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PLANNING BOARD FOR THE CITY OF CAMBRIDGE

GENERAL HEARING

Tuesday, November 16, 2010

7:00 p.m.

in

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

- Hugh Russell, Chair
- Thomas Anninger, Vice Chair
- William Tibbs, Member
- Pamela Winters, Member
- Steven Winter, Member
- H. Theodore Cohen, Member
- Charles Studen, Associate Member
- Ahmed Nur, Associate Member

Susan Glazer, Acting Assistant City Manager  
for Community Development

Community Development Staff:

- Liza Paden
- Roger Booth
- Les Barber
- Stuart Dash

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P R O C E E D I N G S

HUGH RUSSELL: I'll call the meeting to order. We'll start with the Board of Zoning Appeal cases.

LIZA PADEN: So there are two sets of Zoning Board of Appeal cases. One is November 18th. I didn't have any comments.

CHARLES STUDEN: Nor did I.

HUGH RUSSELL: I do appreciate these being on (inaudible) paper. It's much easier.

LIZA PADEN: You're welcome.

CHARLES STUDEN: I do, too. It is good. It is good.

STEVEN WINTER: I have one question on 10019, 66 Oxford.

LIZA PADEN: I'm sorry, yes. Okay.

STEVEN WINTER: And my question is: Is it currently a residential building?

LIZA PADEN: It's a multi-family building, and they're creating additional



1           densi ty wi thi n the resi denti al bui l di ng?

2           L I Z A P A D E N:   Y e s.

3           S T E V E N W I N T E R:   W i t h i n t h e  
4           f o o t p r i n t ?

5           L I Z A P A D E N:   Y e s.

6           S T E V E N W I N T E R:   O k a y, t h a n k y o u.

7           L I Z A P A D E N:   S o i f t h e r e ' s n o m o r e  
8           c o m m e n t s o n t h a t o n e -- i s t h e r e ?

9           H U G H R U S S E L L:   N o.

10          L I Z A P A D E N:   A n d t h e n e x t s e t o f  
11          c a s e s a r e t o b e h e a r d D e c e m b e r 2 n d.   A n d  
12          s i n c e y o u r n e x t m e e t i n g w o n ' t b e u n t i l a f t e r  
13          t h a t, I i n c l u d e d t h e m i n t h i s p a c k a g e.

14          H U G H R U S S E L L:   S o c a s e 1 0 0 3 0 s e e m s  
15          l i k e i t ' s t h e r e s o l u t i o n f o r t h e p a r k i n g t h a t  
16          w e g a v e t h e S p e c i a l P e r m i t.   I t h i n k w e  
17          e n c o u r a g e d t h e m t o s e e k p a r k i n g ?

18          L I Z A P A D E N:   E x a c t l y.   T h i s i s  
19          a c t u a l l y t h e s e c o n d a p p l i c a t i o n.   T h e f i r s t  
20          o n e p r o c e d u r a l l y w a s i n c o r r e c t.   S o t h i s i s  
21          t h e i r s e c o n d h e a r i n g o n t h i s.   S o t h a t ' s w h y

1           i t' s on the agenda agai n. But i t' s to see i f  
2           they can get that tandem Speci al Vari ance.

3                   HUGH RUSSELL: Di d we comment on  
4           that before?

5                   LIZ A PADEN: I thi nk what we di d was  
6           we sent a copy of the Speci al Permi t and sai d  
7           that you had anti ci pated thi s request.

8                   HUGH RUSSELL: Okay.

9                   LIZ A PADEN: Do you want to do that,  
10          send i t agai n?

11                  HUGH RUSSELL: Let' s do that agai n.

12                  CHARLES STUDEN: Yes.

13                  LIZ A PADEN: Al l ri ght.

14                  HUGH RUSSELL: Okay, so the two  
15          i tems of General Busi ness that we coul d take  
16          up between now and our fi rst heari ng.

17                   The fi rst i s a request from KayaKa  
18          Hotel to extend the Speci al Permi t for one  
19          year.

20                   LIZ A PADEN: So, the KayaKa Hotel i n  
21          Porter Square i s requesti ng an extensi on of

1           thei r Special Permi t. Mr. Kim has taken the  
2           bel ts and suspenders approach towards the  
3           automati c extensi on of two the years. And  
4           he' s requesti ng an extensi on for the hotel .  
5           He expects to go i nto constructi on i n the  
6           spri ng.

7                   HUGH RUSSELL: Okay. Does anyone  
8           have any questi ons about that?

9                   CHARLES STUDEN: No.

10                   HUGH RUSSELL: Woul d someone l ike to  
11           offer a moti on?

12                   CHARLES STUDEN: So moved.

13                   HUGH RUSSELL: That we grant the  
14           extensi on.

15                   Second.

16                   STEVEN WINTER: Second.

17                   HUGH RUSSELL: All those i n favor.

18                   (Show of hands.)

19                   HUGH RUSSELL: Si x members voti ng i n  
20           favor.

21                   (Russel l , Anni nger, Wi nters, Wi nter,

1 Cohen, Studen.)

2 \* \* \* \* \*

3 HUGH RUSSELL: The next case is  
4 Planning Board case 239, 2419 Mass. Avenue,  
5 Rounder Records site.

6 LIZA PADEN: So, during the  
7 Inspectional Service Department's review of  
8 the Building Permits, it was determined that  
9 in the original application the developer had  
10 not included the number of square feet in the  
11 balconies. The balconies were part of the  
12 Planning Board Special Permit review. They  
13 were discussed, and the Planning Board  
14 acknowledged that they were part of the  
15 design. And what had happened was the  
16 calculation was not included. It's a  
17 difference of 1,254 square feet, which has  
18 been broken down in this handout I just gave  
19 to you on how many square feet are in the  
20 first floor balcony, the second floor  
21 balcony. I believe actually I mailed it to

1           you, I'm sorry.

2                   STEVEN WINTER:    Yes.

3                   LIZA PADEN:    I mailed that to you,  
4           yes, the break down.   And then what I have  
5           handed out to you now is the revised  
6           dimensional form.   And this reflects what the  
7           new numbers would be.   It is still below  
8           what's allowed in the district, and it  
9           doesn't represent any change in the designs  
10          that you looked at and approved.

11                   HUGH RUSSELL:   So we're just  
12          allowing them to fix a mistake in  
13          calculation?

14                   LIZA PADEN:    Yes.

15                   HUGH RUSSELL:   That does not seem to  
16          be a difficult thing to do.

17                   CHARLES STUDEN:   No.

18                   HUGH RUSSELL:   Anybody have anything  
19          to say on this item?

20                           (No Response.)

21                   HUGH RUSSELL:   Does anyone want to

1 make a motion?

2 THOMAS ANNINGER: Just give me a  
3 moment to formulate a question.

4 HUGH RUSSELL: Okay.

5 THOMAS ANNINGER: How far along is  
6 this project?

7 LIZA PADEN: It's at the Building  
8 Department. They're reviewing the  
9 application for the Building Permit. So,  
10 that's where they found the mistake.

11 HUGH RUSSELL: And demolition has  
12 been done?

13 THOMAS ANNINGER: Demolition is  
14 done.

15 LIZA PADEN: Right.

16 HUGH RUSSELL: There's been some  
17 construction around the property, a fence.

18 I brought along the plans. I think  
19 they're the most recent one if anybody wants  
20 to look at them. They show balconies in some  
21 places.

1 H. THEODORE COHEN: I was going to  
2 make a motion if everyone else is ready for  
3 that.

4 CHARLES STUDEN: Yes, please.

5 HUGH RUSSELL: Sure.

6 H. THEODORE COHEN: Well, I would  
7 move that we allow the proponent to amend the  
8 calculation to include the porches and  
9 balconies that were an oversight in the  
10 original calculation, given that it's not  
11 changing anything that was already approved  
12 by the Planning Board and which would be an  
13 additional scope of 1245 square feet.

14 HUGH RUSSELL: Is there a second?

15 CHARLES STUDEN: Second.

16 HUGH RUSSELL: Charles.

17 Discussion?

18 All those in favor?

19 (Show of hands.)

20 HUGH RUSSELL: Six members voting in  
21 favor.

1 (Russell, Anninger, Winters, Winter,  
2 Cohen, Studen.)

3 LIZA PADEN: Thank you.

4 \* \* \* \* \*

5 HUGH RUSSELL: I brought along my  
6 conflict of interest form signed. And I'm  
7 wondering if other people have theirs.

8 LIZA PADEN: Oh, good. Thank you.

9 HUGH RUSSELL: There's a conflict of  
10 interest law in the Commonwealth. So there's  
11 new materials, and I went to a training  
12 session a few weeks ago. And there's one --  
13 a couple of things that seem to impact us.  
14 Do you remember what they were, Susan?

15 SUSAN GLAZER: One was the approval  
16 of minutes which -- we have a stenographer  
17 here so we have a transcript. And what we  
18 have worked out with staff is that Liza would  
19 read the transcript and report to the Board  
20 as to whether it was accurate or not. And  
21 then the Board could approve the transcript.

1 HUGH RUSSELL: Okay.

2 And there was one other question that I  
3 was concerned about, and I can't remember  
4 what it was. It's going to require some  
5 consultation with somebody.

6 SUSAN GLAZER: Liza, do you recall?  
7 That was the primary one. I'm just trying to  
8 think.

9 LIZA PADEN: I'm not remembering it.

10 SUSAN GLAZER: I'm not remembering  
11 it. That was the key thing.

12 HUGH RUSSELL: Basically old rules  
13 about all meetings are public. That people  
14 have a right to attend. And we have to post  
15 meetings. Those basic principles are intact  
16 in the new law. There is a funny requirement  
17 that meeting postings have to be available to  
18 the public 24 hours a day. And it was  
19 unclear whether the city's website would  
20 constitute 24-hour access or whether they're  
21 going to have to build a new board outside of

1 City Hall that's on the outside of the  
2 building in order to accomplish this. But it  
3 was interesting to go through the training  
4 just because, you know, it's one of the  
5 principles of our way of government that this  
6 happened, but the degree at which you have to  
7 think about all the possible ins and outs of  
8 everything. And then the Legislature decided  
9 to write a new law that would combine three  
10 former conflict -- or open meeting laws which  
11 apply to city bodies, state bodies and  
12 somebody else, all into one law. And that's  
13 how it's gotten the City Solicitor a lot of  
14 thinking time I guess. Do you want to  
15 make --

16 SUSAN GLAZER: Just for the public's  
17 knowledge, the Community Development  
18 Department posts all of the Planning Board  
19 notices of hearings and the transcripts  
20 online, and we are expanding that to include  
21 some of the decisions as well. So, the

1 public will have the opportunity to look at  
2 things in advance.

3 HUGH RUSSELL: Do you want to tell  
4 us what's coming up?

5 SUSAN GLAZER: It's been a while  
6 since we've met. The next meeting is  
7 December 7th, and we will have the Norris  
8 Street public hearing. This is the  
9 conversion of the former North Cambridge  
10 Catholic High School to residential units.  
11 That originally was scheduled for tonight,  
12 but it's being postponed until December 7th.  
13 So if there's anyone here for that item, just  
14 please take note.

15 And the next meeting after that is  
16 December 21st. And we'll see how the agenda  
17 goes and whether we have to carry over items  
18 as to whether we have a meeting that night.  
19 But it will depend on what happens on the  
20 7th.

21 And just for those who are planning

1 ahead, our meetings in January will be  
2 January 4th and January 18th.

3 And then on February 1st we will have  
4 the annual Town Gown night, and that will be  
5 at the Senior Center, Liza?

6 LIZA PADEN: Yes. That will be at  
7 the Senior Center.

8 SUSAN GLAZER: Central Square Senior  
9 Center.

10 HUGH RUSSELL: Okay. In two minutes  
11 we'll go on with our 7:20 hearing.

12 CHARLES STUDEN: Hugh, I just have  
13 one question.

14 I noticed on the agenda, Susan, it says  
15 adoption of meeting transcripts. Do we do  
16 that or has it been done?

17 SUSAN GLAZER: Yes, you should.

18 CHARLES STUDEN: So, is that a  
19 remaining item of business before we move  
20 into the hearings? I'm just curious. Is  
21 that something we'll see typically every

1 meeting that we have from now on?

2 LIZA PADEN: Yes. The plan is that  
3 I'm going to read the transcripts and then  
4 you can adopt them. I would ask --

5 CHARLES STUDEN: Out loud while  
6 we're sitting here?

7 LIZA PADEN: I'm going to read them  
8 to you.

9 CHARLES STUDEN: Please.

10 LIZA PADEN: With voices.

11 CHARLES STUDEN: I'm teasing of  
12 course. Go ahead, I'm sorry.

13 LIZA PADEN: My proposal is that if  
14 you give me a chance at the next meeting --  
15 yes, this will be an item on the agenda to  
16 answer your question. And at the next  
17 meeting, I will catch up from when this was  
18 enacted in July to the transcript that we  
19 have, and I will catch up, and then I'll  
20 report back to you and then we'll take a vote  
21 then.

1 Thank you.

2 CHARLES STUDEN: Thanks.

3 LIZA PADEN: Or you'll take a vote.  
4 I won't take a vote.

5 HUGH RUSSELL: Let's get going on  
6 our first hearing which is the Fox, et. al.  
7 petition to amend the Zoning map in the area  
8 of Cottage Park Avenue. Who is going to  
9 present the presentation to us?

10 CHARLES TEAGUE: Does Les speak  
11 first?

12 LIZA PADEN: No, you speak first.

13 CHARLES TEAGUE: I was going to have  
14 Dick Clarey speak to start with.

15 RICHARD CLAREY: My name is Richard  
16 Clarey. I'm a neighbor of this street, in  
17 the adjacent street, and I've been asked to  
18 read the text of the preamble to the Petition  
19 to the City Council because it's a very  
20 succinct and clear rationale for this  
21 proposal. I don't know whether the Board has

1 this already. Oh, you do have it?

2 HUGH RUSSELL: (Showing document).

3 RICHARD CLAREY: To the Honorable  
4 City Council?

5 HUGH RUSSELL: Yes, we do.

6 RICHARD CLAREY: Okay.

7 Well, I'd like to read it into the  
8 record. It says: "The undersigned hereby  
9 petition to the City Council to amend the map  
10 of the Zoning Ordinance of the City of  
11 Cambridge by rezoning an area in North  
12 Cambridge from its current designation  
13 Business A-2 to a new designation of  
14 Residence B. The affected area is  
15 principally accessed via Cottage Park Avenue,  
16 a small dead end street that is predominantly  
17 residential in nature and limited in its  
18 ability to safely handle significant  
19 automobile traffic.

20 "The westerly side of Cottage Park  
21 Avenue is already zoned Residence B and there

1 are residential uses currently in the  
2 affected area. The density of the current  
3 business A-2 Zoning designation and its wide  
4 range of retail office uses is inappropriate  
5 for this small area that does not front on  
6 Mass. Ave. It's one of the few areas along  
7 avenue where the business district extends  
8 more than 100 feet from sidewalks along the  
9 highway. Housing is the density of the  
10 existing neighborhood is developed on the  
11 outside of Cottage Park Avenue is more  
12 appropriate. City policy has recognized this  
13 fact in the recent past. The large area of  
14 industrial property at the end of Cottage  
15 Park Avenue was recently rezoned to its  
16 original industrial designation to a new low  
17 density district, special district two,  
18 similar in density to the Residence B  
19 district with the express intent of  
20 encouraging this industrial land to evolve  
21 over time to housing compatible with the

1 abutting -- compatible with the abutting  
2 neighborhood. The present proposal would  
3 complete the implementation of that change in  
4 city policy and reserve this small area for  
5 future residential development as well. The  
6 historic, commercial and industrial zoning  
7 designations in this area reflect at a  
8 different time and pattern of use that grew  
9 up around the railroad. Times have changed  
10 and land patterns have evolved limiting  
11 future development along Cottage Park Avenue  
12 for housing is most appropriate today, and  
13 the proposed rezoning would accomplish that."

14 Thank you.

15 CHARLES TEAGUE: I'm Charles Teague.  
16 I live at 23 Edmunds Street which is just the  
17 other side of Cottage Park. And so really,  
18 really what we're going to talk about is two  
19 companies having a great effect on Cottage  
20 Park. And Les Barber wrote that which is --  
21 which talks about the past and the future and

1           how it's all changed. And what we're going  
2           to talk about is how the street really can't  
3           handle very much. Because it was built a  
4           long time ago, before there were cars.

5                     And the Historic Commission has in  
6           July, has looked at -- and they're waiting to  
7           land -- the brick building at 22 Cottage Park  
8           under a landmark study. But they wanted --  
9           they said we should wait. And then they, on  
10          the demolition permit they found the Quonset  
11          hut significant which has some Zoning  
12          impacts.

13                    And we have Bill Fox here. His  
14          next-door neighbor couldn't make it. But  
15          those have been -- they've been working at  
16          keeping the street safe since 1972. And the  
17          build goes way back to the consternation of  
18          World War II. He was a veteran and he was at  
19          D-Day.

20                    So we have to thank Les Barber for  
21          writing this and supporting us. We have to

1           thank Bill Fox for supporting this a long  
2           time ago.

3                        So, as you know, the Business A-2  
4           district is in generally 100 feet off Mass.  
5           Ave. And there are a couple of little  
6           anomalies. And we're going to perhaps  
7           discuss the smallest one here over on Cottage  
8           Park. And here it is, and what -- and the  
9           Emerson properties are 18, three-family  
10          house. The large brick building at 22 and  
11          the Quonset hut at 27 which is next to it  
12          with a paved area next to it. Edmunds is  
13          here. I live here. (Inaudible.) Dick  
14          Clarey lives over there. And you can see  
15          this is a very small street. And you can see  
16          that you can't see around this bend. And if  
17          you have cars on either side, you can only  
18          fit one car through.

19                      And then down here is Fawcett Oil which  
20          we'll talk about.

21                      So the current zoning, it's -- the

1 Emerson properties are up for sale, and BA-2  
2 computes as being worth tearing down the  
3 brick building and putting in a lot of units;  
4 36 units, four units across the street and in  
5 the Res B that's 40 units. There's 11 units  
6 on the street now. 51 units. You go from 11  
7 units to 51 units on a street that's not  
8 really safe in the first place.

9 So in BA-2, there was a buyer who  
10 wasn't well qualified and it made, it made a  
11 series of assumptions for relief. It didn't  
12 understand about Variances. They thought it  
13 was all Special Permits. And then they went  
14 on to propose about 50 percent, and the  
15 minimum parking rather than 42 to 84 spaces,  
16 they proposed 25. So here's their depiction.  
17 What they just did was put parking in  
18 Residence B. This is Residence B over here.  
19 They ignored the Residence B setbacks. You  
20 know, they just -- they just hired the wrong  
21 people and weren't well qualified. So, the

1 fact that this is allowed as business, is  
2 someone takes out their spreadsheets and  
3 thinks they're going to make a lot of money,  
4 they don't realize -- they don't realize you  
5 actually have to have some experience.

6 So, in more detail, this just is BA-2.  
7 Here's the -- here's the 100-foot line.  
8 We're saying just, you know, just, just  
9 conform. We're not asking to be special  
10 here. This is all Residence B all over here.  
11 These are all these funny dog like streets.  
12 We're not ESD-2 which is mainly Fawcett Oil,  
13 and, you know, this is just saying this  
14 little area is an anomaly and it's an  
15 aberration in the BA-2 Zoning. And there was  
16 a good reason. It wasn't an accident to my  
17 mind. Jack Emerson who is -- the sons are  
18 here, is a great and good man. He's an  
19 entrepreneur, humanitarian, excuse me,  
20 patriot. Lost a son in World War II. He did  
21 a lot for the U.S. Navy. And one of the

1 people in the Historic Commission said well,  
2 gees, it's probably a first biotech company.  
3 But the most important thing is he was there  
4 for 70 years. And he did a lot of good. And  
5 this was one of the most famous things is the  
6 iron lung. And not that we all remember, but  
7 these were pandemics of their times. And it  
8 was about children. And he was sued by  
9 Harvard on a patent lawsuit because he had  
10 done a cost reduced version. And according  
11 to one article, they offered him a price  
12 fixing scheme. He declined and he won in  
13 court. Without -- and he never went to  
14 college. He took Harvard on and he won.  
15 And he did it for all the right  
16 reasons. He did it for the people.  
17 But he passed. The manufacturing  
18 ceased, the company sold, the site's vacant.  
19 So it will be developed.  
20 And what we also see is Fawcett Oil  
21 Company, and that site will be developed at

1           some point. But right here is Edmunds Street  
2           as four two-families, a single. We have a  
3           single. These three are on Mass. Ave. This  
4           is -- I have a better map of this whole area.  
5           We can go back to that later.

6                     The single, the three-family on the  
7           Emerson properties, and then these -- there's  
8           two families and then a single-family. And  
9           that's the street, and it's seven houses, 11  
10          units. The important thing about here is  
11          when Fawcett goes, if they have -- they own  
12          this property. So they have the entire  
13          access to Whittmore and Magoun. Brookford  
14          Street has been closed by court order. The  
15          Court restricted the access here to  
16          non-commercial vehicles, but Fawcett also has  
17          -- owns this property that fronts on Edmunds.  
18          And then what you can't see on this map they  
19          connect -- the city actually took Tyler  
20          Court, took the land for Tyler Court so that  
21          Fawcett would have access for the trucks.

1           So, once again we have the overheads,  
2           we have the brick building, the mill building  
3           and then we have the Quonset hut, you can see  
4           it abutting the condos next-door which is  
5           practically just a few feet away. Once again  
6           you can see this dog leg here.

7           This is the dance studio which has a  
8           lot of traffic that goes out through here.  
9           And, yeah, it's just not designed for all  
10          this.

11          When Bill Fox moved there in '55, there  
12          were two cars. There were only seven houses.  
13          It's dangerous. He had two pets killed.  
14          It's 24 feet from curb to curb, and there's  
15          parking on both sides. And it's supposed to  
16          be a dead end, but it's sort of high traffic  
17          for that. The important thing on all these  
18          streets, Edmunds and -- Edmunds and Brookford  
19          as well is they're dog legs.

20          And so we can see that this was the  
21          historic access for the trucks. And this was

1 always trucking. It was Metropolitan Coal  
2 before. And that's what happened was that  
3 Bill Fox and Bob Sears got the city to take  
4 land for Tyler Court out to here. So all the  
5 truck traffic could go somewhere else and not  
6 down their street. And Brookford got closed,  
7 and that's the way it was supposed to be.  
8 It's been a struggle over the decades to keep  
9 that in place.

10 And this is -- so, that went back to  
11 the turn of the century. 1972 they actually  
12 got the city to take the land, and they also  
13 -- and the city also closed the end of  
14 Cottage Park, they put a barrier. And then  
15 Fawcett -- the grandfather died and they  
16 turned around and they sued the city to open  
17 it. And in '89 there was a decision which  
18 restricted the traffic on Cottage Park.  
19 Faucet went back to the Court and reaffirmed,  
20 but they continued using it. So, the  
21 important thing to take away is that there's

1 people who live on Cottage Park who just hang  
2 in there. They don't give up. They just  
3 keep working it. And that's -- and here it  
4 is 2010 and they're back.

5 So, this is just going to be the brief  
6 architectural thing from the Historic  
7 Commission. So it's -- it's a -- it's a real  
8 classic. But for us in North Cambridge, it's  
9 sort of special because it's -- this is more  
10 what we have in North Cambridge, is our  
11 neighbors Fawcett. We have Marino, the good  
12 and the bad. Then we have the recycle ice  
13 warehouse. We have this new building that is  
14 somehow extraordinarily built on the lot  
15 line. There's Tyler Court, which is the  
16 access. This was described in one hearing as  
17 building with Gee-Gause I think from one of  
18 you guys. But it is the new condos on Cedar  
19 and Mass. Ave. So we have a lot of density  
20 that's coming to the neighborhood. This, I  
21 think it was 42 units. And then we had the

1 Just-A-Start. And then we had Trolley Square  
2 with high density. And we've got a lot of --  
3 we've got a lot of density that's been built  
4 in. And not entirely attractive as you can  
5 see.

6 So, as we're looking through here, you  
7 were wondering why, why do you want to save  
8 this old mill building? And you go like this  
9 is, this is the standard of architecture in  
10 North Cambridge. And there's Magoun Street  
11 which was bought up in the north -- by the  
12 planning, by CDD. And then we have all these  
13 retail add-ons which are particularly  
14 unattractive. And the sad thing about the  
15 one on the right was this whole facade was  
16 just rebuilt just this passed year. There's  
17 more storefronts. And you can see that this  
18 was added on up there. This was a historic  
19 place that was illegally demoed during the  
20 demolition delay ordinance. You know, it was  
21 -- sure, I like this, I like what this





1 street, and I did put the petition in to have  
2 it down zoned to residential. Because I've  
3 had -- we've had trouble on that street ever  
4 since I've lived there from one thing to  
5 another thing.

6 Faucet bought the property and I leased  
7 it out to sand trucks. You know what those  
8 18-wheel sand trucks are like. And they'd  
9 come down with no, no -- they didn't care.  
10 They just drove in as they pleased. And my  
11 daughter walked out on the sidewalk and the  
12 little dog went in the street and the truck  
13 killed it.

14 Well, that was when I said that's it.  
15 And me and Bob Sear and his wife on the  
16 street we sat down here at the City Council  
17 for two years practically every Monday to  
18 finally -- they finally listened. There is a  
19 problem. And they sent traffic -- people  
20 down and studied the traffic pattern. They  
21 took everything out. And we went down to

1 Mr. Emer -- to Mr. Faucet when he was living,  
2 Danny and me and Bob Sear and a couple  
3 others, and Mr. Faucet said to us personally,  
4 if the city would give him another way in for  
5 trucks, they wouldn't use Cottage Park Ave.  
6 And that's what the judge said. That's  
7 legal, as far as enough people -- it wasn't  
8 put in writing and that was the problem. As  
9 far as I can see, I don't know for sure. But  
10 in the court the judge said that's legal and  
11 that's what's preferable is recommended. But  
12 that's the way life has been on the street.  
13 Mr. Emerson had trucks, there's no question  
14 about it. He had to have them. And I  
15 wouldn't even have -- if they said to me we  
16 can put two and a half tons trucks on the  
17 side to stop it. I said no, because he has  
18 to have once in a while a big truck to get  
19 his equipment in. And I never disagreed with  
20 him. We worked with him. We tried. I was  
21 in business. I know what you have to do.

1 And I used to work with him to help him get  
2 the trucks in and out. I moved my car. I  
3 get somebody out in the street to move it.  
4 That wasn't our objection. Because he was  
5 serious -- and they were -- we were actually  
6 concerned that a truck may hit someone. We  
7 talked to them many times. And they did the  
8 best they could because they still had to  
9 manufacture. And I think we need this down  
10 zone. I appreciate it if you seriously look  
11 into it.

12 Thank you.

13 HUGH RUSSELL: Thank you. Is that  
14 all?

15 CHARLES TEAGUE: Yeah, I was going  
16 to say that's it for our side, the  
17 presentation. There might be some people in  
18 the audience. Also, I'm going to say that as  
19 far as I can tell, every proposal that's come  
20 by the community is gonna require a Variance  
21 anyway. Everybody accepts that. There will

1 be more -- there will be more residential on  
2 the street. The point is to -- not to make  
3 it super dense. And especially not by  
4 tearing down a historic structure. And it's  
5 just inevitable to do the density of that  
6 building that there will be a Variance. I  
7 don't see that. I don't see that this is an  
8 impediment of changing the down zoning. It's  
9 just going to eliminate a bunch of the  
10 filling that's been coming by, and it's going  
11 to take the extreme development off the  
12 table.

13 HUGH RUSSELL: Okay.

14 CHARLES TEAGUE: Okay. Thank you.

15 HUGH RUSSELL: I neglected to write  
16 down your name. Could you tell me that  
17 again?

18 CHARLES TEAGUE: Charles Teague,  
19 T-e-a-g-u-e.

20 PAMELA WINTERS: Excuse me, Hugh,  
21 may I ask a question?

1 HUGH RUSSELL: Sure.

2 PAMELA WINTERS: Is the dance studio  
3 in that little triangle? Because I'm very  
4 familiar with the dance studio.

5 CHARLES TEAGUE: No, the dance  
6 studio is on the Fawcett property which is  
7 Special District Two.

8 PAMELA WINTERS: I'm missing it.

9 HUGH RUSSELL: It's right there.

10 PAMELA WINTERS: Okay. It's right  
11 there, right on the edge. I see, thank you.

12 HUGH RUSSELL: Are there other  
13 questions by other members of the Board? I'm  
14 thinking we might hear the public testimony  
15 and then get into it a little bit.

16 CHARLES TEAGUE: I'll just put up  
17 the map, the overview map. And there's  
18 Fawcett and the three dog legs.

19 CHARLES STUDEN: Hugh?

20 HUGH RUSSELL: Yes.

21 CHARLES STUDEN: I do have a

1 question. I think what I'm struggling with  
2 here -- I'll admit I'm very confused by this  
3 presentation, but because I don't understand  
4 the context for the request. For example,  
5 Special District 2, perhaps someone from  
6 staff can tell me what the vision was for the  
7 Fawcett Oil Company and how access was  
8 anticipated for that parcel, whether Cottage  
9 Street was intended to do commercial access  
10 or not at all. Because this represents --  
11 what's being asked for represents a very,  
12 very substantial down zoning. And it splits  
13 parcels, which I find somewhat curious. But  
14 in any event, I don't know, maybe when we get  
15 some testimony from some other members of the  
16 public, this would become a little clearer.  
17 But I would have to be honest, I'm having  
18 trouble understanding what is being asked and  
19 how it fits into the larger pattern of what's  
20 going on in this neighborhood.

21 HUGH RUSSELL: Well, I've got a list

1 of people here. And it's a curious list  
2 because there are a number of people listed  
3 in support, but nobody's listed as wishing to  
4 speak. And that's perfectly fine. It's just  
5 unusual. The names are Lisa Oray, Dan  
6 Bentko, Robert Casey, Lois Carra, Thomas  
7 Gould, Paul Ayers, Young Kim, Richard Clarey,  
8 Karen Sedet and Michael Brandon with a  
9 question mark. So I'm going to open up the  
10 floor and ask people who want to speak? Sure  
11 why don't you come.

12 When you speak, would you come forward  
13 and give your name and address for the record  
14 and speak into the microphone.

15 ATTORNEY MATTHEW LYNCH: My name is  
16 Matthew Lynch. I'm an attorney with Nixon,  
17 Peabody in Boston. We represent the  
18 Emersons, the owners of 22 Cottage Park, and  
19 27 and 18. 18 and 22 are within the affected  
20 area. I just wanted to -- before I -- George  
21 or Will speaks, I just wanted to correct a

1 few things and sort of clarify some of the  
2 concerns that we have. I mean, obviously we  
3 oppose the petition. Not because we disagree  
4 with the concerns of the neighbors. As  
5 they've indicated, the Emersons have been  
6 there as they'll tell you how long, and  
7 they've always been very responsible  
8 neighbors. And would hope -- well, feel like  
9 they still are and that they will continue to  
10 be as long as they own the property. They  
11 did sell the business in 2007. And they had  
12 been marketing the property for sale ever  
13 since for obvious reasons. The economy  
14 hasn't been so good. So, they have had  
15 trouble selling it. There was one proposed  
16 sale earlier this year, and this is just to  
17 clarify, to a company called SiNaPs. That  
18 transaction did not go forward. Ironically  
19 for some of the reasons that Mr. Teague  
20 indicated. And the property is again on the  
21 market, but not presently under agreement.

1 And there's no present proposal before any of  
2 the city boards. We would have hoped to have  
3 sold it by now, but it hasn't happened. I  
4 guess the most important point to clarify is  
5 that the effect of this down zoning would  
6 really render the property almost worthless.  
7 It would -- the best use we could put to it  
8 would be a two-family residence. And  
9 ironically the petition before the Historical  
10 Commission, which the Commission did not  
11 accept but indicated that they might in the  
12 future, would mean that we couldn't knock  
13 down the building. So we'd have to use that  
14 building for a two-family residence. And as  
15 you might imagine, that's going to almost  
16 render it useless -- valueless. And so to be  
17 blunt, that's our biggest problem with this.  
18 As has been indicated, the Emersons have been  
19 great neighbors for a long time. And it's --  
20 they'll speak to it better than I can. We  
21 don't think it's all that fair to put them in

1 that position of leaving their property  
2 without much if any value.

3 Some of the other things that were  
4 mentioned, the Historic Commission did reject  
5 the designation -- the landmark designation  
6 through a citizens petition. The -- but did  
7 indicate that they would consider it in the  
8 future. It's not something that the Emersons  
9 necessarily oppose. It would depend upon the  
10 circumstances and also depend on whether they  
11 still owned the property at that time. As a  
12 matter of fact, the proposal that's Inops was  
13 making would not have -- that would not have  
14 been a problem, because they were going to  
15 reuse the building. And I suspect whatever  
16 the Historical Commission had come up with,  
17 might have added value, not detracted from  
18 the value.

19 The hut is kind of ironic though  
20 outside the affected area. There was a  
21 decision by the Zoning Board of Appeal I

1 think in 1962 which said the hut must come  
2 down. The hut never came down obviously.  
3 Now we have a demolition delay which says we  
4 can't take the hut down. So, for six months.  
5 So, the ZBA says take it down, the Historical  
6 Commission says you can't take it down.  
7 Well, in February that will be a moot point  
8 anyway because the six months will expire.  
9 Take it down or not, that's -- I guess that's  
10 in the eyes of the beholder, but that's not  
11 necessarily relevant to this inquiry because  
12 it's not in the affected area.

13 The Fawcett property -- there was some  
14 discussion regarding that. That also is not  
15 in the affected area. So I don't know if  
16 it's relevant, and I'm really not conversant  
17 on the goods or bads of it, but that's not my  
18 client. I think that the -- I think that  
19 Mr. Teague had indicated, and I think it's  
20 true, whatever proposal one might have by the  
21 Emersons or by some other successor will

1           unl i kely be before thi s Board or some other  
2           Board.   So there wi ll be communi ty i nput,  
3           whether that ends up bei ng offi ce,  
4           resi denti al or some -- I mean, those woul d be  
5           the most l i kely potenti al uses.   I have not  
6           -- we have not, and thi s i s not a predi cti on,  
7           but we have not seen any proposa ls that woul d  
8           contempl ate knocki ng the bui l di ng down, 22  
9           Cottage Park.   I suspect that' s probabl y not  
10          goi ng to be a proposa l .   But, of course, I  
11          can' t guarantee that.

12                 The hut woul d be a di fferent story, and  
13                 I guess our expectati on i s that i t woul d come  
14                 down because I thi nk i t has to come down.   At  
15                 some poi nt the ZBA i s goi ng to requi re that  
16                 and I thi nk -- and agai n, that' s an aestheti c  
17                 thi ng, and that' s, you know, i n the eyes of  
18                 the behol der, but not rel evant here.

19                 There was menti on that the street i s  
20                 too narrow i n thi s hi gh traffi c.   I' m not  
21                 sure the context there, keepi ng i n mi nd that

1 the Emersons have not been operating the  
2 property for the last three years. So, if  
3 there is too much traffic, I don't think the  
4 Emersons are generating it.

5 And the -- if the concern or the  
6 objective of the down zoning is to save the  
7 building, ironically I think it may have the  
8 opposite effect because the Emersons may not  
9 have any choice but to accelerate any plans  
10 to utilize the property or otherwise seek a  
11 Variance or some other thing to try to  
12 maintain some value. But if it does go into  
13 place, and then obviously the Historical  
14 Commission puts their restrictions in, there  
15 really isn't going to be much left for them  
16 to do, and it's going to be vacant because  
17 they won't be able to use it. And we can't  
18 rely upon the fact that the ZBA may or may  
19 not grant a Variance. I mean, Variances are  
20 unusual and not supposed to be granted on a  
21 routine basis. I would think that if you

1 just changed the zoning, it's unlikely  
2 they're going to give you a Variance, because  
3 the condition for a Variance probably won't  
4 be satisfied. So it's not the route that we  
5 want to go down. But enough from me.

6 George and Will do you want to speak?

7 WILL EMERSON: Hi. I'm Will Emerson  
8 and my brother is sitting next to me behind.  
9 It was our father that bought the building in  
10 1933 having started his business over  
11 Woolworth's in Harvard Square in 1928. And  
12 so we have been there, that company has been  
13 there -- our company was there until three  
14 years ago. From 1933 until 2006 or '07. And  
15 I really believe that through all that time  
16 we've done a good job of trying to be a  
17 responsible neighbor. And I appreciate  
18 Mr. Fox's saying that he felt the same way.  
19 That we did what we could to decrease the  
20 amount of truck traffic bringing materials to  
21 our company. And certainly we're respectful

1 of all of the residents on the street. And  
2 again, it's -- time has come to the point  
3 where my brother and I sold the company and  
4 it's time for us to move on. And we'd like  
5 to -- we want to -- we've been trying to sell  
6 the building as has been said, but we've had  
7 a hard time doing that. We've had a few  
8 people come and look at it, but nothing has  
9 come through. We have no -- nothing -- no  
10 purchase and sale has been signed yet. And  
11 clearly that Zoning this to a two-family  
12 house just doesn't -- it's not -- not only  
13 does it seem to make sense to us, but  
14 certainly it's going to leave my brother and  
15 I with nothing. We've tried to be nice, a  
16 nice neighbor to everybody else, and this  
17 kind of just kind of kicks us in the ass to  
18 say well, you guys can't leave under these  
19 circumstances. I really have -- I have  
20 gotten along with all of the neighbors, and I  
21 clearly don't want to leave on a sour note

1 and would very much request that the Board  
2 strongly consider opposing this petition.

3 HUGH RUSSELL: Thank you.

4 Okay. Is there anyone else wishing to  
5 be heard? Sure, would you come forward? I  
6 should also comment that the Board normally  
7 has a three-minute suggested limit. I  
8 haven't enforced that limit because the  
9 proponents had the time to make their case,  
10 and because the Emersons seem to be very  
11 affected, I felt they should have a little  
12 more amount of time. We appreciate that  
13 other people would try to keep their remarks  
14 to three minutes.

15 JULIA BISHOP: I'll be happy to do  
16 that as I don't like public speaking. My  
17 name is Julia Bishop. I live at 9 Cottage  
18 Park Ave. And I -- you know, I've lived  
19 there for 15 years. And in the course of 15  
20 years I've seen that street go through a lot  
21 of changes. I will say I do agree that the

1 Emersons have -- were great neighbors and did  
2 not feel that -- an incredible impact of the  
3 traffic from the employees that were in their  
4 factory, but there's a couple of different  
5 factors going on, I think, and unfortunately  
6 I think what happens when you combine  
7 residential and business, is when the  
8 businesses decide to leave, the residents are  
9 still there and they have to feel the impact.  
10 I'm sure you've heard this before, so I'm  
11 speaking to that impact. And the passed --  
12 when I first moved on to that street and  
13 there's a sign at the front of it that says  
14 dead end street. It felt like a dead end  
15 street. I felt like I was living on this  
16 little tiny dog leg dead end street in North  
17 Cambridge. It felt reasonable. The traffic  
18 and flow felt reasonable. And over the past  
19 15 years that's changed tremendously. The  
20 traffic -- this may or may not be relevant,  
21 but the changes in the closing of the gate at

1 the Fawcett property line has increased the  
2 impact to the street. All of the Deborah  
3 Mason traffic comes down our street now.  
4 There used to be a yoga studio. And at that  
5 point they started leaving the gate open all  
6 the time. They used to close it on the  
7 weekends and at night so traffic had to go  
8 through Tyler Court. We get all of that  
9 traffic, and at times there are 30 cars in  
10 that parking lot. And it's a really hard to  
11 maneuver that dog leg. And if you have not  
12 been at Cottage Park, you should drive by  
13 there because it's -- it doesn't really show  
14 how small and how tight that street on the  
15 map is. It's a very difficult street. We're  
16 also getting a lot of traffic from the  
17 businesses on Mass. Ave. and residents that  
18 are tenants renting apartments on Mass. Ave.  
19 that park on our street. So, in 15 years  
20 I've seen an incredible change to the street  
21 and the traffic flow and how quickly people

1 travel up and down the street.

2 So, I guess my -- those are -- my  
3 concern is whatever happens to that property,  
4 and I totally understand that it's a business  
5 for them and they want to move on and they  
6 want to do what they have to, but for the  
7 residents there whatever happens to that  
8 building is really going to impact our lives.  
9 And I think they've really been impacted  
10 tremendously over the 15 years that I've been  
11 there. It's just very dense. And it's not  
12 all -- it's not coming from the seven houses  
13 on the street.

14 I'm not sure what the reference is in  
15 terms of the two-family down zoning it to  
16 residential, some type of residential, it's  
17 going to be a two-family house residential  
18 piece. I don't understand that piece. There  
19 seems like a lot that could happen and make  
20 the neighborhood work. It's a difficult  
21 place to live right now, and I think that's

1 some kind of down zoning or compromise has to  
2 be thought of. And I would invite you to  
3 come to the street and actually witness what  
4 we're talking about.

5 Thank you.

6 HUGH RUSSELL: Thank you.

7 Does anyone else wish to speak?

8 RICHARD CLAREY: I'd simply like to  
9 try to answer what I thought I heard  
10 Mr. Studen ask which I think he asked whether  
11 Fawcett would be landlocked. Was that your  
12 question?

13 CHARLES STUDEN: It was partly that.  
14 I'm interested in what the future of that  
15 Special District 2 parcel is. What was  
16 intended to happen on that parcel and how  
17 access would be provided?

18 RICHARD CLAREY: It was intended as  
19 the recital says, to start to phase down the  
20 industrial area and move it toward a more  
21 residential area. And there is considerable

1 access to the east and the west that Fawcett  
2 has. They have access to the east on Tyler  
3 Court, and they have a considerable amount of  
4 frontage on Whittemore Ave. to the west. And  
5 they have indicated they're going out of the  
6 oil business and going to develop it  
7 residentially. But they have plenty of  
8 access on both east and west. There's a  
9 court order closing the north of -- those two  
10 north streets; Brookford Street and Cottage  
11 Park. Brookford Street is closed and Cottage  
12 Park is highly restricted out of court order.

13 HUGH RUSSELL: Thank you.

14 Does anyone else wish to speak?

15 MICHAEL BRANDON: Thank you. I'm  
16 Michael Brandon. I live at 27 Seven Pines  
17 Avenue. I'm the clerk for the North  
18 Cambridge Stabilization Committee which  
19 actually hosted the SiNaPs Corporation when  
20 they were -- had a P&S I guess. An outgrowth  
21 of that was the Cottage Park and Brookford

1 and Edmunds Street neighbors organizing  
2 themselves to address potential for really  
3 horrendous changes on those streets. And so  
4 the stabilization committee supports this  
5 Zoning petition from the citizens to protect  
6 their neighborhood.

7 Just briefly to address Mr. Studen's  
8 questions, and Les Barber can perhaps talk  
9 about that more at length, but the Linear  
10 Park was once railroad right of way serving  
11 these industrial buildings in the Fawcett  
12 area. Over the years the neighborhood --  
13 well, the track slabbed and the Linear Park  
14 was built when the subway was put under. And  
15 gradually the area became more residential,  
16 and the Planning Board and staff had  
17 encouraged those changes. The original North  
18 Cambridge neighborhood study that was done,  
19 comprehensive study and plan, one of the  
20 major Zoning recommendations was that the --  
21 what is now basically the S-2 District was an

1 industrial zone, and it was recommended that  
2 that be down zoned. It wasn't for many years  
3 until there were proposals for very dense  
4 development on Harvey Street.

5 I don't know if you can pull up some  
6 photos of the overall area. It might be  
7 easier to follow. But, what ultimately  
8 happened was there was a petition to rezone  
9 that area, and the Faucets were involved in  
10 negotiations at the City Council.

11 These are the Fawcett properties which  
12 are now SV-2, and there's Cottage Park Ave.  
13 and Mass. Ave. And so what happened was --  
14 well, in the SV-2 District, and Les could  
15 probably explain it best, but it was  
16 basically the idea was to convert the area to  
17 roughly the equivalent of Res B in terms of  
18 density and dimensional requirements, and  
19 there were incentives to convert existing  
20 industrial buildings to residential also.  
21 And I think there were some other uses that

1 were allowed and negotiated in; artist  
2 studios and other not intense commercial  
3 uses. And maybe even some -- I don't think  
4 industrial use. There was some land use -- I  
5 mean, agricultural uses that were preserved  
6 as greenhouses that are down about here which  
7 have now been acquired. The former Norberg  
8 site on the greenhouses that have been there  
9 for probably more than a century. The  
10 Faucets did acquire that. So they now have  
11 access via Whittemore Ave. which leads out to  
12 Alwife Brook Parkway and Route 2.

13 And then down at this end off the photo  
14 which is Tyler Court which is Charlie Teague  
15 explained was actually purchased by the city  
16 to create better access. Brookford, which is  
17 another even more residential street than  
18 Cottage Park in terms of smaller houses, was  
19 blocked off. And Cottage Park was supposed  
20 to be very limited, but over the years has  
21 somehow been open. A lot of the traffic that

1 was questioned -- I think Mr. Studen asked  
2 about that, is generated by the dance studio.  
3 It's, you know, parents coming zipping in,  
4 and zipping out. And it's really become  
5 particularly treacherous here at the dog leg  
6 as one of the photos you can see, it's just a  
7 blind end. And Mr. Fox had I think two pets  
8 hit, and his daughter almost hit. I don't  
9 see the gentleman here tonight, but it's been  
10 described recent near misses with vehicles  
11 coming in each direction. But that's just to  
12 answer you.

13 And a few points that I wanted to make,  
14 that this petition is actually very narrow in  
15 scope and it's basically trying to fix an  
16 anomaly that has existed since 1986 when  
17 Mass. Ave. was comprehensively rezoned from  
18 the Common out to Clarendon Street I believe.  
19 Or Whittemore -- not quite the --

20 HUGH RUSSELL: If you can kind of --

21 MICHAEL BRANDON: I'm sorry.



1 what's going on in the adjacent neighborhood.  
2 And so this seems an appropriate time to do  
3 it.

4 PAMELA WINTERS: Could you finish up  
5 your comments, please?

6 MICHAEL BRANDON: Yes.

7 PAMELA WINTERS: Thank you.

8 MICHAEL BRANDON: Retail uses are  
9 currently allowed, and commercial uses on  
10 this street which is a terrible idea. And in  
11 fact because of the way that zoning exists  
12 now, it actually encourages demolition of  
13 three-family houses, and including one that  
14 the Emersons own. This is not just the  
15 Emerson property. There's a suggestion in  
16 their letter that spot zoning is clearly  
17 misguided.

18 HUGH RUSSELL: Okay. Thank you very  
19 much.

20 MICHAEL BRANDON: Thank you very  
21 much. Sorry to exceed my limit.

1                   HUGH RUSSELL: Does anyone else wish  
2 to speak?

3                   (No response).

4                   HUGH RUSSELL: Okay, I see no one.

5                   Shall we close the hearing to oral  
6 testimony leaving it open to written  
7 testimony?

8                   And on that, all those in favor?

9                   (Show of hands.)

10                  (Russell, Anninger, Winter, Winters,  
11 Tibbs, Cohen, Studen, Nur.)

12                  HUGH RUSSELL: I've been reading the  
13 Special District 2 regulations, and it's the  
14 intent to encourage the establishment of  
15 residential uses in the district in a form  
16 density compatible with the adjacent  
17 residential neighborhood. However, given the  
18 significant presence of non-residential uses  
19 in the district, provision is made for the  
20 conversion of those existing non-residential  
21 uses to other non-residential uses more

1 compatible with the residential neighbors  
2 with the intent that all non-residential uses  
3 will over time be replaced with permitted  
4 residential use. And in the Special District  
5 2 the permitted non-residential uses are some  
6 of the office and laboratory uses, including  
7 medical professional, non-medical  
8 professional, agency office, and general  
9 office, and the retail business and consumer  
10 service establishments, arts and crafts  
11 studio, and the open air and drive-in retail  
12 service, sale of flowers, garden supplies and  
13 commercial greenhouses.

14 And as I think Mr. Brandon said that  
15 was to allow the continuation of a greenhouse  
16 use because the Special District 2 includes  
17 the greenhouses.

18 So my question is: If you're going to  
19 change the Zoning of this triangle, why is  
20 the Special District 2 the right designation  
21 that allows the -- I believe it meets -- the

1 general intent is met of what we want to do  
2 in this property. I don't think we're saying  
3 that we want this building to be torn down  
4 and replaced by two or three, two-family  
5 houses.

6 Now, the other point I would make is  
7 that the Petitioner didn't address Section  
8 5.28 of the Ordinance. And I believe -- is  
9 that applicable in Residence B district, Les?  
10 That's conversion of existing non-residential  
11 buildings residential use by Special Permit,  
12 which actually has a relatively few criteria.

13 LES BARBER: The city has always  
14 interpreted 5.28 as being applicable in  
15 Residence B District and applicable to this  
16 site. At your next hearing when we hear the  
17 Norris School, Norris Street School  
18 conversion, which is in a Residence B  
19 District, you will hear some people assert  
20 that they don't believe that the 5.28 applies  
21 under Residence B District. So, in the end

1 you may ask the Law Department for a review  
2 of that issue. But we have consulted with  
3 the Law Department that made the  
4 determination that we believe it is  
5 applicable in a Residence B District. So it  
6 would apply to this property which would  
7 allow conversion to residential and, you  
8 know, 25 or 30 units of technically whether  
9 that -- it can accommodate that or not.

10 HUGH RUSSELL: It's a building.

11 LES BARBER: Yes, right.

12 HUGH RUSSELL: So should this pass,  
13 that Special Permit is available. And so  
14 it's not quite as bleak a picture if you were  
15 to change it to Special District 2, that  
16 Special Permit still applies but there are  
17 also the option to have these office uses,  
18 arts and crafts studio or greenhouse use  
19 which would be a larger package. So I guess  
20 I'm curious to know why that wasn't  
21 suggested.

1 CHARLES TEAGUE: Do you want an  
2 answer from me?

3 HUGH RUSSELL: If you have an  
4 answer, I'd be happy to hear from you.

5 CHARLES TEAGUE: I think what  
6 happened was the neighbors met after a very  
7 poor experience with the previous buyers, the  
8 Si NaPs Energy, who had taken the right of  
9 office use to go and their misunderstanding  
10 of the Cambridge Zoning Ordinance was really  
11 sort of parallel to the Emersons' attorney into  
12 thinking that just a series of Special  
13 Permits would allow a massive reduction in  
14 parking and sort of a willy-nilly approach to  
15 redevelopment. So, the neighbors as a  
16 consensus was what they were interested in  
17 was low density residential. So it's that  
18 one use, the office use, that's not going to  
19 go into greenhouses and arts and crafts and  
20 studios are not going to support it either.  
21 So in Cambridge you're going to have two

1 things: Conceivably you're going to have low  
2 grade office space, but the proponents for  
3 there came out and finally admitted that they  
4 were going to use less than 30 percent of the  
5 building, but committed that they were all  
6 going to ride their bicycle or some such  
7 thing, they would only need less than half  
8 the number of parking spaces. So, it was  
9 unrealistic. They didn't understand the  
10 Zoning Ordinance. They didn't hire the  
11 people that understood the Zoning Ordinance  
12 who checked in parking in Residence B which  
13 was a Variance. As I said before, however  
14 this falls out, whether you leave it, whether  
15 you leave it BA-2 or not leave it BA-2, there  
16 will be a Variance and that's my contention.  
17 And you guys know the Ordinance.

18 HUGH RUSSELL: Tom.

19 THOMAS ANNINGER: I must admit I  
20 didn't understand the answer very well.  
21 Maybe, Hugh, you can interpret that for me.

1                   HUGH RUSSELL: They're coming up  
2 with an experience where they were concerned  
3 that an office use might, you know, not be  
4 very difficult to live with. Is that a good  
5 paraphrase?

6                   CHARLES TEAGUE: Well, it's even  
7 more than that. It's -- we have their -- we  
8 have one of their parking plans. The other  
9 parking plan was even sillier.

10                  THOMAS ANNINGER: Wait, let me stop  
11 you there. You're focusing on what was -- I  
12 guess by all accounts a poor proposal. I  
13 think more apt would be to focus on whether  
14 the district, the Special District 2 would  
15 work or not. And if not, why not?

16                  CHARLES TEAGUE: Special District 2  
17 still allows office space. The consensus was  
18 office space was a bad idea in terms of  
19 parking and safety, and that was it. There  
20 was no question. It was a consensus. It was  
21 like 20 people. They live there. They

1 understand their street. And Bill Fox has --

2 HUGH RUSSELL: Okay, okay.

3 CHARLES TEAGUE: -- has experienced  
4 this personally for 50 years.

5 BILL FOX: Can I say one other  
6 thing?

7 HUGH RUSSELL: Sure.

8 BILL FOX: Whenever they proposed  
9 office space, the company wanted to buy the  
10 place. I heard rumors, but I heard they  
11 couldn't use the whole building for office,  
12 it's too big. So they'd only use part of it,  
13 and maybe one third for their office and they  
14 talked about putting a bakery in for  
15 transient traffic taking bakery in and out.  
16 And the neighbors said no way, we have enough  
17 traffic as it is. And the transient traffic  
18 coming in and out to the office. So that's  
19 -- that was one of the big concerns.

20 HUGH RUSSELL: Thank you.

21 THOMAS ANNINGER: Now, go back over

1 something that I think was kind of critical  
2 and I guess not fully understood when we  
3 heard the testimony. What is that provision  
4 that would allow an override of a residential  
5 district in the case of a conversion that  
6 might lead to 25 units regardless of whether  
7 we change this to a Residence B or not?

8 HUGH RUSSELL: It's the provision  
9 that allows the conversion of a  
10 non-residential building to a residential use  
11 upon the issuing of the Special Permit then  
12 is standard Special Permit, you remember  
13 because we've done this a number of times.

14 THOMAS ANNINGER: Right.

15 HUGH RUSSELL: Are relatively --

16 THOMAS ANNINGER: I mean, this is  
17 sort of a leading question to educate  
18 everybody I think because there's a missing  
19 piece here. That's the missing piece. And  
20 I'm not sure that that's any more desirable  
21 than an office.

1                   HUGH RUSSELL: I think it probably  
2 depends rather on exactly what sort of office  
3 it is.

4                   THOMAS ANNINGER: That's right.

5                   HUGH RUSSELL: And the other point  
6 is that if it's a Business A-2 use and there  
7 are non-office uses that are permitted by  
8 right, business -- retail business uses, that  
9 would be much more difficult really.

10                  Now, I'm going to ask Les, do you have  
11 any recollection as to whether this question  
12 came up on the SD-2 District was created?

13                  LES BARBER: Which question, Hugh?

14                  HUGH RUSSELL: Whether the Emerson  
15 property should be in the Special District 2  
16 or stay in Business A?

17                  LES BARBER: I don't believe it did.  
18 And we're just in both these instances using  
19 historic district lines. And actually I  
20 don't think the Business A-2 District was  
21 changed in '86. I think this line goes back

1 for a long, long time in the Zoning  
2 Ordinance. But in any case, when the Special  
3 District 2 is created, the demarcation  
4 between the two district lines existed at the  
5 current location, and we were simply changing  
6 the industrial district to a new district  
7 within the same defined area.

8 HUGH RUSSELL: It appears that in  
9 1977 this little triangle was zoned Business  
10 B along with the rest of Mass. Avenue. Let's  
11 go back to '74, same. Okay, 1943.

12 LES BARBER: You can hear the age of  
13 those papers.

14 THOMAS ANNINGER: Hugh was on the  
15 Board already then.

16 HUGH RUSSELL: I know, I was  
17 one-year-old.

18 BILL FOX: You guys are still young.

19 HUGH RUSSELL: It's a little hard  
20 for me to interpret this map, but it's pretty  
21 clear that it wasn't zoned residentially.

1           Whether it was zoned Business B, I think it  
2           was Business B at that time in 1943. Let me  
3           go back now to 1924.

4                   LES BARBER: Trolley Square was a  
5           Business B District until we made the changes  
6           in '86. So this was -- you know, the  
7           railroad went through here as an active  
8           railroad at one time, and this was thought to  
9           be the equivalent of Harvard Square or Porter  
10          Square. It didn't turn out to be that way.  
11          And clearly through a series of rezonings  
12          we've eliminated that Business B District  
13          entirely. But the business district lines I  
14          think have been pretty steady over the length  
15          of the Ordinance.

16                   HUGH RUSSELL: Yes, in 1924 which is  
17          when Zoning was adopted in the city, this was  
18          in a Business 2 Zone or B-2 Zone. And that's  
19          kind of similar to a Business B or an  
20          Industry A Zone. And so...

21                   LES BARBER: There wouldn't have

1           been much reason to worry about that line  
2           because the Fawcett Oil site was an  
3           industrial site and there were industrial  
4           uses all around. They were just grading  
5           between industrial use and business use, and  
6           that line hasn't changed much.

7                        CHARLES STUDEN: Hugh, I think all  
8           the board members received a letter from  
9           Nixon, Peabody regarding this proposed Zoning  
10          Amendment. And on page four I read their  
11          point that the Petition doesn't satisfy the  
12          criteria for zoning map amendment and  
13          constitutes reverse spot zoning, which is  
14          something that I wondered about when I first  
15          heard about this. And what I was wondering,  
16          and I don't know the answer to this, and,  
17          Les, maybe you can help us with it, because I  
18          think your point earlier, Hugh, about this  
19          particular area, you know, would it have made  
20          better sense to include it in the Special  
21          District 2 zoning. If that were the case,

1 would that then remove this concern about  
2 reverse spot zoning? I mean, and I'm  
3 assuming -- I mean, I don't know, maybe we  
4 need the city attorney's take on whether this  
5 does. This is Nixon, Peabody's contention  
6 that it's reverse spot zoning, and I don't  
7 know whether it is or it isn't. I think your  
8 suggestion was an interesting one. Special  
9 District 2 would seem to make better sense.

10 H. THEODORE COHEN: Can I jump in  
11 here?

12 HUGH RUSSELL: Sure.

13 H. THEODORE COHEN: I would be  
14 inclined to agree with the Emersons'  
15 attorney's point of view that it is reverse  
16 spot zoning. As they indicate, spot zoning  
17 is when you single out one property to give  
18 it preferable treatment. But reverse spot  
19 zoning is when you single out one property to  
20 give it less preferable treatment. And while  
21 there have been references to it be

1 draconian, I think it is correct. I think  
2 what I've heard is the primary concerns of  
3 the residents, and I'm very sympathetic to  
4 their point of view, is that the problems  
5 really arise from the Fawcett property and  
6 from the dance property and the -- what  
7 they're trying to remedy it somehow is by  
8 limiting the use of the Emerson property.  
9 Now, it's neither spot zoning nor reverse  
10 spot zoning if you attach something on to an  
11 existing adjacent zone. So you can say well,  
12 there's one attachment to an existing B Zone.  
13 But I am concerned about that it's not  
14 logical to take this old building that's  
15 there and put it on to the B Zone where if  
16 they're correct that what that would mean is  
17 you would have to tear down the building and  
18 most you could use it for would be two,  
19 single-family homes or two, two-family homes.  
20 I think there is, as Hugh has indicated,  
21 there is certainly a logic to putting it into

1 the SD-2 Zone. It seems to be that more  
2 appropriately fits there and allows the  
3 building to continue to be used for a  
4 rationale purpose whether it's commercial or  
5 whether it's a multi-family residential use.  
6 I do think that makes more sense. And the  
7 last comment I have is, you know, my concern  
8 is that we have, as a Board, been generally  
9 opposed to some petitions that are focussed  
10 very narrowly on what has been a small piece  
11 of property rather than looking at the larger  
12 area. And, you know, certainly there are  
13 lots of properties along the near part and  
14 along the old railway that perhaps it is time  
15 to look at everything there again and see,  
16 you know, is there some more rationale Zoning  
17 designation.

18 You know, when I saw this property --  
19 and I mean I've lived in North Cambridge for  
20 35 years, and I have to confess I was never  
21 on Cottage Park Avenue until recently when

1 this came up. But when I saw the building, I  
2 thought gee, this would be great for  
3 multi-family housing like other properties  
4 that have been done further north -- well,  
5 closer to Porter Square say on Raymond Street  
6 and some of the other abutting streets where  
7 some of these old warehouses that have been  
8 along the railroad track were turned into  
9 housing. So, you know, I think maybe there's  
10 a whole area that could be looked at. You  
11 know, whether we or the Department wants to  
12 do that now, I don't know. But, you know, I  
13 do have concerns that it is reverse spot  
14 zoning, and that it's attempting to resolve  
15 an off-site problem by changing something  
16 else.

17 HUGH RUSSELL: Bill.

18 WILLIAM TIBBS: Just for  
19 clarification. We just said, though, that if  
20 this were a Res B, the Law Department has  
21 interpreted that this could be changed to

1 housing at this point.

2 LES BARBER: This is a perfect  
3 example for creating that section of the  
4 Ordinance.

5 WILLIAM TIBBS: That section. And I  
6 kinds of looked at it from -- I was kind of  
7 looking at it from if you appended this to  
8 one of the adjacent -- I mean, one is B and  
9 the other is SD-2, and I think it kind of  
10 wraps around -- but it does wrap around this  
11 particular building. It's a building that's  
12 been there for a long time. It has an  
13 industrial use, which is one of the reasons  
14 why we've had a very broad zoning concept in  
15 terms of how we want to treat these things in  
16 various districts. We want to convert them  
17 to residences. So I just kind of looked and  
18 I just did a little grid and said well, we  
19 have three options: We can leave it as it  
20 is. We can make it Res B. And I'm looking  
21 at it not from what the Petitioners are

1 asking for but what can happen. Or we can do  
2 SD-2.

3 PAMELA WINTERS: Right.

4 WILLIAM TIBBS: And I think the  
5 concerns they have would apply. If it were  
6 Res B and it was converted to a more higher  
7 density residential, they'd still have some  
8 of the issues they have. The SD-2 allows  
9 other uses which may or may not make that  
10 better. And obviously keeping it in Business  
11 A-2 still allows those things to happen, too.

12 THOMAS ANNINGER: That's right.

13 WILLIAM TIBBS: So I guess I don't  
14 see the benefit. The only possible benefit  
15 the Res B could have is really to, in some  
16 kind of way, try to force it to be just a  
17 two-family thing, and I just don't think  
18 that's appropriate. We just have a history  
19 of a building that's worked in the  
20 neighborhood. Granted it's based on the  
21 natural owners that were there and that could

1 change in the future. But in my mind I don't  
2 think it justifies making a Zoning change.

3 LES BARBER: Certainly the only  
4 choices are one or the other. You can  
5 include the industrial building and the SD-2  
6 and the rest of the site and the Residence B.

7 WILLIAM TIBBS: Correct. Carve it  
8 up in a different way.

9 LES BARBER: Carve it up any logical  
10 way.

11 THOMAS ANNINGER: That's right.

12 LES BARBER: I think the site  
13 probably -- I think if you make the case that  
14 the site deep off of Mass. Ave. is not  
15 appropriate as a high density residential or  
16 commercial district --

17 WILLIAM TIBBS: Yes.

18 LES BARBER: -- and you're led to  
19 looking at what the other districts are in  
20 the vicinity, that would be logical to extend  
21 to this location to have a better outcome.

1 And you've identified the two districts that  
2 you could selectively alter as you think fit.

3 WILLIAM TIBBS: And I think you make  
4 a good point there. Because even as I was  
5 looking at their triangle, if that property  
6 were drawn differently so that building was  
7 in the SD-2 District with the others and the  
8 access to that building was through that  
9 area, which you can't do at this point  
10 because they're not -- the properties aren't  
11 -- they're separate properties. But if they  
12 were one property, that would kind of solve  
13 the neighborhood's concerns. Because  
14 obviously you would restrict traffic coming  
15 down Cottage. But that's not the case. So  
16 either way I think to solve the problem  
17 requires a different kind of solution I think  
18 than this petition puts forth.

19 PAMELA WINTERS: I agree.

20 HUGH RUSSELL: Yes, Pam.

21 PAMELA WINTERS: Well, I certainly

1           sympathize with the neighbors and I've gone  
2           down that street for three years to the dance  
3           studio which I enjoy tremendously. But it is  
4           very tricky and, you know, you  
5           encounter parents desperately trying to get  
6           their kids to the dance studio, you know,  
7           rushing down the street so, I do sympathize  
8           with you.

9                        I guess I have a question for the  
10           residents. What would you like to see done  
11           with that building? I'm just curious as to  
12           what you envision the building becoming.

13                      BILL FOX: I talked to the neighbors  
14           and they'd like to see residential.

15                      PAMELA WINTERS: But just two units  
16           in that building?

17                      BILL FOX: No, no. They can do  
18           anything. We'd like to see it stay and have  
19           residents apartments built in it which  
20           they've done all over the city. Old  
21           warehouses, they've built condos all in them.

1 But this is an awful big building. You look  
2 at the front of it, there's another building  
3 behind it as big as the front. So you have  
4 to look at the whole thing. It's a big piece  
5 of property, building.

6 Now, the street, if you're going to say  
7 put business in there which is transient  
8 traffic, the city has to do something with  
9 the street to bring new traffic in and out.  
10 You can't just build a -- you can't build an  
11 island without a road to it. That's the  
12 problem we have in here now. The street's  
13 not big enough to handle even with the  
14 residential traffic. The residential don't  
15 move that often. They go to Arlington. They  
16 come down Mass. Ave. Look how big that  
17 project is. And you watch the cars. You  
18 rarely see how many cars are turning. And  
19 that would be three times the size of this.  
20 So, if you have residents and you're going to  
21 have less traffic. If you're going to have

1 more, but less than industrial was before  
2 zoning.

3 PAMELA WINTERS: Thank you.

4 HUGH RUSSELL: Thank you.

5 Steve.

6 CHARLES TEAGUE: I was just going to  
7 say it was always anticipated that 5.28 would  
8 be applied. If you do the 5.28 calculations,  
9 you just -- it's the A-2 is 600 square feet  
10 dwelling unit, SD -- you know, 5.28 is 900.  
11 You can't build that many units there because  
12 you're going to be parking limited.  
13 Everything is going to be parking limited  
14 here. And it's the trouble -- the trouble is  
15 with the office space use is -- it requires  
16 even more parking because they put it in the  
17 table, and it's been there for a good reason.  
18 And there just isn't enough parking. So it's  
19 never anticipated that this would be a  
20 two-family house. It's just a fabrication.  
21 And it's always -- if you do the numbers, you

1           just count out the number of spaces. You  
2           have to look and you have to realize that you  
3           cannot put the parking across the street.  
4           And it's in Section 6. And it's due to a lot  
5           of things. So, the parking going to have to  
6           be in the basement. Once you put the parking  
7           in the basement, you're going to end up with  
8           a yield of 18 to 20 units there. You're  
9           going to end up with a yield across the  
10          street of about four. That's what's  
11          anticipated. This is total -- this is total  
12          silliness talking about a -- the world's  
13          largest two-family house. That's nonsense.

14                        HUGH RUSSELL: Thank you.

15                        Steve.

16                        STEVEN WINTER: Ted, when you were  
17           talking about illogical, irrational, I wanted  
18           to make sure that we all know where Ted's  
19           going with that is not defensible. So,  
20           whatever we come up has to be defensible.  
21           And we would be very irresponsible to put

1 something through that's not defensible. So  
2 I respect that.

3 I wonder, Roger, if I could put you on  
4 the spot and have you talk about -- I really  
5 respect the way you have identified and  
6 created pieces of what I call urban fabric  
7 around the city, and I wonder if you could  
8 just talk about this little triangle as maybe  
9 a vision for the things we would think about  
10 as we did in-fill development, as we did  
11 redevelopment, as we did adaptive reuse.

12 ROGER BOOTH: Steve, are you asking  
13 from an urban design point of view what an  
14 appropriate vision might be for this?

15 STEVEN WINTER: Yes.

16 ROGER BOOTH: Well, as somebody said  
17 I had the same feeling. I went and looked at  
18 this building, I think it was one of the  
19 proponents, that it looks perfect for putting  
20 in loft-type units or condos. So, I think  
21 it's fairly straight forward that that would

1 be the best outcome. I think tearing it down  
2 would be quite a shame. And we actually  
3 toured the site with Charlie Sullivan two  
4 weeks ago. And obviously the Historical  
5 Commission really would like that building to  
6 stay. So I think it's not much more  
7 complicated than that. The parking does get  
8 to be complicated. We've seen things like  
9 that in the Blessed Sacrament. It's not  
10 always easy to get to the parking. And I  
11 haven't seen how easy it would be to put the  
12 parking under the building, but I would  
13 assume there's some way to do that.

14 STEVEN WINTER: Mr. Fox had an  
15 interesting point about an island. What are  
16 the kind of urban design principals that we  
17 think about when we connect something that's  
18 a little deeper into the neighborhood when we  
19 try to connect that to the avenue or to other  
20 arterials?

21 ROGER BOOTH: Well, I think I agree

1 it would be problematic to have something  
2 that would generate a lot of traffic if  
3 that's what you're getting at. And  
4 residential -- it's very true. Sometimes we  
5 think these large buildings are going to have  
6 a lot of traffic. And many of them,  
7 surprising how little there is, because they  
8 just don't operate at peak times. The Pfizer  
9 building over there on Finney Street is a  
10 huge building that has 180 units in it. It's  
11 amazing how quiet it is for most of the time.  
12 But I do think if you put residential in  
13 there, it won't have much of a traffic  
14 problem.

15 STEVEN WINTER: And thank you.

16 And there's one other question that I  
17 had as someone who grew up on military  
18 installations all over the world, I have a  
19 deep fondness and an affection for Quonset  
20 huts. However, what is it, the Quonset hut  
21 that we're talking about, is that part of

1           thi s?

2                   HUGH RUSSELL:  I t' s owned by the  
3           Emersons.

4                   STEVEN WINTER:  I t' s owned by the  
5           Emersons.  Okay, okay.

6                   H. THEODORE COHEN:  But i t' s outsi de  
7           thi s area.

8                   LES BARBER:  No.  I t' s across the  
9           street.

10                  ROGER BOOTH:  I t says right there on  
11          the pl an maybe.

12                  CHARLES TEAGUE:  I t i s in Res B.

13                  LES BARBER:  I t' s al ready zoned  
14          resi denti al .

15                  MI CHAEL BRANDON:  I t' s right there.

16                  ROGER BOOTH:  Okay, thank you.

17                  STEVEN WINTER:  Thank you.

18                  WILLIAM TIBBS:  Hugh, I j ust want to  
19          -- agai n, i n tryi ng to sort of -- I thi nk  
20          I' ve heard more cle arly what thei r concern  
21          i s, whi ch i s that they woul d li ke i t to be a

1 high density but not as high as it could be  
2 in its current zone. And, again, if that is  
3 indeed the meaning, because if you just look  
4 at the unit, the size of the allowable units,  
5 it could be less if it were Res B and they  
6 wanted to convert it to Res B, this existing  
7 structure than it would be. But I still  
8 wonder if this is the best mechanism to get  
9 at those ends.

10 HUGH RUSSELL: I mean, it seems like  
11 we're pretty much coming down at the same  
12 place, that we all would feel using this  
13 building for residential purposes made sense.  
14 That right now it can be used for a variety  
15 of uses, many of which would be  
16 inappropriate. So, it makes sense whether to  
17 be some sort of change. I think we're  
18 concerned about the point that Ted brought  
19 up, that going to Res B which would have the  
20 effect of only allowing the building to be  
21 used under 5.28, it might not pass muster on

1 the terms of reverse spot zoning. But on the  
2 other hand going to Special District 2  
3 because of its construction might mean that  
4 the building might not end up as an office  
5 building. So that's the dilemma.

6 THOMAS ANNINGER: Or even worse,  
7 some drive-in retail.

8 HUGH RUSSELL: Well, the only  
9 drive-in retail permitted is related to the  
10 nursery use.

11 THOMAS ANNINGER: Sale of flowers?

12 HUGH RUSSELL: Yes.

13 So, now is there more that we want to  
14 think and discuss? Are there more ideas that  
15 we might have? Or is this essentially  
16 constitute a report what we want to tell the  
17 City Council as kind of a hard choice to make  
18 here. There's no ideal choice.

19 Ahmed, you raised your hand. You  
20 haven't spoken yet.

21 AHMED NUR: Thank you, Hugh. I do

1 agree with what you're saying, but I have a  
2 little variance. I wondered if the property  
3 is for sale now, correct? Therefore, if --  
4 let it go for 90 days or so and then come  
5 back and revisit this. I mean, to me it  
6 would make sense. They've owned the property  
7 for this long, and part the residents, been  
8 very respectful to the residents from what I  
9 could hear. And if it is causing them as  
10 denoted to basically nothing, but then I just  
11 wondered if, you know, there's some sort of a  
12 timing frame would make sense and come and  
13 revisit this.

14 HUGH RUSSELL: Susan, you have a  
15 comment?

16 SUSAN GLAZER: I was going to  
17 comment if the Board wants a little more time  
18 to think, you do have it. I mean, the  
19 petition expires on February 21st. So if you  
20 wanted to take the time to do another site  
21 visit or think some more about it, you do

1 have the time.

2 WILLIAM TIBBS: I guess I have a  
3 question for Ahmed. I guess I wasn't sure  
4 what that would do, allowing more time.

5 AHMED NUR: I was thinking along the  
6 lines of they could sell their property and  
7 not feel that our position have caused for  
8 the value of the property to go down. Just  
9 one thing that I was thinking of straight  
10 forward.

11 HUGH RUSSELL: Well, I think that  
12 until you know how the City Council is going  
13 to dispose of this petition, the only  
14 potential kind of a use you could look at  
15 would be a residential conversion. And if I  
16 were on the other side of the table, I think  
17 well, they're going to be a lot more  
18 desperate after the Council passes the ground  
19 zoning. I'm not going to make a deal now.

20 H. THEODORE ANNINGER: And similarly  
21 given the state of the economy, expecting

1 that a deal is going to happen in 90 days or  
2 180 days is, you know, probably wishful  
3 thinking on everybody's behalf.

4 Hugh, can I add one gloss to what  
5 you've said?

6 HUGH RUSSELL: Sure.

7 H. THEODORE COHEN: In general I've  
8 agreed with what you said, and from what I've  
9 seen at the moment it seems to me that it's  
10 appropriate to be residential property, but I  
11 don't know at this point in time I would  
12 foreclose that there wasn't some appropriate  
13 office or some other commercial use that  
14 would make sense and would not create more  
15 traffic if it stayed a residential use and  
16 would be fitting with the rest of the  
17 neighborhood, especially since it's next to  
18 the Fawcett property and SD-2.

19 CHARLES STUDEN: I really agree with  
20 you, Ted. We can't control everything. And  
21 I'd like to see that flexibility. And to be

1           able to see -- to evaluate these proposals on  
2           the face of their merit. Whether it's  
3           residential or some other use that allows the  
4           owners to get the value that they have on the  
5           property, I think it's terribly important.  
6           And at the same time recognize and respect  
7           what the neighbors are saying, because  
8           obviously they are raising some legitimate  
9           concerns about the safety and so on of the  
10          traffic on the street. That's why I think  
11          going back to the Special District 2 seems --  
12          it seems to do that. But I don't know. I  
13          think Susan is suggesting that we have some  
14          time, and if we need to think a little  
15          further about it, I don't know whether that  
16          would be beneficial or not. Perhaps a site  
17          visit.

18                   HUGH RUSSELL: I mean, I would be  
19                   inclined to end our discussions now, take it  
20                   up again in a month or six weeks and see if  
21                   anything has changed. In that time we can

1 visit the site for those of us who haven't  
2 already done it. And I don't think it's  
3 pressing. And again, because there isn't  
4 really a perfect solution here so maybe we  
5 shouldn't rush to say whether --

6 THOMAS ANNINGER: Can I just ask Ted  
7 one question about reverse spot zoning?

8 HUGH RUSSELL: Yes.

9 THOMAS ANNINGER: SD-2 would  
10 represent a down zoning as well as a  
11 Residential B but less so. And, therefore,  
12 perhaps it is not quite as intense a concern?

13 H. THEODORE COHEN: That's my  
14 initial thought. And we can certainly ask  
15 the Law Department here for their -- because  
16 they would be the ones who would interpret it  
17 or defend it. But it seems where part of the  
18 Emerson property is already in the SD-2 Zone,  
19 that simply extending it, and I'm not sure  
20 that I would do it as this triangle, but  
21 perhaps just do it as the red and, you know,

1 maybe the purple, as acknowledging the  
2 historic use of the property and that it fits  
3 more into an SD Zone than into a residential  
4 zone, you know, I think it would be more  
5 difficult for someone to successfully argue  
6 that that was reverse spot zoning rather than  
7 a -- an appropriate extension of the existing  
8 zone.

9 HUGH RUSSELL: Okay. So would you  
10 like us to request the Law Department to look  
11 at this particular question? Does that make  
12 sense?

13 WILLIAM TIBBS: I think it would  
14 help us. I think it probably help the  
15 Council, too.

16 HUGH RUSSELL: Okay. So, let's take  
17 a ten minute break, reconvene at nine o'clock  
18 for our 8:20 time hearing.

19 (A short recess was taken.)

20 HUGH RUSSELL: We are ready to  
21 reconvene.

1 (H. Theodore Cohen not in attendance  
2 for this hearing.)

3 HUGH RUSSELL: And we're going to be  
4 discussing Planning Board case 251, 61-69  
5 Bolton Street. We've received a lot of paper  
6 in the last few days. Some of it just  
7 hitting our desk right now. We have some  
8 revised plans from the Applicant. We have  
9 reports from several city agencies. We have  
10 statements from a number of individuals. So  
11 I think what we should do is ask the  
12 Petitioner is quickly put on to the table and  
13 on the record the revised proposal. Try to  
14 do it as quickly as possible so then we can  
15 go and listen to reaction of people here to  
16 that proposal.

17 ATTORNEY JAMES RAFFERTY: Thank you.  
18 Good evening, Mr. Chairman, members of the  
19 board. For the record, James Rafferty on  
20 behalf of the Applicant. This is Douglas  
21 Beaudet. Mr. Beaudet you might recall was

1           ill the last time we were here, so we  
2           proceeded in his absence.

3                    Just a few quick items to report before  
4           we take to the changes. One of the issues  
5           that we were asked to address was to have a  
6           meeting with the neighbors. And I want to  
7           express my appreciation to the neighbors for  
8           -- particularly Ms. Maute. I hope I've got  
9           her pronunciation correct. In helping to  
10          coordinate that meeting, Cadbury Farm had  
11          graciously provided us with a room that was  
12          very proximate to the neighborhood. And we  
13          had a meeting a week ago Monday night. And  
14          it was very well attended I would say, about  
15          25 people. And I know Ms. Maute even  
16          provided some notes to the Board on that.

17                   So it was an important and helpful  
18          exchange. It was at that meeting that the  
19          Applicant and our architects were able to  
20          walk the neighbors through the modifications.  
21          And there are four really key elements to

1           them. And I know the Board has had an  
2           opportunity to review the package. But in  
3           summary, the most significant change to the  
4           plans since it was last here, was the  
5           reduction of the removal of the fourth floor  
6           of the building. It was originally proposed  
7           to be a four-story building. Compliant with  
8           the 45-foot building height, but nonetheless  
9           I think one of the clear messages from the  
10          Board, particularly when evaluating the  
11          criteria of the Special Permit around  
12          multi-family housing, including the concept  
13          that the thing should not avoid existing --  
14          overwhelm -- we should avoid overwhelming  
15          existing buildings. That change was straight  
16          forward, and it had a number of implications  
17          for the project. It obviously reduced the  
18          height by approximately ten feet or nine  
19          feet. It reduced the GFA in the project by  
20          approximately 5,000 square feet. And it  
21          resulted in the reduction in number of

1 dwelling units from 25 to 20. And there's a  
2 corresponding reduction in the number of  
3 parking spaces.

4 We did look at a couple of other issues  
5 that we were asked to, and I just wanted to  
6 familiarize the Board with them. The  
7 location of the driveway. It's fairly --  
8 it's in the area close to where it is today,  
9 the curb cut. But one of the things we had  
10 looked at was the possibility of relocating  
11 that. We even went so far to consider  
12 whether a Sherman Street access would work.  
13 We received some feedback from the Traffic  
14 Department. I think there's a memo to the  
15 effect where they did not favor that  
16 approach. They actually thought that the  
17 driveway in that location is acceptable or on  
18 the Bolton Street side. We actually then  
19 looked at flipping the driveway to the other  
20 side of the building. That would run us  
21 afoul of the requirement that curb cuts

1           shoul dn' t be wi thi n 25 feet of i ntersecti ons.  
2           The dri veway i n that l ocati on i s 20 feet  
3           wi de. I t does provi de a buffer between the  
4           abutti ng house. The parcel to the i mmedi ate  
5           ri ght off thi s si de here i s a parcel that  
6           contai ns four structures. There' s an  
7           ori gi nal structure ri ght i n the front whi ch  
8           admi ttedl y i s very cl ose. And then there are  
9           three addi ti onal structures. I t' s a seven  
10          uni t l ot wi th three addi ti onal structures,  
11          one of whi ch -- the two front structures  
12          real l y don' t have much of a setback at al l .  
13          But one of the thi ngs we heard from the  
14          nei ghborhood and l ooked strongl y at was what  
15          about the operati onal i ssues whi ch agai n are  
16          cri teri on of Speci al Permi t. So i n thi s  
17          revi si on trash and recycli ng can now al l be  
18          accommodated i nsi de the garage.

19                    The other desi gn feature that emerged  
20                    wi th the smal l er bui l di ng, you mi ght recal l  
21                    that the parki ng was extendi ng i nto the rear

1 setback underneath the building, and it was  
2 screened on the Sherman Street side but it's  
3 still along the track had that unpleasant  
4 relationship where the building feels like  
5 it's on stilts and the hoods of the cars are  
6 sticking out. This design now allows the  
7 wall of the garage to come to the ground. So  
8 it's a fully enclosed garage. So, the impact  
9 admittedly is along the rail edge of the  
10 property, but it can be seen as you approach  
11 the site from Ridge Ave. down Sherman  
12 Street. So now you'll see a complete wall  
13 there.

14 The project, I think, meets a number of  
15 the criteria around the way the building  
16 should be oriented in its open space. It  
17 should be -- the criteria of the guidelines  
18 say it should benefit passersby and others.  
19 And we probably got one of the more  
20 significant elements of open space along  
21 Sherman Street which does improve that

1 pedestrian section. And then these front  
2 yards along Bolton Street. You'll recall  
3 that the design here is townhouse and spa at  
4 that level with gated front yards and doors  
5 on the street.

6 I think it's fair to say that despite  
7 the changes, we continue to hear some concern  
8 around density and the number of units. What  
9 we did in this case was reduce the effect of  
10 all these changes is a 20 percent reduction  
11 in the project size. The five units, the  
12 5,000 square feet, the reduction of parking  
13 spaces. One way to envision the project is  
14 the base number of units there are 16 units.  
15 This is a 16-unit project. And then the  
16 application of 11.200 of the inclusionary  
17 housing results in two affordable units and  
18 two bonus units. So that gets us to 20. So  
19 this building as it's designed is an example  
20 of the application of that. Interestingly  
21 with the reduction of the square footage,

1 we're really taking advantage of very little  
2 portion of the bonus GFA. You'll recall that  
3 formula also allows for 30 percent bonus in  
4 GFA. And Mr. Carlson will give you that  
5 number, but we're taking advantage of less  
6 than five or ten percent of that. He'll give  
7 you the hard number.

8 We continue to try to look at the  
9 building in ways that can be responsive to  
10 concerns about the street. There was a  
11 strong concern expressed about the capacity  
12 of Bolton Street of the sewer and water  
13 system. The project engineers had two  
14 meetings recently, one last week and one as  
15 recently as today with Mr. O'Reardon. And  
16 his memo today reflects both of those  
17 meetings. And the short answer is that there  
18 is in place, and I know that the Board is  
19 aware of this, there is in place a method  
20 whereby the project can actually result in a  
21 net improvement to the storm water system,

1           particular ly wi th the requi rement of  
2           retenti on systems.   The water can be held on  
3           the si te and di scharged i nto the system at a  
4           control led rate such that the addi ti onal  
5           sewerage doesn' t have any added burden to the  
6           system.   It' s a very i mportant i ssue, no  
7           doubt, and i t' s one that wi ll conti nue, wi ll  
8           requi re conti nued attenti on.   But I thi nk i f  
9           you l ook cl osely at what Mr. O' Reardon i s  
10          sayi ng, he' s suggesti ng that i t does exi st a  
11          path to al low us to achi eve that outcome.  
12          And certai nly any approval of the project  
13          woul d requi re a signoff by Mr. O' Reardon.   So  
14          we' ll conti nue to work on that.

15                 And I thi nk fi nally the l ast thi ng that  
16          Mr. Carl son was goi ng to wal k through i n  
17          response to what Mr. Tibbs had requested, and  
18          we j ust passed i t out toni ght, was a l i ttle  
19          bi t of a context study of surroundi ng  
20          bui l di ng hei ghts and densi ti es.   Because  
21          agai n, the cri teri a under Speci al Permi t

1 10.47.4 talks about the relationship of these  
2 buildings and whether or not they're getting  
3 overwhelmed. We did a little bit of lot area  
4 per dwelling unit analysis, and we're pretty  
5 consistent here with the average -- we  
6 committed about 1200 square feet per dwelling  
7 unit before you to the application. If you  
8 apply the affordable units, it's about 900  
9 per square foot.

10 So, we continue to want to listen and  
11 to work with the board and the neighbors to  
12 achieve an acceptable outcome here. You'll  
13 recall that the Special Permit that we're  
14 here for, the Board is the multi-family  
15 Special Permit. In this district it's  
16 required for a project containing 11 or more  
17 base units. The project at 15 -- the  
18 application of -- I'm trying to say this -- a  
19 non-Special Permit project if you will, that  
20 didn't seek the multi-family Special Permit,  
21 would result in 15 units in this project when

1           you apply the density bonus and the  
2           affordable housing requirements. This  
3           project is a 20, and I think that might give  
4           some perspective as to, you know, where the  
5           range is here. We're five units down. I  
6           think the reduction and height of the  
7           building really is a modification here that  
8           in our view really allows for a whole  
9           different impact of this building on the  
10          streetscape and we're eager to get your  
11          reaction, and of course hear from neighbors  
12          as they continue to explore the project.

13                   Thank you.

14                   HUGH RUSSELL: Okay. Thank you.

15                   JAFI KHALSA: Can I move the mic  
16          over here, is that okay?

17                   HUGH RUSSELL: Sure.

18                   JAFI KHALSA: I'm Jafi Khalsa,  
19          Khalsa Design, the architect for the project.

20                   I just wanted to run through -- I'll  
21          try not to repeat too much of what Jim was

1 saying. But if we go here to the next slide.

2 In this slide you can see where our  
3 open space is located. That we've located  
4 the trash and the recycling within the  
5 boundary of the building in the garage. The  
6 garage is fully enclosed now. There's two  
7 parking spaces outside. With the relocation  
8 of the trash and recycling to the interior of  
9 the garage, we're able to create an area at  
10 the end of the driveway there where we can  
11 pile up snow in the winter. We've got about  
12 a nine to ten foot area there for snow  
13 storage at the end.

14 Regarding the bicycle room, I know you  
15 had a memo regarding the bike room and the  
16 accessibility to it. From the exterior of  
17 the building we have to remove a couple of  
18 bushes and get a walkway over to that door,  
19 which we intend to do. From the interior of  
20 the building I think how we can accomplish  
21 the access a little better is if we cut the

1 corner where it says sprinkler. If we cut  
2 that corner at a 45-degree angle and locate  
3 the door there --

4 HUGH RUSSELL: Can you point that  
5 out with your pointer?

6 JAFI KHALSA: Does anybody have a  
7 laser pointer?

8 LIZA PADEN: Yes.

9 JAFI KHALSA: Thank you.

10 This is your bicycle area here. This  
11 is the trash here, and here that's been  
12 located inside. This is your snow storage  
13 area at the end of the driveway. The --  
14 there was a concern from the people who  
15 reviewed the bicycles about access. We show  
16 a large -- a paved area out here for common  
17 recreation. We want to extend the pavement  
18 over and get a walkway over to this door for  
19 exterior access, removing some of the  
20 planting bed at this edge. And the thought  
21 is that if we cut this at a 45-degree angle

1 here, we can get the door in at the corner,  
2 not impinge on the parking bicycle parking  
3 spots at all and have a better clear access  
4 to that location. So, I think we can pretty  
5 readily resolve that concern regarding the  
6 bicycles.

7           Additionally, we have some excess area  
8 in terms of width of backup spaces along this  
9 line of the garage here where we can locate  
10 additional parking spaces. And it also  
11 should be noted that these couple of parking  
12 spaces which are outside here, are covered.  
13 They are protected. It's not fully enclosed,  
14 but it does have a roof over it as the spaces  
15 out here are exposed to the weather as well.

16           As Jim said we've reduced the building  
17 down from 31,000 -- approximately 31,800  
18 square feet to 26,666. That's an FAR of 1.36  
19 where previously the proposal was an FAR of  
20 1.625. So, it was a substantial reduction.  
21 And the unit density calculation reduction,

1 the number was a little bit higher, it was  
2 978 square feet per unit not 900. If you go  
3 with the 16 units and it's 1222 square feet  
4 per unit. I'm sorry, if you base it on the  
5 20 units, it's 978. If you base it on 16  
6 units, it's -- I got that mixed up.

7 Okay, the 16 units is the 978.

8 HUGH RUSSELL: We don't care about  
9 the 16 units. We just care about what's in  
10 the building.

11 JAFI KHALSA: The 23 units is 978.

12 And I did -- we did spend sometime  
13 reviewing the densities in the neighborhood.  
14 And as Jim represented to you, the density is  
15 somewhat similar on this lot. You can see we  
16 are proposing a three-story building. It is  
17 of somewhat similar character to what we had  
18 before, but we did have an addition of a  
19 number of bays and detail strips to further  
20 break down the facade. We did put porch  
21 entrance types of treatments over the doors

1 into the units, located those centrally in  
2 the bays. We did add additional porches to  
3 the sides and the interior courts of the  
4 building and around the sides on the  
5 buildings as well. And it was pointed out  
6 earlier, the garage is fully enclosed now at  
7 the track level and you don't see the cars  
8 hanging out beyond the face of the building.

9 This is a perspective views of the  
10 reduced building. Again, you can see the  
11 addition of the different elements versus to  
12 bring the scale down closer to the street.  
13 The additional trim details, the additional  
14 bays. More accent at the street level on the  
15 entrances and the harness treatments over the  
16 individual entrance doors at the street.

17 This was the study that was put  
18 together showing -- one of two studies that  
19 was put together showing how the mass of the  
20 building fits into the neighborhood. This  
21 being the proposed building which is 36 feet,

1 fits pretty well into the texture of the  
2 neighborhood now. You've got -- the  
3 apartments are condominium complexes  
4 next-door which we'll see what the height is  
5 on the next slide, but it's pretty close to  
6 that height. You've got the apartment  
7 building on the corner which is a hair under  
8 -- just about at 39 feet. You have an  
9 apartment building down on Blair which is 40  
10 feet tall. So we're shorter than both of  
11 those buildings. And pretty well fit into  
12 the context of the height and texture of the  
13 neighborhood.

14 This slide here actually will --  
15 actually indicates what the height of the  
16 different buildings are. Ours being 36.  
17 Directly across the street is 39.9 feet.  
18 This building over here is right at -- a hair  
19 over 40 feet. Building down here 39 feet,  
20 seven inches. The ones next-door here are 32  
21 to 33 feet at their peaks. And these being,

1           you know, in some areas two and a half story  
2           buildings, and in some areas three and a half  
3           story buildings. So we are fitting much  
4           better into the texture of the heights into  
5           the neighborhood.

6                     And then we did do a shadow study which  
7           shows that our primary shadows are being cast  
8           out towards the railroad tracks. At the end  
9           of the day we're casting on the neighbor as  
10          you head towards late afternoon in sunset.  
11          But the building is somewhat nicely  
12          positioned in terms of the orientation so  
13          that you're generally casting out either on  
14          to the street or onto the railroad.

15                    I do have photographs of the  
16          neighborhood if that's of interest to run  
17          through the neighborhood. But if you want to  
18          save time, I don't need to present those.  
19          Your discretion.

20                    HUGH RUSSELL: We'll skip that right  
21          now.

1 JAFI KHALSA: Okay.

2 I do want to address one last thing and  
3 that was I did spend some time speaking with  
4 the civil engineer on the job. The civil  
5 engineer has run preliminary calcs after his  
6 meeting with the DPW, and he calculated that  
7 the water storage tank would give out about  
8 500 gallons. And that an additional -- if  
9 you wanted a 5,000 gallon sewerage storage  
10 tank which would be provided on-site. And  
11 that would be dosed out into the system.  
12 This would take the site from essentially  
13 what's designed right now as a two-year flood  
14 management to a 25-year flood management.

15 Okay, thank you.

16 HUGH RUSSELL: Okay, thank you.

17 Questions at this time from members of  
18 the Board?

19 AHMED NUR: I have one question  
20 about the 500 gallons. The civil engineer,  
21 can you just run that by slow?

1 JAFI KHALSA: Yeah, the a storm  
2 water management is buffered by a 500 gallon  
3 underground tank. And the sewerage is  
4 buffered by a 5,000 gallon underground tank  
5 is what the initial calculations from the  
6 civil engineer was.

7 AHMED NUR: You're going to install  
8 those in the basement, is that what you're  
9 saying?

10 JAFI KHALSA: We don't have a  
11 basement. It will be installed on the site.

12 AHMED NUR: On-site?

13 JAFI KHALSA: Correct.

14 AHMED NUR: Thank you.

15 HUGH RUSSELL: Pam, why don't you  
16 start and then Charles.

17 PAMELA WINTERS: Just a quick  
18 question. I was wondering --

19 ATTORNEY JAMES RAFFERTY: Jafi,  
20 there's a question. Pay attention to the  
21 question.

1 JAFI KHALSA: I'm sorry.

2 PAMELA WINTERS: Hi. I just was  
3 reading (inaudible) memo. And did you allow  
4 for space bicycle spaces inside the garage  
5 for the tenants?

6 JAFI KHALSA: The current drawing  
7 indicates eight spaces in the garage.

8 PAMELA WINTERS: Great.

9 JAFI KHALSA: Okay? And two spaces  
10 in the front.

11 PAMELA WINTERS: Okay.

12 JAFI KHALSA: We do -- if it is  
13 required to add another two spaces, we do  
14 have room next to the recycling areas to add  
15 another two more spaces.

16 PAMELA WINTERS: I'm glad there's  
17 indoor spaces. That was my concern.

18 Thank you.

19 JAFI KHALSA: Sure.

20 HUGH RUSSELL: Charles.

21 CHARLES STUDEN: I'm trying to

1 understand the trash system in the building.  
2 You've moved everything indoors. Does that  
3 mean that the truck or trucks that come to  
4 take away recycling and trash enter the  
5 garage and everything is dumped into the  
6 truck while it's in the garage or does  
7 everything have to be moved out to the  
8 street?

9 JAFI KHALSA: They're in the big  
10 roller bins.

11 CHARLES STUDEN: Okay. And where  
12 does that --

13 JAFI KHALSA: It gets rolled out  
14 into the driveway and loaded into the truck  
15 in the driveway. I live in a development  
16 personally has 11 units. It has a ramp going  
17 to the basement, and that's the exact same  
18 system.

19 CHARLES STUDEN: So a management  
20 company will move the containers out into the  
21 driveway where in the area where the snow

1 gets piled up in the winter?

2 JAFI KHALSA: No. Actually, the  
3 operator of the trash removal company  
4 themselves will have a code for the garage.  
5 They open the door, they go in and they take  
6 the trash out. And they, they handle the  
7 whole operation while they're there.

8 CHARLES STUDEN: So it's not  
9 municipal trash?

10 JAFI KHALSA: No, it's not.

11 CHARLES STUDEN: And recycling?

12 JAFI KHALSA: It's trash and  
13 recycling, and the same company can handle  
14 both.

15 CHARLES STUDEN: Thank you.

16 WILLIAM TIBBS: I want to go back to  
17 Ahmed's question. You said the tanks would  
18 be on the site, but what's your thoughts  
19 about how you're -- because when I read that  
20 letter, that was my first question is how  
21 were you going to accommodate the retention

1 tanks within this site?

2 JAFI KHALSA: Yeah, the retention  
3 tanks will be between the building and  
4 Sherman Street underground in that location.

5 WILLIAM TIBBS: It's going to be  
6 underground?

7 JAFI KHALSA: Oh, yeah, oh, yeah.  
8 It's underground.

9 AHMED NUR: I'm sorry, one more  
10 question. The snow pile up corner. It shows  
11 a handicapped parking for a van. What do you  
12 intend to do with that? Is that where you're  
13 going to put the snow?

14 JAFI KHALSA: Well, there's two  
15 handicapped parking spots. They're provided.  
16 Only one is needed. We provided two. And  
17 there's the access way between. The snow is  
18 going to be put behind that area, not in that  
19 area.

20 AHMED NUR: Okay, thank you.

21 HUGH RUSSELL: Okay. Is that it for

1 questions? Then we'll go on to the public  
2 testimony.

3 And so I have a list of a number of  
4 people who wanted to speak. I'll call your  
5 names out. When you come forward, please  
6 give your name and your address. And we ask  
7 you to limit your remarks to three minutes.  
8 Pam will signal you when that time period is  
9 over. If you come forward, you can say, this  
10 is true, I agree with what my neighbors have  
11 said, and you don't have to take the full  
12 three minutes.

13 First person on the list is Laura  
14 Runkel. Second person is Joe Power.

15 LAURA RUNKEL: My name is Laura  
16 Runkel. I live at 56 Bellis Circle. That's  
17 just kitty-corner across from this lot that's  
18 under consideration for development. I  
19 continue to have concerns about the size of  
20 the development for the neighborhood and for  
21 the lot. I think they did a good job of

1           presenting it looking much smaller and even  
2           looking appropriate in the neighborhood, but  
3           I would actually like to see the pictures of  
4           the neighborhood because I think it would  
5           help us to put that in better perspective.  
6           But overall, my general concern is this is a  
7           large building and a one and a half, perhaps  
8           one block long dead end street that's already  
9           overburdened with parking and traffic. And  
10          that will spill over into the other side of  
11          Bellis Circle, which is -- has the exact same  
12          structure. It's narrow. It has trouble with  
13          traffic. I don't think that developing this  
14          to the slightly smaller scale that they've  
15          proposed is going to alleviate any of the  
16          concerns that we had about the infrastructure  
17          of the neighborhood.

18                   HUGH RUSSELL: Okay, thank you.

19                   Joe Powers. And after that Mark  
20                   Sutherland.

21                   JOSEPH POWERS: My name is Joe

1 Power. I'm district representative for  
2 Carpenter's Local 40. Our offices are at 10  
3 Holworthy Street in Cambridge. I'm here  
4 representing the carpenters because we've  
5 been assured by the developer Doug Beaudet  
6 that this job would be a non-union job. It  
7 would not pay area standard wages and  
8 benefits which means my members would not be  
9 -- will be on the sidelines and will not be  
10 participants in this project. I've spent the  
11 better part of my life proving to people that  
12 a union job is a better job in terms of  
13 quality, in terms of construction, in terms  
14 of safety, in terms of trying to fit in with  
15 the wishes of the community. In spite of  
16 that, this developer here says that he is  
17 going to thwart the wishes of the community  
18 and bring in outside people, pay them less  
19 than area standard wages and benefits. Which  
20 means unlike union building trades people,  
21 they will be unable to live their lives in a

1 dignified way with health benefits, pension  
2 benefits and safe working conditions. That's  
3 why we oppose the project and we're siding  
4 with the neighbors who oppose the project.

5 Thank you.

6 HUGH RUSSELL: Thank you.

7 Next speaker's Mark Sutherland. And  
8 the next speaker after that is Jack  
9 Cichereilli.

10 MARK SUTHERLAND: Yes, my name is  
11 Mark Sutherland. I live at 132 Pearl Street.  
12 I am opposed to this project pretty much for  
13 the same reasons that Joe spoke. I'm with  
14 the Carpenter's Union as well. There's a lot  
15 of sad stories out there. You need only look  
16 at the Globe today to see all the  
17 foreclosures of people and their families,  
18 how much they're hurting. We need good jobs  
19 for people who live in the City the of  
20 Cambridge. That's why I oppose this project.  
21 I didn't hear him say anything about

1           committing to any local help or anything like  
2           that so I'm opposed to the project.

3                     HUGH RUSSELL: Thank you.

4                     Jack Cicherelli. And then next  
5           somebody Mahew.

6                     JACK CICHERELLI: Good evening. My  
7           name is Jack Cicherelli. I live at 37  
8           Plymouth Street in Cambridge. I've been a  
9           carpenter my whole life, and I'm a Local 40  
10          member and I support the neighborhood in this  
11          project and I oppose this because they're  
12          going to be low substandard performance of  
13          this job and wages also.

14                    Thank you.

15                    HUGH RUSSELL: Thank you.

16                    After Mr. Mahew, David Vice.

17                    SAM MAHEW: Good evening, Board. My  
18           name is Sam Mahew. I live at 29 Glenwood  
19           Ave, Cambridge, Mass. I'm here to oppose the  
20           project for the same reasons as my brothers.  
21           I just want to add on to the fact that I'm

1 also a basketball coach at the high school ,  
2 and our young men in this town also need  
3 jobs. Everyone doesn't go to school .  
4 Everybody can't afford college. And every  
5 one of these jobs that comes into this town,  
6 they have the opportunity to work for Local  
7 40 as a carpenter and earn pay and stay in  
8 this town, okay? A lot of these gentlemen  
9 that come here bring help from all over the  
10 states, from other countries. People who  
11 aren't paid correctly and so on. And it  
12 doesn't do a thing for this community. All  
13 it does is deplete the original people who  
14 grew up here and live here and want to stay  
15 here.

16 Thank you very much.

17 HUGH RUSSELL: Okay, thank you.

18 Next speaker is David Vice. Next after  
19 that is Andrea.

20 DAVID VICE: Hi , my name is David  
21 Vice. I live at 19 Bellis Circle. And I

1 just wanted to comment on the density of this  
2 project. I think this picture is a pretty  
3 good view of what the project will look like.  
4 I think about ten years plus ago the city  
5 changed the Zoning on the tracks to reflect a  
6 change from industry to intense residents  
7 development. We live in, I think it's a B-1  
8 Zone or so. But nonetheless, I'm not sure  
9 exactly what the Zoning is, but it's 0.5 FAR.  
10 So you're looking at a 0.5 FAR community up  
11 against an -- up against a what is it, 1.3 on  
12 this project I think? And this project is --  
13 I don't know when the Zoning was changed, but  
14 it reflected I think a time when, you know,  
15 when the densities weren't nearly as high as  
16 the neighborhood. My building here on Bellis  
17 Circle has been surrounded by Zoning  
18 Variances. Up above FAR I myself am  
19 concerned about the spillover elements of  
20 this project. And particularly also the  
21 35-foot high height limit in the front is a

1 wall. It's got a little indent there. It  
2 really doesn't have much of an affect when  
3 you step back from the building a little bit.  
4 And -- let's see what else I had. Our  
5 project -- this project is actually quite far  
6 away from the T as well. So, I think you'll  
7 see most people -- most people on Bellis  
8 Circle drive. And most high density projects  
9 now are generally having supported next to T  
10 stations or public transportation, I think  
11 that's very much what Cambridge is about now  
12 a days. And I guess that's it.

13 Thank you.

14 HUGH RUSSELL: Thank you.

15 Andrea and then after that Janelly  
16 Rodriguez.

17 ANDREA WILDER: My name is Andrea  
18 Wilder. I live at 12 Arlington Street in  
19 Cambridge, and I'm currently studying the two  
20 watersheds; the Mystic River watershed and  
21 the Charles River watershed. So I wrote that

1 with this study in mind.

2           The flooding last spring affected  
3 western and northwestern areas of Cambridge.  
4 This area of Cambridge is part of the old  
5 geologic Avalonian Sea. And anyone who has  
6 tried to dig in Cambridge clay understands  
7 why this material was used for bricks.  
8 Bolton Street is part of this area. And  
9 while it is only a couple of blocks away from  
10 one of the FEMA flood lines, the crease of  
11 the railroad tracks, it is subject to the  
12 same problems that hit part of Route 2 last  
13 spring because it also is flat and low.  
14 Consequentially, anyone wanting to build in  
15 this area should take account of possible  
16 flooding and sewerage backup, find ways to  
17 mitigate against this in both the planning  
18 and permitting processes. The City of  
19 Cambridge is now in the process of  
20 determining a range of hydrological  
21 consequences from climate change. Hence, is

1 not yet in a position to put out a master  
2 plan for city protection when the Mystic  
3 River watershed reaches its maximum ability  
4 to absorb rain and floods surrounding areas.

5 Thank you.

6 HUGH RUSSELL: Thank you.

7 ANDREA WILDER: I'll submit that for  
8 the record.

9 HUGH RUSSELL: Janelly Rodriguez.  
10 And after that Kathy Hickey.

11 JANELLY RODRIGUEZ: I'm Janelly  
12 Rodriguez from 75-B Bolton Street and I just  
13 want to say a couple of concerns that I have  
14 as long as everything else that my neighbors  
15 have said.

16 You know, the neighborhood is not  
17 getting anything from this project except any  
18 -- lots of inconveniences and increased  
19 traffic and density which has already been  
20 reiterated. You know, at the community  
21 meeting that we had last week, the developer

1 was nice enough to bring some handouts of  
2 things that he's done before. And a lot of  
3 them seemed to be just renovations on  
4 existing properties that were already there,  
5 and it didn't seem that he had ever done a  
6 project of this magnitude. So this is  
7 probably the biggest project that he's ever  
8 done.

9           After the meeting last week we're also  
10 concerned about the relationship that this  
11 developer is going to have with the neighbors  
12 and the neighborhood because he didn't give  
13 us a very good first impression. I'm  
14 concerned as well if and when the project  
15 starts, where all of the equipment will be  
16 placed. You know, I don't think it's fair if  
17 we get -- if the equipment gets placed on the  
18 side street. You know, where the only  
19 parking is on one side of the street. You  
20 know, I don't want that to be taken away from  
21 us. Just again, you know, everything that

1 has been stated from all of our other  
2 neighbors. You know, it doesn't --  
3 everything we talked about doesn't alleviate  
4 any of our concerns. And, you know, we're  
5 going to be living on a pretty overpopulated  
6 street.

7 Thank you.

8 HUGH RUSSELL: Thank you.

9 Kathy Hickey. And after her, Sylvia  
10 Weston.

11 KATHY HICKEY: Hi. I'm Kathy  
12 Hickey. I live at 78 Bolton Street. I have  
13 quite a few concerns. In this picture  
14 everything looks so spaced out. It's not.  
15 My house is actually the back to where the  
16 driveway is. My biggest concern is the air  
17 quality. My son is asthmatic and that is his  
18 bedroom.

19 I'm also concerned -- we live in the  
20 condos next-door and when we did our plowing  
21 we put it in the back. And what happened was

1           our fence fell over in the middle of the  
2           winter. Because it was in the middle of the  
3           winter, we couldn't get it back up. It was a  
4           safety concern. If they put their snow back  
5           there and they keep on pushing it back,  
6           eventually that fence will fall.

7                   I'm concerned because we had backup  
8           sewerage this summer on -- in the people's  
9           washing machines on my -- in the condos  
10          started filling up with sewerage because this  
11          street couldn't handle it. Also, they need  
12          to put more cars there because there's not  
13          permanent parking. Anybody can park there.  
14          We get everybody from Malden Square and  
15          everywhere else parking on that street. It's  
16          just too small an area for that building.  
17          They have to make it smaller. I mean, they  
18          have to build something, but it has to be  
19          smaller. Because also where it says 39.9,  
20          that building their driveway comes out on to  
21          Bolton Street, too. That's more cars that

1           come out on to Bolton, too.

2           Plus, with all the people living there  
3           there's tons of cars. There is no parking at  
4           nighttime. But it's not -- it's not a permit  
5           so anybody can park there. And people even  
6           switch their cabs up there on that street and  
7           will leave their cabs and take their cars and  
8           just park back and forth. So I don't know  
9           where these people come from, but it's not  
10          residential parking and so anybody can park  
11          there. So, you got to consider that this is  
12          really a dense neighborhood. It's not as  
13          spread out as this picture looks.

14                   HUGH RUSSELL: Okay, thank you.

15                   KATHY HICKEY: Thank you.

16                   HUGH RUSSELL: Sylvia Weston.

17                   SYLVIA WESTON: I'm Sylvia Weston  
18           and I'm giving my time to my neighbor  
19           Lorenzo.

20                   HUGH RUSSELL: Okay. Lorenzo  
21           Pari ve, you're next on the list. And after

1 that Bruce Cartwright.

2 BRUCE CARTWRIGHT: I wish to give my  
3 three minutes to Lorenzo.

4 LORENZO PARI VE: I'll be as brief as  
5 I can. I thank you all for hearing our  
6 comments today. My name is Lorenzo Pari ve  
7 (phonetic). I've been a resident of Bolton  
8 Street since 1994 with my partner  
9 respectively since 1996. I've been a proud  
10 resident of Cambridge since 1986.

11 We understand what is before the Board  
12 today. And as bold as it might seem to many  
13 of you, we're asking you, we're imploring  
14 you, okay, to not only reject the Special  
15 Permit but to -- as bold as it might seem, to  
16 ask this developer to work closer with us.  
17 To reject the proposal in its entirety. And  
18 I'm going to explain to you why we believe  
19 this. I'm speaking as an individual, but I'm  
20 also speaking as a representative of the  
21 people on this street who have tried to build

1 a communi ty, a nei ghborhood, a nei ghborhood  
2 despi te many, many devel opments. Raw  
3 sewerage in our basements, flooded basements  
4 every time it rains. Those are real i ssues,  
5 fol ks. And thi s Board, thi s Board for two  
6 previ ous devel opments on Bol ton Street, you  
7 all have restri cted the size of those  
8 devel opments to six and seven respecti vel y.  
9 Maybe it was other members of thi s Board that  
10 di d that, but thi s Board sai d to devel opers  
11 previ ousl y, Bol ton Street is tight, fol ks.  
12 These l ots that were devel oped previ ousl y,  
13 are not that much small er than the l ot that's  
14 in questi on here. We're tal king 20 to 25  
15 uni ts versus six and seven respecti vel y in  
16 two other l ots. We're asking you to use the  
17 same cri teri a that you used in those previ ous  
18 approval s.

19 You've heard it al ready. Thi s is a  
20 mammoth devel opment, fol ks. Thi s goes  
21 again st the very fabri c and grai n of our

1 neighborhood. It does not fit the current  
2 make up of the area. It's going to stand out  
3 like a tumor. As beautiful as that tumor  
4 looks, it's got nice window dressings,  
5 aesthetics shouldn't drive the decision  
6 making in this process. It's a tumor. It's  
7 a tumor with nice window dressings. Most of  
8 the housing stock in the area, as much as the  
9 folks that tried to paint this as a nice fit,  
10 it's really tumored in. Most of the housing  
11 stock except for two apartment buildings,  
12 they're less than 10 units each. Every one  
13 of those other buildings on Bolton Street are  
14 one-family and two-family units. They might  
15 be very different in size and scope and  
16 history, but they share a small sized  
17 approach to residential neighborhoods. This  
18 is not Richdale Ave. This is not Pemberton  
19 Street, where those streets have been able to  
20 accommodate these kinds of mega condominium  
21 centers. Our street can't afford and easily

1 integrate 20 to 25 high-priced condo units  
2 when most of our units are one and two-family  
3 units, except for those two apartment  
4 buildings, we're working class and middle  
5 class folks. These are -- this is not the  
6 kind of area where you just drop 20 to 25  
7 high-priced condos and just say live with it.  
8 That's not what this community can endure,  
9 folks. I'm sorry.

10 There are a number of other reasons why  
11 this should be rejected.

12 PAMELA WINTERS: Sir, if you could  
13 wind down your thoughts, that would be great.  
14 Thank you.

15 LORENZO PARIVE: There are a lot of  
16 concerns about congestion that folks have  
17 already raised. It's a nightmare on Sherman  
18 Street each day for residents to lead and get  
19 to their properties. You've heard about  
20 flooding, drainage and sewage issues. This  
21 addition is only going to put greater burden

1 on our fragile and taxed systems throughout  
2 this street. The sewage backups you've heard  
3 about -- you've heard about the difficulties  
4 with respect to how many parking spaces are  
5 being provided here. No family, no family  
6 has just one vehicle. This street cannot  
7 accommodate 15 new vehicles. This street --  
8 how are we going to accommodate 75 new people  
9 if at least three people live in each one of  
10 these units? We've got to think about these  
11 things.

12 And last but not least -- I know I've  
13 gone probably longer than I have but I  
14 thought by my neighbors deferring to me as a  
15 representative of them, you would let me  
16 speak. At least they do that in the United  
17 States Senate. I would hope we could do that  
18 here in Cambridge.

19 The last thing I would like to say is  
20 look, we need to recognize that global  
21 warming is a reality. Okay? We have had the

1 worst storms in Massachusetts, in New England  
2 in the last 15 years. We need to plan around  
3 that. And you can't just drop 20 to 25  
4 units. Even without a basement, you all know  
5 that whenever you create a foundation, you're  
6 interfering with the flow of capillary water.  
7 You're also increasing hydrostatic pressure,  
8 increasing the water table and creating  
9 propensities for greater sewerage and  
10 flooding problems. No matter how many  
11 systems folks tell us they're going to put in  
12 place to fix it and make sure it doesn't  
13 happen, the two developments, they came to  
14 you and said we're going to have storage  
15 tanks. We're going to make sure that nothing  
16 gets into the sewerage system. Nothing gets  
17 into people's basement. We still have  
18 basement floodings. We still have sewerage  
19 backups.

20 So I appreciate the developer says  
21 they're going to put these systems in. We've

1 heard that before. Those systems have not  
2 worked.

3 I have prepared testimony here, at  
4 least five copies and some pictures of our  
5 street that I'd like to share with you. I  
6 wish I had more time, but I hope --

7 PAMELA WINTERS: Thank you.

8 LORENZO PARI VE: I'm given -- thank  
9 you.

10 HUGH RUSSELL: Okay. So, I would go  
11 back to Ms. Weston or Mr. Cartwright. If you  
12 want to add anything?

13 BRUCE CARTWRIGHT: Lorenzo is my  
14 partner. If you want to let him speak some  
15 more, we put a package together.

16 HUGH RUSSELL: No. We have our  
17 rules. We don't follow the Senate rules.

18 BRUCE CARTWRIGHT: You don't follow  
19 the Senate rules?

20 HUGH RUSSELL: Which is just as well  
21 I think.

1 Ms. Weston, would you like to come  
2 forward?

3 SYLVIA WESTON: One of my greatest  
4 concerns is the sewerage and the flooding  
5 that happens every time it rains, and it  
6 doesn't even have to be a flood. This  
7 constant sewerage backup and constant  
8 flooding every time we have a rain on Bolton  
9 Street and there's a huge -- in front of my  
10 building, my property is a huge ditch where  
11 when it rains, the water just sits there and  
12 that is one of my great concerns.

13 HUGH RUSSELL: Okay, thank you.

14 I'm going to continue down the list.  
15 Next name is Michael Sigell. And after him  
16 is Thomas O'Connell. Does Mr. O'Connell wish  
17 to speak? No. So then Ellen Loring? So  
18 then Paula Maute.

19 MICHAEL SIGELL: Hello. Michael  
20 Sigell from 33 Bellis Circle. I want to  
21 agree with most of the points that my

1 neighbors have made. I want to also  
2 reinforce the beauty of these pictures and  
3 the disconnect from the reality of walking  
4 around the neighborhood. This seems to be  
5 clearly a single block unit which just does  
6 overpower in scale and proportion every other  
7 dwelling in the area. The drawings don't  
8 show that, and the space really seems to give  
9 a different feeling. But it just thwarts as  
10 one single mass, the experience as a wall  
11 incongruent with the neighborhood in terms of  
12 its massing.

13 On Bellis Circle as I mentioned last  
14 time, we are very small single side parking,  
15 parking facilities. And we already are  
16 absolutely fighting with people who are from  
17 Malden Square from Malden, from Sherman  
18 Street, we don't have enough parking on our  
19 own street as it is now. It's like car wars  
20 every single night. There's just no way that  
21 we can envision that the amount of units

1 that's being envisioned here can be  
2 accommodated by the structure as it is.  
3 Regardless of what Zoning allows, the facts  
4 on the ground of the actual experience of the  
5 people in the neighborhood runs counter to  
6 what seems -- what the technical Zoning  
7 allows. So there's a disconnect there that's  
8 hard to communicate unless you actually live  
9 the experience in the neighborhood.

10 In short, I just want to concur with  
11 all of the concerns about infrastructure  
12 failure. I know Owen, he's a great guy.  
13 He's very conscientious. I don't doubt  
14 anything that he has to say. All I can say  
15 in response to what has been presented here  
16 is that most houses on Bellis Circle have  
17 sump pumps, Bolton as well. And they're  
18 always burning out. Regardless of what has  
19 been put into place, it seems like there's --  
20 the infrastructure in Sherman that leads into  
21 Rindge, that goes into Alewife, just can't

1 handle what's coming into it. So, I just --  
2 I'm not a technical man. I just know what I  
3 experience. I've lived there for 40 years.  
4 And it is a constant and perennial problem  
5 that doesn't seem to be getting better. And  
6 I just can't imagine that this is going to  
7 have no effect. It just doesn't make sense.

8 So we're opposed to it. We think it  
9 should be scaled down dramatically. And I  
10 just wanted to add that the only person that  
11 I can imagine in the neighborhood who is in  
12 favor of this is Jose's because he'll get a  
13 lot more business if the population goes up.  
14 But I don't know a single person who feels  
15 this is a good idea.

16 PAMELA WINTERS: Thank you.

17 HUGH RUSSELL: I buried the list  
18 here. Okay, Paula.

19 PAULA MAUTE: Was there someone  
20 before me?

21 HUGH RUSSELL: No, they didn't wish

1 to speak.

2 PAULA MAUTE: I'm Paula Maute. I  
3 live directly across the street from the  
4 proposed development, and I spoke last time.  
5 I couldn't agree more with what everybody's  
6 talking -- reinforcing about the traffic and  
7 flooding, the sewerage, parking, but let me  
8 just see my notes here.

9 I want to mention that this summer when  
10 it -- when my basement flooded water and  
11 sewerage -- I'm a single mother with a  
12 ten-year-old daughter. It's the second time  
13 I've had to run down cellar and deal with raw  
14 sewerage coming in the cellar, which is  
15 actually a furnished room, TV and, you know,  
16 it's heated and everything. So it's like I  
17 have not -- until I figure out how to plug  
18 the drain pipe, I have not been able to use  
19 that room. And I am so afraid -- no matter  
20 what the builders say about putting in a  
21 storm water retention, that that's going to

1 fix things up, my condominium which is across  
2 the street has a huge storm water retention  
3 thingy and it doesn't work. I mean -- and I  
4 wanted to just say one more thing. I know my  
5 three minutes are up, but is this the pointer  
6 thingy?

7 PAMELA WINTERS: You have two  
8 minutes.

9 ATTORNEY JAMES RAFFERTY: Don't  
10 point that in anybody's eye.

11 PAULA MAUTE: Can you show me how  
12 that works? There's a red button here? Wow.  
13 I wanted to talk about the traffic on Bolton  
14 Street. Can I use this? Well, maybe you  
15 can. I live right across there. There's a  
16 driveway where I live there's six  
17 condominiums.

18 JAFI KHALSA: To the right or left?

19 PAULA MAUTE: To the right. So  
20 right there is my driveway. Six cars come  
21 out everyting morning. Across the street

1 where my other neighbors have spoken, yeah.  
2 There are seven cars coming out of there.  
3 Down Blair Street. Do you know where Blair  
4 Street is? They're all empty now. So in the  
5 morning, also in that apartment complex on  
6 the corner, that has 12 cars. So imagine,  
7 you know, in the mornings 12 cars, 6 cars,  
8 Blair Terrace or Blair Street, and it's a  
9 dead end street. You know where it's cut off  
10 there. It's a dead end. We're all trying to  
11 get out. And add 20 cars plus, you know,  
12 another 15 I estimate, it's going to be a  
13 zoo. And I know, I know the builders have  
14 their rights to build, I'm guessing I think  
15 it's 11 they have a right to. And then with  
16 all the whatever add-ons, that appears they  
17 have a right to build 15. But even 15 is  
18 going to cause a whole lot of congestion, and  
19 then parking too. Where are those extra 15  
20 cars going to park?

21 Oh, yeah, one last thing. When it

1 flooded this summer and I had to go down  
2 cellar and deal with all the sewerage in my  
3 cellar, I called the DPW. And I said what  
4 can you do? You know, what can you do to fix  
5 our street? And he said well, you know,  
6 there's something about an incline on your  
7 street where the sewers are. And he goes and  
8 to fix that it's going to take three years  
9 because we need special funding, you know,  
10 federal, state, wherever their funds come  
11 from. So he basically said sit back and  
12 don't expect nothing to happen very soon.  
13 And I realize the builders were saying we're  
14 going to fix this. But, you know, reality  
15 and what -- you know, what's promised and  
16 what's reality are two different things. So,  
17 anyway. Just please, we're just asking keep  
18 it to 10 or less if possible.

19 PAMELA WINTERS: Thank you.

20 PAULA MAUTE: Thank you.

21 HUGH RUSSELL: Michael. Three

1 minutes, sharp.

2 MICHAEL BRANDON: Thank you, I'm  
3 Michael Brandon.

4 I think the neighbors have eloquently  
5 stated why this project does not deserve a  
6 Special Permit in its current form. I think  
7 if you apply the criteria in the Special  
8 Permit regarding traffic and impact on  
9 abutting properties and so forth, there's  
10 simply no way to make the necessary findings  
11 to justify this Special Permit.

12 I'd also point out that ironically my  
13 group, the stabilization committee, was  
14 involved when most of these neighbors'  
15 projects were being built. And similar  
16 concerns were raised by the existing  
17 neighbors back then when there were, you  
18 know, perhaps 20 or more fewer units on the  
19 street. I also point out, you don't see it  
20 on this drawing, but down to the other half  
21 of Bolton Street is very undeveloped.

1 There's a large vacant lot that's owned by  
2 the Cambridge Housing Authority that  
3 potentially might be built on. And then  
4 there's also the industrial building that I  
5 believe is now vacant and could be  
6 redeveloped or used. So all of those  
7 problems that you've been hearing about,  
8 about traffic and parking are going to be  
9 multiplied backups at the railroad crossing  
10 and so forth.

11 Just the other point, and I agree about  
12 the prettifying of these drawings with large  
13 trees shown, which I'm sure are not there now  
14 except for one in the center of the lot that  
15 will be torn down, that will be knocked down.  
16 Not necessarily on this particular slide, but  
17 on some of the others. But the existing tree  
18 is an amenity that will be lost.

19 The flooding issue I think is really  
20 important. This area is traditionally  
21 flooded. The city has done flooding projects

1 on Sherman Street to try to alleviate the  
2 problems on Bellis Circle, longstanding  
3 problems because of the clay. I also wonder  
4 about, and I don't know if there's been a  
5 21-E study that's been shared with the  
6 neighbors, to show what kind of contamination  
7 might be next to this site or on this site  
8 next to the railroad tracks. But I guess  
9 just designed to a 25 year flood is clearly  
10 not adequate given at least 50 year floods.  
11 We've seen over the past 10 and 15 years, and  
12 even as recently as the summer that little  
13 cloud bursts which all over the city created  
14 problems.

15 So thank you very much for your time.

16 HUGH RUSSELL: Thank you.

17 Okay, that's the end of the list. Is  
18 there anyone who wants to speak who didn't?  
19 Charles.

20 CHARLES MARQUARDT: Charlie  
21 Marquardt, 10 Rogers Street. A couple of

1        quick things.

2                First, I think this is pointing out an  
3        issue again which we're having in the city.  
4        It's more CDD that we're acting with  
5        developers rather than dealing with the  
6        Zoning. This horse has left the carriage  
7        house whatever you want to call it. The 15  
8        units is the base. So the question is  
9        between 15 and 20 it's not between 15 and  
10       four or something. So I think we're put in a  
11       position where no one's going to be happy. I  
12       think the city needs to work on that piece.

13                Having brought up the issue with snow,  
14        I'm sort of glad to hear that they're working  
15        on it. I'm somewhat though, and I don't want  
16        to use a bad word, but I'm frankly offended  
17        that the one place for the handicapped  
18        parking spaces, only two spaces that aren't  
19        covered and that's where they're going to put  
20        the snow. So I'm picturing a handicapped  
21        person when it's snowing out, can you go

1 please move your car so we can put the snow  
2 behind your spaces? That really doesn't work  
3 for me. I'd like to see some better way to  
4 do that.

5 Visitor parking. Sort of silent on  
6 that. And, therefore, are they going to try  
7 to park on Blair Street where there's a  
8 private way? Didn't mention anything to it.  
9 I know a lot of other places put some visitor  
10 parking. Maybe I couldn't see it in the  
11 pictures.

12 And finally we talk about 20 year  
13 floods, and again this is a city thing. I  
14 think we've had four of them this spring. So  
15 let's do a little bit more. We have some  
16 great in mid-Cambridge, enormous tanks that  
17 Harvard put in. They fill up too. And all  
18 that happens is the water just keeps going up  
19 and up and there's nowhere for it to go but  
20 in people's basements.

21 And the last thing I'll put in and I'll

1 be under three minutes, Pam. Is I saw  
2 covered balconies, and just based upon this  
3 earlier discussion today, I just want to make  
4 sure that they're included in the GFA  
5 calculation for the entire project. So  
6 they're not back in a couple of months asking  
7 for a redo.

8 Thanks.

9 HUGH RUSSELL: Thank you.

10 Sir.

11 JAMES SAUL: My name is James Saul.

12 I live at 203 Pemberton Street which is right  
13 across the railroad tracks from the proposed  
14 building. I'd just like to briefly say that  
15 the traffic and parking horror stories that  
16 my neighbors have mentioned at this meeting  
17 and the previous meeting are 100 percent  
18 accurate without going into further details.

19 I'd like to point out that Mr. Khalsa's  
20 contention that the revised building fits  
21 within the scale of the neighborhood does not

1            seem accurate even from these drawings. In a  
2            similar size area across the railroad tracks  
3            there are a total of nine residential units.  
4            In this proposed building there are 20. The  
5            total height numbers are similar on both  
6            sides, but on the other side of the railroad  
7            track we're talking about the measurement to  
8            a peak and a steeply pitched roof. And in  
9            this building we're talking about 36 going  
10          across the whole building. This is a much  
11          more massive building than in the surrounding  
12          area.

13                 I realize those are two features that  
14                 are a factor in the Special Permit. And I  
15                 don't know if this one is, but I would hope  
16                 that there's a way for the Board to consider  
17                 the fact that we have here a developer coming  
18                 in from outside of the city and imposing  
19                 these costs on the neighbors and the city.  
20                 And I think the fact that we've heard from  
21                 people from the union expressing concern

1 about this project, I think it demonstrates a  
2 further lack of concern by the developer for  
3 the neighbors and the City of Cambridge.

4 Thank you.

5 HUGH RUSSELL: Thank you.

6 Does anyone else wish to speak?

7 (No Response.)

8 HUGH RUSSELL: I don't see any hands  
9 so I would propose that we close the hearing  
10 for public testimony and we'll leave it open  
11 for written testimony in the event we don't  
12 make the decision tonight.

13 So this is an interesting proposal as  
14 was alluded to in the previous hearing. A  
15 reason this site is zoned the way it is was  
16 to encourage housing in a place of industrial  
17 or other kinds of uses that would seem to be  
18 less. And the time it was put in place which  
19 is maybe 15 years ago, 20 years ago, quite a  
20 while ago, anyway. It was thought that we  
21 needed to get a border ratio of a certain

1 size to make the incentive work. And then  
2 the city went and decided that we needed to  
3 have more affordable housing in the city, and  
4 so we passed another law that said in  
5 exchange for admitting affordable housing  
6 units, buildings could be bigger. So you  
7 have a lot that allows a lot of development.  
8 And we have a proposal before us which is  
9 using something like 80 percent of what's  
10 permitted at this point in time. So that's  
11 curious.

12 Now, what's being sought is basically a  
13 site plan review of multi-family dwellings.  
14 And there are some standards that we're  
15 supposed to evaluate. And none of the  
16 standards really relate very directly to what  
17 we've been hearing tonight, people's problems  
18 they have with this project. We're not  
19 supposed to decide how big a project is  
20 supposed to be. That's not one of the  
21 standards. And we're not supposed to be

1           addressing city drainage issues. And under  
2           parking, what the language says: Is parking  
3           areas, internal roadways and access/egress  
4           points should be safe and convenient. It  
5           doesn't actually ask us to address is there  
6           enough parking? What is the situation of  
7           existing on-street parking in the area?

8                        So if we go by the letter of what we're  
9           supposed to decide, I would imagine there  
10          would be a bunch of unhappy people sitting  
11          there saying you didn't listen to us. So  
12          that's a dilemma that we face here. We have  
13          to work within the laws, and the laws tell us  
14          to look at certain things and not to look at  
15          everything. So my own personal viewpoint is  
16          that the building is, you know, bigger than  
17          many of the buildings that are nearby. It's  
18          not much taller than many of the buildings  
19          nearby, but it's bigger. It's bulkier. This  
20          is a scale of the residential area around it  
21          is mostly pretty small structures. And it's

1 clear to me that the framers of this  
2 provision that this is being built under were  
3 perfectly well aware of this, the predominant  
4 kind of zoning in North Cambridge is  
5 Residence B, one or two-family zone, there  
6 are many one or two-family and in North  
7 Cambridge. And we knew, and I say we because  
8 I was on the Planning Board when this  
9 happened, we knew that if you had a floor  
10 area ratio of this, you were going to get the  
11 kinds of projects that you can see on Harvey  
12 Street, that you can see on Richdale Avenue.  
13 And that they are different.

14 So, I look at this and say well, is  
15 this project as good as it can be? You know,  
16 are they taking advantage of every possible  
17 opportunity to address the scale issue? And  
18 I have to come down and say well, they're  
19 doing a lot on scale, and there have been  
20 significant changes between the earlier  
21 proposal, but it's going to be different. I

1 mean, fortunately it's different than the  
2 building that's directly across the street  
3 which is a product of an earlier aging  
4 building in the city on the corner of Bolton  
5 and Sherman Street which came before me when  
6 I was on the Zoning Board 35 years ago I think  
7 for some reason I think because they wanted  
8 to put some more units in the basement, but  
9 my memory's not that great.

10 You know, I don't think personally that  
11 the parking is going to work out. I believe  
12 there will probably be some overflow parking  
13 from this building because it's a long way to  
14 a T station because there aren't, you know  
15 good bus routes close by. That there's apt  
16 to be more than one car per dwelling unit  
17 there. And I think you've heard a lot of  
18 testimony that there's a lot of competition  
19 for the parking spaces already. So I don't,  
20 I don't like that. I don't see anything in  
21 the criteria that we're supposed to enforce.

1           So I guess that's sort of my intro.  
2           I'm not concluding anything. I'm also very  
3           concerned about the issue of the flooding and  
4           the sewer problems. I think what the city  
5           engineer is saying to us is the two things  
6           the city -- there's one thing the city can do  
7           and that's address the overall drainage in  
8           the area. Right now it's a combined sewer  
9           system, and the city's in the process of  
10          separating the sewer system and trying to  
11          alleviate the problems. And that hasn't been  
12          done here yet. And when that's done, there  
13          may be some changes. I'm reading between the  
14          lines on that last statement because it's a  
15          difficult -- at least you're not -- when  
16          storms -- if the sewers and the storm are not  
17          connected, and when you get flooding in your  
18          basement, it's going to be perhaps not as  
19          much sewerage. Perhaps none at all. It may  
20          take quite a while to get the cross  
21          connections done. We know that the general

1        drainage in quite a large area up here is  
2        difficult. There's lots of frequent  
3        flooding, and it's related to the fact that  
4        ultimately the water's got to get to the  
5        Mystic River. It's about four, five miles  
6        away. And it's about something like ten feet  
7        lower in elevation. So you don't have a lot  
8        of head to push that water down. And I don't  
9        know what the city's going to do to try to  
10       alleviate the problems.

11                What they can say is they're going to  
12        make this developer put in retention tanks.  
13        And I'm suspicious that 500 gallons may not  
14        -- that number doesn't seem very significant  
15        to me. Maybe you didn't hear that correctly  
16        or something.

17                JAFI KHALSA: It could be that I  
18        didn't hear it correctly from the engineer.

19                HUGH RUSSELL: Right. But we do  
20        know the city engineering department is going  
21        to come up with an engineering judgment and

1 they're going to require that to happen. And  
2 the basic principle is that the flows off the  
3 site will be reduced from what they are  
4 today.

5 WILLIAM TIBBS: Reduced.

6 HUGH RUSSELL: So, I don't think  
7 anybody who is living nearby is going to see  
8 any improvement as a result of that. But the  
9 idea is this project will not make things  
10 worse. And then eventually the city will try  
11 to make things better.

12 So I'm wondering do we wait for more  
13 discussions from the city engineer? As on  
14 other projects do we simply say he's got his  
15 authority to do, you know, that represents  
16 the city's interest and engineering and we  
17 don't have to second guess him?

18 CHARLES STUDEN: I tend to think the  
19 latter just as I defer to the transportation  
20 Traffic and Parking Department to advise us  
21 on transportation and traffic matters. I

1 think that the city staff, based on their  
2 experience and their background and training,  
3 have obviously a lot to share with us and we  
4 have to rely on that. I think we're being  
5 asked to look at it from the perspective of  
6 the Zoning and whether this project meets  
7 those requirements. I think it's -- what we  
8 have before us tonight is a very big  
9 improvement over what we saw the last time.  
10 I think the reduction in the number of units,  
11 and in particular the height have improved  
12 the building significantly. I think there  
13 are probably more things that can be done,  
14 but I don't know how much control we have  
15 over that. I'm still pretty much bothered by  
16 the rear of the building. And while I  
17 understand what was intended by enclosing the  
18 parking inside the building, and building  
19 that wall, I think that maybe that wall could  
20 be treated a little bit differently. Because  
21 coming down Sherman Street -- and again, as

1       you go around the corner of the building, the  
2       building to me has two faces. It has an  
3       elevation on Sherman Street, and it has one  
4       on Bolton Street. And the Sherman Street,  
5       first floor, if you look at the elevation is  
6       not terribly attractive, especially from the  
7       center of the building to the left, it's  
8       nothing but a blank. I don't know if it's a  
9       concrete or masonry wall, there's no  
10      articulation whatsoever. I wish that  
11      something could be done with that -- those  
12      lower walls. You know, even some kind of  
13      fenestration, because the garage is going to  
14      be terribly dark that that might help. But  
15      again perhaps this is a detail that we're not  
16      supposed to get involved in. But again, it  
17      might help the building to look a little less  
18      -- well, bring down the scale of it I guess  
19      is what I'm struggling with because I do  
20      understand what the neighbors are saying.  
21      But all the other technical aspects, the

1 traffic and again the sewerage and so on,  
2 while I'm sympathetic to those, I think we  
3 have to defer to -- I would suggest we defer  
4 to the city departments on those.

5 HUGH RUSSELL: Ahmed.

6 AHMED NUR: Well, two of the issues  
7 that I addressed at our last meeting was one  
8 of them was the shadow study and all the  
9 seasons, and you've shown me that.

10 Second on that was the roof drains on  
11 -- it looks like A4 on your plan you're  
12 showing four roof drains, and I'm not sure if  
13 the tension system, water retention system  
14 underground has anything to do with  
15 collecting and recovering this water and  
16 using it as a grey water. One thing in my  
17 case and again, I have absolutely no control  
18 over it I can only make a suggestion, one  
19 thing that will help to capture that water,  
20 grey water and use it for your grass and also  
21 for your flushing your bathrooms, you know,

1 would slow down the rate of runoff. Because  
2 you've got huge (inaudible) in this area.  
3 And I agree with Hugh that 500 gallons isn't  
4 going to do it.

5 JAFI KHALSA: I think I misstated  
6 that.

7 AHMED NUR: Yes.

8 HUGH RUSSELL: Steve.

9 STEVEN WINTER: I agree with  
10 Charles, this project looks a lot better. It  
11 continues to look a lot better. And we've  
12 got a memo from Traffic and Parking proposing  
13 no problem, no particular or serious  
14 problems. Although we do know there are  
15 parking problems and we do know there are  
16 traffic problems. They're not outside of any  
17 ordinance guideline that we seem to have in  
18 the City of Cambridge.

19 I want to ask Susan, are the storm and  
20 sewer separated in this part of town or is it  
21 one?

1 CHARLES STUDEN: They' re combi ned.

2 STEVEN WINTER: They' re combi ned?

3 They' re not separated? Okay. Well , and I  
4 can tell you that I' m very sympathetic to the  
5 flooding of my house on Crescent Street  
6 flooded three times over ten years wai st high  
7 in the basement whi ch was al so l i vi ng space.  
8 And i t' s, i t' s a di saster of astoundi ng --  
9 i t' s l i ke havi ng a fi re. You l ose  
10 everythi ng. So I get i t.

11 But I al so don' t feel that the storm  
12 water mi ti gati on or storm sewer separati on i s  
13 wi thi n the purview of thi s board to be making  
14 judgments on. I don' t, I j ust don' t bel i eve  
15 we have that authori ty. You know, we went  
16 from 20 -- was i t 20 percent reduction i n the  
17 si ze of thi s bui l di ng? There' s, I thi nk the  
18 devel oper made some concessi ons. But I thi nk  
19 i t' s -- I thi nk we have to real ly understand  
20 that what we' re hearing i s that traffi c,  
21 fl oodi ng, sewerage and parki ng over and over

1 and over and over and over again. We really  
2 are hearing these over again. And I have to  
3 say I come, I -- when I step back and look at  
4 a defensible decision that this board can  
5 make, I think we've asked for everything we  
6 could ask for. There may be a little bit  
7 more that we can put out there. Maybe a  
8 little more thoughtful things that could  
9 happen. There may be more storm water  
10 mitigation. There may be more low impact  
11 development techniques that this developer  
12 could do. I don't know. There could be more  
13 that we could bring out, but I think we're  
14 almost there.

15 THOMAS ANNINGER: I guess it's my  
16 turn. I think the last or second to last  
17 speaker was correct when she said that if  
18 this were 15 units instead of 20, we would  
19 probably hear the identical comments that we  
20 hear for the 20. I don't think it would make  
21 any difference. And I guess everybody

1 understands that 15 is as of right. That  
2 there would be nothing for us to say if they  
3 came back with a proposal of 15 units. They  
4 wouldn't have to come to us. We wouldn't  
5 even be here tonight. So I think that has to  
6 be acknowledged.

7 I'm also hearing while traffic, sewer,  
8 parking, flooding have all been mentioned, as  
9 I understand it, I think the key objection is  
10 the bulk. It is the length of the -- the  
11 length and width of this -- I don't want to  
12 call it a tumor, but a block of buildings  
13 that is out of scale with the rest. And  
14 while I think Hugh said it absolutely  
15 correctly when he said that that was  
16 understood when this townhouse ordinance was  
17 passed, that it would be something larger  
18 than this. I guess if we wanted to go to the  
19 point of trying to make this fit in a little  
20 bit better, I think there's room for yet one  
21 more round of change. I don't know what it

1 would take and I don't know whether that's  
2 within the range of what would be feasible  
3 economically and what the developer's willing  
4 to do, but it would seem to me that you might  
5 be able to take more off the table, if not  
6 completely, this bulk doesn't fit in concept  
7 that we keep hearing is if you broke this  
8 down into four buildings with some space in  
9 between each one and maybe had, I don't know  
10 whether you could do it, but five units in  
11 each corner. Maybe it would take two fours  
12 and two fives. Maybe 18 units would do it.  
13 But I think you need to give some space in  
14 between things to make the blocks look more  
15 like what is in this neighborhood. Right now  
16 it doesn't quite fit. And I think it could  
17 have worked with this, but the objections are  
18 so strong and the feelings are so raw about  
19 this, that I think this is going to be a  
20 festering problem that I'm not comfortable  
21 joining in on in its present form. I don't

1 think it would take much. And that is a  
2 major suggestion, a major change. But I  
3 think something needs to be done to break it,  
4 the scale down so that it looks more like the  
5 scale of the neighborhood. And that might  
6 take shrinkage. I know we're now down to a  
7 range between 15 and 20, so there isn't a lot  
8 of play here. I'm going to guess that two,  
9 maybe three less units might give you the air  
10 that's needed to make it fit a little bit  
11 better. And my guess is if we had another  
12 public hearing and you came back with what  
13 I'm suggesting, we might hear the identical  
14 words. That's very possible. There may be  
15 no room for satisfaction here. They may not  
16 be able to get satisfaction, but I think I'd  
17 give it one more try, if not for them, for  
18 us. I think it would make it a little bit  
19 easier on us. This is a difficult one as it  
20 now stands.

21 HUGH RUSSELL: Pam.

1 PAMELA WINTERS: Yes. So I was  
2 going to make just two comments, and one Tom  
3 just very eloquently expressed was the  
4 massing of the building. And I thought that  
5 was a very good idea, Tom, in terms of  
6 breaking it up into townhouses or into  
7 buildings that fit more in scale with the  
8 rest of the neighborhood. So that was my one  
9 comment.

10 The other comment was there's 20  
11 parking spaces for 20 units. You have no  
12 visitor parking, no visitor parking spaces.

13 ATTORNEY JAMES RAFFERTY: Right.

14 PAMELA WINTERS: You know that -- I  
15 can't believe that somebody isn't going to  
16 come in there with two cars and where are the  
17 visitors going to park? So that's my other  
18 concern, too. So those were my two concerns.  
19 And I would love to see, you know, just a few  
20 more parking spots for visitors and for  
21 people to have more than one car.

1 Thank you.

2 HUGH RUSSELL: Bill.

3 WILLIAM TIBBS: As Tom so eloquently  
4 said this is a dilemma. But I don't feel the  
5 remedy needs to be quite so strong I guess.  
6 I look at this from the perspective of what  
7 can you do as of right? I mentioned that  
8 last time. And what was the differential  
9 between what the Special Permit is doing and  
10 what you could do as of right? I think there  
11 was a very large differential in my mind  
12 between what I saw last time and this time.  
13 And there's more of a differential. And I  
14 just don't know from a number of units, if  
15 taking off another two or three units really  
16 gains you but so much.

17 I do think that just in the detailing  
18 and of the architecture that there might be  
19 things you could do to give it a better sense  
20 of scale. But I don't think we need to -- I  
21 don't feel you need to break it up into

1           units. I think one of the -- one of the  
2           speakers at the public hearing said it all,  
3           that this neighborhood is sixes and sevens  
4           and eights. And a 15 is significantly  
5           different is going to feel different, and  
6           we're kind of seeing what that means. And a  
7           20 and a 25, over 20 I guess in this case is  
8           just not -- it's doing what unfortunately for  
9           most of the folks in the audience is doing,  
10          what the Ordinance wants to do, which is more  
11          dense buildings. And I just think that -- I  
12          just think that with so much you can do. And  
13          I think there has been -- as Hugh said,  
14          within 80 percent of what the capacity of  
15          what the Zoning says they could do. So  
16          that's a substantial reduction already. So,  
17          I just don't think reducing it anymore gains  
18          us too much from my perspective. But the  
19          other board members have said it, the storm  
20          water issue is actually interesting because  
21          if you do what the city engineering

1 department wants you to do, there actually  
2 will be less storm water from this project  
3 going into the system than currently goes on  
4 right now. So that even though it doesn't  
5 make the problem you have there is just a  
6 problem, and once city buys new sewers, it  
7 will make that problem better. But they are  
8 protecting you in that sense by saying this  
9 project could not add to that problem at all.

10 And, again, I agree that the numbers  
11 that you mentioned seems very off to me. But  
12 that's the strategy. It's just to try to  
13 make it better. So I'm kind of feeling where  
14 Hugh was in the very beginning which is we  
15 look at the Zoning and we look at what he  
16 Zoning was trying to do, and I hear the  
17 problems that we have. I was really looking  
18 to hear from Traffic and Parking as to what  
19 their senses are. Because I came out of the  
20 first public hearing feeling really concerned  
21 about just how much that was. And basically

1 as you said, they didn't say this was great,  
2 but they didn't say it was so terrible that  
3 they didn't even suggest too much mitigation  
4 for the things we thought, that maybe moving  
5 the entrance to Sherman they said it was a  
6 bad idea. It turns out the 20-foot wide so  
7 to speak actually gives them a lot of  
8 maneuverability in ways which makes it not  
9 quite as bad.

10 And I think another person said right,  
11 too, I mean, there are other sites here that  
12 can be developed. And so this issue as of  
13 right, which means what can you do on the  
14 property without coming to us or doing  
15 anything, they can just go and start  
16 building, and get a building permit and go.  
17 Because I'm inclined to -- I would be  
18 interested to see if there is something that  
19 we can do to make the massing feel better.  
20 But I'm inclined to feel that this is a big  
21 improvement. And whereas at the first

1 meeting I was looking at the criteria and  
2 thinking this is going to be hard to see how  
3 that can work, quite frankly I think they've  
4 made enough changes that I can see that  
5 criteria working now. And that wasn't the  
6 case last time. And based on what we see,  
7 this is a substantial change. I mean, when  
8 projects come before us we always see change.  
9 But this is substantial. And I did go to the  
10 site and I did walk around. And so I do have  
11 a sense of the reality of that, of that  
12 diagram. And you're right, it's not as open  
13 as -- I do have pictures on my little thingy  
14 here that I kept referring to as we were  
15 talking. But if I look at what the Zoning  
16 says they can do, and it's hard for me to say  
17 that they can't at this point.

18 HUGH RUSSELL: Okay. Shall we?

19 PAMELA WINTERS: May I make one more  
20 comment?

21 HUGH RUSSELL: Sure.

1 PAMELA WINTERS: Sorry. I'm just  
2 wondering on your comment, Bill, I'm  
3 wondering if there's a way for them to keep  
4 the 20 units and just redesign things a  
5 little bit so there's more space in, between  
6 you know, just sort of make it feel less  
7 blob-like to the neighbors, you know.

8 WILLIAM TIBBS: Well, I think they  
9 made a pass of that from the last time to  
10 this time because it does have a little more  
11 articulation than it had before. And I agree  
12 with Tom that another pass at that might make  
13 it better.

14 PAMELA WINTERS: Right.

15 WILLIAM TIBBS: It's just that I  
16 didn't agree that the dropping of the unit  
17 count would make a big factor into that.

18 ROGER BOOTH: Hugh, I've been  
19 listening and taking notes. It seems there  
20 are quite a few considerable design review  
21 considerations here, the Board should want to

1 move this forward.

2 And the bike storage suggestion  
3 Mr. Singh tried to suggest a solution, didn't  
4 sound to me like it went all the way. I know  
5 Karen Simon (phonetic) said that was an issue  
6 that wasn't working.

7 There are some issues in the plans that  
8 I think need some more looking at. Some of  
9 the living rooms actually are looking into  
10 each other's windows. Particularly on the  
11 side by the tracks there where there's  
12 several bikes taken out. There's really not  
13 much of a view from those living rooms.

14 And one of the things that's happened  
15 from the previous scheme to this scheme, that  
16 there's no longer an elevator in this  
17 building. So, I think that actually means  
18 it's probably easier to do some of the moving  
19 around in the massing. Because, you know, a  
20 lot of times the elevators -- it's like a  
21 critical thing that you have to work on. And

1 the sort of the basic unit has a very odd  
2 situation where there's a little study. I  
3 don't know if you noticed that. And the  
4 bathrooms are very hard to get to from the  
5 second bedroom. There's always a master bath  
6 associated with the master bedroom. But the  
7 other one you have to walk through the living  
8 room and around to get into the bathroom,  
9 which usually we don't get that much involved  
10 in the interiors, but I think it does play  
11 out on the exteriors. In fact, there's again  
12 on that notch over by the railroad there's a  
13 window that's showing right where there's a  
14 wall coming done (inaudible).

15 And I certainly agree with, I believe  
16 it was Charles was talking about that Sherman  
17 Street elevation, the previous scheme had  
18 some openings into the garage along there and  
19 now that's a blank wall. Windows in the  
20 garage aren't necessarily that helpful. But  
21 I do agree they could maybe go higher up or

1 something, but it helps break up the  
2 blindness.

3 CHARLES STUDEN: Exactly.

4 ROGER BOOTH: And I'm concerned  
5 about certainly the storm water has to be  
6 dealt with. And I'm sure we'll want to see  
7 what Owen's reads is on what they're doing.  
8 But just saying it's going to be over there  
9 on Sherman Street and green space, then what  
10 happens to the green space? Are we not going  
11 to have adequate landscaping? Because I  
12 think one of the things that people have said  
13 they found appealing was that they were  
14 looking at these big, mature trees. And if  
15 we've got huge masses of storm water  
16 retention, I don't know how much green we can  
17 really have there.

18 And I also feel like those handicapped  
19 spaces with the snow removal, that doesn't  
20 seem very well resolved either. So there's  
21 just a fairly good list of things that I

1 would ask the Board to give us leeway to deal  
2 with. If you want to delegate it and have  
3 them do it between now and the next  
4 meeting --

5 HUGH RUSSELL: Yes, it would be my  
6 preference to ask them to continue working  
7 and come back to us once more.

8 ROGER BOOTH: I think they're  
9 significant enough that that would be a good  
10 idea.

11 PAMELA WINTERS: Roger, thank you  
12 for your input, too. Thanks.

13 HUGH RUSSELL: Any last comments?

14 THOMAS ANNINGER: Well, I've said my  
15 piece and I think I'll just have two. I  
16 would have trouble supporting the project as  
17 it now stands.

18 PAMELA WINTERS: I would, too.

19 THOMAS ANNINGER: I think I need to  
20 say that at least to give you a measure of  
21 what we're looking at. And I would base it

1 on what I think is the key provision here in  
2 the Ordinance, you know, what we'll call the  
3 overwhelming clause. I think in there is a  
4 fair amount of judgment, and I think there's  
5 still some room to help on that issue.

6 HUGH RUSSELL: Okay. So --

7 ATTORNEY JAMES RAFFERTY: May I?

8 HUGH RUSSELL: Mr. Rafferty.

9 ATTORNEY JAMES RAFFERTY: Could I  
10 make a brief inquiry just to --

11 HUGH RUSSELL: Sure.

12 ATTORNEY JAMES RAFFERTY: Thank you.  
13 We will of course try to address this, but I  
14 do want to say that part of the challenge  
15 here has been the issue around bulk and mass  
16 and unit count. So one can envision a  
17 building very similar in its current  
18 configuration with fewer units, but that  
19 certainly wouldn't address the concern about  
20 the developing mass. Or building with less  
21 bulk and mass but with a similar unit count

1 that exists today. And because I do think at  
2 the end of the day, the one or two difference  
3 in units probably isn't going to change the  
4 impact of the building. And obviously  
5 (inaudible) those vehicle trips are  
6 problematic and all that. I think one would  
7 have a hard time discerning the difference in  
8 impact between an 18-unit building and a  
9 20-unit building. I just introduce one real  
10 aspect of the difference between 18 and 20  
11 because we really have crunched these  
12 numbers. In an 18-unit building delivers at  
13 least two affordable units. In a 20-unit  
14 building delivers two affordable units. So  
15 if you think a little bit about the economics  
16 of housing here, taking two units out, which  
17 looks better on paper and maybe is seen as  
18 responsive to legitimate concerns, those two  
19 units I think overall aren't going to have a  
20 discernable impact on the street, but have a  
21 real significant impact on the financial

1           viability of the project. So I think what I  
2           would conclude from the discussion is that we  
3           should continue to look at design  
4           modifications, including the issues  
5           identified by Mr. Booth that would address  
6           the mass and size of the building. And I  
7           think we, we're eager to address that and I  
8           think we can probably come back if your  
9           schedule permitted at the next hearing with  
10          that. But I hope that if we take that  
11          approach, it is not seen as being indifferent  
12          to the other issue around the unit count.  
13          But I think it's more likely that we can  
14          achieve further modification on bulk and mass  
15          than perhaps unit count.

16                   HUGH RUSSELL: I would only modify  
17                   that slightly to say that it's the appearance  
18                   of bulk and mass that we want you to work on.

19                   ATTORNEY JAMES RAFFERTY: Thank you.

20                   HUGH RUSSELL: And if you end up  
21                   with exactly the same flurry but it looks

1           less massive, then that will have met our  
2           criteria.

3                         WILLIAM TIBBS: And I just want to  
4           say that all you have to do is go down Mass.  
5           Ave. in North Cambridge and see that we can  
6           stuff that's very much as of right and be  
7           very bulky and very (inaudible). So I think  
8           the fact that you're requesting more units  
9           gives us the opportunity to just try to just  
10          balance that a little bit better. I think on  
11          this side you can have an as of right  
12          building equally as bulky and equally as --  
13          and not articulated at all. It could be a  
14          big box, and it would not please anybody in  
15          the neighborhood at all. So I think that the  
16          whole reason for having these things and  
17          having these things come before us is to try  
18          to get the best that we can. So I agree, we  
19          should try to do that.

20                        ROGER BOOTH: And I think in doing  
21          this design work, it would be really helpful

1 to have some eye level perspectives. Because  
2 when we look at this bird's eye perspective,  
3 it's really distorted and we want to look at  
4 what it's feeling like when one walks on  
5 Bolton or Sherman.

6 HUGH RUSSELL: There are several in  
7 our package that were very helpful.

8 THOMAS ANNINGER: Putting this up is  
9 not helpful. Well, in a way.

10 WILLIAM TIBBS: Actually I did find  
11 it helpful but only for the information. Not  
12 that it was -- it did give me a sense of --  
13 having walked the neighborhood, it gave me a  
14 sense of height and stuff. So I found that  
15 was helpful for my intention. But I think  
16 you can't take it by itself. You have to  
17 have --

18 ATTORNEY JAMES RAFFERTY: Thank you.  
19 No, I agree. I think it was an attempt to be  
20 responsive in the context. Yes, I yield the  
21 balance of my time to you all.

1                   HUGH RUSSELL: Okay. I believe we  
2                   are adjourned.

3  
4                   (Whereupon, at 10:40 p.m., the  
5                   meeting adjourned.)

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