

1  
2 PLANNING BOARD FOR THE CITY OF CAMBRIDGE

3 GENERAL HEARING

4 Tuesday, June 15, 2010

5 7:00 p.m.

6 in

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

9  
10 Hugh Russell, Chair  
Thomas Anninger, Vice Chair  
Steven Winter, Member  
11 William Tibbs, Member  
Pamela Winters, Member  
12 Charles Studen, Member  
Ahmed Nur, Member  
13 Patricia Singer, Member

14 Beth Rubenstein, Assistant City Manager  
15 for Community Development

16 **Community Development Staff:**

17 Liza Paden  
Les Barber  
Roger Booth  
Susan Glazer  
18 Iram Farooq  
Jason Roberts

19  
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**P R O C E E D I N G S**

1  
2 HUGH RUSSELL: Good evening this is  
3 the meeting of the Cambridge Planning Board.  
4 The first item on the agenda is the Board of  
5 Zoning Appeal cases.

6 LIZA PADEN: I'm here to answer any  
7 questions that I can if anybody has any  
8 questions. I would point out that the first  
9 one at 150 Mount Auburn Street, to note that  
10 the reason why they need to get a Variance  
11 from the Board of Zoning Appeal for the  
12 number of signs, that technically is located  
13 in the Residence C-1 District. It's Darwins.

14 HUGH RUSSELL: It's too many signs  
15 that are permitted.

16 LIZA PADEN: In the Residence C-1  
17 District you're only allowed one sign and it  
18 can only be four feet off the ground.

19 STEVEN WINTER: I have a question,  
20 Liza.

21 LIZA PADEN: Yes.

1                   STEVEN WINTER: The Saint John --  
2                   no, I'm sorry, it was the Society of Jesus  
3                   New England, case No. 9947. Is this  
4                   currently a sort of an institutional use or  
5                   that nature and now are they divesting and  
6                   returning it to its original dimensions?

7                   LIZA PADEN: Right. This is a  
8                   situation where the property's owned and the  
9                   lot lines have merged over time. And so what  
10                  they're looking to do is separate them out.

11                  So this consists of four buildings  
12                  running from Kirkland Place to Kirkland  
13                  Street to Sumner Road, and the four  
14                  structures have now -- because they've been  
15                  in the same ownership, been merged into one  
16                  parcel. And they're looking to take them  
17                  apart.

18                  STEVEN WINTER: Prior to resale, do  
19                  we know?

20                  PATRICIA SINGER: Yes.

21                  LIZA PADEN: I think that's what

1           their plan is to be able to sell them  
2           individually as individual structures.

3                     STEVEN WINTER: Okay. That's really  
4           all I wanted to know.

5                     PATRICIA SINGER: We had a request  
6           last week to the change of the Zoning  
7           Ordinance for institutional properties that  
8           had been institutional for ten years that  
9           were on residential property. This is the  
10          basis for that request.

11                    STEVEN WINTER: Oh.

12                    HUGH RUSSELL: Case 9952, 98  
13          Memorial Drive. Just curious to see the  
14          plans.

15                    LIZA PADEN: This is the second and  
16          third floor that they're adding. And they're  
17          looking to expand the service area. So this  
18          is the exterior for the service area.

19                    HUGH RUSSELL: So that little piece  
20          right there?

21                    LIZA PADEN: Yes, this is the rear

1 setback. Is that the one we're looking at?

2 PATRICIA SINGER: Yes.

3 THOMAS ANNINGER: This is facing the  
4 parking lot?

5 LIZA PADEN: Yes.

6 PATRICIA SINGER: It looks like  
7 they're adding two more floors.

8 LIZA PADEN: Right. So this is the  
9 area here.

10 THOMAS ANNINGER: I don't see how  
11 that impacts.

12 LIZA PADEN: Well, what happens is  
13 the problem is that section of the building  
14 is in the rear yard setback so that's where  
15 the non-conformity is.

16 THOMAS ANNINGER: They're just  
17 extending the non-conforming.

18 LIZA PADEN: Yes.

19 THOMAS ANNINGER: But I guess what  
20 I'm saying is that it faces Charles Square  
21 and University Place.

1 LIZA PADEN: Yes.

2 THOMAS ANNINGER: And the parking  
3 lot. But I think -- have the neighbors  
4 complained about this?

5 LIZA PADEN: Not to me. But they  
6 will contact the Board of Zoning Appeal  
7 directly.

8 THOMAS ANNINGER: I think the  
9 neighbors have a pretty good relationship.  
10 Everybody has a pretty good relationship with  
11 them.

12 LIZA PADEN: Yes.

13 THOMAS ANNINGER: So if there was a  
14 problem, then they would have spoken directly  
15 to them.

16 (Side discussion over plans).

17 LIZA PADEN: This is the first  
18 floor.

19 HUGH RUSSELL: Okay, my curiosity  
20 will go unsatisfied.

21 LIZA PADEN: Do you want to see the

1 plans, Charles?

2 CHARLES STUDEN: No, thank you.

3 LIZA PADEN: Any other cases?

4 HUGH RUSSELL: No.

5 PATRICIA SINGER: I would like to  
6 look up where 103 Mass. Ave. is, No. 9950,  
7 fast food establishment.

8 HUGH RUSSELL: That's on the corner  
9 of Ellery Street and Mass. Avenue.

10 PATRICIA SINGER: I know exactly the  
11 building. Thank you.

12 CHARLES STUDEN: I believe it's  
13 owned by Harvard University. Where the  
14 police department is. It's not Holyoke.  
15 It's on Mass. Ave. further towards Central  
16 Square. It's where the Harvard University  
17 police department is in.

18 LIZA PADEN: Oh, yes, I'm sorry.  
19 Corner of Ellery Street. And it used to be  
20 something else before the police were there  
21 that's why I'm always confused.

1                   HUGH RUSSELL: The architect office  
2 was there. And before that there was a  
3 rectory I believe. A yellow house that was  
4 absolutely charming on a huge lot and that  
5 was 35 years ago or something like that.

6                   LIZA PADEN: So does that mean  
7 there's no comment for these cases?

8                   HUGH RUSSELL: No comment.

9                   LIZA PADEN: No comment. Okay.  
10 Thank you.

11                   HUGH RUSSELL: Okay, we'll wait six  
12 minutes.

13                   (A short recess was taken.)

14                   CHARLES STUDEN: I'm not sure if  
15 this is the appropriate setting, but I'm  
16 going to say it anyway. I had the pleasure  
17 on Friday of attending a celebration of the  
18 opening of the new park on the corner of  
19 Western Avenue and Memorial Drive. I don't  
20 know how many of you have been there, but  
21 it's really a very spectacular park and a

1 wonderful addition to Cambridge's open space.  
2 I think Harvard also did a really nice job  
3 associated with housing, including the  
4 affordable housing on the adjacent street.  
5 But I actually learned something that day  
6 that I was a little puzzled by, and that is  
7 apparently the fountains in the park, rather  
8 than having water recycled, it winds up going  
9 into the storm system. And I thought for a  
10 city like Cambridge, that was a very odd  
11 thing. We pride ourselves on being green and  
12 environmental and yet -- now, granted the  
13 fountains, I love this feature, you turn them  
14 on by touching them so they don't run all the  
15 time. But I was told that the water is not  
16 recirculated. That it is wastewater. That  
17 it flows right out into the storm sewer. And  
18 I know in Boston you can't do that. The  
19 fountains all are recirculating, and in many  
20 other cities they are. So I was just  
21 curious, it seemed incongruous that we would

1 not have a similar policy. No comment  
2 necessary, I just wanted to mention it.

3 BETH RUBENSTEIN: I was just going  
4 to add that you're correct. That I think  
5 it's anticipated that for large periods of  
6 time if nobody's in the park or nobody's  
7 interested in the fountain, it won't be  
8 running as you said. And it's good to know.  
9 We were just chatting on the way back from  
10 dinner tonight, that if you do want to  
11 activate it, there's sort of a round circle  
12 on it. It's heat activated, you don't have  
13 to rub it, and if you put your hand there it  
14 will run I believe for a 15 minute run and  
15 then it will cease.

16 HUGH RUSSELL: Of course they can  
17 just take the water out of the river, so  
18 Beth, do you want to give us an update?

19 BETH RUBENSTEIN: Sure, I'd be glad  
20 to do that Hugh, thanks.

21 So the Planning Board doesn't rest over

1 the summer and keeps going. And there will  
2 be a meeting on July 6th, and it looks like  
3 right now there's going to be a public  
4 hearing on some revisions to the sign  
5 ordinance which is something that Les has  
6 been working on for sometime. There's some  
7 minor tweaks and thoughts about branding and  
8 color and so on that the Board is very  
9 familiar with that have been rolled into a  
10 proposed set of changes to the Zoning  
11 Ordinance. That has been filed with the  
12 Council and it will be coming back to the  
13 Planning Board for the public hearing on July  
14 6th.

15 I believe also on the agenda some look  
16 at the design of 1067 Mass. Ave. which I  
17 believe is the so-called Bowl and Board site.

18 LIZA PADEN: Right.

19 BETH RUBENSTEIN: And then there's  
20 another meeting scheduled for July 20th. And  
21 in August right now it looks like the

1 meetings will be held on August 3rd and 17th.  
2 And then into September, September 7th and  
3 21st.

4 And for folks who follow City Council  
5 business, there's a Council meeting next  
6 Monday night the 21st, and then I believe  
7 after that date, the Council is likely to go  
8 into their summer hiatus. And then the  
9 summer meeting this year is going to be  
10 August 2nd. And then they resume again after  
11 Labor Day.

12 So, just while we have a second or two,  
13 progress is being made. There have been a  
14 lot of proposed changes to the Zoning  
15 Ordinance, and maybe just take this moment to  
16 kind of run through what's pending and what's  
17 happened. The Council did adopt the flood  
18 plane changes which was a fairly routine  
19 matter. And that has been done. And pending  
20 before the Council with deadlines for action  
21 of August 4th and 9th, meeting of action is

1 going to be taking, again at the summer  
2 meeting are 5.28 changes that would allow a  
3 relaxation of standards for buildings that  
4 were built to be residential but have  
5 previously recently been an institutional use  
6 and coming back to residential. This would  
7 relax some of those standards. The green  
8 building package, we hope the Council takes  
9 action if not in June, the summer meeting.  
10 And then the deadline is August 9th for the  
11 proposed changes to Zoning by Boston  
12 Properties and the MXD District. That's the  
13 space that we've all looked at recently for  
14 requesting an additional 300,000 square feet.

15 And I would just add, I think Council  
16 has appreciated the work that's been done  
17 here asking Boston Property not to lose sight  
18 of the housing sites, and they too did ask  
19 what the potential sites would be, and I know  
20 there was some discussion at the Council to  
21 continue to do what can be done. I think

1           there's a support for the desired, you know,  
2           lab use, but also an interest that we not  
3           lose sight of the housing which I think is a  
4           good thing.

5                     And then the only other zoning petition  
6           that's pending right now is the sign  
7           revision. And maybe staff can remind me, are  
8           there other zoning petitions that we know are  
9           coming?

10                    There's been, you know, there's been  
11           some activity in the development community  
12           and folks coming in and talking to us that  
13           may result in some zoning in the next six  
14           months or so. Wouldn't be surprised if  
15           there's some additional proposed changes to  
16           zoning.

17                    And we've been busy and I think we  
18           remain busy.

19                    THOMAS ANNINGER: Can I ask about  
20           one item? You said 1067 Mass. Avenue Bowl  
21           and Board. Is that the glass building that

1 we saw?

2 BETH RUBENSTEIN: That's right.

3 THOMAS ANNINGER: Why are they  
4 coming back?

5 LIZA PADEN: We had a call from the  
6 architect who said that as they've been  
7 developing the plans, that there are some  
8 details that they wanted to show the Planning  
9 Board. And I haven't seen them yet, so I  
10 don't know exactly what they are. But when  
11 they come here, the Board can then look at  
12 them and see whether or not they're in  
13 keeping with the permit and are acceptable or  
14 whether they require to have a Major  
15 Amendment to the Special Permit.

16 THOMAS ANNINGER: That's on the 5th  
17 of July?

18 LIZA PADEN: The 6th.

19 THOMAS ANNINGER: The 6th. I will  
20 not be here, but I urge my colleagues to give  
21 that a careful scrutiny.

1 HUGH RUSSELL: All right.

2 The next item on our agenda is a public  
3 hearing of Planning Board case 360 Binney  
4 Street. A Major Amendment to reduce the  
5 maximum/minimum amount of parking spaces.

6 CHRISTOPHER BARR: Good evening.  
7 Tonight is my first Planning Board so I'm  
8 getting used to it. I apologize for my  
9 voice. This is a result of attending game  
10 five of the finals.

11 BETH RUBENSTEIN: Good excuse.

12 CHRISTOPHER BARR: Yes, I know.  
13 It's getting better. So I hope it ends  
14 tonight. Anyway.

15 Thanks for having me tonight. My name  
16 is Chris Barr. I'm with Amgen. My title is  
17 research operations. The reason I'm here is  
18 Amgen is requesting the City of Cambridge  
19 Planning Board to amend our Special Permit  
20 agreement reducing the number of minimum and  
21 maximum parking space requirements to zero

1 and 284 respectively. For the past ten years  
2 Amgen has promoted alternative methods of  
3 commuting to our employees, and we've  
4 actually built a comprehensive benefits  
5 program that fully supports fully subsidized  
6 MBTA passes and also EZ ride passes.

7 Financial incentives for our employees to  
8 walk or bike to work. And our site is fully  
9 equipped for a bike room that can fit up to  
10 50 bikes. And considering we have 188  
11 employees, that's a good portion. Also, we  
12 have a local website that's dedicated to  
13 commuting options for our employees. Folks  
14 using public transportation and alternative  
15 methods.

16 These efforts actually have led to our  
17 employees at the site, 63 of our 188  
18 employees needing, requiring parking space in  
19 the parking garage. That accounts for only  
20 about 33 percent of our staff. The remaining  
21 67 percent of our employees actually take

1 advantage of these alternative commuter  
2 options. And this includes employees  
3 traveling as far as Rhode Island and as close  
4 as Kendall Square. So it's definitely a  
5 broad range.

6 It's become clear that the original  
7 agreement requested a number of parking  
8 spaces ten years ago was well above what we  
9 realistically needed. So that's why we're  
10 asking the Planning Board to grant our  
11 application to reduce the number of  
12 minimum/maximum requirement space.

13 HUGH RUSSELL: Does anyone have any  
14 questions?

15 BETH RUBENSTEIN: Perfect timing.  
16 Excellent timing.

17 HUGH RUSSELL: I have a question but  
18 I think I'll defer until after the public  
19 testimony.

20 Okay. I won't give my usual warnings  
21 because both of you have testified here

1 before. Charlie. We will be keeping time.

2 CHARLES MARQUARDT: Charlie  
3 Marquardt, M-a-r-q-u-a-r-d-t, 10 Rogers  
4 Street.

5 I just want to highlight on the third  
6 page of their handout, maybe the fourth page  
7 will consult with the CED East Cambridge  
8 planning team neighborhood and other  
9 interested community groups to present with  
10 such design changes. I would like to  
11 highlight that they have not done so. And  
12 I'm not sure what garage they're actually  
13 talking about. If it's that One Kendall  
14 garage, that has been the subject to much  
15 heated debate both within these panels and at  
16 City Council as neighborhood groups with the  
17 newly formed Wellington Group attempted to do  
18 some zoning changes to do it. Failure to go  
19 before these groups I think just doesn't  
20 speak ill of their desire to reduce the  
21 number of parking spaces given they have this

1 ability now to build on top of that garage to  
2 a much higher. So we don't really know what  
3 they're trying to accomplish. They haven't  
4 spoken with anybody, and don't find that in  
5 keeping with their old permit application.  
6 That's all I want to say. Thank you.

7 HUGH RUSSELL: Second speaker is  
8 Barbara Brousard.

9 BARBARA BROUSARD: Barbara Brousard.  
10 East Cambridge Planning Team. I'll be  
11 briefer. Before any decision is made many  
12 developers in that area are asking to reduce  
13 their parking. I don't know where they think  
14 people are going to put their cars. If  
15 everybody reduces their parking, there may be  
16 an issue in the neighborhood. So before any  
17 decision is made I hope the developers will  
18 come before the planning team and the other  
19 neighborhood groups at least to express to  
20 them what is going to happen in the  
21 neighborhood for the overflow of parking.

1 Thank you.

2 HUGH RUSSELL: Thank you.

3 Does anyone else wish to be heard?

4 (No response).

5 HUGH RUSSELL: I see no one. Shall  
6 we close the hearing for oral testimony and  
7 leave it open for written?

8 PAMELA WINTERS: Yes.

9 (All agreed).

10 HUGH RUSSELL: So it was puzzling to  
11 me, and I'm going to direct this question to  
12 Susan. Why go all the way to zero spaces?

13 SUSAN CLIPPINGER: Sue Clippinger,  
14 Traffic and Parking. This is a building  
15 which you permitted a while ago, quite a  
16 while ago, 1999 maybe, and uses the One  
17 Kendall garage across the street from the  
18 building. And this is a company that has  
19 been very active with their TDM strategies  
20 and has been very successful in getting  
21 employees to use a variety of alternative

1 modes of transportation to get home to work.  
2 And the reason to think about zero is that  
3 the garage, the One Kendall garage is  
4 available for the employees to use if the  
5 developer's obligated to discount parking or  
6 provide parking which they may choose to do  
7 anyway, which I think they do as a company  
8 policy. But they have a lot more flexibility  
9 but without reducing the available supply of  
10 parking for people who need to drive to work  
11 and park. So when we look at the development  
12 and the garage at One Kendall, what we see is  
13 that there's a garage there that is  
14 sufficient and meets the parking needs of the  
15 people who are driving to work, and there's a  
16 -- it doesn't seem that you need to obligate  
17 the developer to make that parking available  
18 to their employees and, therefore, it's much  
19 more likely that over time the cost of  
20 parking may grow and that that can encourage  
21 even more employees to take the T and bike

1 and walk. And the employees that do need to  
2 drive will continue to have the availability  
3 of that garage. So that's from my  
4 perspective that's why zero. And Jim may  
5 have a different perspective on that.

6 HUGH RUSSELL: Well, I guess my  
7 question is more like why did you support it  
8 in your recommendations? Beth?

9 BETH RUBENSTEIN: I just wanted to  
10 actually ask the Amgen folks a brief factual  
11 question. Is there any scenario under which  
12 that building would hold more than 500  
13 employees? Because that is an important part  
14 of the analysis.

15 CHRISTOPHER BARR: Usually I would  
16 just scream from the back of the room,  
17 but.... No. Actually, the max capacity of  
18 that building is only 496 employees. We have  
19 no option to go any higher than that. Yes.

20 THOMAS ANNINGER: I see that you  
21 have less than 200 right now.

1 CHRISTOPHER BARR: Correct.

2 THOMAS ANNINGER: Is that a  
3 reflection of the economic cycle, the biotech  
4 cycle, or can you do what you want to do with  
5 less?

6 CHRISTOPHER BARR: So right now it's  
7 a little bit of the economic times. You  
8 know, ideally we'd like to have more, but  
9 unfortunately, you know, based on our  
10 strategy right now and the economic climate  
11 in biotech this is where we are. You know,  
12 there's no intention of, you know, if the  
13 question's kind of implying of any intention  
14 of going down, that is not the intention at  
15 all. In fact as of right now our intention  
16 is to hold study and we'll see what happens  
17 in the near term. But right now it's pretty  
18 much a strategic decision.

19 THOMAS ANNINGER: But the longer  
20 strategy, if everything goes your way, would  
21 be to have a full building of four hundred

1 and ninety some odd employees.

2 CHRISTOPHER BARR: Oh, yes.

3 THOMAS ANNINGER: All right. That  
4 was my question.

5 CHRISTOPHER BARR: Sorry. Yes,  
6 definitely.

7 WILLIAM TIBBS: My question is kind  
8 of similar to Hugh's maybe in a slightly  
9 different way. Instead of having a minimum  
10 and a maximum, why don't we have a situation  
11 where we periodically just assess the  
12 situation and allow you to set a target or  
13 you can even say a number that you have for  
14 some point in time, and then you just have to  
15 come back and do that as opposed to, as  
16 opposed to locking this in based on a point  
17 in time.

18 CHRISTOPHER BARR: You know, the  
19 reason we came up with these number to be  
20 honest, you know, we were really focussed on  
21 the 424. That's just extremely high for our

1 needs. Based on the numbers which we trended  
2 this way which we pretty much trended this  
3 way for the last number of years, last few  
4 years. The max we actually get to is about  
5 168, and that's if we had a completely full  
6 building. You know, based on 33 percent, we  
7 make 168. With a 284 requirement, it  
8 completely gives us the inflexibility of if  
9 we just start hiring a ton of people if they  
10 have no way to get a commuter option in. It  
11 still gives us the ability to do it. Working  
12 with Sue, we chose zero, you know, in all  
13 fairness for us it was the simplest option  
14 for us to come in and choose zero and have a  
15 max of 284. So that's pretty much where we  
16 went with that. Our ultimate goal is getting  
17 that maximum number down from the 24.

18 HUGH RUSSELL: So under this  
19 arrangement you could choose to block these  
20 up to 284 spaces. If for some reason more  
21 people didn't want to take advantage of that,

1           they could just go and drive in and pretend  
2           they're going to wait there or something.

3                     CHRISTOPHER BARR:  Yeah.

4                     HUGH RUSSELL:  So, the maximum  
5           really doesn't mean a whole lot then.  I  
6           mean, I guess in looking at this, I would say  
7           well, is there any danger that this garage  
8           won't have space for one of your employees?  
9           And my understanding is there's hundreds and  
10          hundreds of spaces that are empty all the  
11          time in the garage, not only your spaces but  
12          other spaces.

13                    CHRISTOPHER BARR:  Correct.

14                    HUGH RUSSELL:  And that if someone,  
15          say Alexandria, decided they wanted to have  
16          spaces in your garage rather than building  
17          them in their building, they would have to  
18          come before us and any new building proposal,  
19          garage is way oversized for the buildings  
20          that presently exist.  So by reducing the  
21          requirement, we're not throwing people out on

1 the East Cambridge streets.

2 What does the Board think about the  
3 wisdom of holding off on a decision until  
4 they meet their -- meet with the East  
5 Cambridge Planning Team?

6 STEVEN WINTER: I think that's  
7 imperative.

8 CHARLES STUDEN: I feel less  
9 strongly about it. Actually, I am very  
10 persuaded by the analysis that the Traffic  
11 Parking and Transportation Department  
12 provided us with. In particular, I'm very  
13 impressed with Amgen's 33 and a half percent  
14 auto share. You're to be congratulated, and  
15 all of the things that you're doing is a  
16 model for the way employers should be doing  
17 things in the City of Cambridge. Some are,  
18 but not all of them are, you are, and that's  
19 really good. And I think the point that I'm  
20 most persuaded by in this memo that was  
21 provided to us is that the current Special

1 Permit is requiring you to lease unneeded  
2 parking spaces instead of rewarding you for  
3 having this better than anticipated auto mode  
4 share, which to me is ridiculous. So I'm  
5 very much in favor of what you're asking for.  
6 I think it's fantastic so I support it.

7 CHRISTOPHER BARR: Thank you.

8 STEVEN WINTER: Mr. Chair, if I  
9 could, I was much too brief and, Charles, you  
10 helped me out with this. I also feel very  
11 strongly that this is practically a model, a  
12 replicable model for the ratio between the  
13 public and private sector on how to decrease  
14 vehicle traffic in the city. I think it's  
15 terrific. Amgen should be congratulated, and  
16 the City of Cambridge also. This is a great  
17 plan. So I feel very strongly that this all  
18 looks great to me. However, I also believe  
19 in the voice of the people and if the  
20 proponent really does not have a record of  
21 talking to the neighborhood groups about

1           this, I think that may be important. That  
2           was really how I wanted to say that. So I  
3           want to say I support what is being requested  
4           and I support the analysis that's been done  
5           to justify it.

6                     HUGH RUSSELL: Tricia.

7                     PATRICIA SINGER: If I could step in  
8           for a second. That paragraph is part of  
9           history 3.A and A says the permittee shall  
10          prior to occupancy of the project. So this  
11          whole section refers to a period, a discrete  
12          period of time. Not perpetuity.

13                    WILLIAM TIBBS: Hugh.

14                    HUGH RUSSELL: Bill.

15                    WILLIAM TIBBS: I guess relative to  
16          the question that was asked which is how do I  
17          feel should we delay our decision? I would  
18          say that I think that the rationale and the  
19          work they've done to reduce what their TDM  
20          measures, I think would make me feel that  
21          rationale I would think is good planning.

1           And even if they went to the improvement, it  
2           would make sense. I would have no problem  
3           myself with approving it, but with the  
4           proviso that you actually go and talk to them  
5           and explain it to them. Unfortunately that  
6           doesn't give you a lot of opportunity to make  
7           any particular changes, but this is such a  
8           good story that I can't imagine how you'd  
9           want to change it. But I do think it's  
10          always good to be able to do that so that  
11          would be where I would be.

12                   CHRISTOPHER BARR: We're definitely  
13          open to that from the simple fact that I've  
14          been at the site for three years, and this  
15          contract with the original agreement was made  
16          ten years ago. So I wasn't in the area for  
17          that. So, obviously this is something that  
18          got by me. With that said, I've been trying  
19          -- I think me and my colleagues in the last  
20          few years have been doing a lot to try to  
21          reach out to the community. So, whether it

1 be for this or future, I definitely will pass  
2 my information on.

3 HUGH RUSSELL: I guess my personal  
4 preference is to wait until that meeting  
5 happens, but I agree with my colleagues that  
6 this seems like a very sensible thing to do,  
7 and the current situation is not sensible to  
8 it.

9 PAMELA WINTERS: Can we put a  
10 condition on it, Hugh? Is that what you're  
11 suggesting?

12 HUGH RUSSELL: Putting off a  
13 decision for two or four weeks only might or  
14 might not affect the lease payment on the  
15 parking spaces. And I think it's -- people  
16 should understand in East Cambridge that as a  
17 definite kind of public/private partnership  
18 and part of the private interest that people  
19 who live there, there's a great deal of  
20 development, there's a great deal of business  
21 going on in East Cambridge, and the community

1 is really informed, helpful, thoughtful. We  
2 don't necessarily always agree a hundred  
3 percent with the way they come down, but I  
4 think any broad view of the process in the  
5 city whose neighborhood is under a lot of  
6 stress and they're behaving in a rationale,  
7 helpful way to make sure that we get the best  
8 possible result. I don't think the result is  
9 apt to change much, but I would rather let  
10 the process happen and find out.

11 Barbara, do you want to say something  
12 again?

13 BARBARA BROUSARD: I can put them on  
14 our agenda for next Wednesday evening.

15 HUGH RUSSELL: Can we get on our  
16 agenda for two weeks from now?

17 LIZA PADEN: Yes.

18 THOMAS ANNINGER: You made one  
19 assumption, Hugh, I guess I just want to ask  
20 about.

21 CHRISTOPHER BARR: Sure.

1 THOMAS ANNINGER: Your arrangement  
2 with the garage is on a month-to-month basis?

3 CHRISTOPHER BARR: Our agreement  
4 with the garage is on an annual basis.  
5 Actually, we have a contract with them, an  
6 extended contract with them. And I'm  
7 thinking actually it goes out quite a bit.  
8 So it's a pretty lengthy contract. So that's  
9 kind of sealed.

10 THOMAS ANNINGER: So at least at  
11 stake is not the lease payment?

12 CHRISTOPHER BARR: No.

13 THOMAS ANNINGER: To put it  
14 clumsily.

15 CHRISTOPHER BARR: No. We pay that,  
16 you know, on a yearly basis. We cut the PO.  
17 We pay a payment. So, yeah, to answer your  
18 question, short term, no.

19 UNIDENTIFIED FEMALE: A week or two  
20 either way. We plan to be in Cambridge for a  
21 long time to come.

1                   CHRISTOPHER BARR: As a resident I  
2                   hope so.

3                   WILLIAM TIBBS: I mean, I think if  
4                   it's going to be on our next agenda, I don't  
5                   have a problem with waiting.

6                   HUGH RUSSELL: Okay. Shall we go  
7                   that way? We've all heard --

8                   STEVEN WINTER: You're fine with  
9                   that?

10                  THOMAS ANNINGER: I'm fine with  
11                  that. I think the discussion has been so  
12                  clearcut on how we feel, then I think that  
13                  should give an imprint on how this will play  
14                  itself out in two weeks. But if you have a  
15                  neighborhood discussion, that can be to the  
16                  better, I think.

17                  CHRISTOPHER BARR: Yes, I'll  
18                  definitely agree.

19                  STEVEN WINTER: I have one comment.

20                  HUGH RUSSELL: Steve.

21                  STEVEN WINTER: I encourage Amgen to

1 tell the public what you're doing about this  
2 and tell Cambridge what you're doing. I  
3 think this is really terrific work. Kendall  
4 Square Association ought to know about this  
5 so that they can be able to talk to people  
6 about it coming in in interest. Well, gee,  
7 look what Amgen did, this is the way to come  
8 in and do it. I just want to encourage you  
9 to keep telling the story.

10 CHRISTOPHER BARR: I definitely  
11 will. As a Board member of the Kendall  
12 Square Association, yeah, definitely.

13 HUGH RUSSELL: Okay. So we'll  
14 continue this until the next meeting.

15 CHRISTOPHER BARR: Thank you very  
16 much.

17 HUGH RUSSELL: Thank you. Now we  
18 have an embarrassing problem, but the next  
19 item, the next public hearing is at eight.

20 THOMAS ANNINGER: Are the Charles  
21 Street people here?



1 eight o'clock.

2 CHARLES STUDEN: Makes sense.

3 LIZA PADEN: Just doesn't say who.

4 CHARLES STUDEN: Just in case  
5 they're coming.

6 HUGH RUSSELL: For the record, it's  
7 public hearing for a Major Amendment to case  
8 133 at the location of Four Central Square.  
9 And the petitioner is not here so the Board  
10 is going to go ahead and discuss the case.  
11 And Liza is going to tell us all about it.

12 LIZA PADEN: So Special Permit No.  
13 133 is now called Four Central Square which  
14 is the corner of Mass. Avenue and the end of  
15 River Street and Magazine Street. And this  
16 building is the new residential building with  
17 ground floor retail. Coming around the  
18 corner is the CVS, there's the Cambridge  
19 Savings Bank, there's some offices. And on  
20 the corner with Green Street is the  
21 convenience store, the neighbor which is Star

1           Variety. The Star Variety store is owned and  
2           operated by Mr. Patel who is the owner of the  
3           variety store. Inside the variety store  
4           there is a franchise for the Subway sandwich  
5           shop. And this franchise is owned by a  
6           separate person. This person is selling his  
7           franchise to Mr. Patel. So, the franchise  
8           itself will not change. In the fast order  
9           food Special Permit regulations in Section  
10          11.3, when you have a change of ownership, it  
11          requires a public hearing. And usually this  
12          public hearing is at the Board of Zoning  
13          Appeal. Because this building was permitted  
14          originally by the Planning Board, they came  
15          back to the Planning Board for the Major  
16          Amendment to the original Subway franchise.

17                   WILLIAM TIBBS: And an exciting  
18                   permit that was.

19                   LIZA PADEN: The first one or the  
20                   second one, the Subway?

21                   WILLIAM TIBBS: No, I mean the whole

1 building.

2 BETH RUBENSTEIN: Yes, it was.

3 LIZA PADEN: I will never forget it.

4 So, the change that Mr. Patel is  
5 proposing in the Subway from what's being  
6 done in the Subway franchise right now is to  
7 add two seats, two seating arrangements, each  
8 one has four seats. And this is a small -- I  
9 sent you the drawings that he has. It's a  
10 fixed table with four chairs that are fixed  
11 to the table so that people would have a  
12 place if they're not on their way taking food  
13 out, to sit and have something to eat. I  
14 will tell you this location is extremely  
15 busy.

16 WILLIAM TIBBS: Yes, it is.

17 LIZA PADEN: I tried counting the  
18 number of busses that stop at this location,  
19 and it is around the corner from the Red Line  
20 Central Square stop. It is really, really  
21 busy.

1           There are no other changes proposed to  
2           this establishment, to the use. It's the  
3           same hours of operation. It's the same menu.  
4           It's run the same way. It's just that the  
5           franchise will be owned by Mr. Patel as  
6           opposed to the current owner.

7           CHARLES STUDEN: I have a question  
8           about is the space that's being proposed for  
9           the seating currently being used for the  
10          variety store? And he's reducing that  
11          operation so that he has room to seat people  
12          or is there some kind of seating there now or  
13          standing room or what? It's a little unclear  
14          what's changing exactly. In other words,  
15          what's changing?

16          LIZA PADEN: I believe he's reducing  
17          one of the store aisles. And then he's  
18          compressing the amount of area with the store  
19          aisles. And so that what will happen that  
20          will create the space for the four tables.

21          CHARLES STUDEN: Okay. And then

1           there was one other thing. In his To Whom It  
2           May Concern memo, he's talking about adding  
3           ten seats inside the store as opposed to  
4           eight. Is that just a typographical --

5                   LIZA PADEN: No. It should be  
6           eight.

7                   CHARLES STUDEN: That's what I  
8           thought. Thank you.

9                   THOMAS ANNINGER: I don't know  
10          anything about requirements for seating in  
11          restaurants, but at what point do such  
12          requirements as toilets become a part of the  
13          picture?

14                   PAMELA WINTERS: That's a good  
15          question.

16                   LIZA PADEN: That's regulated by the  
17          Licensing Commission I believe. It's not in  
18          the Zoning Ordinance so I don't know the  
19          answer to that.

20                   CHARLES STUDEN: That's right.

21                   HUGH RUSSELL: And does he have to

1 go to the License Commission?

2 LIZA PADEN: He has been to the  
3 License Commission and he has -- they're  
4 holding on to it because part of the License  
5 Commission requires that the zoning be  
6 checked off and this is the zoning step. But  
7 he has been to the License Commission and  
8 they're ready to sign off on it.

9 STEVEN WINTER: Mr. Chair?

10 HUGH RUSSELL: Yes.

11 STEVEN WINTER: I don't want  
12 interrupt but can I move ahead?

13 HUGH RUSSELL: Yes.

14 STEVEN WINTER: We need to think how  
15 we can set preconditions for businesses to be  
16 successful within the Ordinance that we have.  
17 And the question that I have is in the packet  
18 from 1998 all of these questions in the  
19 Ordinance were answered. Are those still  
20 relevant conditions or are those simply  
21 reflective of what it looked like in 1998?

1 In other words, the notice of decision dated  
2 March 17, 1998, date of filing Major  
3 Amendment, December 4, 2003, it lists a bunch  
4 of stuff from Attorney Bernard Goldberg,  
5 etcetera, etcetera. And it seems to answer  
6 all the questions.

7 LIZA PADEN: Yes, I understand the  
8 question. Yes, yes. That's all --

9 STEVEN WINTER: Is this our  
10 proponent?

11 LIZA PADEN: Yes, it is. Hi,  
12 Mr. Patel. You should come to the front row.

13 STEVEN WINTER: So, what I wanted to  
14 indicate to my colleagues, is I did look at  
15 11.30 fast order food establishments, and I  
16 did not see any issues that would stop me  
17 from giving this a green light. I just  
18 didn't see anything at all. There was a  
19 couple things that were question marks such  
20 as is the establishment complying with  
21 requirements applicable to ingress and

1 egress? But those are issues that are looked  
2 at by inspectors from the city, right?

3 LIZA PADEN: Right.

4 STEVEN WINTER: Got it.

5 LIZA PADEN: And none of those  
6 things have changed since the original  
7 Special Permit franchise.

8 STEVEN WINTER: I don't have any  
9 problems with this.

10 HUGH RUSSELL: Perhaps we should  
11 move on to the public testimony portion of  
12 this hearing.

13 Does anyone wish to be heard on this  
14 case?

15 (No response).

16 HUGH RUSSELL: I see no one.  
17 Mr. Patel, do you want to say anything to the  
18 Board?

19 LIZA PADEN: Do you want to speak to  
20 the Board? Introduce yourself and spell your  
21 name for the stenographer.

1                   NICK PATEL: My name is Nick Patel  
2                   and just I bought it for two years, that  
3                   convenience store. And just last year I  
4                   bought the Subway. So like all entity now I  
5                   own. So I thought that if I put the signs to  
6                   build up the business in this economy, I can  
7                   stay there. And probably like I have right  
8                   now six employee working, so that way I can  
9                   grow that. And so I thought if it work out,  
10                  that is will be bigger. And so that's the  
11                  reason I did it.

12                  HUGH RUSSELL: Thank you.

13                  So no one from the public wishes to  
14                  speak. We can proceed.

15                  PATRICIA SINGER: As a formality, do  
16                  we need to close oral testimony?

17                  HUGH RUSSELL: Okay. So we will  
18                  close the hearing for oral testimony.

19                  WILLIAM TIBBS: Would you like a  
20                  motion?

21                  HUGH RUSSELL: Do you have one

1 prepared?

2 THOMAS ANNINGER: It's not very  
3 complicated, but I'd like to make a motion  
4 unless somebody else wants to do it.

5 What's being asked for is a request for  
6 a change in ownership, that we acknowledge  
7 that and approve it I guess. And that we,  
8 and that the request is also for the  
9 installation of four tables for customers?  
10 Is it right, four tables?

11 NICK PATEL: Yes.

12 THOMAS ANNINGER: And I move that we  
13 grant the request for these two amendments to  
14 the original Special Permit, was it?

15 LIZA PADEN: Yes.

16 THOMAS ANNINGER: So moved.

17 WILLIAM TIBBS: And I have some  
18 discussion.

19 HUGH RUSSELL: Okay.

20 WILLIAM TIBBS: I guess my only  
21 question I would have is does he want tables

1 or seats? It's just, you know, because a  
2 table can be any size. And it's really the  
3 number of occupants, the seats or the number  
4 of tables?

5 HUGH RUSSELL: Basically restaurants  
6 are regulated by seats rather than by tables.  
7 So I would think we would -- I think it was  
8 advertised also as eight seats?

9 LIZA PADEN: Yes.

10 HUGH RUSSELL: Now Steve might offer  
11 a friendly amendment, something to the effect  
12 reaffirming the findings. Because you said  
13 you looked at that.

14 STEVEN WINTER: Reaffirming that the  
15 findings in the previous Planning Board  
16 decision have not changed. And in fact this  
17 fast order food establishment is meeting the  
18 requirements of 11.30.

19 HUGH RUSSELL: Okay. Accepted?

20 (All agreed).

21 HUGH RUSSELL: Was there a second to

1 the motion?

2 PAMELA WINTERS: I would second it.

3 HUGH RUSSELL: All those in favor?

4 (Show of hands.)

5 HUGH RUSSELL: All members are in  
6 favor. That's a vote.

7 (Russell, Anninger, Winter, Winters,  
8 Tibbs, Studen, Singer.)

9 (A short recess was taken.)

10 HUGH RUSSELL: The Board will hear  
11 case No. 247, 22 Water Street which is a  
12 review of the final development proposal.

13 CHRISTOPHER CANIB: Thank you. My  
14 name is Chris Canib. I'm with Catamount  
15 Holdings, the owner of the property located  
16 at 22 Water Street. I want to first  
17 introduce our team and then I'll walk through  
18 what our agenda will be tonight. We're  
19 following up to our first meeting, as you  
20 might recall in March of the zoning  
21 redevelopment plan. And we will walk through

1           what we have done since that time in terms of  
2           outside meetings and research as well as  
3           trying to address the questions that the  
4           Board raised. But first let me introduce  
5           Brian Lawlor from Symmes, Maini. Debbie  
6           Horwitz from Ghoulston and Storrs. Dan  
7           Curtain from Zipcar and Scott Thornton from  
8           Vanasse and Associates, traffic consultants.

9           So, you'll recall that we are seeking a  
10          Special Permit for a property 2.4 acre site  
11          on Water Street in East Cambridge. That is  
12          basically the same request of a Special  
13          Permit that we got approval for in 2007.  
14          There are two modifications to this Special  
15          Permit.

16                 One is a reduction in the parking ratio  
17                 from one space per unit to 0.8 spaces per  
18                 unit.

19                 And the second is relocating the garage  
20                 entrance from one end of the property to the  
21                 other.

1           Again, this is our team. We're very  
2           happy to go through the technical criteria of  
3           meeting the Special Permit. I realize that  
4           the Board has heard much of this already and  
5           presumably read much of it also, not just  
6           this time around, but the previous time  
7           around. So I offer that Debbie Horwitz can  
8           go through as much detail as you like. But  
9           we don't want to provide more data than the  
10          Board is looking for tonight. So I just  
11          offer that up front.

12                 In terms of following up to the Board  
13          presentation that we had in March, we have --  
14          there was a list of ten items that the Board  
15          wanted us to address. And you'll hear us go  
16          through each of those items specifically.  
17          They'll be addressed largely by Brian Lawlor  
18          and Scott Thornton as well as Dan Curtain.  
19          They really almost exclusively relate to  
20          parking and traffic. What I and some of the  
21          team members have done in the meantime in

1 addition to having very exhaustive research  
2 conducted mostly around parking is to again  
3 go out to the neighbors. We've met again  
4 with the East Cambridge Planning Team as well  
5 as residence of the Glass Factory. Based on  
6 their input as well as some of the feedback  
7 that we heard from the Board last time, the  
8 main change that we have made to the program  
9 from when we were here in March was to add 25  
10 spaces. We have a 392-unit residential  
11 building -- residential unit building. At  
12 0.8 spaces per unit, that would be 314 spaces  
13 parking spaces. We also had 12 visitor  
14 spaces in our original proposal which gave us  
15 a total of 326. By redesigning the parking  
16 layout, both floors of parking as well as a  
17 portion of the garage configuration, we've  
18 been able to increase the parking count by a  
19 total of 25 spaces. So our total parking  
20 count has gone from 326 to 351. And that is  
21 a ratio of actually 0.9 spaces per unit.

1           The reason that we were asking for 0.8  
2 spaces per unit in the first place was  
3 because of data that we had gone over,  
4 researched in advance of our original filing  
5 and presented to you at our first hearing  
6 which supported that. That data was based  
7 primarily on rental units. One of the  
8 concerns that the Board shared with us, as  
9 well as members of the community, was that  
10 owner occupied spaces -- I'm sorry,  
11 residential units or condos would have  
12 different parking ratios, different parking  
13 demands than apartments. And so we  
14 researched that thoroughly. Scott will go in  
15 detail over that. Several condo complexes in  
16 the neighborhood, but the data that we, that  
17 was included from that -- illustrated that  
18 0.8 spaces per unit still exceeds what the  
19 demand is for condominium developments in  
20 East Cambridge.

21           So, again, we've had those meetings.

1 We went back to the drawing board regarding  
2 the parking. Brian will walk through the  
3 changed layouts, and I think that's about it.  
4 I don't want to -- I realize we're on a -- we  
5 have a full agenda. So why don't I just turn  
6 it over to Brian.

7 First, let me offer, ask if anyone  
8 would like to hear from Debbie regarding some  
9 of the more legal issues related to our  
10 Special Permit?

11 HUGH RUSSELL: I guess I would  
12 suggest that you proceed with the substantive  
13 things and then if members have specific  
14 questions about the findings, then we can ask  
15 them.

16 CHRISTOPHER CANIB: Great, thank  
17 you.

18 BRIAN LAWLOR: Thank you. My name  
19 is Brian Lawlor. I'm principal with Symmes,  
20 Maini and Associates in Cambridge. What we  
21 might do here briefly is just run through

1           some of our responses to the recommendations  
2           for modification and just running through  
3           those in order in the application material  
4           that we submitted at Section 2 is a point by  
5           point response and an attempt to address  
6           those. What I might do is just run through  
7           those that are not specific to the traffic  
8           and parking, and then I'll let Scott address  
9           those more thoroughly.

10                    So, in order the first point was  
11           relative to vehicular access to the parking  
12           and loading area. And you will recall that  
13           as part of this application, we're now  
14           proposing to move the parking entrance back  
15           to Water Street. So, again, relocating the  
16           parking access from the prior permit  
17           application here back to Water Street. And  
18           the Board asked us to consider what the  
19           actual ramifications were of that change,  
20           what it would mean to the project and what  
21           the triggers might be to cause that.

1           Essentially in our parking garage layout what  
2           we've done is we've been, we've been careful  
3           to try and keep a design and a layout that  
4           could accommodate a future access in the  
5           event that access were provided. The  
6           previous -- the prior permit anticipated the  
7           construction of Dawes Street along this side  
8           providing that access. So the garage layout  
9           that we've shown can certainly accommodate  
10          that. And what we identified were really the  
11          triggers for making that decision were  
12          related to the quality of a future roadway.  
13          Were the roadway built in the future, would  
14          that access be suitable in terms of grading?  
15          Would it be suitable in terms of how it meets  
16          with the multiuse path? Would it be suitable  
17          in terms of the uses that might be adjacent  
18          to such a roadway? So, there are -- and also  
19          would the future roadway network be such that  
20          it would provide adequate access, suitable  
21          access from a location at this point through

1 a future North Point Development and back to  
2 the extension of North First Street or some  
3 other way to provide access eastbound on  
4 O'Brien.

5 So, those criteria would all be  
6 important in making the decision. However,  
7 the actual layout of the garage levels  
8 themselves are such that at both the first  
9 floor or the ground floor level, and the  
10 basement level that we've been very careful  
11 on this end of the building, again, the  
12 basement level and the first floor level, to  
13 be able to provide access to that if it were  
14 needed.

15 It's also such that the grading, the  
16 grading plan that's proposed here is such  
17 that it would accommodate loading -- excuse  
18 me, it would accommodate access at the  
19 finished grade to the first floor elevation.  
20 And then under that scenario we would retain  
21 the internal round system. So unlike the

1 original design where we had two exterior  
2 ramps, I think if we had to make it -- if it  
3 were prudent to make that change in the  
4 future, we would access at the first floor  
5 level and then retain the interior ramps for  
6 access to the basement level.

7 And there is again more discussion of  
8 that in the allocation.

9 The second question related to  
10 ownership rights, the actual reduction in off  
11 street parking supply and actual ownership  
12 rights for condominiums. And again, Scott  
13 will address that in a few minutes.

14 Similarly the third question related to  
15 alternative parking choices for residents  
16 would not be parked in the garage. And  
17 again, as Scott will address that.

18 The next question related to the  
19 visitor spaces, and Chris addressed this at  
20 the beginning. But, again, just to look at  
21 the layouts, what we've done is we have --

1 I'll go to the basement level first because  
2 that really is a more significant change.  
3 These lines are a little difficult to read  
4 with the projector here, but hopefully it's  
5 clearer on the printed materials that you  
6 have. Essentially what we've done is we've  
7 made some modifications to both parking  
8 layouts to be able to increase the parking  
9 supply as Chris mentioned from 326 to 351  
10 spaces. At the basement level we've  
11 increased the parking supply from what was  
12 192 to now 215 spaces by making two changes.

13 One, is we have changed the basement  
14 level wall here along this section. So the  
15 wall was shown approximately here in the  
16 development proposal. So we've moved that in  
17 this direction. We've bumped this area of  
18 the basement level, again, still in board of  
19 what was in the prior permit plans. But  
20 we've pushed this out to increase parking in  
21 this area. And then we've introduced tandem

1 spaces. Tandem spaces essentially above the  
2 0.8 to provide spaces above the 0.8 but will  
3 essentially allow us to free up these visitor  
4 spaces that we've -- that we were looking to  
5 provide. And under this scenario there are  
6 now a total of 37 visitor spaces which we  
7 have characterized in the application as 32  
8 visitor plus five Zipcar or other car sharing  
9 spaces. So, again we will see the parking  
10 count on this level is increased fairly  
11 dramatically, up to 215 spaces. We're still  
12 able to accommodate all of the accessible  
13 parking, all of the bicycle parking, the ramp  
14 system still works well. And what really  
15 became the biggest challenge was actually  
16 making this work with the structural system  
17 that's required to support the residential  
18 levels above. And this has been well thought  
19 through. And I think it's a fairly  
20 successful layout.

21 The first floor, we've introduced some

1 limited number of tandem spaces here, but  
2 essentially the layout is -- the layout  
3 changes here are fairly minor and it just  
4 increases the parking on this level by two  
5 spaces. So fairly minor change.

6 Overall what that means, and again this  
7 is really quite out of focus here, what this  
8 means is this provides essentially the 0.8  
9 spaces in our Special Permit request. And  
10 then we have 32 plus five visitor and Zipcar  
11 spaces for a total of 351. This 351 again,  
12 as Chris mentioned, that works out to be 0.9  
13 spaces per unit which we felt was a  
14 compromised number between the 0.8 and the  
15 1.0. But it does, and we can talk about this  
16 a little bit later, it does require, it  
17 obviously relies on the tandem spaces for  
18 either the tandem spaces for the two car  
19 units to make the numbers work. But we  
20 certainly believed that the number of tandem  
21 spaces that we're providing, which is 74

1 tandems and 37 pairs and that equates to 392  
2 units. It equates to approximately ten  
3 percent of the units or 25 percent of the two  
4 bedroom units requiring two cars which we  
5 feel is a very logical break down of the  
6 numbers.

7 So I think it may make sense to move  
8 into the traffic questions at this point and  
9 then I can come back a little later and talk  
10 relative to the building rooftop equipment  
11 and the water supply questions.

12 SCOTT THORNTON: Hi. For the  
13 record, Scott Thornton with Vanasse  
14 Associates. As Brian had mentioned, the  
15 responding to the items in the preliminary  
16 determination related to traffic. And the  
17 second question in determination relating to  
18 off-street parking supply and providing a  
19 more thorough discussion, issues related to  
20 reducing the supply of parking specifically  
21 as they apply to condominium development as

1           opposed to rental housing. And we had -- we  
2           looked at -- there were three specific  
3           developments that were identified when we  
4           were here last in March.

5                     One was the Glass Factory. One was One  
6           First. And the other was Thomas Grey's  
7           Landing. And in addition to those we  
8           actually expanded that review to include the  
9           Regatta residences off of Museum Way, River  
10          Court down off of Cambridge Parkway, and then  
11          the Esplanade. And then we had expected that  
12          we would be able to get access to these  
13          developments and do physical counts. That's  
14          what our typical mode of data collection is.  
15          For one reason or another we weren't able to  
16          get in contact with condominium boards or  
17          with agents. We were not able to get access  
18          to the garages to count these facilities.  
19          And all of them are key card controlled,  
20          controlled access. So we had to use a  
21          different tactic. And what we did was we

1 collected vehicle registration data using the  
2 addresses of the developments and collecting  
3 vehicle registrations from the Registry of  
4 Motor Vehicles' database. And that shows the  
5 number of vehicles registered, the types of  
6 vehicles, whether they're motorcycles,  
7 passenger cars, trailers, boats, whatever.  
8 And that was supplemented with a collection  
9 of residential permit parking or residential  
10 permit parking data from the city traffic and  
11 parking department. And what we thought that  
12 would do is give us an idea of the actual  
13 ownership at these condominium developments.  
14 We also requested it for the apartment  
15 developments for which we accounted for  
16 previously for the previous parking analysis.  
17 And the RPP data would -- was kind of an  
18 overall question as to how many of the  
19 residents that were living at these units had  
20 stickers allowing them to park out on city  
21 streets and the RPP. And there's a lot of

1 information up on this slide. But the  
2 developments, the condo developments in case  
3 you haven't picked up on this, is that the  
4 condo developments are in the white balloons.  
5 The apartment developments are in the yellow  
6 ones. So what -- the first number is the  
7 parking supply ratio.

8 For instance, we'll take the Glass  
9 Factory the parking supply ratio that the  
10 permit was with. The next number going down  
11 is the number of vehicle registrations per  
12 unit. And then the last number is the number  
13 of RPP stickers or the ratio of RPP stickers  
14 per unit. So for a development like the  
15 Glass Factory where there were 104 units, the  
16 actual parking spaces they were permitted  
17 with was 80. And this approximately 0.61  
18 vehicle registrations per unit. So about 63  
19 registrations and about 50 residential  
20 permit -- residential permit parking permits  
21 were issued. And looking through these, I'll

1 summarize it because there's a lot of  
2 information to get to elsewhere, but the  
3 condominium average is about 1.31 spaces per  
4 unit that were provided. And the chief  
5 contributors to that higher number are the  
6 River Court and Esplanade developments that  
7 were permitted with significantly more than  
8 the one space per unit. Grey's Landing as  
9 well which is probably 1.25. And then the  
10 Regatta, which has a ratio of 1.29 spaces on  
11 file with the city. And as you can see,  
12 they're pretty far from transit really with  
13 the exception of the Regatta and maybe Grey's  
14 Landing. But River Court and Esplanade are  
15 quite a ways from the Lechmere T stop and  
16 really not in the same ball park as the  
17 proposed site would be once Lechmere Station  
18 is relocated. And the Glass Factory, as  
19 Chris had mentioned, we did meet with the  
20 Board there and we were in observation of the  
21 parking that's occurring there. And in terms

1 of the overall parking demand that's  
2 occurring out there and based on anecdotal  
3 evidence, they had -- some of the residents  
4 had mentioned that some of the folks had at  
5 least one car per unit, some had more. So I  
6 think in the effort that was made to increase  
7 the number of parking spaces on-site and not  
8 just limited to the 0.8 is a worthwhile one.

9 Also the condo average about 0.75  
10 registrations per unit. 0.36 residential  
11 parking permits per unit. As you can see,  
12 these compared with the apartment units,  
13 they're considerably higher. And in terms of  
14 correlation, other than looking at the  
15 averages, there's not much that could be  
16 drawn other than to say that we expect that  
17 the condo developments have more of a parking  
18 demand. And it's probably not to the same  
19 extent as the apartment developments. So one  
20 thing that's important, five of the six condo  
21 complexes have the RPP ratios under 0.5

1 permits -- under 0.5 permits per unit. So  
2 that's less than 50 percent of the residents  
3 that are able to park their cars on city  
4 streets. And so if some of the -- if the  
5 parking, you know, if there's parking that's  
6 occurring from these developments on city  
7 streets, it's not, it's not a phantom. It's  
8 certainly not half, it's not three quarters,  
9 it's not a large proportion of people that  
10 are choosing not to pay parking fees and  
11 instead parking on the street.

12 The next item, this relates to the next  
13 comment that had to do with the most likely  
14 parking choices for residents desiring a  
15 parking space but who may not be able to  
16 acquire a parking space in the building's  
17 garage. We went out and we did a parking  
18 inventory of a plus or minus 20 block area  
19 closest to the site. So within a four block  
20 walk of the site. We're bounded by Fifth  
21 Street on the west, Spring Street to the

1 south, First Street to the east and O'Brien  
2 Highway to the north. And the numbers in  
3 orange indicate the number of spaces on the  
4 corresponding block face or block segment  
5 that are restricted to residential parking  
6 permit only. So for instance, on this  
7 segment of Winter Street between Sciarrapa  
8 and Fifth, there are 17 spaces on the north  
9 side and 18 spaces on the south side.

10 The blue numbers well, they too, the  
11 number of metered spaces in the same area.  
12 And, again, they're mostly along Cambridge  
13 Street, they stand up pretty well on this  
14 slide. And then there are numbers in red  
15 that relate to unmetered spaces where there's  
16 two-hour limit on parking. But they're  
17 typically in front of smaller businesses or  
18 in the vicinity of the fire station for  
19 instance. There's some also down by the back  
20 side of the courthouse. The yellow lines  
21 relate to segments where no parking's

1 permitted.

2 And the summary of this data is that  
3 within this area there's about 583  
4 residential permit parking spaces and they  
5 were pretty easy to count because this -- the  
6 vehicles were there when we were doing the  
7 counts as opposed to estimating. As opposed  
8 to estimating.

9 The total number, and there's about 753  
10 parking spaces, and these are on street. In  
11 addition to these, there's about 350 parking  
12 spaces currently in the Lechmere parking lots  
13 that are open to the public between the hours  
14 of four a.m. and two a.m. There's spaces in  
15 the First Street garage, about 1100. And  
16 then in the Galleria garage there's about  
17 2500 spaces. So the total parking number  
18 that's available is -- you have the on-street  
19 and the public parking spaces and it's about  
20 4,750 spaces.

21 In terms of usage, the First Street

1 garage allows permits, parking for residents  
2 that if they meet certain criteria, they're  
3 able to get the parking rates as low as \$100  
4 per month. The Galleria garage has monthly  
5 parking rates at \$185 per month. And then  
6 the Lechmere parking lots are a flat fee of  
7 \$5.50 a day.

8 So there are a number of locations for  
9 visitors that could park elsewhere, whether  
10 it's the Lechmere lots or the First Street  
11 lots, those are probably the key ones.

12 And then we had, we had met with  
13 representatives of the T and their consultant  
14 for the Green Line relocation, and they had  
15 indicated that -- after we met with them,  
16 they had indicated that the spaces on the new  
17 commuter parking lots spaces will be  
18 available on the 24-hour, seven day a week  
19 basis for visitors of the project or of  
20 visitors to the neighborhood.

21 So, and those will be -- and this was

1 prior to the 32 or to the redesign of the  
2 parking garage that -- where I was able to  
3 come up with another 37 spaces.

4 So there's a fair amount of visitor  
5 parking that would be available.

6 WILLIAM TIBBS: Can I ask you a  
7 question?

8 SCOTT THORNTON: Sure.

9 WILLIAM TIBBS: Did you have a sense  
10 of what the utilization of the resident  
11 parking spaces were, the yellow ones? I know  
12 in Central Square when we did a similar  
13 analysis, we kind of looked at it at some odd  
14 hour in the middle of the night, I do  
15 believe, which kind of gives a better sense  
16 of who the permitted, the permitted  
17 utilization of it as opposed to, you know,  
18 people in the daytime who could be there for  
19 who knows what reason.

20 SCOTT THORNTON: Yes.

21 WILLIAM TIBBS: So did you get a

1 sense of how those spaces were utilized?

2 SCOTT THORNTON: We didn't do a  
3 formal, formal utilization count, but passing  
4 through there late at night a couple of  
5 times, it seemed like it was at least 80  
6 percent. And, again, that's not going on up  
7 and down every street, but just a passing  
8 representation.

9 So that really, I think that addresses  
10 comment three related to the parking supply,  
11 as well as comment four which also I was  
12 looking at the -- whether the proposed 12  
13 business spaces will be adequate.

14 Comment 5 was discussing whether  
15 vehicle sharing such as Zipcar will be  
16 provided. And I'll let Dan the Zipcar person  
17 discuss that.

18 Comment 7 had to do with the proposed  
19 crossings of O'Brien Highway related to the  
20 Green Line relocation. As I mentioned, we  
21 did meet with the T and their

1           representatives. We tried to get specific  
2           data from them, and they were in the process  
3           of filing their -- or getting ready to file  
4           their final EIR which should be out in June  
5           or July. So they couldn't release any  
6           specific plans, but they did look at some  
7           progress prints. And what they were showing  
8           was sort of a reconfiguration of these  
9           parking lots and bus access off of Water  
10          Street in addition to a revised pedestrian  
11          crossing arrangement where wider pedestrian  
12          crosswalks were proposed, exclusive  
13          pedestrian phases with longer crossing times  
14          had been programmed in. And, again, the time  
15          frame for that is still 2014 that they -- the  
16          end of 2014 they expect to be complete. But  
17          the issues with the changes to the access  
18          really revolve around access to the commuter  
19          parking lots. Whereas, previously commuters  
20          would not be able to make a left turn in at  
21          North First Street Extension, they would have

1 to make the left turn into Water Street, go  
2 into the parking lots, either a right from  
3 Water Street or continue up, come down to  
4 East Street and get access through that  
5 fashion. The current plan -- and then  
6 exiting would be probably the return, the  
7 return route coming back out through Water  
8 Street.

9 The latest thinking has busses coming  
10 in from the west on Water Street, turning  
11 around and then exiting back out. But  
12 commuters would come in and then would only  
13 be able to continue east. So no return  
14 traffic would come out this access, for the  
15 commuter parking has been moved over in this  
16 area. And this street segment is not two way  
17 anymore, it's one way headed eastbound. So  
18 that's really going to cut down on the volume  
19 of the commuter related traffic that would be  
20 exiting out on Water Street. All that  
21 traffic would have to proceed out to North

1 First Street whether to continue back to the  
2 west or continue to the east.

3 I think there was a site plan. So you  
4 can see the site plan with access to Water  
5 Street. You can see from East Street to the  
6 commuter lots, off to the side, access to the  
7 site garage is down this area. And the  
8 pedestrian crosswalk to get from the site  
9 over to the new Lechmere Station is going to  
10 be north of these access points. So, we  
11 don't anticipate pedestrians really having  
12 any conflicting movements with -- with the  
13 commuter traffic or with the bus traffic.  
14 This is -- it's not really a mid-block  
15 crossing. It's right at an access point for  
16 -- it's on the north side of the access point  
17 for that connection over to East Street. And  
18 so we think that that's -- that that's the  
19 best location to cross pedestrians and keep  
20 them out of harm's way.

21 Back to this plan. We had -- there's a

1 -- the uses that are presently out there, the  
2 Hampton Inn, the Glass Factory driveway  
3 contribute between 20 and 40 vehicle trips an  
4 hour based on the counts that we had down out  
5 there a few years ago. And then the project  
6 would add between 40 and 60 vehicle trips per  
7 hour. And these are total in both  
8 directions. We're expecting that the  
9 commuters would add about 100 vehicles an  
10 hour entering. And, again, they wouldn't be  
11 exiting back out, and they're exiting back  
12 out in other areas.

13 And the last item is the busses. The T  
14 doesn't foresee any proposed expansion of the  
15 four bus services or four bus lines that are  
16 headed out to the west, three of which would  
17 be coming in on O'Brien Highway, making the  
18 turn. The fourth one comes up Cambridge  
19 Street and would come in in this manner or  
20 possibly in this manner. They haven't quite  
21 worked that one out yet. But those busses

1 run on about a 12 to 15 minute frequency per  
2 hour. So, you're looking at about three to  
3 four busses per hour coming in on those -- in  
4 that maneuver. So the total there's, you  
5 know, we're looking at about 100 vehicles per  
6 hour in both directions.

7 In terms of queuing, because I know  
8 that was another issue. I'm jumping ahead  
9 really to Comment 9. Discuss any current  
10 problems with traffic queues on Water Street.  
11 The analysis that was in the DEIR forecasted  
12 queues between 20 feet and 170 feet long.  
13 Our driveway which would be right in this  
14 area, is about 160 feet back. But again,  
15 that -- so 170 feet is about seven cars. The  
16 timing on this leg of the intersection, the  
17 Water Street leg, is such that you can  
18 process those seven vehicles on every signal  
19 cycle. So you would have seven vehicles that  
20 would be queued up, but then they would be  
21 processed pretty quickly. And again, that

1           170 feet which is in the evening time period,  
2           is occurring when you have the commuter  
3           traffic that's dumping out into Water Street.  
4           And the FEIR, that number -- that 170 should  
5           be decreased because that traffic would be  
6           exiting out through other areas. So the  
7           overall volume that's going in and out of  
8           Water Street is approximately half of what  
9           would be going -- what's going in and out of  
10          Museum Way across from the Museum of Science  
11          and that functions pretty well during peak  
12          hours.

13                 So then -- oh, the last thing regarding  
14          Water Street, Water Street itself. It's 34  
15          feet wide, and the times that we've been out  
16          there, we've seen parking occurring on the  
17          side next to the Glass Factory even though  
18          it's posted as a no standing zone. We've  
19          seen parking on the Hampton Inn side which is  
20          posted in a similar fashion. So that cuts  
21          down the effective travel to about 20 feet.

1           And if somebody's trying to make a parallel  
2           parking maneuver in there, they're taking up  
3           both sides. So I can see how someone pulling  
4           in, you know, headed westbound on O'Brien  
5           Highway would pull in and it would cause them  
6           some discomfort if that kind of maneuver is  
7           occurring.

8                     The current plan that the T has is for  
9           two, 12-foot travel lanes and two, five-foot  
10          bicycle lanes. So that basically is 24-foot  
11          of road of travel way and then ten feet of  
12          bicycle pavement. So that really uses up the  
13          effect of curb to curb when there's no room  
14          for any parking. So those types of maneuvers  
15          won't be occurring out there. So, you know,  
16          the combination of those changes to Water  
17          Street, the modification to redistribute the  
18          commuter traffic out to North First Street,  
19          we feel are going to result in lesser traffic  
20          impact on Water Street itself.

21                     HUGH RUSSELL: Okay. Thank you.

1                   BRIAN LAWLOR: Yes, let me just run  
2 through them very quickly and then we can  
3 open for questions.

4                   So just very quickly to run through  
5 some of the others. There was a question  
6 related to the grading of Water Street and  
7 how that might be impacted by our proposal.

8                   HUGH RUSSELL: I asked that question  
9 and I found the information that you gave in  
10 the report to satisfy me so I don't think you  
11 need to talk about it.

12                   BRIAN LAWLOR: Very good.

13                   There was a question related to the  
14 rooftop mechanical equipment. I think we've  
15 also gone through piece by piece what the  
16 mitigation proposals would be for all the  
17 major elements. Again any further questions?

18                   There was a question related to  
19 construction activity on the neighborhood.  
20 We've tried to explain that, and in  
21 particular what we think are the major

1 potential sources of noise and how we've  
2 tried to mitigate that in the early project  
3 planning.

4 And finally, there was a question  
5 related to the water supply, the potential  
6 water supply, and I think you've seen some  
7 correspondence from Stephen Lush at the water  
8 department. We've produced a plan and  
9 conditions that seem to be acceptable to the  
10 water department. The basic thing being that  
11 the water infrastructure in O'Brien Highway  
12 has adequate flow and pressure and it's  
13 really in the details of this and I think  
14 with that if there are questions.

15 HUGH RUSSELL: I have one question.  
16 You have 32 visitor parking spaces. They're  
17 not designated in your garage plans. How  
18 would those be controlled? How would  
19 visitors get access to those spaces?  
20 Wouldn't they have to pay? How does that  
21 work?

1                   CHRISTOPHER CANIB: There isn't a  
2 formal plan in place right now but it would  
3 be controlled by the condominium association  
4 and it would be written into the condominium  
5 documents about how residents would -- I  
6 mean, there would be guidelines on all  
7 visitors regardless of whether they're coming  
8 by car or not. And this would just be one of  
9 the regulations if in fact they're bringing a  
10 car on the premises. For instance, they may  
11 need to check in with the concierge.

12                   HUGH RUSSELL: Okay.

13                   WILLIAM TIBBS: I just had a clarity  
14 question in terms of the water options one  
15 and two. You can go either way. I wasn't  
16 sure what the -- yes, are you going to  
17 eventually pick one? Is it.

18                   SCOTT THORNTON: Option one would be  
19 the preferred option.

20                   WILLIAM TIBBS: And I guess I just  
21 have a comment particularly on the analysis

1 of the resident parking and permits which I  
2 found very interesting, particularly the  
3 ownership has higher numbers. The resident  
4 parking sticker is one that I think they can  
5 park anywhere in the city so it kind of --  
6 since people have one, they can go park in  
7 Porter Square if they want to. But I think  
8 the interesting piece of that is the  
9 visitors' passes because each of those  
10 residents, each of those units get one, so  
11 that if you take that number in half -- well,  
12 I don't know if it's half, by the number of  
13 units, you would actually see a very clear  
14 number of potential people parking on the  
15 streets because that's what the visitors'  
16 pass allows people to do within that zone.  
17 So I'm not making any comment to you other  
18 than the fact that that's an interesting  
19 number that really can tell you what the load  
20 that this project might be putting on in  
21 terms of actual visitors parking on the

1 streets. But those numbers tended to be  
2 higher than the rental but on the low side  
3 anyway. So I just thought that was an  
4 interesting number. It might be one that we  
5 might look into more on the Board as we're  
6 trying to assess that. And we've always  
7 asked that, you know, that we mind the  
8 resident parking data so to help us in the  
9 planning sense get a better sense of how  
10 utilization is on the actual city streets and  
11 I think that's one that could help.

12 HUGH RUSSELL: If there are no other  
13 questions, we should proceed to the public  
14 testimony.

15 STEVEN WINTER: Tom, did you have  
16 anything?

17 THOMAS ANNINGER: It can go after  
18 the hearing.

19 HUGH RUSSELL: Is there a sign-up  
20 sheet?

21 First name is Charles Marquardt.

1 CHARLES MARQUARDT: Yes, first, I'm  
2 going to focus on parking. Some of this data  
3 would have been great to see before this  
4 meeting, like pictures of where people park  
5 in the neighborhood before this meeting. And  
6 also I'd like to point out since a number of  
7 here us at this meeting were critical in the  
8 past about the parking data and asked them to  
9 go out and actually look at the different  
10 residential units, that's quite befuddling  
11 that the units they couldn't get into are the  
12 number of us live in and we were not  
13 contacted. So that sort of struck me as a  
14 little bit odd.

15 I'd also like to highlight if we're  
16 going to holdup the Museum Road intersection  
17 as a model of efficiency, we have a lot of  
18 work to do in Cambridge. I would not  
19 highlight as a model of efficiency at peak  
20 hour. That is the most horrendous  
21 intersection I've ever seen. There are

1 people going every which way, and if you're  
2 trying to cross on foot, you're taking your  
3 life in your own hands.

4 And then just some of the data  
5 questions. Registrations, there are a number  
6 in those private buildings out of state  
7 registrations. So just to look into a  
8 registration database, does not get you the  
9 true number of people in there. You have out  
10 of state registrations, you have console  
11 registrations. There are far more cars in  
12 there that you actually get than just looking  
13 at the registrations.

14 Then we have some contradictions within  
15 the discussion. We're talking about  
16 Esplanade and River Court are out of the  
17 discussion because they're not close to the  
18 T. It's about a five to seven minute walk.  
19 And then we're talking about visitors from  
20 the project can park, they can park at the  
21 First Street garage. That's a far longer

1 walk than it is for me to walk to the T. I  
2 get really confused and concerned when we're  
3 talking about all these people that are  
4 trying to park in our neighborhood when  
5 there's -- if you look, there's not a whole  
6 lot of places to park. And they could have  
7 done a heck of a lot better job going out as  
8 Mr. Tibbs mentioned, at night and seen how  
9 difficult it is to park around there. And  
10 this is after the courthouse has left. This  
11 is after a number of other businesses have  
12 gone out. Now we're gonna start dumping that  
13 other traffic in there. And I'm still afraid  
14 for what my fellow residents living up on  
15 Winter Street, living up on Thor Street are  
16 going to face when people don't want to buy a  
17 parking space, they want to buy an \$8 parking  
18 sticker. Most of the people in the units  
19 that I live in and other folks live in, the  
20 unit is deeded. It comes with when you buy  
21 your unit you get your parking space. The

1           reason you buy your parking sticker is you  
2           get a parking sticker at one point and then  
3           you all of a sudden one parking ticket equals  
4           three years of parking stickers and you buy  
5           the parking sticker. Saying there's a  
6           correlation for on-street parking doesn't  
7           make a whole lot of sense. It doesn't allow  
8           you to go out and eat on the other side of  
9           town.

10                   And then I'd just like to end by saying  
11           we want to make sure we're taking a close  
12           look at those numbers. I heard at one point  
13           100 trips an hour for the T alone, and then I  
14           heard no more than 100 trips in an hour. So  
15           we have different numbers bouncing back and  
16           forth during the discussion. And it struck  
17           me as a little bit disconcerting, we're  
18           really, really concerned about traffic in the  
19           neighborhood but with the reconfigured  
20           O'Brien Highway and the numbers are bouncing  
21           all over the place and we're not really sure

1           what they are. Thanks.

2                   HUGH RUSSELL: Okay. The next  
3 speaker is Barbara Brousard.

4                   BARBARA BROUSARD: Thank you.

5 Barbara Brousard. Well, two points. I'll  
6 speak for myself as an individual and I live  
7 at 148 Third Street. None of this data was  
8 ever shown to the residents who did come to  
9 our meeting last week. Probably the decision  
10 would have been different. They did not  
11 unanimously support the decision to raise it.

12                   Now I have a question. Is the number  
13 really 0.8 or 0.9? Because 0.9 is for the  
14 tandem spaces, that's two cars with a two  
15 bedroom. We're talking a lot more cars than  
16 he's telling us. And I'm very sorry, I will  
17 not support that on under any circumstance.  
18 I live on Third Street. If I moved my car to  
19 come here tonight, I wouldn't find a spot  
20 around my house. I would have to drive  
21 around. That is the truth. Whether I like

1           it or not, people have a car. I know we  
2           should support public transportation. I was  
3           under the impression that when you sold a  
4           condo, they got a deeded space. If that is  
5           true, he's having X amount of condos that  
6           don't have it. What are you going to do with  
7           those cars? And granted, we did make an  
8           agreement with the city manager for \$100 a  
9           month. You know something, people don't want  
10          to do that. They want to spend the \$8 and go  
11          park on the street. And around the  
12          courthouse, because that's where I live, and  
13          on Second Street there is an issue. Spring,  
14          Hurley, Second, all the way to Sciarrapa,  
15          there is no way to park during the day. You  
16          take your car out, you have lost the space  
17          and you will be down on Sixth Street.

18                   Thank you. The numbers just don't gel.

19                   HUGH RUSSELL: Thank you, Barbara.

20                   Does anyone else wish to speak?

21           Heather.

1                   HEATHER HOFFMAN: Hi. My name is  
2                   Heather Hoffman and I live at 213 Hurley  
3                   Street and I wanted to make a comment about  
4                   the bus schedules since I've been known to  
5                   take every one of those busses. There are  
6                   four bus lines. The 80, 87 and 88 seem to be  
7                   about two an hour. And the 69 is three or  
8                   four an hour if they show up, but we'll  
9                   pretend they do. So that's actually nine or  
10                  ten. I don't think that's a huge burden, but  
11                  I just want to point out that, you know, if  
12                  you can't even count the, you know, you can  
13                  get those bus schedules online. It's not  
14                  hard. In fact, you can walk up to Lechmere  
15                  Station and look on the wall, they've got  
16                  them taped to the wall. Thanks.

17                   HUGH RUSSELL: Okay. Thank you.

18                   Does anyone else wish to be heard?

19                   Please come forward.

20                   NANCY STEINING: I'm one of those  
21                   people who would never walk across O'Brien

1 Highway to go anywhere, including Lechmere  
2 Station. My name is Nancy Steining and I  
3 actually live at 75 Cambridge Parkway in the  
4 Esplanade. But that's not what I wanted to  
5 -- what I wanted to find out, and it hasn't  
6 been explained to me yet, where do deliveries  
7 go in this parking garage? Where is there a  
8 freight elevator? What happens to moving  
9 vans and all of those things? Which are a  
10 constant part of any high rise residential  
11 building. And I know, because my building  
12 does not have a freight elevator. So one  
13 elevator in each wing if someone's moving,  
14 becomes a freight elevator. But, you know,  
15 there are constant deliveries to buildings of  
16 that nature, and I don't quite understand  
17 where the parking is for those on this quite  
18 narrow street. So, and I was not at the  
19 meeting last week so I did not hear this  
20 particular discussion. But I was under the  
21 impression that the zoning, the Planning

1 Board had permission to grant relief for the  
2 parking. But usually if there was sufficient  
3 other public parking in the vicinity, which  
4 to me would mean on the North Point side not  
5 on the East Cambridge side.

6 HUGH RUSSELL: Thank you. I'm going  
7 to want to follow up on that question myself.  
8 Why don't we finish the public portion of the  
9 hearing. So, is there anyone else wishing to  
10 be heard?

11 (No response).

12 HUGH RUSSELL: Okay. So let's close  
13 the hearing for oral comment and leave it  
14 open for written. Is that acceptable?

15 (All agreed).

16 HUGH RUSSELL: So, there are three  
17 things that I logged in my head. First, the  
18 Zipcar guy never got a chance to talk.

19 Second, we usually like to ask Susan  
20 Clippinger her take on it. She has a very  
21 simple memo. And then I'd like to follow up

1 on the delivery and moving van issue. So why  
2 don't we start, do you want to speak on  
3 Zipcars briefly?

4 DAN CURTAIN: Thanks for remembering  
5 me. I'm Dan Curtain from Zipcar. Well,  
6 first of all, just a little self-serving  
7 pitch, as you know, this is the worldwide  
8 headquarters for Zipcar, within a couple  
9 blocks from here. And East Cambridge is  
10 another one of the strong areas that we have  
11 as well. Existing locations at the First  
12 Street garage, at Spring Street, Third Street  
13 and Rogers Street, Ben Street and Fifth and  
14 Archstone and North Point over there as well  
15 as the Cambridgeside Galleria. So we've  
16 already got an existing base of members and  
17 existing base of cars over there. That's  
18 important because there's a large portion of  
19 our member base that comes from discussions  
20 and interactions with cars and parking spaces  
21 and other members. So member uptake in this

1 particular project should be fairly simple  
2 and straight forward.

3 The second slide here again, just a  
4 summary of what you saw in the first slide.  
5 There are six locations, 17 vehicles. A  
6 little over a thousand primary members in  
7 that particular area. Very active member  
8 base even for that time of year in February  
9 and March. And members traveling a very  
10 short distance with cars. Again, if you will  
11 remember one of the key ingredients is making  
12 the service really easy and really convenient  
13 to get to. Which, again East Cambridge is  
14 really kind of one of our stronger areas,  
15 too.

16 And then of course the benefits as it  
17 relates to any project of this size, 15 to 20  
18 privately owned vehicles come off the road or  
19 never get purchased for each shared car  
20 that's there. Again, 40 percent of our  
21 members report that they either sold their

1 car, decided against a purchase. It was an  
2 economic benefit to this as well, we're  
3 saving car and insurance payments. And of  
4 course the Cambridge area is again one of our  
5 stronger areas, not just, not just in the  
6 Boston footprints but literally in Zipcar  
7 land, in all the other cities, we've got some  
8 population tracks in Cambridge now that we're  
9 reaching 35 to 40 percent of the residents  
10 are Zipcar members. So this really, really  
11 is our strong project for shared cars right  
12 here. It's almost tailor made when you  
13 consider the proximity of the Lechmere  
14 Station and how close it is to the retail  
15 that's up and down Cambridge Street here,  
16 too. So we'd be very excited. We think the  
17 five cars that are set aside for us could  
18 take care of 200 people. It's really right  
19 around the wheel house.

20 HUGH RUSSELL: So they being five  
21 designated spaces in the garage and then

1 anticipate if I ask how are people going to  
2 get in and find them? The answer would be  
3 well that's got to be worked out.

4 CHRISTOPHER CANIB: They have  
5 existing locations.

6 DAN CURTAIN: As long as they are a  
7 24 access to the garages, we can get people  
8 in and out of there. Demand for our product  
9 drops off for people when they go to bed at  
10 night. There's not a lot of activity after  
11 ten o'clock at night and six in the morning.

12 HUGH RUSSELL: That's my observation  
13 that most people who own residential parking  
14 garages like to keep a level of security in  
15 those garages. They don't want any members  
16 of the public, particularly those with  
17 various ideas, walking in their garage. So  
18 it makes it -- people who are trying to get  
19 into a Zipcar, anybody else would have to go  
20 through some kind of security, presumably  
21 within the building to get into the garage.

1 DAN CURTAIN: We haven't had any of  
2 those issues yet.

3 CHRISTOPHER CANIB: I can talk about  
4 ownership facility that have controlled  
5 access to Zipcars? And it's not an issue.

6 HUGH RUSSELL: I'm not worried about  
7 the car. I'm worried about the person.

8 WILLIAM TIBBS: When you say  
9 controlled access, how does that work?

10 CHRISTOPHER CANIB: They have to  
11 check in with someone before going to the  
12 vehicle.

13 WILLIAM TIBBS: That is what his  
14 question is.

15 DAN CURTAIN: That's a frequent  
16 set-up of ours. When the garage gets locked  
17 down, we run members by a concierge or  
18 something like that after ten o'clock at  
19 night.

20 HUGH RUSSELL: Okay.

21 STEVEN WINTER: Hugh, if I could as

1 a long time Zipcar user. Usually the first  
2 time to get to a Zipcar that's buried in a  
3 garage somewhere, a private garage, that's  
4 the hard part of the -- just the first time.  
5 But after that it's really just, it's a  
6 matter of course.

7 DAN CURTAIN: Pretty much, yeah.

8 STEVEN WINTER: And I've also felt  
9 comfortable walking into the secured garage,  
10 and there's cards to get you in and out.  
11 It's never really been a problem for me.

12 DAN CURTAIN: Good to hear.

13 HUGH RUSSELL: Thank you, Dan.

14 Susan, would you like to make some  
15 comments about your memo?

16 The questions that I'm interested in  
17 come from Scott's presentation which show the  
18 number of registrations being quite low  
19 compared to the capacity of all garages, and  
20 is that in your opinion, registration being a  
21 representative figure of the actual cars that

1 are there or are there cars that don't get  
2 caught by that kind of a search and what do  
3 we make of that?

4 SUSAN CLIPPINGER: I think as Scott  
5 presented the stuff, he's given you three  
6 different numbers. He's trying to give you  
7 the range of what's happening. Obviously  
8 being able to get physically into an indoor  
9 garage and count utilization would also be  
10 very helpful. The registration numbers are  
11 the vehicles that are registered in  
12 Cambridge. So we're not counting vehicles  
13 that aren't registered. Mass. registration,  
14 not registered or people's whose cars are  
15 registered out of state and then the resident  
16 permit number is pretty consistent with what  
17 we see throughout the city, but there's  
18 generally slightly more registered vehicles  
19 than there are people with permits. For one  
20 reason or another people, they're used to  
21 their car or pattern or whatever it is that

1           they're using. They've determined that it's  
2           not worth it for them to get a permit. So, I  
3           think that the information is pretty  
4           consistent with what we would see around  
5           anywhere in the city, and I think that the --  
6           probably the utilization is slightly higher  
7           than the registered number. But those  
8           numbers are all, you know, pretty low, below  
9           the 0.8 and below the 0.9. So I think it's a  
10          good example of why the number being  
11          requested is a very reasonable number.

12                    HUGH RUSSELL: Thank you.

13                    So let's move on to the question of  
14                    deliveries, how they work, in particular  
15                    move-ins. I really don't see how the  
16                    move-ins work. It was a statement in your  
17                    report that a trailer truck could back up to  
18                    front entry and that the moving would come  
19                    into the main lobby. I'm estimating that  
20                    there might be one to two move-ins a week  
21                    depending on the length of tenure. I don't

1 see how you can back up a truck to that  
2 point. I don't see how they make the turns.  
3 I don't. So could you talk about that  
4 subject?

5 BRIAN LAWLOR: Sure. Just to go up  
6 to the site plan, there are a couple of  
7 different conditions that we were -- a couple  
8 different of conditions that we were trying  
9 to think through and work through. You were  
10 right that we have stated that the primary  
11 access for loading will be to the elevators  
12 in this portion of the building like so.  
13 What we have determined is that for regular  
14 deliveries and such and to the loading area,  
15 we know that they will take place inside the  
16 building. I think that's been discussed at  
17 the last meeting. But for move-ins, what we  
18 are looking at is basically developing a  
19 radius here that for essentially all single  
20 unit vehicles and smaller semis, and  
21 basically similar size to fire department

1 requirements, we are going to need to come in  
2 and make this turn. That's why we don't have  
3 any proposed parking on this side of the  
4 street. We have some visitors' spaces here  
5 (indicating), but we're leaving this for the  
6 turn around. We have a 50 foot right of way  
7 here (indicating). And we probably have some  
8 ability to widen that if need be here also  
9 (indicating). So we're looking at a 50-foot  
10 right of way here to be able to make this  
11 turn and to keep this space here available  
12 for deliveries (indicating).

13 For the very, very, very largest of  
14 vehicles, the big Mayflower trucks, and  
15 that's what we were trying to talk about in  
16 the report, for the very largest of vehicles  
17 that if at the end of the day when this  
18 detail, you know, is worked out, if they're  
19 not able to make that, that's the case where  
20 a vehicle would have to come through  
21 depending on the final layout here. We know

1           this will be two way. So a vehicle may have  
2           to make, come in off of North First, make  
3           this left turn and then reverse down here.  
4           So that's a, that's a potential. But that's  
5           only in the event that we cannot make this  
6           layout turn.

7                         Now what we've done is we've been very  
8           careful to keep this within the 50 feet of  
9           the existing right of way. But remembering  
10          that here we're talking about construction on  
11          the North Point property, and I think there's  
12          a sense also here that there's a sense that  
13          if this needs to get widened for whatever  
14          reasons, that can certainly be accommodated.  
15          But it is a 50-foot right of way that we're  
16          using right now.

17                         HUGH RUSSELL: I mean, I don't have  
18          templates in my head, but I believe the  
19          turning diameter that my compact car needs  
20          about 35 feet. So, I don't think it takes a  
21          very big vehicle to no longer to be able to



1 large moving van and then went to a local  
2 mover in Seattle and was downloaded to three  
3 trucks, three smaller trucks. So, that is  
4 something that is done fairly regularly.

5 THOMAS ANNINGER: At a cost I'm  
6 sure.

7 HUGH RUSSELL: I think that would be  
8 half a million dollars, it's happening at the  
9 same time.

10 Okay, are there any other questions  
11 that people have?

12 THOMAS ANNINGER: I'm going to ask  
13 the issue that I asked about last time  
14 because I still think there's a distinction  
15 here that I'm not understanding. As soon as  
16 you drop below 1.0 for parking, one space per  
17 unit, I think it works with rental housing, I  
18 don't understand how it works with  
19 condominiums. Rental housing it's beautiful  
20 because there's a lot of flexibility. You  
21 rent a unit to somebody who needs it, needs a

1 space, you rent them a space. You don't need  
2 a space, you don't rent a space. Turn over  
3 happens, and the next person renting the unit  
4 that didn't need a space gets a space because  
5 you have some extra spaces and somebody moves  
6 out who had a space who doesn't need a space  
7 anymore so there's a constant ability to mix  
8 and match and it works probably very well.

9 With condominiums you enter into a much  
10 more inflexible arrangement. In generation  
11 one you sell all of your 392 units, you have  
12 only 314 spaces. So in generation one there  
13 are units to whom you did not sell a unit,  
14 there are units to which you sold either one  
15 unit or in some cases tandem units. That's  
16 generation one. What happens in generation  
17 two and three and four when the unit buyer  
18 who did not buy a space sells to somebody who  
19 needs a space? How do you get them a space?  
20 Let's say that they can't get it from  
21 somebody else or there's some difficulty or



1 talk about part of it.

2 THOMAS ANNINGER: It's not a legal  
3 question.

4 ATTORNEY DEBORAH HORWITZ: Right.

5 THOMAS ANNINGER: This is not a  
6 legal question, Debbie. This is really a  
7 management of the -- how do you do that?

8 CHRISTOPHER CANIB: Well, I would  
9 say that there are a couple of different  
10 options. One would be if you're talking  
11 about deeding a space with the units, then it  
12 is a condominium association issue which we  
13 have already contemplated anyway, whereby any  
14 unused parking is always cued up for rental  
15 within the building. The idea is to share as  
16 much parking as possible within the building  
17 for those people who need it and not to have  
18 parking spaces for people who don't need it.  
19 It has also been discussed, the idea of  
20 selling the spaces independent of the units.  
21 That would have the benefit of being -- of

1 allowing people who actually have vehicles  
2 and need to park them to acquire those  
3 parking spaces separate from their units.

4 THOMAS ANNINGER: I don't know the  
5 rule, but I think the rule in Cambridge is  
6 that if you have a deeded space, you cannot  
7 sell it. And the underlying policy there was  
8 that there was a fear that people -- that  
9 when we had a one space per unit to the rule,  
10 then we knew we had an off street parking  
11 space. But if somebody wanted to have a unit  
12 but without a space even though they had a  
13 car, it created a parking problem. So I was  
14 under the impression that in Cambridge you  
15 can't sell your parking space separately. Am  
16 I wrong about that?

17 CHRISTOPHER CANIB: Well, that's  
18 where I would defer to Debbie.

19 THOMAS ANNINGER: That might even be  
20 a Les Barber question.

21 ATTORNEY DEBORAH HORWITZ: Les and I

1           talked about it earlier and you're right,  
2           that's the way that ISD has interpreted the  
3           zoning.

4                   THOMAS ANNINGER: That just  
5           exacerbates what I call a discontinuity.

6                   HUGH RUSSELL: Well, I'm thinking --

7                   THOMAS ANNINGER: Maybe you can rent  
8           them I suppose.

9                   HUGH RUSSELL: What I think you're  
10          saying is you develop some market within the  
11          building, people have spaces that they want  
12          to rent that are available and if the numbers  
13          are correct, it's going to be a buyers'  
14          market. There are going to be too many  
15          people who want to rent their spaces and for  
16          the people who actually want them. And I was  
17          thinking about if you're trying to find a  
18          condominium on Beacon Hill, if you bought one  
19          that has a parking space associated with it,  
20          it's a much more valuable thing. So I don't  
21          think it won't be particularly different on

1 Mortar Street if you buy a space with a unit,  
2 it will be more valuable than a space without  
3 a unit. Ultimately somebody is going to say  
4 I've got a car, if there's no spaces  
5 available, they're going to say well, I'm  
6 going to go to the Archstone or, you know,  
7 building S or T where I can get a space. And  
8 the market will adjust that way. And some,  
9 you know, I was helping a client find a space  
10 a few years ago, it was like you needed those  
11 three spaces, himself, the wife and the maid.  
12 And he was looking at places in, you know,  
13 Back Bay. And it's like, well, he didn't  
14 move into Back Bay. He moved into Cambridge  
15 where he had two garage parking spaces and  
16 parking space to park.

17 CHRISTOPHER CANIB: Just to follow  
18 up, that by pointing out that all of the data  
19 and research that has been done demonstrates  
20 that if we actually build them one to one,  
21 there's going to be too much parking. It's

1 not going to be used. And also there are a  
2 lot of buyers for these types of units, first  
3 time home buyers who don't want to pay for  
4 that space because they're not going to use  
5 it. So it's -- if you are deeding it with a  
6 space, that's automatically increasing the  
7 price of the unit regardless of whether they  
8 own a car or not. And you've seen the  
9 numbers that Dan shared about the monthly  
10 costs of vehicle ownership.

11 HUGH RUSSELL: Pam.

12 PAMELA WINTERS: Are these units  
13 primarily two bedroom or one bedroom or three  
14 bedroom?

15 CHRISTOPHER CANIB: They range from  
16 studios, ones and twos.

17 PAMELA WINTERS: What happens if a  
18 couple moves in and they have two cars?

19 CHRISTOPHER CANIB: They, there are  
20 some spaces, some tandem spaces that would be  
21 available to them.

1 PAMELA WINTERS: There are tandem  
2 spaces available?

3 CHRISTOPHER CANIB: Yes.

4 HUGH RUSSELL: That makes it more  
5 complicated.

6 WILLIAM TIBBS: Yes, it does.

7 HUGH RUSSELL: If you buy a  
8 two-bedroom space with one space, then you  
9 got to go on the internal market to get your  
10 second space.

11 THOMAS ANNINGER: That's right.

12 HUGH RUSSELL: And if you buy a unit  
13 that has a tandem unit and it has a space  
14 that makes it more complicated.

15 But there seems to be, based on current  
16 patterns of usage, a lot of spaces even so.

17 WILLIAM TIBBS: I guess my question  
18 is where are we going with this? Tom, do you  
19 think one to one is better?

20 THOMAS ANNINGER: That's a good --  
21 that's right. I guess, I mean that is the

1 question. And I don't think that. I'm not  
2 fighting the data, but I think structurally  
3 we've got a problem that I don't think has  
4 been resolved and has really been addressed  
5 adequately. I'm not sure what the solution  
6 is. Maybe Cambridge has to change some of  
7 its rules for these situations or maybe we  
8 need to get a waiver on the ability to sell.  
9 Maybe the condominium should own all of the  
10 parking, the association, and should allocate  
11 it based on need and go into the parking  
12 business. Maybe condominium associations and  
13 places like this should become parking lot  
14 attendants as well so that you can move it  
15 around more flexibly without getting into  
16 these questions. But, you know, what Hugh  
17 said is exactly right, everybody is going to  
18 want to buy a unit with a space even if they  
19 don't need one. So, I just don't think you  
20 resolve the problem, but I'm not arguing for  
21 one space per unit either. I'm arguing for a

1 solution. And I don't think it's been put  
2 forward yet. I haven't heard the answer.  
3 And I do think it's a parking problem.  
4 Eventually I do think it will overflow  
5 somewhere.

6 HUGH RUSSELL: So clearly there is  
7 going to be the huge decision point at the  
8 point that the condominium association is  
9 formed and the decision is made as to how the  
10 spaces are sold? And that's going to happen  
11 -- that will start when marketing starts, and  
12 marketing will start after the building is  
13 partially complete. And that's not where we  
14 are today. So probably in the most  
15 optimistic point of view, a couple of years  
16 to work this out, and it sounds like it's a  
17 fast changing situation both in terms of  
18 demand and terms of ownership models.

19 CHRISTOPHER CANIB: We would also  
20 offer that it's standard practice in Boston  
21 to have them separate. So there's ample data

1           there to have the parking separate from the  
2           units.

3                   THOMAS ANNINGER:  What's the rule in  
4           Cambridge?  How does it work?

5                   ATTORNEY DEBORAH HORWITZ:  I'm told  
6           that ISD has interpreted your Zoning  
7           Ordinance to require the spaces to be deeded  
8           with the units, although I don't think -- you  
9           didn't know if instances where that made  
10          sense obviously when there's one to one, it's  
11          easy to do.  We're not sure how Ranjit's  
12          going to apply it in this case.  And what we  
13          had talked about is, you know, obviously  
14          understanding that we're going to have to  
15          work with Ranjit to know what he's going to  
16          require.  We know the Zoning Ordinance  
17          requires tandem spaces to be deeded to the  
18          same unit.  That's clear, it's in the  
19          Ordinance.  And so, you know, in terms of  
20          working with Ranjit to try and -- Ranjit and  
21          Sue and Adam to find the best way to allocate

1           them, we knew that's what was on the horizon  
2           for us to do in conjunction with our  
3           marketing.

4                   CHARLES STUDEN: Is this the first  
5           condominium development in Cambridge where  
6           the ratio is less than one unit -- one space  
7           per unit?

8                   HUGH RUSSELL: The Glass Factory. I  
9           think the Glass Factory.

10                  CHARLES STUDEN: So how did we  
11           handle that?

12                  HUGH RUSSELL: The Glass Factory has  
13           a ratio of 0.77.

14                  CHARLES STUDEN: I don't know. I  
15           have a much different perspective on this I  
16           think. I'm thinking that a lot of what we've  
17           been talking about here, for you guys it has  
18           to do with marketing. And the way you sell  
19           the units, it's going to sort itself out.  
20           What I'm persuaded by is the analysis that we  
21           heard about tonight that suggests that

1           reducing the ratio makes sense from any  
2           number of perspectives, and that's what the  
3           Traffic, Parking and Transportation  
4           Department is telling us. And when the units  
5           are sold, the way those units are -- the  
6           parking spaces are allocated will get sorted  
7           out. We don't -- and we as a Board don't  
8           have to worry about that. That's the way I  
9           look at it.

10                   HUGH RUSSELL: Yes, I guess I would  
11           agree particularly because the number of  
12           spaces that are now being proposed are  
13           substantially in excess of the number of  
14           spaces that appear to be needed. So there's  
15           the ability for a system to not work  
16           perfectly and still not force very many  
17           people out on the street.

18                   CHARLES STUDEN: Right.

19                   HUGH RUSSELL: But, I mean, I think  
20           the concern that I've heard through the  
21           neighborhood is that there's, you know, what

1 happens if you have a building where half the  
2 people are paying for parking and the other  
3 half of the people are out on the street  
4 because they don't have to buy a parking  
5 space? And is it only convenience that gets  
6 people into the garage? I mean, that's a  
7 powerful motivator. I don't think -- we  
8 really don't know what's going to happen.  
9 And there are -- clearly there are precedents  
10 with the way these things are handled in  
11 tighter parking markets and we're going to  
12 have to learn more as Mr. Canib said, you  
13 know, Boston is ahead of us on this because  
14 of what their market is like.

15 Should we not act on this until it is  
16 all sorted out? I think that's appropriate,  
17 right? But is there some condition or some  
18 process? I mean, I think it's conceivable  
19 that we sort it out and come back to the  
20 Minor Amendment and change something in our  
21 decision possibly? Debbie will try to make

1           sure that we don't get that in our decision.  
2           But that's certainly a possibility. I don't  
3           think something -- so you might want to put  
4           it in a decision that if there is anything  
5           that addresses this, that it can be changed  
6           by a Minor Amendment rather than a Major  
7           Amendment for example. And I think basically  
8           the city's got some knowledge and some  
9           responsibilities, developer's knowledge, the  
10          attorneys have knowledge, and when it's  
11          worked out, I think it's important that the  
12          city know how it's being worked out. And I  
13          think the city agrees that it's happening in  
14          a wise fashion. And I think that's the kind  
15          of thing that we've got a department, that's  
16          their job, right? Should we put a condition?

17                   SUSAN CLIPPINGER: Can I say  
18                   something?

19                   HUGH RUSSELL: Yes.

20                   SUSAN CLIPPINGER: I think that  
21                   developers who have less than one space per

1 unit in a condominium development have a much  
2 higher incentive to figure out a creative  
3 solution than the Traffic and Parking  
4 Department. That doesn't have any  
5 development activities or expertise. So the  
6 question becomes what would they do wrong  
7 that would be of harm to the city? And I  
8 think to some degree, if they mess up with  
9 their -- condominium association messes up  
10 themselves, within their garage and  
11 everybody's pissed off where there's spaces,  
12 we can say well, we don't care that's your  
13 problem, you solve it. I think the only  
14 point at which we start to be worried is if  
15 those cars are parking out on the public  
16 street.

17 THOMAS ANNINGER: That's right.

18 SUSAN CLIPPINGER: So, you know,  
19 maybe this is something where we want to put  
20 the onus on the developer to sort it out and  
21 we don't want to have a lot of checks and

1 balances on what they're doing, but we do  
2 want some kind of monitoring activity or some  
3 kind of way where they're -- where we can get  
4 in the garage and figure out utilization, and  
5 we're not in the situation that Scott was  
6 trying to figure out some other activity and  
7 we have some other way of finding out, you  
8 know, and probably not until after it's at  
9 least 50 percent occupied or more, some kind  
10 of monitoring that says, you know, well, it  
11 looks like it's fine for people who have cars  
12 in the building, have their cars in the  
13 building and they haven't all abandoned the  
14 garage and they're not all parking on the  
15 city streets. So something moving in that  
16 direction makes sense. Maybe that's a way  
17 for this to be worked out provided the  
18 developer's comfortable with it.

19 CHARLES STUDEN: And won't that be  
20 the number of resident parking stickers that  
21 are issued from the building?

1 SUSAN CLIPPINGER: Not at all.

2 CHARLES STUDEN: Because you're  
3 entitled to one space per household; is that  
4 right?

5 SUSAN CLIPPINGER: My very limited  
6 experience, and I wish I knew more, is people  
7 with resident stickers and off street  
8 parking -- if you had a big building with a  
9 lot, some of those resident stickers may be  
10 on the street instead of in the garage. And  
11 some of them may be in the garage.

12 CHARLES STUDEN: I see.

13 SUSAN CLIPPINGER: So I don't think  
14 that it's an automatic one for one  
15 correlation. There are many, many people who  
16 really like the convenience of the garage,  
17 the access, the protection for their car.  
18 They're not shoveling snow, bloppidy-blah the  
19 security, whatever their issues may be. So I  
20 think it's not, you know, I think the real  
21 issue is participation from the condo

1 association that would exist that would allow  
2 us to get better information from them about  
3 who owns a car, whether it's registered  
4 there, whether it's a resident permit. But,  
5 you know, who really has a car and being able  
6 to try to figure out what's happening. Some  
7 kind of monitoring activity to do that.

8 HUGH RUSSELL: For people who have  
9 garage spaces get a resident sticker so they  
10 can find parking in other parts of the city,  
11 they're going to, you know, visit friends or  
12 they're going to a restaurant on Huron Avenue  
13 or something like that. So, can't know what  
14 that data means.

15 WILLIAM TIBBS: I think this  
16 monitoring, actually that's the basis of TDM  
17 anyway, particularly when we have businesses,  
18 whenever we have developers who are doing  
19 commercial properties and they have issues  
20 that are different then, and one of the  
21 things, you know, we say they have to monitor

1           their use and monitor how many people are  
2           parking, and if whatever reason the numbers  
3           that we initially thought didn't pan out,  
4           that they, you know, they have to, there's  
5           some monitoring requirement that they have to  
6           do to check the effectiveness of their  
7           transportation demand and management plans  
8           anyway. So I think that if we can come up  
9           with some kind of just one that basically  
10          says, as you said, at some point in time they  
11          just need to check in with you or check in  
12          with us with just what the situation is and  
13          then go from there. I think that could work,  
14          but I'm not quite sure what that is.

15                    HUGH RUSSELL: Well, I'm wondering  
16                    couldn't we put in our decision a requirement  
17                    to present a monitoring plan to Traffic and  
18                    Parking Department?

19                    WILLIAM TIBBS: I guess the question  
20                    I have to Sue, does that make sense to you?  
21                    I mean, if you were presented with a

1 monitoring plan, what would you do with it?

2 SUSAN CLIPPINGER: Well, I mean I  
3 think we're going to look for something  
4 that's very simple and focussed on are the  
5 cars that are owned by the people who live in  
6 the building being regularly parked outside  
7 the building on a city street? It's not  
8 everything and anything. It's a very  
9 specific focussed question that we're trying  
10 to answer.

11 WILLIAM TIBBS: And they have to put  
12 that in the plan that answers that question  
13 to your satisfaction.

14 PATRICIA SINGER: With all due  
15 respect, I think you have to work it the flip  
16 way and make sure that the cars that are  
17 registered in the building are parking in the  
18 building because I don't think anybody's  
19 going to be running all over the city streets  
20 looking for those cars.

21 SUSAN CLIPPINGER: Right. Right.

1                   STEVEN WINTER: Mr. Chair, I want to  
2                   return again to the role of the public sector  
3                   which is us, which is to set the  
4                   preconditions the best way we can. And what  
5                   -- how it happens is really not -- I mean,  
6                   it's way beyond our control and it ought to  
7                   be way beyond our control. But we set the  
8                   preconditions the very best way we can.  
9                   We've got a proponent here that's worked I  
10                  think very hard with the city. I think, I  
11                  feel comfortable, Sue Clippinger's given us a  
12                  reasonable and consistent -- the proponent I  
13                  think has shown due diligence. The  
14                  information gathering which is very, very  
15                  expensive, it all made sense to me. I got a  
16                  big picture from that. I feel like we ought  
17                  to, we ought to cooperate and let this  
18                  project go ahead with the number of spaces  
19                  that they've requested. I would like to hear  
20                  what other people have to say.

21                   WILLIAM TIBBS: I agree with you

1           only in the sense that I actually do think  
2           that one of our public duties is to be  
3           concerned about the residents who are near  
4           and that. So, but I think exactly what you  
5           said, we'll do that. I have don't have any  
6           problem with the numbers that are being  
7           generated. And for me I think it's something  
8           which you just mentioned it has some  
9           mechanism to just make sure that that isn't  
10          happening in some simple way. The developer  
11          I think is very, it seems to be very, you  
12          know, wants to make sure that doesn't happen,  
13          too. And as Sue said, when they are less  
14          than one, they have to be creative anyway in  
15          terms of having to sort the stuff out. So  
16          that's more than one incentive. If it's just  
17          one to one, we gave you what you wanted and  
18          whatever happens, that's it. So I don't --  
19          I'm agreeing with you, but feeling that, you  
20          know, that the concerns that people have  
21          about, you know, a large development like

1 this and the effects on the neighborhood is  
2 very much within the public.

3 STEVEN WINTER: Do you feel those  
4 concerns could be monitored in some way?

5 WILLIAM TIBBS: Yes.

6 PATRICIA SINGER: I'm not agreeing  
7 or disagreeing with anything that either of  
8 you just said, but what happens if the  
9 building is being built and it has been built  
10 and it is now being occupied, it's a year  
11 later, we get a monitoring report and we find  
12 out everything's wonderful or everything  
13 isn't wonderful? What then? What changes?

14 HUGH RUSSELL: I would say if we  
15 find out everything is wonderful, that's  
16 guidance for Traffic and Parking to guide on  
17 future projects. Because part of the problem  
18 there is by starting a reduction of required  
19 parking which was the first request this  
20 year. This may be the second or the third.  
21 We're starting down a road that we believe is

1 a very wise thing to do, but if we can pick  
2 up some knowledge along the way, us or our  
3 successors will not be having these long  
4 conversations.

5 PATRICIA SINGER: Your point is well  
6 taken.

7 HUGH RUSSELL: Right. And I think  
8 the second thing is that I think Sue did  
9 articulate what the public policy concern is,  
10 which is we don't want to see spillover  
11 effects. We don't want to see that in  
12 commercial projects. We don't want to see it  
13 in residential projects. And if we discover  
14 that there seem to be spillover effects, then  
15 we'll get a proposal that will come back  
16 based on what's really happening, as to what  
17 might be appropriate policy change to do  
18 that. And I'm not going to speculate on what  
19 that mechanism might be, but it seems to me  
20 we built in a mechanism to simply get some  
21 data and Sue has promised that it's going to

1           be not a burdensome thing. And I think we  
2           should go down that road because I don't  
3           disagree with what Steve said. Is that this  
4           looks like the right thing to do.

5                     STEVEN WINTER: Yes, it does.

6                     WILLIAM TIBBS: And I think that's  
7           really what I call the middle. You can  
8           either have everything's going well and  
9           everything's going bad and the middle one is  
10          by monitoring, we see that there's some  
11          issues that maybe as you said, changing the  
12          policies that we have in the city that might  
13          be making the problem worse by tweaking  
14          something in our zoning or something like  
15          that, and it might be able to kick it one way  
16          or the other. We'll have data to be able to  
17          do that whereas which I think is always a  
18          good thing.

19                    HUGH RUSSELL: Yes, we might  
20          discover that Zipcars are the solution. But  
21          that's what makes this building work so

1 easily or not.

2 PAMELA WINTERS: And that could be  
3 the tipping point.

4 HUGH RUSSELL: Yes.

5 WILLIAM TIBBS: It sounds like we're  
6 all in agreement in different facets.

7 THOMAS ANNINGER: I would just like  
8 to make a -- I'm very pleased that we  
9 grappled with this issue, and I think this is  
10 the first time we've done it, but I think  
11 it's an important one that we'll set some  
12 standards perhaps going forward. There is  
13 one thing that I feel strongly about, that I  
14 just want to make sure that we don't let  
15 happen. I don't think this is a question  
16 that should be kicked sideways or down or  
17 whatever direction to Inspectional Services  
18 to resolve. I don't think it's fair to say  
19 well, just ask Ranjit how to handle it. I  
20 don't think it's fair to him or Inspectional  
21 Services. I don't want to personify it. And

1 I don't think it's fair to us, because I  
2 don't think we know whether that resolution  
3 is going to quite fit the policy that you  
4 were talking about. So I think we have to  
5 find some way better than that. And I think  
6 you propose that for starters and we're going  
7 to learn something and we're going to get  
8 better at it as we go along. But I'm  
9 grateful in any event and that we have to  
10 grapple with it.

11 BETH RUBENSTEIN: Les, did you have  
12 something?

13 LES BARBER: Yes, to Tom's issue  
14 maybe we should make it in the permit, make  
15 it clear that the Board would have no  
16 objection. And I have not had a discussion  
17 with other staff in the city about this, but  
18 it seems to me logical to allow an owner of a  
19 parking space who does not have a car to  
20 lease that space out to anyone else in the  
21 building who would like to use that space.

1           It's all accessory to the building. It's not  
2           like leasing it out to someone else in the  
3           community. So that might be sufficiently,  
4           introduce sufficient flexibility that the  
5           workings of the market could actually  
6           function properly. And it would act more  
7           like the rental apartment.

8                    BETH RUBENSTEIN: Could that be done  
9           in the permit you think?

10                   LES BARBER: I think we should say  
11           that's consistent with the permit. I think  
12           it's consistent with the notion of requiring  
13           a parking space with a unit, but that all of  
14           those spaces simply have to be accessory to  
15           the units in the building whether that's the  
16           interpretation or not. I think we should  
17           state up front that the Board thinks that's  
18           consistent with the permit. And it may be  
19           indeed found to be consistent with our  
20           current interpretation of the Ordinance.

21                    THOMAS ANNINGER: So you don't think

1 we need an Amendment to the Ordinance to get  
2 there?

3 LES BARBER: I don't know. But that  
4 would be my argument. That even if you're  
5 leasing a space you lent to someone else in  
6 the building, it's still in the building.  
7 It's not a commercial parking space that's  
8 being made available.

9 THOMAS ANNINGER: It's a creative  
10 start anyway.

11 PAMELA WINTERS: It is.

12 PATRICIA SINGER: And a practice  
13 that happens more often in New York where the  
14 parking is much tighter than here.

15 HUGH RUSSELL: You see what happens  
16 frequently here.

17 Are there any other issues that we need  
18 to address?

19 PAMELA WINTERS: I have one last  
20 question. So I've heard 0.8 and I've heard  
21 0.9. Are we deciding on the 0.8 or the 0.9?

1                   HUGH RUSSELL: We're deciding on a  
2                   fixed number which is, which they have  
3                   allocated to 0.8 spaces but are being  
4                   assigned to apartments. And 0.1 spaces to be  
5                   assigned to visitors, roughly. So the total  
6                   is 0.9.

7                   PAMELA WINTERS: Okay. Got it.  
8                   Thank you.

9                   PATRICIA SINGER: I think I'd like  
10                  to make one more comment. I'm glad we really  
11                  talked this out. I've been a proponent for  
12                  reducing parking pretty consistently. That  
13                  the one thing that still troubles me about  
14                  this discussion tonight is that if I were a  
15                  resident across the street from this building  
16                  and I was already having trouble parking, and  
17                  now 392 units are coming in short 78 spaces,  
18                  where are they going to park? Isn't it going  
19                  to change their policy so that people can  
20                  park 24 hours? Is North Point going to get  
21                  developed? All of this theoretical

1 conversation that we're having about  
2 monitoring and learning is great for somebody  
3 else, but it wouldn't be great for me if it  
4 were my neighborhood. And so, I am not at  
5 all opposed to this. I think that this is a  
6 good thing, and I think that we should vote  
7 for it, but I want just to say that this push  
8 back that we're pushing on these larger  
9 construction to come down in the number of  
10 parking spaces, well, I actually think that  
11 that applies to the residences, too. I don't  
12 see it happening immediately, and certainly  
13 I'm one of the greater offenders. But, the  
14 whole notion seems to be generally to get  
15 cars off the street in Cambridge because it's  
16 a congested city. And that applies to  
17 everybody, not just to people who live in  
18 multi-family dwelling units.

19 HUGH RUSSELL: Just before I came to  
20 the meeting I read through our findings and  
21 our decision in 2007 and they run about a

1 dozen or more pages. It's my belief that  
2 with the exception of the few things that we  
3 have discussed, basically parking and the  
4 access to the parking, the project is the  
5 same project. And that so -- and I found  
6 actually that all of the findings, all of the  
7 subjects could still be made, but there were  
8 a few factual matters of history in the  
9 finding section of what happened in 2005 and  
10 2006 that are now going to have to be changed  
11 to say what happened in 2005, 2006 and 2010.  
12 And there was one paragraph on page 12 which  
13 says: The service facilities have been moved  
14 to the most remote and least intrusive corner  
15 of the site.

16 That paragraph is going to have to be  
17 removed because that's no longer what is  
18 happening. And some other paragraph we put  
19 in that says: Well, they've really done the  
20 best they can. And it looks like it will  
21 work.

1                   STEVEN WINTER: Right. Which is  
2 true. That is the truth.

3                   HUGH RUSSELL: Yes. And, you know,  
4 there's a reference to particular plans. So  
5 those will have to be updated. And we've  
6 only required two spaces for Zipcar. I don't  
7 know whether we changed this number in this  
8 decision or not. Probably should. And it  
9 required good access between the bicycle  
10 storage area and the future and multiuse  
11 path. Well, I mean, has that actually been  
12 achieved in this plan? It's not actually  
13 difficult to, as I understand it, the  
14 bicycles are going to come in and go down the  
15 ramp and down at the end of the ramp are  
16 where the bicycles are. And maybe that's a  
17 condition that's already in the plan and have  
18 already been satisfied which haven't been  
19 satisfied before. So there's a little bit of  
20 updating, tweaking, but I believe in my view  
21 that the basic findings are the same.

1                   STEVEN WINTER: I concur.

2                   HUGH RUSSELL: I mean, there's a  
3                   reference to Dawse Street and that needs to  
4                   be changed. I found less than one thing of  
5                   page in my reading. I'm sure that as the  
6                   attorneys and the staff look at it, they may  
7                   find other words or phrases that need to be  
8                   altered to keep the sense of what we're  
9                   saying the same.

10                  WILLIAM TIBBS: So are you  
11                  suggesting that the staff go through that  
12                  exercise consulting with the proponent to  
13                  come up with a new set for us to --

14                  HUGH RUSSELL: Well, I would feel  
15                  that we could based on, in my view we could  
16                  vote tonight about the permits, and then once  
17                  there's a decision that's made, there's the  
18                  back and forth between the attorneys and the  
19                  staff just to make sure the words are as  
20                  clear as they can be to potential lenders.

21                  WILLIAM TIBBS: Yes, Liza.

1           LIZA PADEN: If that's the case, we  
2           have an extension granted through July 2nd to  
3           file the decision. So I just want to make  
4           sure that everybody who's here will be  
5           available to work on the decision and get it  
6           filed and we need the applicant to sign that  
7           and file it by July 2nd.

8           HUGH RUSSELL: So you're saying the  
9           colleagues and the staff or the attorneys on  
10          the other side if they can --

11          WILLIAM TIBBS: Can they do it?

12          HUGH RUSSELL: -- can they do it in  
13          two weeks?

14          ATTORNEY DEBORAH HORWITZ: And if  
15          not, also not a legal decision, but I'm sure  
16          Chris would extend the time.

17          HUGH RUSSELL: We're not meeting  
18          before that time.

19          LIZA PADEN: Right. We're not  
20          meeting until July 6th. That's what my  
21          concern is.

1                   ATTORNEY DEBORAH HORWITZ: You just  
2                   want to agree to do that tonight?

3                   CHRISTOPHER CANIB: Yes.

4                   ATTORNEY DEBORAH HORWITZ: Nobody  
5                   needs to be pressured.

6                   WILLIAM TIBBS: What did you just  
7                   decide?

8                   ATTORNEY DEBORAH HORWITZ: We'll  
9                   grant an extension.

10                  WILLIAM TIBBS: You're going to do  
11                  an extension tonight?

12                  ATTORNEY DEBORAH HORWITZ: To the  
13                  date of the next hearing.

14                  LIZA PADEN: Well, I would need it  
15                  to --

16                  BETH RUBENSTEIN: It would have to  
17                  be longer than that.

18                  LIZA PADEN: I would need it to the  
19                  following Friday or, you know, if it's --  
20                  okay. Thank you. That's all.

21                  WILLIAM TIBBS: We have to do that,

1 right?

2 HUGH RUSSELL: So the proposal is to  
3 grant an extension to the 10th of July and  
4 present the date to the 2nd of July. All  
5 agreed?

6 (All agreed).

7 HUGH RUSSELL: Okay. Now, do we, so  
8 shall we proceed with a motion?

9 The way this works is the Chair doesn't  
10 usually make motions even though it's  
11 suggested how that might look.

12 THOMAS ANNINGER: Would you like me  
13 to try?

14 HUGH RUSSELL: Please, Tom.

15 THOMAS ANNINGER: This will be as  
16 simple as I can make it.

17 I think a starting point for a motion  
18 is to look at the zoning relief that was  
19 requested, and that appears in the narrative  
20 on page 3/5 where we have reference to the  
21 plan, the PUD Special Permit 13.70, the

1 project review Special Permit in 19 Article  
2 19.20. The approval of additional gross  
3 floor area for above ground structured  
4 parking and the Special Permit to reduce  
5 parking ratios, 6.35. Now, this is a project  
6 that had received, as Hugh just pointed out  
7 and discussed, a PUD and Article 19 Special  
8 Permit, what was it 2007? We also at that  
9 time approved additional gross floor area for  
10 the ground structured parking. All of the  
11 findings for that are contained in our  
12 original decision. And Hugh pointed out  
13 those rather minor points that need updating.  
14 But in all other respects, I think we can  
15 defer to that original decision that we had  
16 in 2007, and now we're -- really what we're  
17 doing is updating for two major changes. One  
18 of them is that last relief sought which is  
19 the reduction in parking ratios. And we've  
20 talked about that just a few minutes ago at  
21 great length. And I think the findings on

1 that are something that we all now accept  
2 based on the data that was presented to us  
3 and on the discussion on how we ought to  
4 resolve some of the administration in that in  
5 a way that does not go against the spillover  
6 effect that would be against policy of the  
7 city of making things worse on the streets.

8 And the other change which isn't  
9 reflected in the relief sought, but it is  
10 reflected now in what we'll have to have for  
11 our findings, we've come back as the  
12 expression goes, as to what was originally  
13 proposed, which was a Water Street entrance  
14 rather than an entrance all the way around  
15 the horn. And while there are some pluses  
16 and minuses to each, I think we've accepted  
17 the fact that it is no longer possible given  
18 the state of North Point and the third party  
19 owners with whom we cannot deal with to go  
20 around the horn, but the proponents have said  
21 that it may yet happen some day if the stars

1           are aligned for that to work, but otherwise I  
2           believe from our discussion that we've  
3           accepted the -- and worked out the problems  
4           and that need to be addressed, including  
5           deliveries and so on with the Water Street  
6           entrance. And, therefore, I move that we  
7           grant, based on that discussion, the relief  
8           being sought.

9                     HUGH RUSSELL: Is there a second?

10                    WILLIAM TIBBS: I second.

11                    HUGH RUSSELL: Is there any  
12           discussion?

13                    Then on the motion all those in favor.

14                    (Show of hands.)

15                    HUGH RUSSELL: And it is unanimous.

16                    (Russell, Anninger, Singer, Winter,  
17           Winters, Tibbs, Studen.)

18                    HUGH RUSSELL: We have another item  
19           on our agenda. I think maybe people want to  
20           take a short break while they're moving  
21           around. Let's start at 10:30 again.

1 (A short recess was taken.)

2 HUGH RUSSELL: The Board will  
3 discuss as a matter of general business,  
4 Planning Board case 249, 126 Charles Street.  
5 And I was just reminded the reason we didn't  
6 decide last time was to permit them to meet  
7 with the East Cambridge Planning Team. And  
8 we have a letter from Barbara that says that  
9 they met.

10 BARBARA BROUSARD: They brought  
11 cookies.

12 HUGH RUSSELL: The property is a  
13 better suited location. Replace the trees  
14 with five inch caliper trees. The  
15 streetscape for the otherwise planned  
16 building. Mr. Rafferty.

17 ATTORNEY JAMES RAFFERTY: Thank you,  
18 Mr. Chairman. Briefly, we did have that  
19 meeting. Appreciate the hospitality of  
20 Ms. Brousard and her colleagues. And then we  
21 have had a following meeting with the staff,

1 with Mr. Booth and Ms. Paden and Mr. Shulman  
2 and you'll see changes to the site plan  
3 largely around landscaping. The trees are  
4 located to provide a screen to the abutting  
5 parking lot, and there are two trees in front  
6 there and a very defined pedestrian entrance  
7 into the property as well. You recall  
8 there's little in the way of very minimal  
9 changes to the facade of the building. It  
10 was interesting, a few neighbors commented at  
11 the planning team meeting that they always  
12 thought the building was residential. So I  
13 think it was probably a compliment hidden in  
14 there or at least an affirmation of what we  
15 were trying to do.

16 Mr. Neiman, the architect is here, but  
17 as I said, there are no floor plan changes,  
18 no facade changes, just a slightly enhanced  
19 site plan and the opportunity to have --  
20 which was helpful to have dialogue with the  
21 neighborhood association. And we --

1                   HUGH RUSSELL: Is this a 5.28  
2                   permits?

3                   ATTORNEY JAMES RAFFERTY: Correct.  
4                   This building was built for a Variance for an  
5                   office R&D use. It's never been used as  
6                   residential. And we appreciated the  
7                   opportunity to come back, because as I  
8                   explained to Mr. Glanz, there's now an added  
9                   element of value to this Special Permit by  
10                  virtue of this process. It will be noted I'm  
11                  sure in the annals of Community Development  
12                  history that this is the last Special Permit  
13                  that Beth Rubenstein will have worked on.

14                  STEVEN WINTER: That's too sad.

15                  ATTORNEY JAMES RAFFERTY: That is  
16                  too sad. All the Special Permits that she's  
17                  seen in her career. Mr. Glanz is flattered.

18                  HUGH RUSSELL: When she is so  
19                  successful at the University of Lowell starts  
20                  taking over Lesley University, she'll be  
21                  back.

1                   ATTORNEY JAMES RAFFERTY: And it's  
2                   probable that Adams and Rafferty is opening a  
3                   Lowell office. Thank you very much.

4                   STEVEN WINTER: Mr. Chair, I don't  
5                   have a lot of discussion about this. It  
6                   looks like the proponent did everything that  
7                   was requested and required. I'm really --  
8                   I'm prepared to move forward.

9                   HUGH RUSSELL: Okay. Someone else  
10                  object to that plan?

11                  I'm just looking up to see exactly what  
12                  findings we had to make. Okay. 5.28.3.7 on  
13                  page 5-8 we have to make a finding about the  
14                  impact on the residential neighbors of the  
15                  housing use as it regards to privacy and due  
16                  to the fact of the increased number of  
17                  dwelling units permitted in the district on  
18                  on-street parking. So it would seem that we  
19                  could find that there is adequate off street  
20                  parking, and I expect that the building on  
21                  the bottom of the plan is a residential

1 building; is that correct?

2 ATTORNEY JAMES RAFFERTY: Yes.

3 HUGH RUSSELL: So we can find that  
4 the residential use is not changing the  
5 openings in the existing building and so the  
6 impact on the residential neighbors are no  
7 different in terms of their privacy than the  
8 present situation?

9 STEVEN WINTER: I think it is  
10 consistent with urban design.

11 HUGH RUSSELL: Yes.

12 WILLIAM TIBBS: So moved.

13 HUGH RUSSELL: Second.

14 PAMELA WINTERS: Second.

15 HUGH RUSSELL: Pam.

16 Discussion on the motion?

17 All those in favor of granting the  
18 permit?

19 (Show of hands.)

20 (Russell, Anninger, Winter, Singer,  
21 Tibbs.)

1 CHARLES STUDEN: I can't vote on  
2 this.

3 PAMELA WINTERS: So we have enough?

4 CHARLES STUDEN: Yes.

5 HUGH RUSSELL: You voted in favor?

6 PATRICIA SINGER: Yes.

7 ATTORNEY JAMES RAFFERTY: Thank you  
8 very much.

9 BETH RUBENSTEIN: Before we adjourn  
10 can I have one minute?

11 HUGH RUSSELL: Please.

12 BETH RUBENSTEIN: I do just want to  
13 say, I just want to thank the Board for all  
14 their support and good work over the many  
15 years. It's been a wonderful association and  
16 I thank you all.

17 THOMAS ANNINGER: We wish you well.

18 WILLIAM TIBBS: Yes.

19 HUGH RUSSELL: I would comment that  
20 a cool steady hand at the department has  
21 caused many things to be accomplished.

1                   BETH RUBENSTEIN: You're in very  
2                   good hands. And I also did want to mention  
3                   that Susan has been appointed acting  
4                   assistant city manager and you'll be in good  
5                   hands with the whole department with Susan,  
6                   and thanks.

7                   (Whereupon, at 10:40 p.m.,  
8                   the meeting adjourned.)

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

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