doing shadow studies one summer, and so I got a lot of these sort of numbers in my head, so I believe the sun angle at 2:00 p.m. on December 21st is probably something on the order of 15 degrees. That's about ten percent.

So if you set back -- so you got a triangle that's 20 feet long and two feet high, so the impact is a difference of -- on the house that's 80 feet away is probably only a few feet. It will still hit the house, it will be slightly lower on the house by a few feet.

AHMED NUR: By a few feet.

HUGH RUSSELL, CHAIRMAN: Yeah.

H. THEODORE COHEN: Can I ask a question about that? Isn't the impact of the shadow have more to do with the height of the

building than the actual setback?

HUGH RUSSELL, CHAIRMAN: Oh, yes. I mean, at a very shallow angle.

H. THEODORE COHEN: So if we were not to grant the setback relief and the building is setback, the height is not changing.

HUGH RUSSELL, CHAIRMAN: Right. So it only -- say it only changes the height of the shadow on the building only by a couple feet because of that very long distance.

I would say it's intuitive, it doesn't change.

WILLIAM TIBBS: I agree with -- I agree with you that I think the shadow impacts are minimum particularly relative to the setback issue, and I personally don't have any problem with the setbacks themselves.

I think the only issue that I would just like a little more clarity on is the --

how the trash is treated in the residential area on the plans. It looks like there might be just some open trash -- not open, but trash containers in -- open in the garage as opposed to in a room of some sort. I want to get a sense of that and how is that protected from rodents since it's an open garage.

PETER QUINN: So we have a trash and recycling area in the basement. It's convenient for anybody using their car or bicycles to take trash down there. The building will be maintained by a professional building maintenance company. So that the trash -- this will be the bins that have two wheels on them and you roll them out and those will be taken out probably twice a week. So there wouldn't be a lot of trash accumulating there.

Likewise, with the commercial, we brought that up before, we'd create trash compartments, closets within each tenant

space that we'll size these as we meet depending on what tenant actually ends up there. The idea is that they maintain their own trash and it's taken out to the sidewalk at Trowbridge at the scheduled time following the city's requirements for that.

Is that the only question or was there another one?

WILLIAM TIBBS: That's the only question.

Since the project review, I mean, I could make comments about the elevation. I don't think we can make additions of it, but I'm always concerned with the glass building and the blinds and I think you called it a patchwork, but between people's different interior styles and stuff like that, so I just want to comment on the fact that I think you should pay -- I think you've put a lot of quality thought into the kind of effect you want to have. I just think that's important

particularly in a residential property where you just don't have a lot of control over who does what, particularly at night and how that is viewed. But that's just something I want you to continue consider.

As I said, I have no particular problem with the setback request itself.

H. THEODORE COHEN: I have no problem with the setback itself, and I just wanted to say that I'm delighted to see that we're having a four- or five-story building here. I really think that it squares off the square that all the other sides of this square or circle has a larger building, and it's always seemed it me that the one-story Bowl & Board store was somehow out of scale in that keeping with everything else, and I agree with the presentation that this is in many respects an entryway into Harvard Square, and I think that having a larger building here finishes off that and does make

an entry into the square.

HUGH RUSSELL, CHAIRMAN: Tom?

THOMAS ANNINGER: I want to take advantage of what Ted just said and talk a little about bit about my impressions of the building and the square because I really don't have any issues with the setback question, but I will allow myself since it's hard for us not to talk about design review. I will go that far. You presented it in those terms so, I think I would like to say a few words on it.

I remember Putnam Square from many years ago when I was a student, it was a very different place. It's probably the square, I think, that has changed the most in the Harvard Square if not in Cambridge of any square I know. It was many years ago a very funky, grubby, but charming place, I thought where Keezer's used to be, where every student would get their furniture, and over

the last 30 or 40 years, a lot of modernist buildings have gone up and changed it dramatically. We have the Au bon Pain building, which I find cold, I find it difficult to imagine sitting there enjoying something because it's always windy and it doesn't provide right now for a pleasant views.

There's the what I call the Cambridge 7 building where the architects are, I think you can call it that, that's not a bad building. It has cold strip windows from an era that we don't use anymore. Then there's a building you didn't mention when you showed the surroundings, but I think it's the one that's throwing off the shadow more than any other which I think they call it Putnam Square Apartments.

PETER QUINN: Senior.

THOMAS ANNINGER: Yeah. That's perhaps the most -- the coldest of all the

buildings. It's really brutalist concrete at its worst, and it certainly leaves you cold at the end of Mount Auburn at the corner of Putnam, which is a pretty crucial area because it does lead to the residential area.

So in many ways I agree with Ted, this is a huge opportunity and I agree with how you're presenting it, a huge opportunity to make a difference in a square that I think could use it not only as an entrance to Harvard Square, which I think it is from one angle and which other buildings that have been built, such as the Harvard Inn did not resolve in a satisfactory way, so this is a chance to improve on those things, but it's also a chance to improve Putnam Square, which I hope some day will yet be redesigned in terms of the layout of the street and so on. But I'm a little puzzled at the feel of this glass building. I think the words you used landmark, glass transparency, quality

materials, and so on, were all words that I agree with and that I would support.

When I look at what you have presented to us here, the first thing I see is a cold, flat glass building that risks being a mirror building like some of the unsatisfactory buildings that we have in North Cambridge on Mass Ave, for example, and in other parts of the city, and I don't want to see that. I want to see what you're talking about, which is a transparent building that has some dimensions to it. I would have liked to have seen more articulation, more relief. I worry this is a -- this is something that Hugh pointed out to me -- this building faces south and you're going to have to protect yourself from the sun. That makes you want to close in most of the transparency that you're promoting. So there's a little bit of dilemma there to face south and yet you want us to participate a

little bit in the animation inside the building to avoid that mirror facade that I think is not welcoming.

I don't see it as fitting into or as taking Putnam Square up a notch or two or three from this rather cold modernist period that we've had in the last 30 years that I think we need to get away from.

So, I guess I'm a little puzzled why you've received as much support for the design that you have here. Because I -- maybe it is the way you presented the elevations that don't -- doesn't enable me to see it the way you're describing it, but I'm not convinced yet that you've done all that you can to make this a catalyst and to make it -- to make this square come together in a way that brings things together rather than that it says I'm a building that is different from all the rest of you, and I'm not sure I'm going to bring it together very well. I

want to be -- I'm standing on my own like a lone soldier here a little bit. So I guess I decent a little bit from what you've done so far.

CHARLES STUDEN: Since Mr. Anninger has opened this door, I've been sitting here quietly, and I think it goes back to my earlier comment about the energy aspects of the building. I agree with your assessment completely. I think this -- and again, I'm puzzled because I'm not sure what effect we can have on changing it. I love the idea of having housing and retail in this location and I like the scale of this development. I just don't like the way it has been expressed as an opportunity to do something, I think, here both from an energy point of view and from an architectural point of view that can be much, much more interesting and respectful of the other -- not necessarily the adjacent architecture because you're right, the

adjacent architecture much of it is not something that we want to emulate right now. I think -- I mean, I don't know what the energy quality of this curtain wall is, I would be interested in knowing, but I can only imagine the heat gain this building's going to have on the south side with floor to ceiling glass, and that there might be another way of doing it that might be better.

It looks to me too much like an office building. It doesn't look like a place that someone would want to live. And I'm very -- believe me, I'm very much of a modernist, I love modern design.

So, I guess I'm just repeating what Mr. Anninger said. And, again, it's unclear to me what effect we, as a board we can have on that except to ask you maybe to just take a look at it one more time before final decisions are made.

HUGH RUSSELL, CHAIRMAN: Other

people want to comment on this subject?

(No response.)

I think we have difficulty in evaluating buildings that are mostly glass because it's very, very difficult to picture them in renderings.

So you look at the rendering and almost say, well, what's the intent, and I think Mr. Quinn has been very clear about what his intent is in the rendering, and tries to indicate that, play of subtle changes of color on the facade and different elements. Is it going to work or not? You know, I guess I'd ask Bill a question about I think it's Mount Auburn Street, the Harvard University Library Building which came before this Board for some minor relief, as I recollect, and we basically said, "We don't think it's going to be a very nice building at all, and it's going to be plain," and I think it's better than we thought it was

going it be.

And so, I think that was just simply a matter of it's very difficult to tell with this kind of a building. I'm concerned about the energy impacts of the glass, but I don't know that much about all the available kinds of glass.

There's been an explosion of different materials and multiple layers and coatings that make a huge difference. If it was the ordinary glass used in all the adjacent buildings, we would have a horrendous problem, and I don't think they could get through the energy code, frankly.

So this is up to date. This is modern. I like the idea of adopting the modernist viewpoint here because of the adjacent buildings, and the ideal outcome is the other buildings look at this and say, "OH, I wish we could've been like you." That's sort've the result we're looking for.

And I think that's the intention that is actually being put forward. Each of those buildings has an idea of how glass should be used, and so, we have yet another take on that.

I wish I could reassure my colleagues that it's going to be wonderful, but I really don't -- I don't know. There's certain things we sometimes ask people to do. We ask people to put balconies on buildings to show that they're residential. We usually do that when the buildings are considerably larger than this one. Because I think none of us think it's really probably very enticing to sit out on a balcony, although the 1105, everybody's got a balcony, I believe, or almost everybody. But it's a much taller building.

But balconies have a lot less use, they're only about this deep, you can't do anything except put plants on them. I tell

people the only thing they're good for is if you're planting a jungle.

(Laughter.)

HUGH RUSSELL, CHAIRMAN: So I don't think I want to make that suggestion. If you remember our presentation, I guess it was just the last meeting about the 100 Binney Street building, the variety of different techniques being used around that building, and if you look at the building actually across the street that's just been completed, in Cambridge Research Park, that has an entirely glass building with different shading techniques being used on all the elevations. So, you know, if you want to have south light, you should be putting horizontal louvers. Look at the public library. It's a textbook case of how you do that.

And maybe in your blind, you might consider that on the south side of the

building. Maybe you should be using horizontal rather than vertical blinds.

I don't think -- your intention is that the blinds have only a very subtle impact, so I don't think it addresses the overall appearance of the building. So I don't know. Ahmed, did you want to say anything?

AHMED NUR: The way I looked at the dealing with both Tom and Charles and you had to say is that the way I think of it is this is definitely a notch, at least a notch or two better than what was there before.

Personally, I would -- it's not my job to design. If there was any design issue I would refer to Roger's import on this and I assume it's in front of us. We haven't gotten anything from him, so -- I'd like to -- it looks like a bubble. The first floor is, of course, thank God for the zoning ordinance, very welcoming to the public and

from the second floor and up, it seems to be in a bubble. I'd like to see a little in and out, so whether it's recessed or projected to invite the view.

This building is closed up. It's just glass all the way around. I kinda share that design, but at the same time it is better than what was there, and, you know, I don't have a problem with it.

PAMELA WINTERS: Quick question: You didn't bring a sample of the glass, did you, by any chance?

PETER QUINN: I did.

PAMELA WINTERS: I didn't see it, I'm sorry.

HUGH RUSSELL, CHAIRMAN: Roger, would you like to comment?

ROGER BOOTHE: I guess after all this time, I better say something. You know, Mount Auburn Street definitely came to my mind when we first saw this project. I

always was a champion of that building because I felt it was a really good contrast to the two historical buildings that more or less book-ended that whole block, and I still feel very good about that.

I think my thinking is along the lines that you were making, Hugh, which is that -- the context here really is it's a series of modernist buildings over 30 years and what would you do differently here? I mean, I don't think we really have a mandate to tell them that. But if we were so free, I'm not sure that doing some warm fuzzy brick building here would probably help.

I think to my mind the little diagram, the accent metric that you have, that shows it in context is pretty convincing to me that -- I think it's right behind that glass sample -- it really shows that the things that we're supposed to be looking at, which is how it fits in the context and I

think most everybody says it really does fit right. Ahmed had said it feels like a glass -- it's now filling in something that sort of cried out to be filled in.

From the broader urban design perspective, I think it does everything pretty much right in my view, I think that the architect studied well how to do the ground floor, and it's simple, but I think it probably doesn't want to be a lot fussier than that. And one of the things that the Board considered the Alexandria project for was for maybe too many ideas. Well, this one, I think, doesn't have that many ideas, but it's the devil, it's really going to be in the detail. So I think if it's really elegant, sort of crystal. It's not going to solve the warm problem, I agree with you, that Putnam Square is cold, but what really makes the place like this work is the ground floor, and you know as long as -- I hope

Crate & Barrel stays there, they're pretty welcoming. We do have a certain number of cafes in the area and I believe Mr. Donovan tends to put Neenas back in the ground floor there and they certainly had a very welcoming presence on Winthrop Street, so I expect it would be something like that, welcoming sort of thing.

So I guess I would come around to feeling like it really does need to be beautifully detailed. And I have seen -- Fay Jones is my mentor. I'm not that much in love with these glassy things, but there are some pretty elegant ones coming out.

As Hugh was saying, technology has improved on glass a lot. If you think of the Danish and Danish building for Genzyme it's really pretty transparent from the outside. I know we're all worried about how cold is that one going to be, but it really does kind of work. More and more, I'm seeing glass

things that don't seem to have that horrible mirrored glass things like on North Mass Ave which is the worst buildings in Cambridge. I don't think that's what we're looking at.

PAMELA WINTERS: That wins the award, Roger. I have to look at it everyday. It's right down my street.

ROGER BOOTHE: But that did so many other things wrong, too. It had parking underneath. This one, I think, is doing everything pretty much right.

H. THEODORE COHEN: Actually, I just wanted to follow up on one thing Roger said about what -- two things. One, I think, we all agree the building in North Cambridge is horrible, but, on the other hand, I think the Hancock building is spectacular. So, you know, you got glass and you got glass.

But I am delighted to hear that Neenas would be going into the retail area because I think it is so interesting of all

the furniture stores in Putnam Square that we really created in Cambridge this furniture destination and housewares destination that, I think, does attract people from all over Cambridge, and from all over the Boston area to this one location, and I think it's very interesting as a planning technique whether it was conscious or not, but it happened I think is good.

HUGH RUSSELL, CHAIRMAN: Actually it's semi-conscious. A lot of the buildings on Mass Ave were developed by the same developer, and he felt they couldn't sell off the space on the ground floor, he had to put in retail, he wanted to find a kind of retail that was classy so that it wouldn't -- he didn't want the pizza parlor because he felt that the tenants up above would not like that, and so he preferentially sought out furniture for his properties.

I mean, it was 20 or more years ago.

30. 30 Roger says. But -- that's, I think, how it happened.

H. THEODORE COHEN: That's great.

HUGH RUSSELL, CHAIRMAN: Bill.

WILLIAM TIBBS: Not to belabor the point even though you just made me realize that I still have in my kitchen now plates that I bought at the Bowl and Board over 30 years ago, when I was a student, and they're antiques, believe me.

But one is I think -- I think the architect is trying to get a subtlety here. If you look at the difference between the spandrel panel and the glass on that board, you can see, I think, the illustrations have a uniformity to it, but I think it's going to have a much more subtlety, and one of the things that happened on Mount Auburn Street was that what happens behind that glass unless it's really dense glass, it really changes the effect of it. That's why I was

suggesting be careful how you think about that. But I think the building will be a lot more -- it will have a lot more depth, I guess, and subtle complexity than these illustrations show.

I do agree it has somewhat of a commercial look, but I'm still being dragged along on the even the North Point, I felt some of those were commercial by my standards, but I'm open to new ideas of residential architecture and how it looks. But I think that all the stuff -- as Roger pointed out, you can just hear it all, relative to the matters before us, we can only do so much.

But you did -- you opened the can, Tom.

But if I could make one comment before we do, I guess, move to do this and that is, one of the things that I do like about your rendering is the strong warmth of

that first commercial level and the coolness of everything above, and if this were a project review, I would ask you quite strongly as to how you can make sure you maintain that because it's just glass down there, it will be one kinda feel, and I don't know in terms of the quality of the glass, the quality of the lighting, or whatever, but I think that's an important piece if that blue glass had the same feel on the first floor it has a very, very different feel, so that's my only other comment I would make.

But it sounds like -- my sense is that you thought about a lot of those things. So I'll trust that you will continue to put quality thought into those thoughts.

HUGH RUSSELL, CHAIRMAN: I have one part of this project that I would like to see thought about, it's actually the corner which forms the old line of Bowl & Board on the cutoff of the corner. I was looking at the

floor plan, and of course, that's the one place where the upper part of the building doesn't come out to the property line, and I sit here and I think, well, now instead of two big pieces of glass in one plane, what would happen if it went around the corner in multiple facets, so that it sort've turned that corner a little more fluidly. Really there's a module of the -- that's a small module of windows that are like two feet wide or so, so that's my --

PETER QUINN: Right here
(indicating).

HUGH RUSSELL, CHAIRMAN: Right there.

PETER QUINN: They're actually four-to five-foot panels.

HUGH RUSSELL, CHAIRMAN: If you made it two-foot panels and followed the curve, it would be much --

PETER QUINN: We have a whole folder

full of different studies for the corner.

HUGH RUSSELL, CHAIRMAN: And you assure me this is the best one?

PETER QUINN: We had the knife edge, we had the rounded corner. But one of the things we wanted to consider was the Trowbridge is not actually -- it's not a commercial street, and so we were trying not to emphasize sort've a continuity -- we did at the street level with a canopy and take almost the full width of the building of Trowbridge. Because that's the pedestrian environment, but the building itself on the upper floors from a design point of view, we actually wanted to create a little bit of a break, so hence, the snubbed-off corner.

HUGH RUSSELL, CHAIRMAN: I'm not going to make it an issue and I gather none of us are really doing more than expressing opinions and our concerns, which I don't think are very different than your concerns.

So everybody, are we ready to act on the business before us?

WILLIAM TIBBS: Yes.

PAMELA WINTERS: Yes.

HUGH RUSSELL, CHAIRMAN: There is in the papers that have been given to us somewhere.

I'm starting on Page 2 of the -- of this packet and going three or four pages, the summary of the relief sought and suggestions as to how his building complies.

So maybe someone making a motion might want to look at that or refer to that.

THOMAS ANNINGER: Give us some help, Hugh.

HUGH RUSSELL, CHAIRMAN: Find the package that...

THOMAS ANNINGER: You should outline it, Hugh, and we'll do what needs to be done to get it done.

HUGH RUSSELL, CHAIRMAN: So the --

we have to make basically setback findings. Those are on Page 3 and 4. The first finding that objective conformance, objective criteria are a fine line (inaudible). Review by the Advisory Committee satisfies that. B is new demolition issues and again they're stated the facts as they're so it complies with those specific criteria.

Just as a footnote, these may seem like limited criteria, and indeed, they are very limited criteria, and the reason for it is that the Planning Board and Council thought 25 years ago that this should be an easy permit to get, that the setback rules should be very easy to weigh, and that the standard must be (inaudible) and the review process.

Once you give a Special Permit, you have to make the general findings that allow Special Permits about traffic. We have a report from the Traffic Department, we have

some recommendations for conditions, we want to include those. The contingent operations of adjacent uses, I think, it's clear we can find that they're not substantially impacted and it doesn't impair the integrity of the district. This is the sort of building that we want to see in the district and permitted in the district, and then, again, there's a reference to urban design objectives and superceded by the Harvard Square street objectives, so those are the basic findings one would make. Would we like to make a motion to incorporate those findings into it?

WILLIAM TIBBS: I move that we grant the setback relief and that we incorporate the findings that Hugh just outlined, and in particular, that we incorporate the comments and issues that were brought in Sue's memorandum for traffic and parking.

HUGH RUSSELL, CHAIRMAN: Is there a second to that motion?

PATRICIA SINGER: Any discussion?
On the motion all those in favor?

It's a vote, as they say in the big house. We'll take a break of about ten minutes here and then go on to the next item on our agenda.

(Short Recess Taken.)

HUGH RUSSELL, CHAIRMAN: A major amendment to that permit, which resolves around reduction of the number of parking spaces. We heard this because there's because a PUD there have been a two-stage process. We heard the first stage. There were a few comments. They have been addressed in the new proposal, and I believe the proposal before us today has the full support of the city's Traffic and Parking Department and the petitioner.

And an, amazingly enough, a letter from the East Cambridge Planning Team.

Let's proceed.

RICHARD McKINNON: Thank you. My name's Richard McKinnon, I live at One Leighton Street on the 19 floor. That's the 19th floor.

And no more talking about jumping out the balconies, please.

Let me just orient you quickly. This is the One Leighton Street building, the building that's now nearly 95 percent leased. We now know that we don't need all of the parking that we provided for it.

This is the building we would like to do next, which is the Maple Leaf building. And it is only 63,000 square feet, but we would be able to develop the Maple Leaf building and do the parking for it in the existing One Leighton Street building. We have no parking for the Maple Leaf building. So, we know that we can't go forward with it without this amendment.

With the amendment it gives us the

tools to at least get into the marketplace or to study it ourselves, to do the development ourselves. So that, very quickly, is where we're, and I think that -- while I'm at that, that's Phase 2 inaptly named, it looks like it's going to be Phase 3 because the sequence is probably going to be Maple Leaf next and then Phase 2.

Thank you for the extension, we have taken it and we used it wisely. It allowed us to do further analysis. It's also allowed to us get some new leadership at Archstone.

My new boss is here. This is Lee Block. He's head of development for Archstone, for all of the Northeast, including New York, and we're all putting a tremendous amount of focus on trying to get this going.

As I said, it has the support of -- as Mr. Russell said, we got the support of the neighbors. It's been very difficult it

get that. We spent a lot of time with them.

And I think what they came to understand intuitively is that we wouldn't wreck the integrity of the building the size of One Leighton Street if we really didn't have the parking spaces to go ahead and do the Maple Leaf building.

Again, just the relative sizes, I think, were very convincing. Obviously, this is much too big an asset to jeopardize to develop something that small if those spaces weren't available.

This is the Maple Leaf building. It's 63,000 square feet. Lee, Debbie and I with this amendment, we can't guarantee that we can do anything in this economic climate, but we got the tools, and we're all going to work very, very hard to find a solution so that we can get that building going and getting on point once again.

The benefits of the amendment, it

answers the questions, Where do I park? Maple Leaf, with this amendment, the answer is for ourselves or for another tenant, You can park at One Leighton Street when the parking is available right now. It helps us to develop a market for Maple Leaf building and also help us after Maple Leaf when we look at Phase 2 to have that flexibility.

The amendment, as you know, calls to give us residential parking ratio of .8 to 1. It also makes concrete the city's goals to reduce an auto dependence.

People like myself and Mr. Russell have been working on this work going back to the '80s, names like Deborah McManus and Dave (inaudible) come to mind, it's been a goal of the city for many, many years, and this is a concrete example of reducing auto dependency.

There's an article in the Boston Globe, I think this is the general sense of

where North Point is. It was written by Paul McMorrow, who's a staff writer for Banker & Tradesman authored that piece in the Boston Globe into what we're all dealing with.

The last thing really says the most: "A feud stalled North Point and left Cambridge with a trash pit." The reality is there's a lot of truth to that. There's 5 million square feet out there that all of us worked hard to figure out how to develop.

This Planning Board has put hundreds of hours and my neighbors have put hundreds of hours in. Nobody knows better than we do that there's 5 million square feet out there in stock. That lawsuit started right when we were trying to complete One Leighton Street, and I think the best thing in the world we can do is not write op ed pieces, although I'm glad he did, but the best thing we can do to, to dispel that sense is to build a building.

This amendment gives us the ability to have the Maple Leaf building, and even though this is a small building, it gets North Point going again.

Take one last look. One of the odd things is if we were able to do the Maple Leaf building and we're able to do Phase 2 after that, the interesting thing is all the planning in its own funny way, winds up working out the way we had intended to do it. One way or another Tim Allen was able to build Sierra and Tango, we've already built One Leighton Street.

If we're able to do Maple Leaf and then Phase 2, then the first quadrant of North Point will have been developed very much the way this Planning Board envisioned it.

There's nothing we can do about the lawsuit. That's -- we have no control over it. You have no control over it. That's

gonna get settled or not settled in Superior Court in Boston and in the courts of Delaware, but there's something we can do about North Point.

Archstone has been forgotten, but we're very much a part of North Point and we're ready to get going.

Thanks, Mr. Chairman.

This is Debbie Horwitz, she'll speak to the specifics of the amendment.

ATTY DEBBIE HORWITZ: Quickly. Hi. Thank you for your time tonight. We'll go to the words with not the pretty picture slides.

These were the conditions that the Planning Board imposed on the preliminary development filing, and your decision -- and I'll just walk through them quickly -- they're in more detail in the application.

We did work Sue and Adam to come up with a max for the office parking. We've all agreed that one per thousand would be the max

for any office parking on the site.

And as you will see, the application is actually for a range of zero to one per thousand because these guys would like us, as much as possible, to share whatever parking is out there, to share whatever uses.

You wanted us to develop a plan for what happens at these parcels. They're subdivided or sold off for different kinds of uses. There is actually, in your own ordinance, a provision for how to handle that. So we have agreed that we should specify as a condition in the final approval should the Board grant the final approval that we -- if at such time as we subdivided or sell off one of the parcels here that we'll agree to put into writing an agreement that imposes the restrictions that imposes the conditions of this Special Permit forever and we'll put that on record and supply copies to the Board and to the Building

Department.

Obviously, No. 3, all the findings of the existing permit, with the exception of those that we're changing tonight would stay in place and we'll comply with. And we did supply a revised dimensional form that reflects the parking application.

This is the specific request of release. I listed here for the lawyers among us, the specific provisions under which we're asking for the relief. You will see that the range for residential is from .8 per unit to one per unit.

Right now our permit allows us one per unit. In each case, it's Zip cars. And for office use, as we discussed a minute ago, ranges from zero to one per thousand. Right now we're about one per 625 in our existing permit for office just by way of comparison.

And then again Sue and Adam are

really encouraging Archstone to consider sharing as much of the space as possible, much of the residential space as possible with office to cut down on the office for parking, and so, we have asked for the ability to share 40 percent of the residential space with office uses and we need the relief there because the ordinance provision that deals with shared parking has a maximum of shared parking of 75 percent of the lowest ratio, and in this case is zero is the lowest possible. So you get it. I don't need to do the math for you.

That's the request of relief. We ran through in the application, both here and in the preliminary development application, the ways that this requested relief complies with the zoning ordinance requirements for a Special Permit, and Rich obviously ran through some of those benefits tonight.

So, I think I'll stop there unless

you guys have questions.

HUGH RUSSELL, CHAIRMAN: Thank you.

Sue, do you want to say anything?

SUE CLIPPINGER: This is a great idea.

HUGH RUSSELL, CHAIRMAN: Ahmed?

AHMED NUR: I'm just a little confused about two Zip Car spaces per unit?

ATTY DEBBIE HORWITZ: The building. It is an overall plus two for the whole building.

AHMED NUR: Thank you.

RICHARD McKINNON: We provide them with two free spaces.

ATTY DEBBIE HORWITZ: Thank you for clarifying that.

HUGH RUSSELL, CHAIRMAN: Who can vote on this?

LIZA PADEN: I'll get the magic list.

HUGH RUSSELL, CHAIRMAN: Should we

go to the public testimony?

H. THEODORE COHEN: Yes.

HUGH RUSSELL, CHAIRMAN: Mark Jacwit (phonetic) is first.

And Charlie Marquardt is second.

MARK JACKWIT: Thank you, Mr. Chairman. I am here to support this idea. I think it's something that the City of Cambridge should be doing to try and reduce overall car use.

The one thing I have to say is with a qualification, it is an experiment worth doing, but please treat it as an experiment. Track the numbers. See if this works as well as we hope it does. And use those figures and information gained in making similar decisions in the future, which will, indeed, be coming before you probably very soon.

Thank you very much.

HUGH RUSSELL, CHAIRMAN: Thank you.

CHARLIE MARQUARDT: Charlie Marquardt?

This shows what happens when a developer actually works with the neighborhood, and I think at the next meeting we'll have an example where the developer didn't work with the neighborhood when we talk about retail on First Ave.

Mr. McKinnon has been really good about coming in and walking through everything that he plans to do, and he does have something going for him in his parking request. He has an actual building. He's not doing a hypothetical where there's no way to go back. He can go back and if we have to put more parking in, he has another building coming in a year or two or four. That's a great benefit. It will get rid of some of the potential extra cars we have in the neighborhood to make better use of available space, plus, the big plus, is we get that

building that is, quite frankly, no offense, an eyesore revealed, and we come over --

RICHARD McKINNON: No offense, but we want to do it, too.

CHARLIE MARQUARDT: It's the first thing you see coming into Cambridge that building. It would be nice to have that building look pretty. That's my technical term for it. I stand right behind this and I wish you'd pass this so we can get it fixed and make it nice for all of us.

HUGH RUSSELL, CHAIRMAN: Does anyone else wish to be heard?

I see no one.

I move to close the testimony, the public testimony portion of the hearing.

We have to take a vote now.

PAMELA WINTERS: Liza, has people who will vote.

LIZA PADEN: The Board members voting on this would be Bill Tibbs, Pam

Winters, Hugh Russell, Ted Cohen, Ahmed Nur, Patricia Singer and Tom Anninger.

HUGH RUSSELL, CHAIRMAN: Okay. That's enough. It'll do the job if we can agree.

Is there more discussion? Or, does someone want to propose a motion?

THOMAS ANNINGER: Just a second.

HUGH RUSSELL, CHAIRMAN: I have a procedural question. We made a whole bunch of findings in the preliminary and there's nothing that's changed, so we can reaffirm those findings?

LIZA PADEN: Yes.

THOMAS ANNINGER: I'm going to venture a little bit afield what you have here, but it's a rare opportunity to ask some North Point questions.

I did visit the site and I actually walked around it. Why are all those pantations sitting at the edge there? Are

they going to wither and die or are they waiting for something? There are a lot of trees that were waiting to be planted on the other side of a chain-link fence. What's going to happen to that?

RICHARD McKINNON: On our property?

THOMAS ANNINGER: No. It's not your property.

RICHARD McKINNON: That's part of what he's -- I mean, what happened is -- what happened out there in a nutshell is this, and it happened to us when we were sharing the cost of doing the road. The lawsuit started and the money stop flowing. Tim Allen stopped writing checks, it's that simple. Timothy Melon stopped writing checks. There's been no more checks. Once that thing was finished to the extent it was finished, that's it. Anything that was left has just been left there. It was just withering away.

HUGH RUSSELL, CHAIRMAN: Do you have --

HEATHER HOFFMAN: According to the landscape architect --

THOMAS ANNINGER: Could you stand up?

HUGH RUSSELL, CHAIRMAN: This is Heather Hoffman.

HEATHER HOFFMAN: This is what Chris Matthews told us that the owner of those trees, as Rich said, wasn't paid, so they were abandoned and no one else will touch them. So that's --

RICHARD McKINNON: A lot of subs stopped, they just stopped getting paid.

HEATHER HOFFMAN: Because they weren't paid.

RICHARD McKINNON: That's right. It happened with the road. We had to finish the road at our own expense and then chase Mellon for the money.

THOMAS ANNINGER: It's one of the saddest sites one can possibly imagine. You have beautiful trees sitting there soaking up whatever water they can desperately trying to survive. It's just an icon.

RICHARD McKINNON: It stopped just like that.

THOMAS ANNINGER: I'm going to allow myself to ask another question that is not Archstone. There was a woman who made some testimony, I think it was during the Alexandria time, about the architecture of what do you call it Tango and Sierra?

RICHARD McKINNON: Yes.

THOMAS ANNINGER: How it's the architecture that has caused those buildings to fail. Can I say -- is that nonsense or not?

RICHARD McKINNON: That has been an interesting subject that I'm not going to get near Mr. Tibbs. I think it has caused those

units to sell so slowly, to put it mildly is the lawsuits, the underlying lawsuits have clouded the title.

ATTY DEBBIE HORWITZ: And the economic and the economy.

RICHARD McKINNON: But they're really cloudy.

ATTY DEBBIE HORWITZ: They're cloudy.

H. THEODORE COHEN: What is the status of Sierra and Tango?

RICHARD McKINNON: I don't know.

BETH RUBENSTEIN: Can I just interject? We're asking a developer who is not an owner of that property. I'm happy to provide what information I can from the city's perspective, but I think it's a little unfair to pose these questions to a new developer.

PAMELA WINTERS: I agree.

RICHARD McKINNON: Thank you.

BETH RUBENSTEIN: I can tell you that Sierra and Tango were developed by the North Point partnership, they're condominiums. I don't know exactly what percentage has been sold. Some percentage has been sold. They're inclusionary units, that they were required to provide, have all been sold because the city is really diligent about doing that, so the building, while certainly not close to being fully occupied do have people living there.

HUGH RUSSELL, CHAIRMAN: Back to business.

PAMELA WINTERS: I would like to propose that we grant the request of the reduction number in the parking space for housing and research and development space in the One Leighton Street building and the Maple Leaf building and any subsequent development authorized originally by Special Permit 175.

HUGH RUSSELL, CHAIRMAN: Okay. That would be in accordance with our previous findings the report of the Traffic and Parking Department and specifically the proposal before us.

PATRICIA SINGER: Seconded.

HUGH RUSSELL, CHAIRMAN: Patricia seconded.

Any discussion on the motion?

All these in favor?

Everybody votes in favor.

RICHARD McKINNON: Thank you very much. Appreciate it.

ATTY DEBBIE HORWITZ: Thank you.

HUGH RUSSELL, CHAIRMAN: The next item on the agenda concerns Constellation Gator project. We received a letter talking about a temporary art installation.

People here want to tell us what is being proposed. Is there any action that we need to take on this?

ROGER BOOTHE: I can speak to it to the extent that I sat in on a jury process for the temporary art that Constellation intends to replace. It really is temporary. It is nothing that -- I believe it is a six-month time frame, but there are folks here from Constellation that can give you more details.

PAMELA WINTERS: No action is really needed, right?

ROGER BOOTHE: No action is really needed. It is just for your information.

VINCE PAN: Vince Pan, P-A-N, I'm the architect, in-house architect, for Constellation Center, and as Roger said, he sat in on a public art jury and saw some pieces from local and regional artists.

We selected six pieces of a large scale to go on to the site, given the size the site, and as I said, it is a temporary art exhibition that is to really get some

interest going on the project and the site and really enlighten the area.

We'll be fencing the site because there are some -- because the activities that can happen on there the public can't access the site itself.

You will see all the pieces of art from the opposite street, Kenmore Street, but, yeah, I don't think there's any action required by you guys. We wanted to let you know what we're up to.

HUGH RUSSELL, CHAIRMAN: How is the theater coming? You knew you were going to be asked that.

ROGER BOOTHE: It is coming quite well. I don't know how much you know about it. But we decided to undertake an in-house planning and architectural process meaning that we brought together an in-house team of architects, and we work directly in concert with the research group that's been in-house

for quite some time and it is working out much better than some of the previous design efforts.

To be honest, it is going well because of that collaboration back and forth that happens on a daily basis. A devoted team. It has only been under progress last September -- last August, but we have high hopes for things to move forward.

HUGH RUSSELL, CHAIRMAN: Does anyone else have any questions or comments?

Thank you for coming.

(Whereupon the planning board meeting was concluded for the evening.)

CERTIFICATE

COMMONWEALTH OF MASSACHUSETTS
NORFOLK, ss.

I, Jill Kourafas, a Certified
Shorthand Reporter, the undersigned Notary
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parties in this matter by blood or marriage
and that I am in no way interested in the
outcome of these matters.

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 30th day of April 2010.

Jill Kourafas
Certified Shorthand Reporter No. 149308
Notary Public

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