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PLANNING BOARD FOR THE CITY OF CAMBRIDGE

GENERAL HEARING

Tuesday, February 15, 2011

7:15 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  
Charles Studen, Associate Member  
Ahmed Nur, Associate Member

Susan Glazer, Acting Assistant City Manager  
for Community Development

Community Development Staff:  
Liza Paden  
Les Barber  
Stuart Dash  
Iram Farooq

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## P R O C E E D I N G S

(Sitting Members: Hugh Russell, Thomas Anninger, William Tibbs, Steven Winter, Charles Studen, Ahmed Nur.)

HUGH RUSSELL: Good evening. This is the meeting of the Cambridge Planning Board. We've been reading our mail because we can't actually start the first item of business for another three minutes. And we have a two-minute report from Susan Glazer.

SUSAN GLAZER: Good evening. This is our second meeting in February. And in March we will have three meetings, the 1st, the 15th and the 29th.

On the 1st, the Board will take up two items that they had hearings on but they will be under the General Business. Section one is the Lesley University AID building, and the second is the former Faces site on Concord Avenue. And we may see a revisit of the 50 Binney Street site at that meeting as

1 well.

2 On the 15th there will be two public  
3 hearings, one for 34-36 Hampshire Street,  
4 it's a small residential development. And  
5 then a much larger development, housing  
6 development at 70 Fawcett Street. The Board  
7 heard a public hearing and actually voted a  
8 Special Permit for the 70 Fawcett Street  
9 site. Several years ago a new owner has  
10 taken over the project and has revised it so  
11 they will be coming back to the Board for a  
12 new hearing.

13 And then on March 29th there will be  
14 three public hearings, Zoning hearings. The  
15 Fox Petition and the Chestnut Hill Realty  
16 Petition have been re-filed so that the Board  
17 will be hearing those. And then there will  
18 be a new Petition for the Novartis site on  
19 Massachusetts Avenue.

20 And in April, just to keep your  
21 calendar straight, there will be only one

1 meeting and that will be on April 12th.

2 HUGH RUSSELL: Okay, thank you.

3 So, the first item on our agenda  
4 Planning Board case No. 241A, 991 and 2013  
5 Massachusetts Avenue. And, Les, are you  
6 going to start out or are we going to let  
7 them start? What's the best way?

8 LES BARBER: Either way. Would you  
9 like me to summarize?

10 HUGH RUSSELL: Sure. Why don't you  
11 summarize and then we'll have a basis to go  
12 on.

13 CHARLES STUDEN: Hugh, an issue's  
14 come up. Open meeting law requires us to be  
15 notified if they're recording the  
16 proceedings; is that correct?

17 HUGH RUSSELL: That's correct.

18 CHARLES STUDEN: We're so notified.

19 HUGH RUSSELL: Thank you.

20 LES BARBER: We are having a hearing  
21 tonight on a project that the Board heard and

1 approved last year. And the reason we're  
2 doing that is that the approval granted in  
3 2010 did not in fact grant all of the Special  
4 Permits that are required for the project so  
5 the project has been resubmitted. It has not  
6 changed at all from the project that the  
7 Board approved previously, but unfortunately  
8 the application failed to list, and the staff  
9 failed to catch the fact that there was at  
10 least one Special Permit that was central to  
11 the design that needed to be advertised and  
12 subsequently approved by the Board. And  
13 since the project has been resubmitted, we've  
14 taken the opportunity to introduce another  
15 possible Special Permit that the Board can  
16 decide whether they believe is necessary to  
17 be granted. So the principal reason for  
18 being here is a provision of the Ordinance  
19 which is in Article 3 which allows the  
20 movement of, in this case, the Business A-2  
21 District regulations 25 feet into the

1 adjacent Residence B District when you have a  
2 lot split by a Zoning District line. And the  
3 Applicant showed on their plans, and were  
4 employing that Special Permit to move the  
5 Business A-2 District regulations so that the  
6 35-foot height limit required within 50 feet  
7 of a Zoning District line, Residential Zoning  
8 District line could rather be measured in  
9 this case from the property lines which are  
10 all either 25 or more feet into the  
11 residential district. So, there -- from all  
12 abutters the 50-foot transition requirement  
13 is still being observed, but it's being  
14 observed on the property of the Applicant  
15 rather than fully within the Business A-2  
16 District.

17 The second Special Permit is to deal  
18 with the provision of the Massachusetts  
19 Avenue Overlay District which requires that  
20 principal building entrances front where a  
21 lot abuts Massachusetts Avenue -- principal

1 building entrances front on the avenue. In  
2 fact, this project has many entrances on  
3 Massachusetts Avenue: The church, the church  
4 function opens onto the courtyard which abuts  
5 Massachusetts Avenue, and there is a  
6 residential -- a retail element which fronts  
7 on the avenue and would have an entrance. In  
8 fact, the entrance to the residential portion  
9 of the development is on Beech Street. So  
10 depending how you interpret that regulation,  
11 if the Board feels that every entrance to  
12 every function in the development needs to  
13 front on Massachusetts Avenue, a Special  
14 Permit would be required to waive it. The  
15 permit as issued, assumed that there were  
16 multiple entrances on the avenue, and  
17 therefore that provision was essentially met.  
18 Otherwise, we've advertised all of the  
19 permits that had been advertised initially,  
20 the project review Special Permit, and I  
21 believe there's a setback, driveway setback

1           waiver which I think in the end was not  
2           needed. So that the driveway and the parking  
3           facility meets the requirements of the  
4           Article 6 provisions that apply. So, I think  
5           that's basically it.

6                     If the Board has any questions, I'd be  
7           happy to further explain.

8                     HUGH RUSSELL: Okay. I have a  
9           question for the Applicant. Because this is  
10          essentially treated as a new matter, you're  
11          entitled to be heard by seven members on the  
12          Board because you're required to get five  
13          votes. So are you willing to be heard by six  
14          people or do you want to postpone this to  
15          another time?

16                    GWENDOLEN NOYSE: Yes, we're willing  
17          to be heard. We're -- if it needs further  
18          consideration, we can deal with that.

19                    (From the Audience): Can you use  
20          microphone? We can't hear you.

21                    HUGH RUSSELL: Use the microphone

1 and give your name.

2 GWENDOLEN NOYSE: Yes, we are  
3 willing to be heard. And my name is  
4 Gwendolen Noyse. I'm from 175 Ridgedale  
5 Avenue in Cambridge.

6 HUGH RUSSELL: Okay. And if there  
7 are no questions from the Board, we would  
8 turn it over to your side to make your  
9 presentation.

10 GWENDOLEN NOYSE: I will repeat a  
11 bit of what Les has already shown us and  
12 talked to us about. Thank you all for being  
13 here. We are bringing back the same project  
14 reviewed and approved by the Planning Board  
15 over a year ago, and which it since has  
16 gotten unanimous approvals from the Cambridge  
17 Historic Commission and approval from the  
18 Mass. Historic Commission. Throughout the  
19 design and review process for this project we  
20 had endeavored to adhere to all the citywide  
21 urban design objectives set out in the Zoning

1 Code. We are staunch supporters of green  
2 design and smart growth initiatives. We also  
3 met with neighborhood groups numerous times  
4 and had several mediation sessions with Alice  
5 Wolfe. This is the same project that came  
6 out of all those sessions and was approved.

7 We're here because we are about to  
8 submit a Building Permit application for that  
9 same building and wish to clarify the  
10 December 2009 decision so as we go to the  
11 Inspectional Services Department, it will be  
12 clear to them also. We wish to avoid any  
13 confusion now by having specific code  
14 references in this application.

15 ISD is now doing separate detailed  
16 reviews of Zoning interpretations, and we  
17 have found that their interpretations may be  
18 different from the Planning Board's. This  
19 has caused some confusion in similar  
20 situations and we wish to avoid that now.  
21 So, before applying for our Building Permit,

1 we have been concerned that more code  
2 reference specificity would be needed  
3 regarding the residential main level entry  
4 location and setbacks and that the Special  
5 Permit refers to the Zoning Articles as Phil  
6 mentioned.

7 So the main entry question which Les  
8 referred to is the first point we're talking  
9 to. In the plans approved by the Planning  
10 Board the public entry for the St. James  
11 sanctuary is restored to its natural place  
12 off Mass. Avenue. The new location of the  
13 parish hall -- and if you can indicate where  
14 these -- of course, we're familiar with Mass.  
15 Avenue, and the parish hall and the church  
16 functions are all the red portions. And this  
17 is probably familiar, but I'm refreshing your  
18 memory here.

19 The new location of the parish hall and  
20 the garden configuration bring the prominence  
21 of the church and all its functions to Mass.

1 Avenue for both pedestrian and vehicular  
2 traffic flow are best handled. It also  
3 served to enliven the stretch of the Mass.  
4 Avenue formerly dominated by the car wash  
5 operations. This is in accordance to Section  
6 20.107 design guidelines and specifies --  
7 which specifies the principal building  
8 entrances that face Mass. Avenue. And  
9 there's also a retail component that will be  
10 facing Mass. Avenue.

11 According to Section 19.36, which  
12 refers to the transitional quality that  
13 residences may play in a mixed use site, the  
14 residential entry to the project was placed  
15 on Beech Street. And this serves to make a  
16 transition from the predominantly residential  
17 character of Beech Street to the commercial  
18 nature of Mass. Avenue. Separating the  
19 public church entries on Mass. Avenue and the  
20 residential functions of the project on Beech  
21 Street is also programatically appropriate.

1           So we would like specific mention by  
2           the Board to Section 220.108 so that the  
3           residential entryway may remain as shown on  
4           the plans on Beech Street. This is the  
5           situation here.

6           Regarding the question of the Zoning  
7           District Line which goes to the property,  
8           this condition was part of our overall review  
9           in early sessions with the CDD. And we  
10          neglected to mention those points. There is  
11          a Zoning District change from Business A to  
12          Residential B that occurs on a sliver of land  
13          beside Kingdom Hall. We've always shown the  
14          Zoning Lines on the setbacks designed in our  
15          plans. And the reference to their being  
16          conforming was made in the decision, though  
17          the specific articles were not called out.  
18          And I've distributed the handout which is  
19          sort of specific about this in the detail.  
20          In the Planning Board decision on December  
21          15, 2009, there was specific reference to the

1 50-foot setback that the design incorporates  
2 on all the rear boundaries and were clearly  
3 shown in the Special Permit application.  
4 However, these provisions in the Zoning Code  
5 which permit such setbacks were not  
6 specifically referred to. That is Section  
7 3.32.1 and 4.45. We're requesting this  
8 evening that a supplementary decision be made  
9 that includes mention of those two sections.  
10 So that's in a nutshell what we're here for.

11 I appreciate your time. Thank you.

12 HUGH RUSSELL: Thank you. And that  
13 completes your presentation?

14 GWENDOLEN NOYSE: If there are any  
15 further questions, Phil can be more specific  
16 about that diagram. But that's, that shows  
17 -- do you want to --

18 PHIL TERZIS: It's the same diagram  
19 that we had in our original Special Permit  
20 application which shows the difference  
21 between the Residence B Zone here, which the

1 Lower floors of our building are very close.  
2 They're about a foot away from that Residence  
3 B line. And then the 50-foot setback is this  
4 shaded area. Our fourth floor is 50 feet  
5 away from the property lines from the  
6 residential properties abutting us on those  
7 two sides.

8 HUGH RUSSELL: It's the 3.32.1  
9 allows you to measure the 50 feet from the  
10 property line rather than the Zoning line; is  
11 that correct?

12 PHIL TERZIS: It allows you to  
13 offset the dimensional requirements of this  
14 Zone 25 feet in this direction.

15 HUGH RUSSELL: And it's less than 25  
16 feet from the Green Line to the property  
17 line, is that --

18 PHIL TERZIS: Correct, yes.

19 HUGH RUSSELL: And you can't go  
20 beyond the property line?

21 PHIL TERZIS: No.

1 THE REPORTER: I'm sorry, could you  
2 just identify yourself for the record?

3 PHIL TERZIS: Phil Terzis. I'm with  
4 Oaktree Development.

5 HUGH RUSSELL: Ahmed.

6 AHMED NUR: Can you please state the  
7 distance in which you're short of to declare  
8 the 25 lines on that green line?

9 PHIL TERZIS: Excuse me?

10 AHMED NUR: What is the distance  
11 that you're sort of? What is the setback for  
12 as of now?

13 PHIL TERZIS: This here?

14 AHMED NUR: From the green line to  
15 the property lines? You're required 25 feet,  
16 correct? And you're short of by how much?

17 PHIL TERZIS: No, we're not -- we're  
18 not -- what am I trying to say? The  
19 requirements of this line, of this district  
20 can move 25 feet which would allow us to have  
21 the setback line at this property line except

1 where it bumps here.

2 AHMED NUR: Okay. And what is the  
3 difference, though? What would comply with  
4 the Zoning Ordinance?

5 PHIL TERZIS: I think that's what  
6 we're saying is that this does comply with  
7 the Zoning Ordinance.

8 AHMED NUR: Okay.

9 PHIL TERZIS: Yes.

10 HUGH RUSSELL: Provided we grant the  
11 Special Permit as authorized in 3.3.1.

12 PHIL TERZIS: Yes, right.

13 Okay?

14 HUGH RUSSELL: Okay, so if there's  
15 nothing more on that, and if there's nothing  
16 more that you want to present at this time,  
17 then we'll go to the public hearing portion.

18 PHIL TERZIS: I think we would like  
19 to say, though, that given that this is a  
20 residential zone and these are residential  
21 properties, that we have a consistent 50-foot

1 setback from all of those residential  
2 properties. And that's about it.

3 HUGH RUSSELL: Above the 35-foot  
4 height limit?

5 PHIL TERZIS: Above the 35-foot  
6 height limit, yes.

7 HUGH RUSSELL: And the setbacks  
8 below the 35-foot height limit are also  
9 conforming?

10 PHIL TERZIS: They're all  
11 conforming. They're following the 20-foot  
12 side yard setback which is allowed because we  
13 have frontage on two streets.

14 HUGH RUSSELL: Okay.

15 So, I have a list here of people who  
16 want to speak. I'll call people's names in  
17 order on the list. When your name is called,  
18 you come up to the microphone, you give your  
19 name and we ask you to limit your remarks to  
20 three minutes. And tonight I will be the  
21 time keeper because our normal time keeper is

1 an abutter to an abutter and has recused  
2 herself in this case.

3 So the first speaker is John Armstrong.  
4 John, and then after that is going to be  
5 Jacqueline Kelly.

6 UNIDENTIFIED FEMALE: No, sir. I  
7 didn't put down my ability to speak on this.

8 HUGH RUSSELL: Okay. So then --  
9 there's several people who didn't check yes  
10 or no, you're one of them. Next one was  
11 Daniel Vogle. Do you wish to speak?

12 UNIDENTIFIED MALE: Yes.

13 HUGH RUSSELL: Okay, you'll be next.  
14 Please proceed, Mr. Armstrong.

15 JOHN ARMSTRONG: Right. John  
16 Armstrong, 36 Orchard Street. I sent several  
17 mails to the Planning Board and I want to  
18 quickly touch on one that is other than my  
19 mail about the substance of the project. I  
20 originally sent mail following the wishes of  
21 the St. James neighbors group to ask for a

1 continuation of this hearing. I was advised  
2 by the Chairman that that's really outside of  
3 the normal operating procedures, and he  
4 suggested that instead I ask that the hearing  
5 be -- the public hearing be kept open for  
6 some reasonable time after this meeting so  
7 additional written response can be submitted  
8 to the Planning Board, and also so that we  
9 would have a chance to ideally meet with the  
10 proponents and see if anything can be done  
11 here. So I'm now making that request. And I  
12 would just note that Councilor Kelley I  
13 believe also sent you mail with the same  
14 request, to leave the hearing open passed  
15 tonight.

16 Before starting and I better hurry, but  
17 I want to mention that I'm concerned about  
18 some logic errors. When Article 20 says that  
19 the principal entrance should be on Mass.  
20 Avenue, those are the words, "the principal  
21 entrance should be on Mass. Avenue." And

1           contrary to what somebody might think, I  
2           don't think the challenge for the Board is to  
3           decide whether it means that or whether it  
4           means every entrance needs to be on Mass.  
5           Avenue. The question is the principal  
6           entrance needs to be on Mass. Avenue  
7           irrespective of what other entrances there  
8           may be.

9           I would also point out that even though  
10          the primary construction on this site is a  
11          condo building with 46 units, that there are  
12          no -- other than maybe fire emergency exits,  
13          there are no entrances for the residents of  
14          the condo project on Mass. Avenue, and there  
15          is no access to the garden. You know, from  
16          the point of view from the project these  
17          people are -- the residents of the building  
18          when they come to be, are no different than  
19          anybody else. They have to walk around the  
20          building and enter the garden through -- from  
21          Mass. Avenue. And that is the only thing

1 that they can really do from Mass. Avenue is  
2 wander around in the garden. So I just  
3 wanted to point that out. It's not that  
4 they're the only -- the principal or all, it  
5 is the principal and that's what you need to  
6 decide on.

7 Okay, very briefly, I'm glad that this  
8 hearing is happening. I and other neighbors  
9 are very concerned that all these issues are  
10 finally coming to light. Many of them we  
11 flagged before the principal entrance and the  
12 surface parking, that were not, you know,  
13 were not called out of previous meetings as  
14 needful of Special Permits. We're glad that  
15 that has come out. But especially the  
16 50-foot setback. There is just no question,  
17 but this is like somewhat of a bombshell for  
18 everybody, and it certainly is for us.  
19 Because of everything this is the thing that  
20 pertains most directly to Zoning and where  
21 Zoning Law lines are drawn. We believe that

1 the Residential B is there to protect our  
2 residential neighborhood and we are very  
3 concerned about 25-foot incursion of this  
4 large mixed use Mass. Avenue building  
5 spilling over into our neighborhood. That  
6 has always been the issue. We've been told  
7 over and over again that it is -- by the  
8 proponents that they are building as of  
9 right, but our interpretation is we don't see  
10 this as building as of right. It seems to be  
11 a very significant decision whether this  
12 should be granted or not, and it is not a  
13 foregone conclusion despite what they would  
14 have us believe. I'd also like to point out  
15 that there's a very big pattern here and  
16 maybe it explains why you're seeing  
17 resistance from the neighborhood coming from  
18 where it is and having the intensity that it  
19 is. It's that all of the problems with this  
20 project are focussed in this -- are focussed  
21 on Beech Street, on the placement of the

1 driveway, on the placement of the principal  
2 entrance, on the surface parking, on the  
3 pushing back -- if it would happen, the  
4 pushing back of the Zoning Line in this  
5 direction, you know. Moving back from Beech  
6 where the Kingdom Hall is, where my house is  
7 behind the Kingdom Hall and so on. All the  
8 big problems are here and we have, our group  
9 has negotiated with the church and with  
10 Oaktree for two years now to mitigate the  
11 negative impact all focussed on this one part  
12 of the project. And, you know, we are -- we  
13 hope that this time around that the Planning  
14 Board will really seriously look at this  
15 building not simply from the point of view,  
16 specific regulations but what is this  
17 building really doing to the neighborhood and  
18 why are all -- why are there now four Special  
19 Permits all concentrated on this one area of  
20 the project.

21 HUGH RUSSELL: Could you wrap up

1 your remarks?

2 JOHN ARMSTRONG: Yes.

3 So, as I said, we tried for two years  
4 to mitigate some of these things. And we  
5 were always told that we are building as of  
6 right. We have no reason to make any  
7 concessions. And our negotiations led to  
8 absolute zero changes in the plan over dozens  
9 of meetings over two years including Alice  
10 Wolfe. So, we ask the Planning Board to look  
11 very seriously, not merely at the details of  
12 the Special Permits, but this whole project  
13 and its impact on the neighborhood and this  
14 focus of issues in one part of the projects  
15 and to seriously and to seriously consider  
16 the whole project before making your final  
17 decision on these Special Permit requests.

18 HUGH RUSSELL: Okay, thank you.

19 JOHN ARMSTRONG: Thank you.

20 HUGH RUSSELL: Daniel Vogle.

21 DAVID VOGLE: My name is David

1 Vogl e.

2 HUGH RUSSELL: Sorry.

3 DAVID VOGLE: Well, I live at 15  
4 Beech Street where I first moved in in 1988.  
5 I was a resident of Cambridge since birth.  
6 I've read, and you've got letters from lots  
7 of my neighbors, and I agree with pretty much  
8 everything there. I won't try to cover that.

9 First, I urge you not to support these  
10 exemptions, at least not without some genuine  
11 good faith negotiations with the neighbors by  
12 Oaktree. That's never taken place. That's  
13 essential. But I want to focus just on the  
14 traffic issue having taken my kids to school  
15 for 14, 15 years, having to come out my -- I  
16 live on Beech Street, but my driveway exits  
17 onto Orchard Street. Just trying to get into  
18 the traffic has become increasingly difficult  
19 over the years. I think it was a bad choice  
20 to have traffic for the residential area  
21 enter onto Beech Street. It's already pretty

1 much untenable and this makes it worse. But  
2 to compound that by having the chief  
3 residential entrance also on Beech Street  
4 with the interference with traffic, with  
5 pick-ups and drop-offs during the day. The  
6 fact is on Beech Street you have two lanes  
7 coming out; one to take a left turn, one to  
8 take a right turn in any kind of traffic, any  
9 kind of drop-offs in front of the church, in  
10 front of what used to be the day -- the  
11 Hebrew after school and the other church  
12 programs, creates a massive backup in  
13 congestion. I really think to have both the  
14 residential and the parking entrance on Beech  
15 Street is way too much.

16 Thanks.

17 HUGH RUSSELL: Okay, thank you.

18 Helen --

19 UNIDENTIFIED FEMALE: I'm not going  
20 to speak.

21 HUGH RUSSELL: Not going to speak.

1 Next is Patricia Armstrong.

2 PATRICIA ARMSTRONG: Hello.

3 Patricia Armstrong, 36 Orchard Street. I  
4 respectfully request that you do not grant  
5 the Special Permits for the Oaktree St. James  
6 condo project for these reasons:

7 No. 1, the proponents have exhibited a  
8 failure to consider respect and make changes  
9 based on the appearance of the abutters and  
10 immediate neighbors. You will hear this  
11 again and again from the neighbors. There's  
12 been no good faith negotiation with us. They  
13 were not willing to reach out to us before  
14 this hearing either.

15 Second, the creation of a driveway on  
16 the new driveway on Beech Street will be a  
17 hazard to pedestrians, increase traffic  
18 backups onto Beech, Elm and Orchard Streets  
19 and change the nature of Beech Street from a  
20 residential area to a business/commercial  
21 area. We -- I'm just trying to edit this a

1 little bit.

2 We feel that the developers and the  
3 church took an end run around the  
4 neighborhood by securing agreements with the  
5 city to put that driveway on Beech Street  
6 before we were ever brought in to talk about  
7 this project. Years ago they locked down the  
8 agreement with the city. And the city is  
9 saying yes, you've got to have it on Beech  
10 Street. And then we were introduced to the  
11 project. We have fought this from the start,  
12 but there's been no edging, no, you know, no  
13 willingness to listen to us.

14 Third, again and again we feel that  
15 they have attempted to slide one over on us  
16 in various ways, and I think this particular  
17 slip-up is just another example of that. And  
18 I think it's this time, it's time for this to  
19 stop, and we ask you to, please, do not grant  
20 these exceptions for them. Respect our  
21 rights, too.

1 Thank you.

2 HUGH RUSSELL: Okay, thank you.

3 Costanza Eggers.

4 COSTANZA EGGERS: I am just confused  
5 about a couple of things. You mentioned that  
6 the --

7 HUGH RUSSELL: Excuse me, would you  
8 give us your name and spell your name and  
9 give your address to the recorder?

10 COSTANZA EGGERS: Oh, I'm sorry.  
11 Costanza Eggers, E-g-g-e-r-s, 47 Porter Road.

12 One thing that concerns me is basically  
13 the spirit of the Zoning. And you mentioned  
14 that the Zoning is being reconsidered so I  
15 have a question about that. And I'm also  
16 concerned and supportive of the abutters  
17 protecting the Residence B. I also with the  
18 Kaya Hotel had to deal with the issue that  
19 the Residence B Zoning was being threatened.  
20 And the whole spirit of the B Zone is what  
21 Cambridge is about, mixing up the commercial

1 and the Mass. Avenue enlivened with either  
2 retail, or more apt I would think would be a  
3 beautiful open space in a historically  
4 preserved landscape garden which I know has  
5 been put up to this group before and not  
6 really considered. But now I think that  
7 federal funds exist for those kinds of things  
8 to enliven Mass. Avenue and to really feel  
9 that this is part of the community.

10 Residence B is supposed to be and also the  
11 spirit of this Board and of the planning --  
12 the Planning Board and of the city planning  
13 is to include neighbors. And this has not  
14 been done here in any kind of way. No  
15 concessions. Just going to meetings and  
16 saying this is what we can do. B Zoning  
17 exists to not to, you know, push back 25 feet  
18 because 21.32 allows it, but to respect B  
19 Zone. And to even bring it more, more in  
20 light to everybody I think. And, you know,  
21 this is a question for you because maybe I

1 don' t understand the spi ri t of B Zone and  
2 maybe you can expl ai n i t a l i t t l e b i t , b u t  
3 t h a t w a s m y u n d e r s t a n d i n g , a n d I w i s h t h a t  
4 C a m b r i d g e w o u l d p r o t e c t B Z o n e i n s t e a d o f  
5 j u s t u p s c a l e e v e r y t h i n g a n d m a k e c o r r i d o r s  
6 d o w n M a s s . A v e n u e .

7 HUGH RUSSELL: Okay, thank you.

8 N e x t , L i n c o l n H a m p t o n , J r .

9 U N I D E N T I F I E D M A L E : I h a v e n o  
10 c o m m e n t s a t t h i s t i m e .

11 HUGH RUSSELL: Okay, thank you.

12 P r e s t o n G r a l l a .

13 P R E S T O N G R A L L A : M y n a m e i s P r e s t o n  
14 G r a l l a . I l i v e a t 19 B e e c h S t r e e t .

15 HUGH RUSSELL: S p e l l y o u r l a s t n a m e ,  
16 p l e a s e .

17 P R E S T O N G R A L L A : G - r - a - l - l - a .

18 HUGH RUSSELL: T h a n k s .

19 P R E S T O N G R A L L A : A n d I o p p o s e t h e  
20 g r a n t i n g f o r t h e S p e c i a l P e r m i t s f o r a l l t h e  
21 r e a s o n s t h a t p e o p l e h a v e s a i d , a n d a l s o a s k

1           that a decision not be made so that the  
2           developers negotiate with the neighborhood.  
3           And that's what I want to talk about, the  
4           fact that the developers have never  
5           negotiated in good faith with the  
6           neighborhood. We've met with them time and  
7           time again. The only reason they've met with  
8           us is so that they can tell you that they've  
9           met with us. But they've absolutely never  
10          made a single concession to us in any part of  
11          the design of this project. And I want to  
12          talk just for a minute to show you what I'm  
13          talking about, that their intent has nothing  
14          to do with the neighborhood. They don't care  
15          about the neighborhood. And you should keep  
16          that in mind as you make your decision --  
17          I'll give you one small detail.

18                 I've lived for more than 20 years in  
19                 that neighborhood. I brought up two children  
20                 in that neighborhood. And the church has a  
21                 playground that neighborhood children have

1 always been able to use. And it's been that  
2 way for decades and decades and decades.  
3 Under this plan neighborhood children are  
4 banned from using the playground. And when  
5 we asked them why that was, they said they're  
6 banning neighborhood children because of  
7 liability issues. Now -- but yet for the  
8 entire time, children have been using that.  
9 When they told us they were banning it for  
10 liability issues, that playground was still  
11 open. Clearly it has nothing to do with  
12 liability. There's a church directly across  
13 the street from me that has a playground the  
14 children use. We have a very good  
15 relationship with that church in the  
16 neighborhood. This church has a terrible  
17 relationship in the neighborhood. So I think  
18 you should realize that this church simply  
19 doesn't care about the neighborhood, and the  
20 development will hurt the neighborhood. And  
21 I ask that you not grant the Special Permits

1 and that you force them to talk with us so we  
2 can make it part of the neighborhood.

3 Thank you.

4 HUGH RUSSELL: Okay, thank you.

5 John Hickson (phonetic).

6 JOHN HICKSON: Hi. I'm John Hickson  
7 of 41 Norris Street in North Cambridge. My  
8 wife Janet Hobbs is an art teacher, and I  
9 have lived in the neighborhood for well over  
10 30 years. We've been residents -- members of  
11 St. James for well over 30 years. And we  
12 want to say that the church certainly cares  
13 about the neighborhood. We have negotiated  
14 with the neighborhood for over three years in  
15 many ways. We had Alice Wolfe conduct a  
16 mediation session for us with the  
17 neighborhood. So we have made every effort  
18 to find areas where we could agree. And we  
19 have changed the design of this project in  
20 many ways over those two years. So I think  
21 we have to be honest about that and say that,

1           you know, we're sorry that the neighborhood  
2           can't agree that what we've done is an  
3           improvement, but we feel that it is an  
4           improvement and that we have kept the green  
5           space there as much as possible and have made  
6           every effort to be good neighbors and  
7           continue to serve the people of the City of  
8           Cambridge in many, many ways.

9                     Thank you.

10                    HUGH RUSSELL: Thank you.

11                    That's the end of the list. Is there  
12           anyone else who wishes to be heard?

13                    (Show of hands from the audience.)

14                    HUGH RUSSELL: Okay. Want to start  
15           over there, sir?

16                    RICHARD CLARY: My name is Richard  
17           Clary (phonetic). I'm of 15 Brookford Street  
18           in North Cambridge and I have been the  
19           Chairman of the North Cambridge Stabilization  
20           Committee. And I had no intention of  
21           speaking tonight until I heard John Armstrong

1 recall something that triggered a bad memory  
2 in me. When this developer first made a --  
3 rolled out this project sometime ago, they  
4 came before our committee and they used a  
5 gambit that developers very frequently use.  
6 They said, you'd better swallow this 48 --  
7 46, 48 condos or I'll do 67 is what I  
8 remember the number was. And I may be wrong  
9 on that, but that's the -- that was the  
10 nature of that statement. An in terrorem  
11 threat that if you don't swallow what we're  
12 putting out in front of you, we'll do much  
13 worse. And at the time those of us who are  
14 laymen in this field didn't know that that  
15 was a misstatement. We now find to our great  
16 surprise, and I hope the benefit, that that  
17 was a misstatement. That they did not have  
18 the right to do what they threatened to do.  
19 But they hammered the neighborhood over the  
20 head at every meeting that I attended with  
21 that threat; that if you don't go for this,

1 we'll do much worse. And that's a -- that's  
2 a frequently -- it's almost always successful  
3 in my experience. But this is one of those  
4 rare times in life when you get a second  
5 chance and you can -- that mitigates this  
6 monstrosity by denying the Special Permit.

7 Thank you.

8 HUGH RUSSELL: Okay, thank you.

9 Yes, sir.

10 YOUNG KIM: Good evening. My name  
11 is Young Kim, K-i-m. Simple enough. I live  
12 at 17 Norris Street. I really didn't come  
13 here prepared to speak as he said, but I  
14 learned a couple things that I would like to  
15 stand up and state -- request one thing. My  
16 experience started with, as you know, 40  
17 Norris Street project. And throughout the  
18 hearing for the 40 Norris Street, one phrase  
19 that kept coming up is preserve the fabric of  
20 neighborhood. Now, when -- unfortunately I  
21 did not get involved in this project early

1 enough. But when I first saw the rendering  
2 of that building, view from the Beech Street,  
3 it had been really eye opening if you had a  
4 picture of that proposed building with other  
5 surrounding buildings, specifically the Long  
6 funeral house. You know, that got -- this  
7 mass, this total building with that building  
8 would make this area look so much worse.

9 It's not going to look -- you have more and  
10 more taking away the residential character of  
11 Cambridge, which brings my next point. Which  
12 is this Special Permit that they're  
13 requesting is extending the Business A-2 in  
14 25 feet into Res B. And normally that is  
15 special -- ZBA Special Permit, but according  
16 to Article 10, under this kind of conditions,  
17 you the Planning Board has the -- can grant  
18 Special Permit.

19 But No. 1, I want to make sure the  
20 neighbors had the same chance of giving their  
21 input of the encouraging as they would have

1 had under the ZBA process. And I beg you,  
2 look at the overall Cambridge citywide impact  
3 and try to hold back this kind of incremental  
4 encouragement of more dense district into  
5 residential district. Buy one project after  
6 one project. And if you do it by piece meal,  
7 grant it here, grant it there, eventually the  
8 overall impact will be disaster for the city.

9 Thank you very much.

10 HUGH RUSSELL: Thank you.

11 Okay, Charles.

12 CHARLES MARQUARDT: Charlie  
13 Marquardt, 10 Rogers Street. As you can tell  
14 I was not intending to speak by my seating  
15 position, but I wanted to run a couple quick  
16 things that sort of came up, and Mr. Kim said  
17 it really well. We're losing the fabric of  
18 our neighborhoods and you're starting to see  
19 it now as we continue to develop and develop  
20 and develop and put more and more buildings  
21 on what was empty space. And we're starting

1 to see some of the pains of that now when we  
2 have no place to put our snow. We have no  
3 place to put our own snow. We have no place  
4 to put the city's snow. If you ask the  
5 people in the city where the snow used to go,  
6 it went in my neighborhood. Dump it in the  
7 empty lots in Kendall Square. We finished  
8 that. So now we have to start looking at  
9 where are we going to be as a city? Talking  
10 about open space, parks, playgrounds. And  
11 what the goal of this Board is to do planning  
12 for the city that works for everybody, not  
13 just the developers. So you have it in your  
14 power to ask them to go back. I've seen you  
15 do this before. Encourage, require some  
16 strong negotiations with the neighborhood.  
17 Because without that, developers have the  
18 upper hand. They have the lawyers, they have  
19 the experts. They can come back, and they've  
20 done it before, each neighborhood's learning  
21 for the first time. Mr. Kim has become an

1 expert in about a month and a half, and we're  
2 glad to have him here.

3 And the other thing that sort of hit me  
4 a little bit odd is the request for extreme  
5 specificity from this Board. And I think the  
6 question needs to come up as to why do we  
7 need to have that extreme specificity? This  
8 Board grants its permits based upon its  
9 rationale. It doesn't always have to fit  
10 into the ISD version of Zoning. ISD is the  
11 arbiter of Zoning in the city after you've  
12 granted your Special Permit. At least that's  
13 my understanding. And they may disagree with  
14 you. And if the proponents disagree, they  
15 can go to the BZA for a Variance. So, why  
16 are they asking for that sort of real  
17 detailed examination of article, this article  
18 that? And I think they mentioned early on in  
19 their discussion that there are some  
20 differences between Inspectional Services  
21 Department and the Planning Board. That's

1           heal thy. That's what the city should have.  
2           We shouldn't have just one board making all  
3           the decisions. Not that you guys wouldn't  
4           make a great set of decisions, but ISD is the  
5           one who when issuing a Building Permit  
6           determines whether it conforms to Zoning or  
7           not.

8                         Thank you.

9                         HUGH RUSSELL: Thank you.

10                        CHARLES TEAGUE: Hi. I'm Charlie  
11           Teague, 23 Edmunds Street. Just like the  
12           last couple of people I didn't plan to saying  
13           anything on this, but I'm struck by a pattern  
14           by this particular developer, and we saw it  
15           in the Rounder site where they came back  
16           before you because ISD said well, gees you  
17           made an error in the gross floor area and it  
18           was substantially larger, but they had the  
19           identical plans and you guys said well, it's  
20           the same building. And then they went back  
21           to ISD for the Building Permit and there were

1 a whole series of errors, some of which they  
2 fixed. And last week they went back for a  
3 Variance which was denied five to nothing.  
4 And the reason why I think is because they --  
5 there was no outreach. They didn't come in  
6 and suggest something that would have made a  
7 better project, such as putting the power  
8 lines underground. I would have been a fan  
9 of power lines -- getting rid of the power  
10 lines instead of -- and would have given them  
11 a little bit more coming towards Linnear  
12 Park. There's no negotiation. There's this  
13 series of accidents. And it's a pattern of  
14 accidents, and we see it up here. We see it  
15 here. So if you don't, if you in your hearts  
16 don't believe these are accidents, that these  
17 experienced Cambri dge devel opers over and  
18 over again are making all these errors by  
19 accident, if you don't believe they're  
20 accidents then, you know, you can't grant  
21 this.

1 Thank you.

2 HUGH RUSSELL: Thank you.

3 JESSICA PRATT: Jessica Pratt, 11  
4 Beech Street. I wasn't planning to speak so  
5 I probably won't be as eloquent as the  
6 previous speakers, and I was asked to let you  
7 know that Sandy Johnson and Peter Fightfield  
8 (phonetic) weren't able to attend, but they  
9 did send a letter which I am sure that you  
10 guys have.

11 So, as quick notes, obviously I support  
12 all of my neighbors in that we would like you  
13 to deny the Special Permits. I encourage the  
14 Board to call Alice Wolfe and ask her to  
15 enumerate the positive outcome of the  
16 meeting. And I think -- I was there, and  
17 there was no concessions made, but she should  
18 confirm that. But I think it's important not  
19 to misrepresent that. You should do that  
20 research on your own. There were three  
21 meetings. They were extremely frustrating

1 for all of us. I think she will agree that  
2 was a frustrating experience as well. The  
3 residents have been hammered and hammered and  
4 hammered. That's a great phrase whoever said  
5 that. We've heard from day one that this was  
6 being built as of right. So to a layperson  
7 and to neighbors when we hear that, we think  
8 well, they must be telling us the truth and  
9 we really don't have any Zoning laws to  
10 protect us. But there's that old saying if  
11 it sounds like a duck and, you know, tastes  
12 like a duck, then it's a duck. So, if all  
13 these people are getting up here and telling  
14 you that this building is way too large and  
15 that the ramp should really be on Beech  
16 Street, and then you see the Zoning is put in  
17 place to protect these things, I'm not sure  
18 why we have to come back again and again.  
19 And if the developer had made great  
20 concessions, why are we here? There's two  
21 issues on the table.

1           The size of the building and the  
2           location of the ramps. That's all we had  
3           been asking again and again and again,  
4           consistent messaging from all of my  
5           neighbors. So if there were concessions  
6           made, why are we still standing here? And we  
7           would love to hear what those concessions  
8           were. And I don't mean we're going to use a  
9           different tiles or I don't mean we're going  
10          to use special pretty siding or we're going  
11          to make the windows -- the aesthetic things  
12          are really not our concern. These are safety  
13          issues for our children, for our families,  
14          for the people that live in our community.

15                 And then finally, you know, we're not  
16                 getting paid. There used to be a mural in  
17                 East Cambridge, if you remember, on the  
18                 building and it had animals and trees and  
19                 elderly people. And you'd know it, because  
20                 it says who will speak for those that can't?  
21                 We can't. The residents need you to help us.

1 We are not lawyers. We are not architects.  
2 All we know is that, that this is wrong and  
3 it's simply a decision of right and wrong  
4 and you guys have the power to do that.

5 Thank you.

6 HUGH RUSSELL: Okay, thank you.

7 Does anyone else wish to be heard?

8 MICHAEL BRANDON: Thank you,  
9 Mr. Chairman, members of the board. My name  
10 is Michael Brandon, B-r-a-n-d-o-n. I live at  
11 No. 27 Seven Pines Avenue in North Cambridge.  
12 I'm the clerk for the North Cambridge  
13 Stabilization Committee. The neighborhood  
14 organization is one of the organizations that  
15 sponsored the initial presentation by the  
16 Applicant to the neighborhood. And we  
17 actually designated the St. John (sic)  
18 neighbors as a subcommittee of our group to  
19 deal with the very specific concerns that  
20 have been going on. I spoke last so other  
21 people would touch on issues that I normally

1 would address.

2 I support the neighborhood's clear  
3 consensus view towards opposing this project  
4 in its current form. This Board, I seen my  
5 efforts to Gwen Noyse suggests that they  
6 delay this hearing in accordance with your  
7 own rules which strongly encourage  
8 discussions with the abutters, neighbors and  
9 neighborhood groups before coming to the  
10 Board. And this is a new application. We  
11 weren't contacted. They declined to  
12 postpone. That's certainly their right. But  
13 it appears that a lot of neighbors, directly  
14 affected neighbors are extremely patient,  
15 more patient than I would be. And after two  
16 years are willing to continue discussions and  
17 see if this project can be reworked so that  
18 it fits in with the neighborhood and is more  
19 appropriate.

20 I'd also just mention on the issue of  
21 the principal entrance which is a whole new

1 application and it really -- that issue  
2 really wasn't discussed, but as Mr. Armstrong  
3 said, clearly this is -- the major part of  
4 this new building is condominiums,  
5 residential condominiums. And under the  
6 Mass. Ave. Overlay District requirements that  
7 principal entrance is required to face the  
8 avenue where they now have I think the only  
9 entrance is a storefront there. And in  
10 waiving that, which you have the power to do,  
11 if you find that the design is more  
12 appropriate, I think if you read the actual  
13 intent of the Overlay District which is, you  
14 know, the criteria you're to use in addition  
15 to the four standard criteria for all Special  
16 Permits, you'll agree. I'm sorry to get into  
17 such details.

18 HUGH RUSSELL: Could you wrap up  
19 your remarks?

20 MICHAEL BRANDON: Yes, I will.

21 The district line issue is a real

1 bombshell, although the staff seems to be  
2 willing to take some responsibility for that  
3 not being caught. In fact, and I think  
4 contrary to what was represented here  
5 tonight, the initial application did not  
6 disclose to this Board that the property lies  
7 in two --

8 HUGH RUSSELL: It doesn't sound like  
9 you're wrapping up your remarks. It sounds  
10 like you're now going on to another topic and  
11 you've been speaking for four minutes.

12 MICHAEL BRANDON: Fine, I would ask  
13 that you continue the hearing not just for  
14 written comments but for oral testimony after  
15 possibly further discussions.

16 HUGH RUSSELL: Okay.

17 MICHAEL BRANDON: Just my last point  
18 would be that you really need to understand  
19 that this wasn't an accident and that they  
20 are attempting to piggyback on to the  
21 existing permit significant new relief that

1           they need and that they also, I believe now,  
2           require Variances -- at least one for this  
3           project based on what you've seen.

4                     Thank you very much. Sorry to go  
5           beyond.

6                     HUGH RUSSELL: Okay. Does anyone  
7           else wish to be heard?

8                     (No Response.)

9                     HUGH RUSSELL: Okay.

10                    On the request to keep the hearing open  
11           for more testimony so that a meeting can be  
12           held and we can hear both sides on what has  
13           happened, what do you think about that?

14                    CHARLES STUDEN: I'm not in favor of  
15           doing that. And I'm -- sorry. And the  
16           reason that I'm not in favor of it is that  
17           this project came before the Board more than  
18           a year ago. There was a lot of discussion  
19           about all of the issues that are being raised  
20           here tonight. Nothing new has been  
21           presented. This Board granted a Special

1           Permit for the project. It's been approved  
2           by the Cambridge Historical Commission, the  
3           Massachusetts Historical Commission. I  
4           happen to think it's a very, very handsome  
5           project. And the project -- what this  
6           Applicant is requesting is resulting in  
7           absolutely no material change in what we've  
8           approved a year ago. The project looked  
9           exactly the same as it did. So -- excuse me,  
10          I'm talking. And so, therefore, I would be  
11          opposed to keeping it open. I defer to my  
12          board members, I don't know if they feel the  
13          same way.

14                    HUGH RUSSELL: Bill.

15                    WILLIAM TIBBS: I don't see any need  
16                    to keep it open at this point.

17                    STEVEN WINTER: I have to say I  
18                    think there's a lot of things that are  
19                    ambiguous, things that are unclear, and I  
20                    believe that we should --

21                    HUGH RUSSELL: Please. Would you

1 remain quiet?

2 STEVEN WINTER: Mr. Chair, it's my  
3 feeling that we should keep it open until  
4 we're certain that it's time to close it.

5 HUGH RUSSELL: Well, I guess I'll  
6 state my own opinion which is I don't think  
7 we should be acting tonight. And, therefore,  
8 I don't see why we shouldn't leave the  
9 hearing open so that -- I mean, we can always  
10 hear people whenever we want, but I think as  
11 a statement of principle I think we -- I  
12 would like to see a meeting between the  
13 neighborhood working group and the  
14 proponents. And while I'm not very  
15 optimistic that that's going to result in  
16 smiles and agreements all around, I think  
17 that's a step that needs to take place and we  
18 need to hear what's happened.

19 WILLIAM TIBBS: I'd like to comment  
20 on that after everybody else talks if that's  
21 okay.

1 HUGH RUSSELL: Okay.

2 Ahmed, did you want to speak?

3 AHMED NUR: Well, I agree with you  
4 that I'm not ready to make any decisions on  
5 this tonight. Clearly a lot came up and we  
6 need to, I need to think thoroughly through  
7 this. If we were to close the public hearing  
8 and another one was scheduled, my question  
9 for the staff would it be a public meeting or  
10 if you close it is it closed for our  
11 decision?

12 HUGH RUSSELL: So if we close it to  
13 oral testimony, that would mean that we have  
14 to, we would not be required to hear oral  
15 testimony at the next hearing.

16 AHMED NUR: The next hearing. That  
17 was my question. So I'm willing to close off  
18 the hearing for this particular one since  
19 we're not making any decision tonight.

20 STEVEN WINTER: I'm not sure --

21 AHMED NUR: No, no, what I'm saying

1 is that as far as the oral is concerned for  
2 tonight.

3 HUGH RUSSELL: To leave it open for  
4 future oral testimony?

5 AHMED NUR: I would, yeah.  
6 Absolutely.

7 THOMAS ANNINGER: I agree with you,  
8 Hugh, if it's my turn.

9 HUGH RUSSELL: Yes.

10 THOMAS ANNINGER: That we shouldn't  
11 make a decision tonight on the question of  
12 keeping it open or not. I don't think a lot  
13 turns on that. I think if we closed it, we  
14 would probably ask for a report on what  
15 happened at any meetings and we could always  
16 ask for more, but I have no problem with  
17 keeping it open either. I don't think -- if  
18 we keep it open, then we will go for another  
19 process with this with a sign-up sheet and so  
20 on? What I don't want to hear is the same  
21 testimony yet one more time.

1 CHARLES STUDEN: Thank you.

2 THOMAS ANNINGER: And I think  
3 Charles is right there. There's been an  
4 awful lot of repetition over and over again.  
5 We know that. So, I think on balance I would  
6 be tempted to say, I think you have more  
7 control over a better oral testimony if we  
8 close it, but ask for a report and perhaps  
9 ask for specific comments on identified  
10 issues. So I am tempted to say let's not  
11 make a decision tonight, but let's close it  
12 for oral comment, keep it open for written  
13 comment.

14 WILLIAM TIBBS: I guess I just have  
15 a question is what would the goal of the  
16 negotiation with the developer and the  
17 neighborhood be? Would it be a substantial  
18 change to what we've already done? Is the  
19 Board comfortable to that? Or are we opening  
20 the whole hearing up to what we've heard  
21 before? Or is there something specific to

1 this clarification that needs to have some  
2 discourse? I'm just interested in the  
3 Board's opinion.

4 HUGH RUSSELL: Well, I think  
5 actually there's one thing that hasn't been  
6 said tonight which I'd like to try to say,  
7 which is why is 3.32 in the Ordinance?  
8 What's the purpose of that? And I think I  
9 know what the purpose of it is. When you set  
10 Zoning lines, there are two ways you  
11 ordinarily do it:

12 One is to set the line along property  
13 lines. And the other is just to set a  
14 uniform distance.

15 And each method has difficulties.  
16 Cambridge uses ordinarily the 100-foot back  
17 method and that's what's used at this point.  
18 I think the reason it was done this way --  
19 and then, and then there's this thing that  
20 says well, if a lot has got a piece of the  
21 next district in it, you can move the lot

1 line 25 feet, up to 25 feet. In this case  
2 it's a little less. So that the entire lot  
3 is using the same regulations. But, there  
4 are certain lots along Mass. Avenue, I'm  
5 thinking of Henderson Carriage, but I think  
6 there are several others, which are very,  
7 very deep. And so, the intent behind this  
8 provision was you can move the line a little  
9 bit, but we don't want you to move it to the  
10 full depth of a lot that goes way, way back.  
11 And there are several lots along Mass. Avenue  
12 that do that. So that's why the 25 feet came  
13 in. It was trying to find a fair way to deal  
14 with the historic depth of lots, still keep  
15 the thing, the density along Mass. Avenue,  
16 but to allow a little wiggle room. The  
17 standard then that has to be met for the  
18 wiggle room is the basic standards for  
19 granting a Special Permit in Chapter 10. And  
20 so that's what we would have to refer to in  
21 considering this request. But it's -- it's

1 not like the wholesale sell out of the  
2 principle of Residence B. It's more like a  
3 practical solution to deal with the actual  
4 history of the lots and the ownership in the  
5 city.

6 Now, Les, would you agree with that?

7 LES BARBER: Perfect job.

8 HUGH RUSSELL: Thank you.

9 WILLIAM TIBBS: You still didn't  
10 answer my question as to what's the goal of  
11 the negotiations? Because is it to talk  
12 about -- for them to talk about what you just  
13 said and look at the difference between if  
14 the setback was from the property line and  
15 how the project would change according to  
16 that? And is that a better change or not?  
17 I'm just, again, because I think we did  
18 discuss a lot of the issues that people are  
19 concerned about in the previous one, and so  
20 the question that comes to me is there  
21 anything about these issues or this

1           clari fication which would cause me to think  
2           di fferently about some of those things? I  
3           can say about the main entrance, I have no  
4           doubt in my mind that that one entrance on  
5           Beech Street is a better design. I think we  
6           actually talked about that a lot and talked  
7           about whether that should or shouldn't be  
8           there. Traffic and Parking talked about the  
9           driveway. And so now it's just this property  
10          line issue in my mind that's the issue. And  
11          based on what you just said, it's -- I just  
12          don't understand -- I'm all for and think  
13          it's a great principle for proponents and the  
14          neighborhood to talk, but I don't want to set  
15          their expectations up as to that talk's going  
16          to mean a wholesale redesign of this unless  
17          we think that's a possibility and that's  
18          something we're willing to consider. I'm not  
19          saying you should do it, but I just don't --  
20          you have a lot of people here. The other  
21          thing I remember is interestingly for this

1           particular project where we did have our  
2           public hearing there was a range of opinion  
3           about some people really didn't like it at  
4           all and some people did. And obviously the  
5           folks who didn't like it are here, I mean,  
6           more in mass tonight. That's my only concern  
7           in encouraging this discussion that there be  
8           something fruitful that can come out of it.  
9           And if in my mind I don't see what that would  
10          be. So I don't know, it may just frustrate  
11          people more. But I'm open to whatever that  
12          possibility could be. I just want to make  
13          sure that we're clear.

14                   UNI DENTIFIED PERSON: Can I  
15          interject a question here?

16                   HUGH RUSSELL: No, you may not.

17                   CHARLES STUDEN: Hugh, I would like  
18          to pick up on what Bill is saying. I tend to  
19          agree. And I feel actually -- especially  
20          sorry in some ways for the Applicant because  
21          whether it was an error on the part of ISD or

1 the Community Development Department staff or  
2 whatever, because of that, the issues that  
3 are before us tonight didn't get incorporated  
4 into the decision we made more than a year  
5 ago. We're not talking about changing the  
6 project at this point. We're just trying to  
7 clarify from a legal point of view so they  
8 can get the Zoning that they need -- actually  
9 the Building Permit that they need in order  
10 to go forward with this project. So I,  
11 again, I don't know what would come out of  
12 this if we deferred it, with what the  
13 meetings are going to result in. Surely  
14 we're not asking the Applicant to redesign  
15 the project. Why? I don't understand why.

16 HUGH RUSSELL: Yes, that's puzzling  
17 because I don't see -- perhaps some clearest  
18 statement was from Jessica Pratt and a most  
19 succinct one which was move the ramp Beech  
20 Street and make the project smaller. I don't  
21 believe either of those issues are going to

1 be on the table from the point of the  
2 Proponent because they've gone through a long  
3 process. They've secured approvals from the  
4 Historic Commission. They've got our  
5 approval. So, I don't see how that's going  
6 to happen. There's some smaller things which  
7 can be talked through, and the logic  
8 understood about where the, why the entrance  
9 is where it is. I mean, I think that  
10 fundamentally relates to the church use on  
11 the property. That the church basically uses  
12 a connected series of the building  
13 underground floor that constitutes all of the  
14 building, all of the parts that front on the  
15 courtyard. And so for the residents to have  
16 to cross through the church or some other  
17 scheme has to be found to accomplish that.  
18 But I mean that could be discussed. So I'm  
19 not very optimistic that there's going to be  
20 much -- also the reports of the  
21 characterization of previous discussions from

1 the neighbors sort of make you think that  
2 more discussion is probably not going to be  
3 any more fruitful.

4 UNIDENTIFIED MALE: May I comment on  
5 what has been negotiated as of this time  
6 tonight?

7 HUGH RUSSELL: I think no because we  
8 have other items on our agenda.

9 And so we really haven't reached a  
10 consensus about closing testimony or is there  
11 a majority view that I haven't -- how many,  
12 by a straw vote, a show of hands those who  
13 want to close the testimony tonight?

14 (Show of hands.)

15 HUGH RUSSELL: One, two, three four.

16 (Anninger, Tibbs, Studen, Nur.)

17 HUGH RUSSELL: I guess we have a  
18 consensus, not a consensus but a majority.  
19 If somebody would like to make that motion,  
20 then we could make an accurate vote.

21 CHARLES STUDEN: So moved. I move

1 that we close the hearing.

2 HUGH RUSSELL: To oral --

3 CHARLES STUDEN: To oral testimony.

4 I don't see any reason why we wouldn't take  
5 written -- subsequent written testimony.

6 HUGH RUSSELL: Okay. So it's a  
7 motion to close the oral testimony.

8 WILLIAM TIBBS: Second.

9 HUGH RUSSELL: Second.

10 All those in favor?

11 (Show of hands.)

12 HUGH RUSSELL: Four members voting  
13 in favor.

14 (Anninger, Tibbs, Winter, Studen,  
15 Nur.)

16 HUGH RUSSELL: All those opposed?

17 (Russell.)

18 HUGH RUSSELL: Opposed. I'm a  
19 member voting opposed. And you did not vote,  
20 Steve?

21 STEVEN WINTER: I voted in favor.

1                   HUGH RUSSELL: Okay. So the motion  
2 carries.

3                   Is there anything else we want to  
4 discuss tonight?

5                   (No Response.)

6                   HUGH RUSSELL: Then I would say we  
7 will end our discussion on the subject  
8 tonight and go on to the next item of  
9 business.

10                  (Short Recess Taken.)

11                                 \* \* \* \* \*

12                  (Sitting Members: Hugh Russell, Thomas  
13 Anninger, William Tibbs, Pamela Winters,  
14 Steven Winter, Charles Studen, Ahmed Nur.)

15                  HUGH RUSSELL: Okay, everybody's  
16 here. We have an eight o'clock hearing. And  
17 the next item is the Hegarty Petition to  
18 amend the Zoning Ordinance.

19                  Is Mr. Hegarty here?

20                  BARBARA BROUSSARD: Unfortunately  
21 he's not able to attend. This month has been

1 a 50 to 60 hours workweek. He's unable to  
2 attend.

3 HUGH RUSSELL: Okay. So it's  
4 difficult to hear because the door's open.  
5 So I did hear you and you said that  
6 Mr. Hegarty is unable to be here because of a  
7 press of other business he has.

8 BARBARA BROUSSARD: Yes.

9 HUGH RUSSELL: Is somebody going to  
10 present this?

11 LES BARBER: I could describe the  
12 Petition.

13 CHARLES TEAGUE: Go first.

14 LES BARBER: This is a citizen  
15 petition which deals with the same topic,  
16 Section 5.28.2 of the Zoning Ordinance that  
17 we discussed through a City Council Zoning  
18 Petition, both of which deal in different  
19 ways with clarifying the provisions of 5.28.2  
20 which is the section of the Ordinance that  
21 allows the conversion of non-residential

1 buildings to residential use by waiving  
2 certain provisions of the Zoning Ordinance to  
3 facilitate that conversion and that  
4 preservation. There are, as a result you may  
5 recall the Norris Street proposal, there was  
6 a dispute as to the meaning of this provision  
7 of the Ordinance. The City Council proposal  
8 is to clarify the Ordinance, to make it clear  
9 that in such circumstances when you're in  
10 Residence B and Residence A Districts you are  
11 allowed to convert these non-residential  
12 buildings to a wide range of housing uses,  
13 including multi-family housing. The Hegarty  
14 Petition takes the opposite tact and says to  
15 clarify this provision, we propose that we  
16 make it clear that if in the base district in  
17 the Table of Uses a residential use is not  
18 allowed, then it is not allowed under the  
19 5.28.2 provision. So essentially it would  
20 prohibit the conversion of non-residential  
21 buildings to multi-family use in Residence B

1 and A Districts where that use is not  
2 allowed.

3 HUGH RUSSELL: Okay, thank you.

4 CHARLES TEAGUE: Hi. I'm Charlie  
5 Teague again, 23 Edmunds Street. I'm here to  
6 present just very briefly, the very brief  
7 Hegarty Petition which Les describes as  
8 really being at odds with the City Council's  
9 Amendment -- proposed amendment. But in some  
10 sense that gets to the heart of the issue. I  
11 ask you that you just refer this to the City  
12 Council and let them figure it out. These  
13 interactions are overly complex. And Les  
14 had, you know, I slightly disagree with his  
15 statement which is City Councilor Kelley had  
16 a long interrogation of the city manager  
17 about no not meaning no. In fact, chasing  
18 him out of the room. But no, doesn't mean  
19 no. No means go down to the BZA, get a  
20 Variance and that involves as you know,  
21 negotiating with the neighbors more

1           diligently than a Special Permit. And I  
2           looked through all the records down there for  
3           a year, and 96 percent of the Variances are  
4           granted. No doesn't mean no. No means go  
5           get a Variance. It's quite doable.

6           So, now when we look at the Council's  
7           amendment, you know, the last time we were  
8           here on 5.28 I passed out this, which was --  
9           well, David Maher referred to the Council's  
10          Amendment as a placeholder. So CDD as I  
11          think gave you this copy the last time of  
12          your proposed. And we had another meeting  
13          and we have another copy of more -- and I  
14          didn't go and make all the copies, but  
15          circled in red, there's two sections, the  
16          first page and the second page, in which, in  
17          which they are adjusting once again the use  
18          area. Which is what this Hegarty Petition  
19          does. But what the City Council -- what the  
20          current reading of the Zoning -- what the  
21          City Council's Amendment does not do is

1 protect open space. So, as long as no means  
2 yes to the city, that means that all sorts of  
3 objects that -- all sorts of existing  
4 buildings in open space districts can be  
5 converted. And -- which is a goofy thing.  
6 And that's why, that's why this is a small  
7 fix, but it's a good fix. And as I say, it  
8 has these interactions with other things in  
9 the queue, and there's all these weird  
10 timelines. And what we do know is that the  
11 City Council Amendment will be re-filed and  
12 it will be dramatically different. So we  
13 don't really know what it is, but we know  
14 it's going to change. So in the meantime,  
15 the Hegarty Petition is a good fix. It's a  
16 small fix. The issues are really  
17 complicated. I would suggest just referring  
18 it back to the Council and moving on.  
19 It's -- that's all I can say.

20 Thank you.

21 HUGH RUSSELL: Thank you.

1 CHARLES TEAGUE: And I can answer  
2 any, answer any technical questions if  
3 someone has one.

4 Thank you.

5 HUGH RUSSELL: Are there any  
6 questions for Mr. Teague?

7 (No Response.)

8 HUGH RUSSELL: Okay.

9 Would anybody like to be heard on this  
10 -- this is a public hearing, is it?

11 CHARLES STUDEN: Yes.

12 SUSAN GLAZER: Yes, it is.

13 HUGH RUSSELL: Yes, public hearing.  
14 So would anyone like to be heard?

15 ATTORNEY RUTH SILMAN: Good evening  
16 Chairman, members of the board. My name is  
17 Ruth Silman. I'm with Nixon Peabody. We  
18 represent Cottage Park Realty, the owners of  
19 the Emerson Building on Cottage Park Avenue.  
20 And I was before you in dealing with the  
21 proposed change to 5.28.2. And just to give

1 a little bit of kind of background or  
2 history, the Cottage Park Avenue property is  
3 potentially subject to the Fox Petition which  
4 is kind of the third in this whole story,  
5 which would rezone the area to Residence B.  
6 If -- and that is currently kind of floating  
7 in la-la land. But if that were to happen  
8 and this building, the Emerson's building  
9 which is subject to 5.28 or could be -- could  
10 take advantage of 5.28.2 if it was rezoned to  
11 Residence B and then the Hegarty Amendment  
12 was passed, because there is nothing pending  
13 with ISD right now regarding the building,  
14 this would severely restrict the ability to  
15 just obtain a Special Permit through 5.28.2  
16 for the Emerson building. And the neighbors,  
17 as we've heard, would like there to be some  
18 sort of development and redevelopment in that  
19 building. There have been discussions with  
20 respective purchasers about what they would  
21 like. But, so I come to you kind of in a

1           premature fashion because the Cottage Park  
2           property is not actually Zoned Residence B.  
3           But if Fox were to happen, then it would be.  
4           And so, the owners oppose the Hegarty  
5           Amendment to the extent that it could  
6           restrict their ability to further develop  
7           their property or to sell it to somebody. I  
8           hope that was clear.

9                     Thank you.

10                    HUGH RUSSELL: Yes.

11                    Does anyone else wish to be heard?

12                    CHARLES MARQUARDT: I'll be real  
13           brief.

14                    HUGH RUSSELL: Charlie.

15                    CHARLES MARQUARDT: Thanks. Charlie  
16           Marquardt, 10 Rogers Street.

17                    I think that 5.28 and a lot of actually  
18           the rest of the Zoning in the city has gotten  
19           really complicated with regards to  
20           interpretations. This is an area that needs  
21           additional study. As this esteemed attorney

1 over there just mentioned about mental  
2 gymnastics for me trying to figure out what  
3 could happen and who could happen. And just  
4 being a property owner under that potential  
5 circumstance, means you're employing lawyers  
6 far too frequently than most property owners  
7 probably want to.

8           However, I think, though, that the  
9 Hegarty Petition did raise a couple of  
10 interesting questions. What does it do to  
11 open space? I think everybody here admits we  
12 don't want to build on the river. But let's  
13 have clarity. So, let's put it back to the  
14 City Council. Let's have the Mayor and  
15 others gather people together from around the  
16 city. It's not just Norris Street, it's not  
17 just in East Cambridge. It's a whole  
18 citywide issue, and do the right thing for  
19 the Zoning. Is 900 square feet the right  
20 thing? We talked about that a lot the last  
21 time. Probably not anymore. But let's not

1 cast any of the ideas aside. Let's put it  
2 back -- maybe they can consolidate all the  
3 petitions into one and make it move more  
4 smoothly through the process. Competing  
5 petitions does not help the city. I think  
6 putting all the best ideas in, some may not  
7 work, some may work. But let's get it all  
8 done and done once and done right so we're  
9 not doing this every single time. So I'm  
10 neither opposed nor in favor.

11 HUGH RUSSELL: Thank you.

12 BARBARA BROUSSARD: As I said  
13 before, Michael Hegarty cannot be here.  
14 However --

15 HUGH RUSSELL: Give your name for  
16 the record.

17 BARBARA BROUSSARD: Barbara  
18 Broussard. I'm sorry, I thought she had it  
19 written down. But one of the things that has  
20 come up continually at the East Cambridge  
21 Planning Team when many buildings are --

1 vacant buildings being thought about in  
2 redevelopment is we'd like to see the Zoning  
3 work equally all throughout the city. And  
4 one petition isn't going to fix everything.  
5 But I think because there will be in the near  
6 future, and not too distant future,  
7 buildings, schools, whatever that are going  
8 to be left vacant, they can be put into  
9 housing. I think we need to take a long,  
10 hard look and maybe take sometime to have  
11 experts look at it and decide that perhaps we  
12 need to update our Zoning.

13 Thank you.

14 HUGH RUSSELL: Thank you.

15 CHARLES TEAGUE: I just wanted to  
16 clarify. Technically on Cottage Park Avenue,  
17 my estimation is 40 percent of the existing  
18 built structure is in Special District 2  
19 which has a very similar conversion built  
20 into it so it's 1200 square feet per dwelling  
21 unit. So you take that in proportion to Res

1 B, I think -- I went over with Les -- I think  
2 I came up with 14 as I recall. I think he  
3 came up with a bigger number. But that would  
4 be sort of a by-right conversion number. So  
5 it -- things don't go down to zero. But as I  
6 said, well, that particular property is in,  
7 in counting the Mass Ave. Overlay District is  
8 in five Zoning districts. So it's a complex  
9 thing. It's going to need -- probably need  
10 Variances anyway. So it's -- it's moot. I  
11 think you have to look at the bigger citywide  
12 picture and you have to look at open space.  
13 If they're reading -- if the Zoning Ordinance  
14 is being read the way it is, then you got to  
15 do the right thing.

16 Thank you.

17 HUGH RUSSELL: Okay, thank you.

18 Does anyone else wish to be heard on the  
19 petition?

20 (No Response.)

21 HUGH RUSSELL: Okay, I see no one.

1 I was just at a hearing where they  
2 asked three times that same question.

3 ATTORNEY RUTH SILMAN: It's a BRA  
4 requirement. The BRA is required by law to  
5 ask three times to speaking in favor and  
6 three times in opposition.

7 HUGH RUSSELL: South Shore Tri-Town  
8 development corporation.

9 ATTORNEY RUTH SILMAN: They took  
10 their rules directly from the BRA.

11 HUGH RUSSELL: There was no member  
12 of the public in the room.

13 We've got to order of conditions, a  
14 Special Permit and Variances designed  
15 guidelines all in about 45 minutes, but it's  
16 like that's what happened you redevelop a new  
17 Navy base.

18 WILLIAM TIBBS: So are you saying if  
19 we do it three times, we can get stuff done  
20 that fast?

21 HUGH RUSSELL: Okay. So I would I

1 propose we close the hearing.

2 STEVEN WINTER: Yes.

3 HUGH RUSSELL: And my own view is  
4 that it's similar to what several people said  
5 here, which is that as an isolated single  
6 solution to the 5.28.2 on this and this is  
7 neither sufficient. So we should, therefore,  
8 if viewed in that way, we would not support  
9 it. But it's something that Council's  
10 working on. So, I think we might just --  
11 what do we want to say to the Council?

12 WILLIAM TIBBS: I think we just say  
13 exactly what you said.

14 CHARLES STUDEN: Yes.

15 STEVEN WINTER: Mr. Chair. Yes?

16 HUGH RUSSELL: Okay. So Steve is a  
17 little ahead of you, Tom.

18 THOMAS ANNINGER: That's fine.

19 STEVEN WINTER: I think that what's  
20 important for us is the core values of what  
21 we're talking about here. And what we're

1 talking about is I believe that the City and  
2 the Planning Board, I believe that we, we  
3 want reuse of historical buildings. We want  
4 to maintain preservation as we do in-fill  
5 redevelopment. And we want some of it to be  
6 housing. So those are things that we know we  
7 want. If the how is troubling us, then let's  
8 address the how. But that's not for us to do  
9 right now. I think for what we need to do is  
10 to say we want historic preservation and  
11 reuse of buildings for housing and other  
12 things. And how is something that we need to  
13 figure out.

14 HUGH RUSSELL: Okay. I accept that  
15 as a friendly amendment to my motion.

16 CHARLES STUDEN: That's good. Yes.

17 HUGH RUSSELL: Any more discussion?

18 WILLIAM TIBBS: Tom?

19 THOMAS ANNINGER: Yes, maybe I  
20 wasn't listening carefully enough. I'm not  
21 quite sure what you said, Hugh. I go back to

1 what Les said which is that I thought the  
2 Petition from the Council on 5.28 resolved  
3 the problem which I always saw as a dropped  
4 stitch. It was just intended that it be in  
5 the table and it somehow hadn't been  
6 reflected in a footnote properly and now it's  
7 being fixed. This is a more broadside  
8 approach to it that seems to be a somewhat  
9 hostile way of interpreting it so that if I  
10 understood it right, more issues will go to  
11 the Zoning Board if there's a dropped stitch.  
12 And I don't think that's a good solution to  
13 this problem. I think we don't know of any  
14 other situations like 5.28 where there was an  
15 unintended inconsistency, but if there is, I  
16 think we will have to find a solution similar  
17 to the 5.28 one. The Zoning Ordinance is  
18 complex. That's not anybody's fault. It  
19 actually is probably less complex than many  
20 other cities, but the complexity simply  
21 reflects the complexity of this city and of

1 the many objectives that we have. And that's  
2 a different -- that's a difficult thing to  
3 regulate without complexity. And every now  
4 and then there's going to be a dropped stitch  
5 as there was, and then we fix it. But to try  
6 and go broadside like this, I think will  
7 create unintended consequences that I -- and  
8 that create some sort of an interpretation of  
9 the Zoning Ordinance that I think is  
10 ill-founded and therefore I would lean toward  
11 heavily, I would recommend to the Council  
12 that they use the 5.28 approach rather than  
13 the Petition that we have before us as a way  
14 of fixing it.

15 HUGH RUSSELL: Is that inconsistent  
16 with any of the rest?

17 WILLIAM TIBBS: No, it isn't. I  
18 would make a comment, though, that and in  
19 terms of Steve, I agree wholeheartedly,  
20 Steve, with, you know, we're talking about  
21 the intent. And I think from our perspective

1 the intent was clear. It's the wording in  
2 the Zoning that has been challenged and needs  
3 clarification in order to do that. I guess  
4 what I would say, Steve, is that I think for  
5 this particular -- I would hold that  
6 statement about what our intent is for when  
7 the City Council Petition comes back to us  
8 where this specific one is kind of so  
9 specific that I think I would prefer to just  
10 to say in a sense either what Hugh said  
11 earlier or what Tom said, which is that this  
12 one is just so narrowly focussed that I don't  
13 think we need to talk about the intent in  
14 this one.

15 STEVEN WINTER: I concur.

16 HUGH RUSSELL: So it is our  
17 tradition and once we've completed our  
18 discussion to simply say to the staff do you  
19 have enough to write a recommendation?

20 SUSAN GLAZER: Yes, I think we  
21 probably can.

1 LES BARBER: I think so.

2 HUGH RUSSELL: Have we -- now has  
3 everybody had a chance -- Ahmed, did you want  
4 to say something?

5 AHMED NUR: Just a recommendation to  
6 the Council to consider, investigate  
7 thoroughly who else is affected by the  
8 decision along with the Emersons.

9 HUGH RUSSELL: Yes.

10 AHMED NUR: Yes, thanks.

11 WILLIAM TIBBS: And I was just going  
12 to say just in case anybody in the audience  
13 didn't know, we only give an opinion to the  
14 Council. They still have to sort it out.  
15 So, when folks said we should refer it back  
16 to the Council in a sense that's all we do  
17 anyway.

18 THOMAS ANNINGER: But I mean I guess  
19 I wouldn't mind, Hugh, if you summarized what  
20 you think you heard or what I said maybe  
21 again as I hear it, we are recommending that

1 this Petition not be adopted.

2 CHARLES STUDEN: That's correct,  
3 yes.

4 THOMAS ANNINGER: We're sending an  
5 unfavorable recommendation is what I'm  
6 hearing.

7 HUGH RUSSELL: Right.

8 THOMAS ANNINGER: Okay.

9 HUGH RUSSELL: Okay. Are we talked  
10 out on this?

11 THOMAS ANNINGER: Yes.

12 WILLIAM TIBBS: Yes.

13 HUGH RUSSELL: Do we need to take a  
14 break before the next item?

15 THOMAS ANNINGER: Yes.

16 HUGH RUSSELL: We'll take a five  
17 minute break and we'll be back in session by  
18 nine.

19 (A short recess was taken.)

20 \* \* \* \* \*

21 (Sitting Members: Hugh Russell, Thomas

1 Anninger, William Tibbs, Pamela Winter,  
2 Steven Winter, Charles Studen, Ahmed Nur.)

3 HUGH RUSSELL: We're ready to go.  
4 So we're going to take up Planning Board case  
5 231, planning review on the building proposed  
6 for Bent, Charles and Second Street.

7 ROB DICKY: Good evening and thank  
8 you for having us here tonight. I am Rob  
9 Dicky. I'm previously with Jones, Lang,  
10 LaSalle. I've been involved and developing  
11 this project back in the origin in the plan  
12 and PUD. I'm currently working as a  
13 development consultant to the new ownership  
14 or the firm that controls the development  
15 rights of two of the three parcels which is  
16 Skanska Development. So tonight we're going  
17 to be presenting and the design review of the  
18 project per the PUD requirements. I'm joined  
19 by Mike Pascavage who heads up the  
20 development activities for Skanska in this  
21 region and will provide a little background

1 on himself and on Skanska's interest and  
2 goals for the project. And by David  
3 Manfredi, who from the beginning has headed  
4 up the design effort on this development and  
5 will present the updated design and design  
6 development progress.

7 Just in terms of meeting purpose  
8 tonight, I think as we all know, but I'll go  
9 over it, this project was permitted  
10 originally under a PUD in Article 19 Special  
11 Permit back in May of '08. There was some  
12 updating and extending of those permits last  
13 year in both May and in the summer. And as a  
14 requirement of the decision, specifically  
15 Item 7, we were to come back to the Board and  
16 present design development for each of the  
17 buildings and each of the sites on the  
18 project at the time that we had advanced the  
19 project at that point. We had always  
20 contemplated this as a three-phase  
21 development. The first phase being at 65

1 Bent Street, also known as 150 Second. And  
2 that's what we're here to do tonight is to  
3 present that first phase of the project.

4 I have handed out some additional  
5 materials that are supplemental to what was  
6 given to the Board through Community  
7 Development last week, and those will --  
8 anything that will be presented tonight which  
9 is new information is contained in that  
10 package. And with that I'll turn it over to  
11 Mike Pascavage.

12 MICHAEL PASCAVAGE: Good evening.  
13 Thank you, Rob. Again, my name is Mike  
14 Pascavage and as Rob mentioned, I am heading  
15 up the development initiative for Skanska  
16 commercial -- on the commercial development  
17 side. On the personal side, just as a  
18 general note, I'm an architect by training  
19 and spent some time here in Cambridge with  
20 Ad, Inc. Architects back when they were at  
21 Harvard Square and Central Square before they

1           headed out of town and before I went over to  
2           the dark side of the development game. On  
3           the personal side as well, I am a Cambridge  
4           resident now living at River Court since  
5           about 2003, and certainly being a block away  
6           from the project, you know, that was more  
7           serendipitous than it was planned, but it  
8           certainly gives me a great perspective and  
9           interest in the success of this project.  
10          And, you know, certainly what we, what we  
11          look to do here. It certainly, you know,  
12          Cambridge residency has -- assuming in good  
13          standings as we've made our way through  
14          various Cambridge groups and certainly it is,  
15          you know, nice to be a member of the  
16          community as well.

17                    In fact the Skanska, again, you are all  
18          probably familiar with Skanska as a, as an  
19          entity here on the construction side. We've  
20          had a major presence in Cambridge, you know,  
21          over the years. You know, Skanska came into

1           being here in 1997 when it bought the then  
2           Beacon Construction Company and it was  
3           Beacon-Skanska for a while, and is now  
4           morphed into one Skanska. We have on our  
5           portfolio on the construction sites a lot of  
6           work with the universities, having done the  
7           new law school up on Mass. Ave. We're in the  
8           process of doing the Fogg for Harvard as  
9           well. We've done the Stata Center as we move  
10          closer in. Did a lot of work at Tech Square.  
11          Even over to Museum Towers. So we've bookend  
12          the area and are certainly hopefully a strong  
13          presence here in Cambridge.

14                 The commercial development division is  
15          one of the business dreams that, you know,  
16          Skanska maintains. Skanska being a Swedish  
17          company, you know, it's one -- it's a  
18          business dream that they've had for 25 years  
19          and has delivered over 10 million square feet  
20          of space in thousands of residential units  
21          mostly in the Nordics and eastern Europe.

1           We just rolled out that initiative here  
2           in the United States. We're in four cities;  
3           we're in Boston, Washington, Houston and  
4           Seattle. And, again, I'm heading up the  
5           Boston, you know, division. What better way  
6           to use your construction company than to do  
7           what they do best, and that is, again, build  
8           quality buildings. That's our intention here  
9           in the Boston area. And this happens to be  
10          the first project that we were -- we have  
11          landed, if you will, in Boston. It's in  
12          Cambridge. I feel particularly lucky to have  
13          come up with a project here in a city that  
14          has, you know, great history that it does and  
15          a great growth potential and we're really  
16          excited about moving forward on this project.

17                 The -- just, again, what we've done  
18                 since we brought the project, we closed just  
19                 in November of last year. You know, we had  
20                 as Rob said, sat around for a little bit kind  
21                 of waiting, you know, for the market to

1 improve. And what we've done since then is  
2 reconstituted a design team and really get it  
3 back on track to start moving the project  
4 forward again. It's our intention to, you  
5 know, be aggressive as we, you know, move  
6 into the market and look to bring this  
7 project to fruition. And, again, to that end  
8 we've, as I said, reconstituted the team and,  
9 you know, most of it -- many of the names are  
10 familiar certainly from the previous  
11 iteration. Elkus, Manfredi maintains the  
12 original architect that we've retained. New  
13 Landscape architect Copley-Wolff, Lynn Wolff  
14 is here tonight to talk about the landscape  
15 design. Again, a nice host of what we think  
16 are, you know, highly sustainable type, you  
17 know, engineers and consultants. And I'm  
18 sure you're recognize them from a lot of fine  
19 projects that they've done here in Cambridge.

20 The mandate that we gave David as we  
21 move forward, were pretty simple. Take the

1 project, you know, as it exists and, you  
2 know, looks to maybe re-characterize it in  
3 what are some Skanska's intentions, but they  
4 are, you know, simply to deliver a first  
5 class multi-tenant research building. This  
6 was originally designed as an  
7 office/research. And we zeroed in on a lab  
8 building so, you know, that gave it a little  
9 more rigidity (phonetic). To build a  
10 highly sustainable project, LEED gold. We  
11 feel, you know, Skanska's on the cutting edge  
12 of sustainability. And it has been for many  
13 years, and its European roots, our mandate  
14 here as a developer is to do LEED gold  
15 minimum projects. And I might admit we even  
16 has aspirations to do more even with this  
17 project as we move forward.

18 And, again, to embody our quality  
19 aspirations that we have maintained as a  
20 developer and established in our previous  
21 developments.

1           We' ve done a lot of work in the last  
2       couple of months as we are, you know, moving  
3       the project forward. Having met with, you  
4       know, Cambridge Community Development, you  
5       know, certainly staff, you know, locally for  
6       both an introduction to us as a developer and  
7       to what we're looking to do with the project.  
8       Cambridge Historical Commission to, you know,  
9       review the, you know, existing context of  
10      where we are and make sure we have no  
11      problems there. East Cambridge Planning  
12      Team, you know, again that's the local  
13      Kendall Square Organization that I'm now  
14      proud to be a member of by a hint of where I  
15      live. BPW obviously in Cambridge, you know,  
16      bicycle committee, you know, getting the  
17      local components that are -- make up the  
18      project as well.

19           So, with that, let me turn it over to  
20      David to get to the meat of the presentation.  
21      And, again, thank you for your time.

1                   DAVID MANFREDI: Good evening. My  
2                   name is David Manfredi from Elkus Manfredi  
3                   Architects. Seldom do you have the  
4                   opportunity that we've had here to come back  
5                   two years later and look at your own work and  
6                   reevaluate. And in fact, we took a mandate  
7                   like Mike described which was really to  
8                   enhance the sustainability of the project,  
9                   look at it more specifically to a more  
10                  directed focus type of user in design to  
11                  those mandates. Of course what's occurred in  
12                  the past three years is anticipated growth in  
13                  this immediate neighborhood. This is the  
14                  site between First and Second, Bent and  
15                  Charles. And what we've just colored in here  
16                  is the anticipated development along Bent  
17                  Street and most importantly, along Binney  
18                  Street -- I'm sorry, and most importantly the  
19                  green space will be the future city park  
20                  which will really transform the district in  
21                  all of the ways that this Board is very

1 fami li ar wi th.

2 I di d want to start wi th a very bi g  
3 pi ctur e, and I want to take you around our  
4 edg es a li ttle bi t. We are in a kind of  
5 di ver se context. And you see it here in  
6 thi s, in the footpri nts of the se bui ldi ngs.  
7 And we' re not in the worl d of the very bi g  
8 footpri nts. We' re in the worl d of the  
9 medi um-si ze footpri nts before you get i nto  
10 the l and use pattern of the resi denti al  
11 nei ghborhood. But we cl earl y touch those  
12 edg es.

13 The si te agai n, Charl es, Bent, Second.  
14 We don' t reach Fi rst Street. Thi s i s  
15 one-story freestandi ng bui ldi ng that i s that,  
16 you know, i s Bi g John' s. That si ts here in  
17 surfac e parki ng spaces and transformers, but  
18 we do reach those three edg es on Bent, Second  
19 and Charl es.

20 These are our edg es. That i s the vi ews  
21 across the street. So to the north on

1 Charles Street, there is -- this is Pet Co.,  
2 one-story warehouse kind of space, surface  
3 parking and the Charles Passage residences  
4 which are now I'm going to guess are three or  
5 four or five years old. I jumped over Big  
6 John's, but across First Street is the  
7 original Lotus building. The parking  
8 structure as part of the original Lotus  
9 building. It looks a little whacky here only  
10 because we're splicing together a series of  
11 photographs.

12 On the west side, on the Second Street  
13 side is the American Twine building directly  
14 across the street. And on the south side on  
15 Bent Street is what we call the tofu factory.  
16 It's where they make tofu.

17 This is the series of renderings that  
18 you saw just about -- almost three years ago.  
19 And what we're going to show you tonight is  
20 basically the same footprint, the same  
21 height, the same square footage, the same

1 parking. It complies with all of the  
2 dimensional requirements of the Special  
3 Permit.

4 This is Second and First is beyond.  
5 Bent and Charles. We have thought and talked  
6 a lot several years ago about where was the  
7 appropriate place for the green space? It's  
8 interesting that as this big green space has  
9 evolved, I think this in fact makes even more  
10 sense. And a second view that was part of  
11 that package looking east on Bent and to the  
12 original Lotus building beyond.

13 I'm going to elaborate a little bit on  
14 what Mike presented. These were more  
15 specifically -- this was more specifically  
16 the agenda that Skanska presented to us.

17 No. 1, create a truly sustainable  
18 building. And I think you'll see that we  
19 have, as Mike said, we really ratcheted that  
20 effort up in a number of ways. Lynn has done  
21 a lot of work on open space, and the key in

1 that one is inviting to the public. We've  
2 taken away the walls. We've tried to make  
3 the open space as visually and tangibly  
4 accessible as possible. Meaning there is --  
5 there are benches, it is open. We want to  
6 make it feel like it's part of the public  
7 realm. Create a building that is logical an  
8 organization and ensures flexibility for  
9 research. As Mike mentioned, unlike some of  
10 the other buildings you have seen recently  
11 dedicated to life science in East Cambridge,  
12 this is a building that can accommodate  
13 smaller users that we think of in terms of  
14 lease plans of a single tenant per floor or  
15 three or four tenants per floor and that it  
16 has been planned to accommodate that very  
17 specific kind of user.

18           Employ humanly scaled components. And  
19 this may be the single most important  
20 sentence that explains the changes that we  
21 have made. We have broken this building down

1 in parts. As we went back and looked at the  
2 site again and we looked at that diverse  
3 context, we have broken the building down  
4 into three quite discrete parts. And I think  
5 that goes to explaining why there is the  
6 changes that you will see tonight. And then  
7 obviously optimize energy performance  
8 throughout all the systems and equipment.

9 Mike mentioned where we've been over  
10 the last few weeks, and there were several  
11 common themes that came from our meetings  
12 with Community Development as well as last  
13 Wednesday with the East Cambridge Planning  
14 Team. So the drawings you have in front of  
15 you that Rob just handed out do represent  
16 some changes, and they are in response to  
17 what we heard very specifically last  
18 Wednesday at the East Cambridge Planning  
19 Team. And some of these are quite critical.

20 No. 1, that the penthouse enclosure  
21 lacks sufficient detail, and we have tried to

1 address that. The question was asked are  
2 there other opportunities for wood? And you  
3 probably noticed in our submission that part  
4 of the building had some wood cladding. We  
5 have looked for other places because I think  
6 that brings a warmth to the building. It  
7 also brings a connection to our surround, and  
8 I think it's quite unusual in a life science  
9 lab building.

10 And third, of course, there were  
11 questions in the neighborhood about acoustics  
12 and about the location of the louver that  
13 you've seen in the renderings on the west  
14 side of the building on the Second Street  
15 side of the building and I'll address that as  
16 we go through the renderings.

17 So now we're into, we're into drawings.  
18 And the building footprint as I said, is  
19 almost exactly identical to what it was three  
20 years ago. It is an L-shape. We defined  
21 that open space on the corner of Second and

1 Bent. We have a little bit of surface  
2 parking as we abut that adjoining property  
3 and access to below grade parking and access  
4 to our loading areas. And it gives you a  
5 little better sense of the footprints of  
6 those surrounding buildings. And we've left  
7 in this drawing, not that we've -- there has  
8 been any additional work, but the footprints  
9 that were part of that original Special  
10 Permit with regard to the other two sites,  
11 the housing here and the housing here.

12 Start with the basement and build the  
13 building up. There is the same total of 94  
14 parking spaces that were there originally or  
15 that were there three years ago. The ramp  
16 down that accesses them, a little bit of  
17 tenant space below grade. At the ground  
18 floor, the building entrance is primarily  
19 where it was before facing south, engaging  
20 that open space. But as Lynn will describe,  
21 we've made that open space, we think, a

1 little bit more accessible. And our service,  
2 our loading comes in on the east side and  
3 directly into the core of the building. And  
4 then our floor plates are quite simple and  
5 quite typical. But designed to be able to be  
6 easily subdivided into smaller tenants, and  
7 we can accommodate even four or five tenants  
8 on a single floor.

9 And then our penthouse or our  
10 mechanical floor, whatever -- however we call  
11 it. We have reconfigured this, and let me  
12 describe what we've done. We have pushed  
13 that -- this is -- our roof as roof is  
14 defined by Zoning is at 44 feet above grade.  
15 And then there is this 20-foot tall  
16 penthouse. And part of it is enclosed. The  
17 darker part is enclosed. That's where the  
18 air handling units are. The lighter part is  
19 open to the sky. That is our --

20 MICHAEL PASCAVAGE: Cooling towers.

21 DAVID MANFREDI: -- cooling towers,

1           thank you.

2                    But also room for special ty equipment  
3           used by tenants.

4                    In a moment I'll show you a perspective  
5           where you see louvers here. I want to point  
6           out that those are intakes. They're not  
7           exhausts. And we tried to be very strategic  
8           about how we've located them relative to  
9           residential surround as opposed to our  
10          eastern abutters which are much more  
11          commercial. Our exhaust is all to the east.  
12          Our intake is all to the west. And we're  
13          well aware of concerns in the neighborhood  
14          about acoustics. Basically all of the noise  
15          generation is within the building. This part  
16          of the building is roofed. This part of the  
17          building is open to the sky, but it's not  
18          where we -- not where the majority of noise  
19          generation is. And all of these walls,  
20          although open to the sky, will be insulated.  
21          We're very conscious of the sensitivity in

1 the neighborhood and of course we'll comply  
2 with all of the requirements of a Special  
3 Permit and the City's Ordinance.

4 Let me walk around elevations and then  
5 I'll go to some perspectives, and let me just  
6 explain what we've done here. You're looking  
7 at the Bent Street elevation looking north.  
8 So that's American Twine on the west side of  
9 Second Street, and you're looking over to the  
10 side of Big John's to the right side. And  
11 then we're just showing you a little bit of  
12 plans below. So -- and maybe this will be  
13 most obvious in the perspectives, but I  
14 really wanted to get you oriented here.  
15 We've broken the building down into three  
16 parts. There is this leg of the L which is  
17 clad wood. It's clad wood in that  
18 today it will be something like angelique  
19 which I brought a piece of. It's a wood  
20 we've used before. It is extremely hard  
21 wood. Our goal would be used as boards, a

1 little bit longer, but this size, and oiled  
2 to keep this color and keep this warmth.  
3 We've used it actually in Boston on the  
4 waterfront at Liberty Wharf. And I love its  
5 warmth, I love its scale, I love its connection  
6 here to the neighborhood. And that, that  
7 piece of the building, those three sides of  
8 the building are clad in that angelique wood.

9 The second piece is this piece along  
10 Second. And I mentioned that our penthouse,  
11 it actually is back 30 feet off the street.  
12 So that's our 44 feet to the roof. And  
13 that's our 65, 64 feet to the top of the  
14 penthouse screen. And this is clad in metal,  
15 a darker metal and -- in order to create a  
16 sense of a second volume. And then the third  
17 volume the biggest volume is the body of the  
18 L.

19 This is our Second Street elevation  
20 looking east. So directly across the street  
21 from us here is American Twine. And this is

1 largely -- the wood you see is beyond, it's  
2 the wood that's on the other side of the open  
3 space. What we've introduced, and it's hard  
4 to see right here, but you'll see it a little  
5 better in perspectives, one of the comments  
6 we heard in the East Cambridge Planning can  
7 you find a little more wood? Well, we didn't  
8 want to too muddy our diagram, but we did  
9 bring a little more wood into the west side  
10 of the building, into this glazing system.  
11 And basically it would be glazed into that  
12 glazing system. It's framed in metal. And  
13 we like the warmth that it brings there as  
14 well. These are the louvers that I was  
15 referring to. Those are the intake to the  
16 air handling units.

17 This is our First Street elevation  
18 which is in the interior property line where  
19 we have some surface parking, our loading and  
20 our ramp down to parking. And, again, that's  
21 the third side of that one volume which is

1 clad in wood. This is all clad in metal and  
2 our penthouse screen above. And then our  
3 Charles Street elevation. So, this is  
4 Charles, this is Second. So you're looking  
5 at this elevation, that step back of 30 feet,  
6 and then the elevation here. Lots of glazing  
7 on the ground floor. We think that's good  
8 for the street. We think it's good for the  
9 building. We think it's good for the  
10 tenants, and we think that it will attract  
11 tenants. These life science spaces have  
12 every bit a demand -- every bit as big of a  
13 demand for daylighting as office tenants do.

14 I want to point out that Skanska's  
15 commitment to this as a research building as  
16 opposed to an office/research building, gives  
17 us a little bit of latitude. You know, when  
18 we design speculative office buildings not  
19 knowing who the tenants are, it's almost  
20 impossible to avoid almost continuous glass  
21 on a five-foot module. Because you're going

1 to get a series, or you may get a series of  
2 perimeter offices. The commitment to  
3 research, you know you're going to get a  
4 diversity of spaces and it allows us the  
5 opportunity to have a little bit more opaque  
6 space -- opaque plain on the outside of the  
7 building. I think that's a good thing  
8 compositionally. It just breaks down the  
9 scale of the building. It creates some  
10 diversity in the building. I hate to say it  
11 because we've done a lot of speculative  
12 office buildings, but speculative office  
13 buildings are kind of universal space not  
14 knowing the kind of tenant that comes and  
15 that becomes a kind of pattern on the  
16 building.

17 A section through the building from  
18 north to south, so from Bent to Charles, and  
19 all we're really demonstrating here is that  
20 that southern portion is the lower portion,  
21 it has a smaller screen for specialty

1 equipment of tenants in that part of the  
2 building. That's the part of the penthouse  
3 that's fully enclosed, roofed. That's the  
4 part of the penthouse that's open to the sky.  
5 And we're just trying to show you that from  
6 opposite side of the sidewalk, you really  
7 don't see anything coming out of there that  
8 the roof screen is tall enough, not only to  
9 absorb the sound, any sound generated, but  
10 gives you views passed any equipment that's  
11 up on that roof whether from Bent or from  
12 Charles.

13 So, these are now the same views and I  
14 can put these side by side if you wanted me  
15 to, but click back. But these are the same  
16 views that we had produced three years ago.  
17 So, Bent Street, Second Street, our green  
18 space, and now I think -- I hope you can see  
19 the three volumes. There's the -- and it's  
20 all three stories, but that's our wood clad  
21 volume. That's our bigger -- I'll call it

1 four-story, not in a Zoning sense but in a  
2 volume sense, four-story component and then  
3 the three-story component along the street.  
4 And you can see where we've introduced that  
5 wood to bring a little bit more warmth to  
6 this side of the building. You can also see  
7 here where we've since -- we created the  
8 submission package, we went to East Cambridge  
9 Planning Team -- we talked a little bit about  
10 this penthouse screen. We've introduced this  
11 kind of continue louver strip. We don't  
12 really need all of it, but we like it. We  
13 like that it separates that part of the  
14 building from that part of the building.  
15 This is the kind of frame, metal frame that  
16 wraps over and then down and becomes a kind  
17 of canopy that wraps around. The base of the  
18 building is very transparent. Now there is  
19 this kind of middle section, this kind of  
20 deep, dark reveal that separates the  
21 penthouse screen. And then we've introduced

1           these kind of slots. What they are are --  
2           they are also metal panels. They are  
3           slightly indented or pushed back. There's a  
4           little bit of break. It's a little hard to  
5           see. But we intend to be a break in the  
6           absolute top of the parapet here. And it  
7           just gives us -- and if you look, if you saw  
8           this in straight elevation, you'll see it  
9           aligns with our structural module. And we're  
10          just trying to create some detail in that  
11          screen, and a little bit more detail at the  
12          top of the building.

13                 Basically the same view down at  
14          pedestrian level. And, again, to the same  
15          points you can see where we've -- since we  
16          made our submission, the drawings that are in  
17          front of you, that wood, that same wood that  
18          comes down on the base of the building that  
19          connects with the green space and then the  
20          wood on volume No. 1 and volume No. 2 and  
21          volume No. 3.

1           And then, lastly we've added a  
2           perspective, looking down Charles Street, and  
3           in some ways this is probably where kind of  
4           all of our diverse abutters sort of come  
5           together at least in a -- from a use point of  
6           view. On your right is the American Twine  
7           building, which harkens back to the kind of  
8           historic industrial part of the neighborhood.  
9           And to the left is Charles Passage,  
10          relatively new residential, and some of the  
11          older residential by the way on the west side  
12          of Second Street. Our building where we step  
13          back those 30 feet, and then a street where  
14          you can see while going down Charles, and  
15          what you -- that tree by the way, is real.  
16          It's there and it's that big, which is really  
17          a very nice scale giving device in our  
18          rendering. And what you're looking through  
19          to, of course, is the Cambridge Side Gallery.  
20                 I want to -- I'm almost done. I want  
21          to just mention our -- some of our

1           sustai nabi l i ty features.

2           As Mi ke sai d, we wi ll achi eve LEED gol d  
3 here for core shel l devel opment. Skanska' s  
4 aspi rati ons are even hi gher, so hopeful l y  
5 we' ll achi eve those as wel l. And Lynn wi ll  
6 talk about plant materi al. We have made  
7 changes. It' s three years ago. In how we  
8 accommodate bi cycl es, we have bi cycl es bel ow  
9 grade i n the parki ng area, but we al so have  
10 bi cycl es at grade, at the front door, under  
11 cover for vi si tors, bi ke messengers, every  
12 day ki nd of guests i n the bui l di ng. We have  
13 a comprehensi ve transportati on program and  
14 accommodati on for Zi pCars and subsi di zed MBTA  
15 passes. Lynn wi ll talk a l i ttle bi t more  
16 about part of our storm water management, but  
17 we al so do a seri es of strategi es for  
18 water-effi ci ent use havi ng to do wi th al l of  
19 our fi xtures throughout the bui l di ng.

20           Our goal , and we wi ll reali ze thi s  
21 goal , i s 30 percent percentage savi ngs i n

1 energy consumption which exceeds the stretch  
2 code by ten percent. And then of course  
3 Skanska's been an industry leader in  
4 construction management and waste management  
5 in the construction process.

6 Lynn Wolff.

7 LYNN WOLFF: Hi. I'm Lynn Wolff  
8 from Copley-Wolff Design Group. We're the  
9 landscape architects on the project. And  
10 just as David described the changes that he  
11 and his team have come up with in the  
12 architecture, we've also made some  
13 modifications that reflect some of those  
14 changes and new discoveries and comments that  
15 we've received.

16 First I'd like to say that this facade  
17 and the wonderful wood and the steel, the  
18 metal frame and canopy that is wrapping the  
19 open space has now been projected out into  
20 the open space. So, you can see here that  
21 the column lines of the building actually are

1 extending out into the planted area and  
2 different types of plantings, but also  
3 expressed in the paving as well. And where  
4 there's wood on the building, there's a  
5 different type of paving here. There's wood  
6 here. And all the site furniture will be  
7 wood and metal, probably big, nice, warm  
8 benches that you can see all along the edge  
9 here and also along the street, along Bent  
10 Street.

11 WILLIAM TIBBS: Excuse me.

12 LYNN WOLFF: Yes.

13 WILLIAM TIBBS: I have to interrupt  
14 you. I didn't quite -- could you -- I  
15 understand paving and I think -- well, I'm  
16 not quite sure what you meant by plant  
17 materials and those dark lines that are going  
18 across the trees are bushes or whatever you  
19 want -- you got to explain that to me a  
20 little bit better.

21 LYNN WOLFF: All right.

1                   This is the green area here. This  
2                   whole space here and all around here. And  
3                   what we're proposing are native grasses such  
4                   as this, creating patterns. And also within  
5                   that there will be rain gardens. The rain  
6                   gardens will take up the storm water and the  
7                   runoff and then that keeps into an  
8                   underground recharge system. So, it's all a  
9                   storm water management sustainability  
10                  approach. So on this, this is paved here,  
11                  and it's responding to the desire line really  
12                  coming from the park, the major pedestrian  
13                  desire line to get to the front door. In the  
14                  previous plan the main entrance and there was  
15                  much more --

16                  HUGH RUSSELL: I don't think you're  
17                  answering the question.

18                  WILLIAM TIBBS: Yes. I guess my  
19                  question is what are the horizontal lines?

20                  HUGH RUSSELL: You've got four  
21                  colors of green there. Could you just

1 explain which each color means?

2 WILLIAM TIBBS: Yes, just the  
3 horizontal things that are going across the  
4 screen.

5 LYNN WOLFF: Those would be  
6 different heights of plants. So that might  
7 be a higher grass. It's a stripe -- it's a  
8 stripe much like you see these different  
9 heights here? It's a different expression, a  
10 different color of plant material. This  
11 demarcates where the green grasses and under  
12 -- so it's all different colors of grass.  
13 The darker green perhaps could be where the  
14 rain gardens are located. But they're all  
15 very low, about 12 to 18 inches high.

16 WILLIAM TIBBS: And just forgive me.

17 LYNN WOLFF: That's all right.

18 WILLIAM TIBBS: And what about  
19 the -- are we looking at trees or shrubs, the  
20 circular things with the shadow? And what's  
21 the horizontal line going across them? I'm

1 just trying to understand the symbols that  
2 you're using.

3 LYNN WOLFF: These are trees. Large  
4 specimen trees. And underneath that, under  
5 the canopy are plantings.

6 WILLIAM TIBBS: Okay.

7 LYNN WOLFF: So there's a plain of  
8 grass.

9 WILLIAM TIBBS: Okay.

10 LYNN WOLFF: So the plain of grasses  
11 looks something like this. It's very  
12 naturalistic. Not lawn. It's something that  
13 really speaks to the aesthetics and the  
14 mission of Skanska's sustainability. So it's  
15 a really soft naturalistic landscape.

16 So those are trees. They would be  
17 specimens. We're thinking about sweet gum  
18 trees or -- what was the other one, Chris?

19 CHRISTOPHER BARR: Oak.

20 LYNN WOLFF: Oak. And along the  
21 edge here we have 15 street trees. They're

1 red maples or honey locust. Currently there  
2 are 14 street trees there, so we are  
3 replacing those in kind. And the thought was  
4 that we would really delineate the  
5 streetscape that allow this to open up and  
6 have trees within the plaza that related very  
7 much to the openness of the park above. So  
8 we had this nice generous opening to the  
9 front door. We have another entrance off of  
10 Bent Street. We have some benches along the  
11 sidewalk that really suggests that the public  
12 come in and engage in this space. As well as  
13 benches all along here. There is a little  
14 patio there that would provide space for this  
15 tenant that also could be approached from the  
16 general public. Bicycle racks here. I think  
17 there are eight bicycle racks there and  
18 something like 22 in the garage.

19 The other thing that I think was this  
20 canopy that allows pedestrians to come in  
21 under cover, too, was something that informed

1 the design very much.

2 The city requires 15 percent of the  
3 project be open space. And then LEED asks  
4 that you exceed that amount. And we've  
5 exceeded both the city requirements and the  
6 LEED requirements. So we've -- this -- with  
7 the plaza itself, which is about 8400 square  
8 feet, about 55 percent of that is green just  
9 in this plaza area. The rest is paved so  
10 it's a very good percentage of green area to  
11 paved area so that you can provide for both  
12 public use and circulation as well as the  
13 greenness of the sustainable project that you  
14 want to see. So it's a very well-balanced  
15 project, planting I should say.

16 And I think that's all I have to say.  
17 Thank you.

18 HUGH RUSSELL: Thank you.

19 LYNN WOLFF: I hope I answered your  
20 question, sir.

21 WILLIAM TIBBS: Yes. Basically

1           you're transferring a tree.

2                   LYNN WOLFF:   There you go.   Sorry  
3           about that.

4                   HUGH RUSSELL:   Okay.   Pam.

5                   PAMELA WINTERS:   Questions?

6                   HUGH RUSSELL:   Sure, questions?

7                   PAMELA WINTERS:   Okay.   I have one  
8           question.   A little interested as to what the  
9           white box is on top of the wood structure  
10          here?   I know it's, I know it's for  
11          mechanicals.   But it was not on the original.  
12          And I'm just looking at it just aesthetically  
13          I thought gee, that would look so much nicer  
14          without that white box on the top.   But I was  
15          wondering where that white box mechanicals  
16          were on the original?   In other words, where,  
17          you know, like --

18                   WILLIAM TIBBS:   Yes, how are you  
19          dealing with that at that time?

20                   DAVID MANFREDI:   It really, it  
21          really goes to the mission of accommodating

1 smaller tenants. It's a penthouse screen,  
2 not for base building equipment but for  
3 anticipated future tenant equipment. And  
4 what we --

5 PAMELA WINTERS: Maybe you might  
6 want to put the screen up for the public?

7 DAVID MANFREDI: Actually let me go  
8 back to -- go all the way back to the ground  
9 floor plan. And do you have my pointer?

10 LYNN WOLFF: Sorry about that.

11 DAVID MANFREDI: Thank you.

12 What we came to realize when we looked  
13 at subdividing these floors into say one,  
14 two, three tenants, that that part of the  
15 floor had no penthouse space above it for  
16 specialty equipment of the tenant. All of  
17 our base building equipment will be in here,  
18 but what we're trying to do is provide the  
19 accommodation of the possibility that a  
20 tenant would need that -- I'm going to go up  
21 to the roof. So it is basically freestanding

1 penthouse screen for tenant space below. And  
2 it's the same metal that clads the bigger  
3 penthouse screen.

4 WILLIAM TIBBS: Can it be  
5 accommodate within the larger screen area?

6 DAVID MANFREDI: The problem is we  
7 might have enough area. Can we get there?  
8 You know, can we get out of a fume hood here  
9 that needs to get itself all the way back  
10 here and get out of the building? That was  
11 our concern.

12 PAMELA WINTERS: Do you see what I  
13 mean though --

14 DAVID MANFREDI: Oh, I do.

15 PAMELA WINTERS: -- it would be so  
16 much aesthetically nicer without that white  
17 box on the top.

18 DAVID MANFREDI: I do.

19 PAMELA WINTERS: Do you have a  
20 picture for the public of what I'm talking  
21 about?

1                   DAVID MANFREDI: Sure.

2                   HUGH RUSSELL: I think although from  
3 a ground level it's less prominent.

4                   THOMAS ANNINGER: You're looking at  
5 it from a bird's-eye view.

6                   PAMELA WINTERS: Okay.

7                   DAVID MANFREDI: It is -- we  
8 purposely set it back and we wanted to  
9 minimize it. I don't, I don't disagree at  
10 all with you kind of aesthetically, but it  
11 does go to how we expect the building to be.

12                  PAMELA WINTERS: And there's no  
13 place else to put it?

14                  DAVID MANFREDI: Well, there's no  
15 place else kind of horizontally to put it.  
16 You want it to be that near to the tenant  
17 space.

18                  PAMELA WINTERS: Okay, thank you.

19                  HUGH RUSSELL: Any other questions?

20                  WILLIAM TIBBS: Hugh? You can go  
21 ahead.

1                   HUGH RUSSELL: Go ahead. You.

2                   WILLIAM TIBBS: I guess I have --  
3                   I'll be honest, when I first saw this,  
4                   particularly when I saw it the packet that  
5                   you sent out, I didn't like it. And so I was  
6                   trying to figure out why and what it was.  
7                   And I can't say I didn't like it. I just was  
8                   a little surprised it seemed to morph into  
9                   something significantly different from what  
10                  was there, not that I was for it before, but  
11                  in your efforts to try to give some  
12                  definition. But I was trying to look at it  
13                  just to get a sense of what it is. And I go  
14                  back to, you know, when we approved this and  
15                  for the public hearing, this building got a  
16                  lot of comment I think from the public and  
17                  from the neighbors, and a lot of that comment  
18                  was around its scale and, you know, sense --  
19                  and I think one of the negative, I mean, you  
20                  talked about it not being a universal sort of  
21                  office building, but I think that you're now

1 putting on elements that make it more of a  
2 universal RT building. And I think that for  
3 me at least one of the things that I'm  
4 reacting to is the sense of it really looking  
5 like an RT building. But if you look at the  
6 context around it, it's, you know, you got  
7 that wood frame structure and you've got  
8 these brick buildings all around it. And not  
9 that you were slightly supposed to do  
10 whatever, but it tried to look at elements of  
11 the context around. And if you look at the  
12 brick wings, it was trying to mimic some of  
13 that stuff but also bring some play and  
14 you're introducing a whole set of new stuff.  
15 I like the wood, whatever. I think the  
16 biggest thing that I noticed, and I do agree  
17 with Pam, and I agreed also Hugh that you  
18 don't see that penthouse that much. But that  
19 penthouse makes it look more R&D. I mean,  
20 you know, whereas obviously the wings before  
21 could have been an office wing so you

1       wouldn't have needed that as much.

2               But I think the thing -- I'm struck by  
3       one very tall element of the central  
4       building, the fact that the penthouse comes  
5       right to the edge which actually makes that  
6       piece taller. And within the context of kind  
7       of the design that you're looking at, it --  
8       that in itself doesn't bother me, but it  
9       bothers me a lot when I think of the context  
10      of the neighborhood that it's in. That's a  
11      much -- it's a much more intimate  
12      neighborhood when you walk around down there.  
13      It's much tighter than these images do. And  
14      I guess for me to be convinced, I'd actually  
15      like to see a model of something that really  
16      is much more, you know, something that's a  
17      much more -- not physical model, but a  
18      digital model which kind of gives me a  
19      sense -- for instance, you never get this  
20      broadness that this view is giving you. And  
21      so that, any -- from the park you'll get a

1 sense of that, but it's -- and in this case I  
2 think the renderings, even though they're  
3 helpful, are giving me at least what I  
4 perceive to be a misconception of just how  
5 tight that little area is, at least when I  
6 walk around down there. So, I think that,  
7 you know, I wrote a word down here, I said  
8 it's -- I said, it suffers from  
9 close-trophobia (sic). And what that means  
10 is we're focusing so much on this building  
11 and what it needs and its components that  
12 it's missing the context. We're so close to  
13 it that I'm losing sense of what -- how it  
14 fits in this piece. And I think the fit of  
15 it was something, at least in my mind, that I  
16 was concerned about. So I'm not totally  
17 unconvinced. I was just scratching my head  
18 trying to figure out what limits I like. And  
19 quite frankly I don't know how I feel about,  
20 you know, you have wood and you have metal  
21 and then, all these different materials. I'm

1 just not sure. So, I guess I'm not  
2 convinced. If Roger were here, I kind of  
3 actually would be asking him, well, Roger,  
4 what do you think of this? And sometimes  
5 Roger can convince me to -- he tends to spend  
6 more time with you and see evolution and  
7 stuff. But this was -- I don't know, that's  
8 kind of where it is.

9 This kind of -- I think the big  
10 difference I think if I had to look at it  
11 from a contextual sense is the original plan  
12 -- again, I'm not saying I was in favor of  
13 that. The original one in a way looked like  
14 it was anchored by two brick pieces that had  
15 a kind of curtain wall center to it. A  
16 connector almost. But the curtain wall as  
17 central building but it had that feel. This  
18 on the other hand, because of the highness  
19 and the fact that the penthouse comes to the  
20 -- not the penthouse, but that edge comes to  
21 the edge. And now it looks like it has a

1 fairly big center building with these two  
2 appendages coming out of it. One of which is  
3 a brick and the other -- I mean one is wood  
4 and the other is metal. So, I'm scratching  
5 my head. I guess I don't want to say I don't  
6 like it, but I'm just trying to understand  
7 it. But I do know that this was a tight  
8 site. And when you put -- I remember when we  
9 talked about the housing pieces, too. And I  
10 think this was one that I think does require  
11 attention. And I feel more comfortable if I  
12 got a better sense of how this fits in the  
13 neighborhood context. Because as you talk  
14 about it, you're looking at the things that  
15 make it nice, and the -- I'm not sure, even  
16 though I'm sure it's a -- from a marketing  
17 perspective the RD piece is good, the RD  
18 piece is causing design changes, which to me  
19 makes sense a little bit further out. But  
20 this one is in the context I'm just trying to  
21 look at. You had a picture there, one of

1 your elevations that showed the wood  
2 buildings and then it showed this one and  
3 then the other building next-door. And I  
4 look at that and I scratch my head a little.  
5 So I think I need to be convinced. I guess I  
6 would ask Stuart if he knows -- about what  
7 you all have talked about as if you talked  
8 about it.

9           STUART DASH: Yes, and Roger and I  
10 and I am sat down with the developers a few  
11 weeks ago now and we talked through this.  
12 And I think we had many of the same questions  
13 about this. We talked about some of the  
14 issues that you talked about. The -- and as  
15 well as the landscape and the amount of hard  
16 surface on the landscape. But I think some  
17 of this has changed actually even since we  
18 saw it. I'm not sure. If you wanted to add  
19 something else here, but I think we're still  
20 sort of trying to look and figure out this.  
21 It's a little new in terms of what we saw in

1 terms of the wood. And also metal and how it  
2 relates to the neighborhood edge and the feel  
3 for that. And the components, I don't think  
4 we're as convinced that that -- also the key  
5 desire line for the park is sort of part of  
6 the -- part of the overall feel for it.

7 I might add as well that we planned  
8 that we probably feel more an acoustic review  
9 for and want to do that more as this project  
10 goes on. We had stricter requirements -- I  
11 don't know if people remember the original  
12 Special Permit had very strict requirements.  
13 So we wanted much more specifics on that.  
14 And also we recommended that they include  
15 street trees around their full edge there and  
16 they don't show it on here so I'm not sure  
17 what their intention is. But they've --  
18 these are, again, sort of required expenses  
19 that I get the feel that these are pretty  
20 good areas.

21 Do you have anything to add?

1           IRAM FAROOQ: I guess the only thing  
2 I would add, Bill, to your points about the  
3 variety of materials and expressions on the  
4 various cases, I think the one piece that we  
5 do recall discussing was that had to do  
6 somewhat with the sustainability elements as  
7 well and trying to treat the different faces  
8 differently and having, having particular  
9 treatments that best capitalized on say  
10 sunlight or orientation and so forth.

11           HUGH RUSSELL: Well, I'm not  
12 scratching my head on this one. I really  
13 feel that we've lost two of the most  
14 important features of the whole project. One  
15 is the kind of brick punched facade on  
16 Second Street and Charles Street. It has  
17 much more to do with the historic buildings  
18 across the street and to the residential  
19 buildings now and planned across Charles  
20 Street. I think that's a huge loss. I think  
21 this is now a building that's yelling and

1 screaming and saying "Look at me" rather than  
2 being a quiet and modest neighbor on the edge  
3 of a dense residential neighborhood.

4 The other thing we've lost, which is  
5 particularly unfortunate, is that in the  
6 previous scheme, the mechanical room was set  
7 back about 20 feet from Charles Street. Now  
8 it's been brought out to the edge. It  
9 increases shadow impact on the residences  
10 very significantly. And also it looks much,  
11 much bulkier than it used to from the  
12 residential side on Charles and the other  
13 thing. I think those are things that I have  
14 a huge problem with.

15 It's sort of strange, you know, the  
16 most residential scale piece is the one that  
17 faces Uncle John's Mattress and the most  
18 aggressive piece faces the residential  
19 neighborhood. You've got it backwards.

20 I also, and in terms of sustainability  
21 and energy, I find it, I don't understand

1 gold LEED buildings 30 percent better than  
2 the energy code, they have a lot more glass  
3 than I can put in my buildings that aren't --  
4 don't achieve those things. So something  
5 extremely strange going on. Walls of glass  
6 where you're trying to conserve energy, and  
7 glass isn't a very good insulator unless it's  
8 like five layers of glass which I don't think  
9 it is. So it's this very funny thing that's  
10 happening, that the LEED look of all these  
11 buildings are very glassy buildings are  
12 directly in contradiction to whatever -- what  
13 you seem to know about. I mean, the library  
14 has four layers of glass on it and a  
15 ventilated space, but I don't think we're  
16 talking about that here. And I don't think  
17 we want to talk about that. I think we want  
18 to talk about something that's much more  
19 modest. That's what we had before.

20 CHARLES STUDEN: The allusive issue  
21 of what constitutes good design and bad

1 design. I actually like this building a lot  
2 better than the one that was in the original  
3 submission and for a couple of reasons. And,  
4 Hugh, I understand what you're saying about  
5 the glass, but when I look at the amount of  
6 glass in the original permit application, it  
7 looks like a lot more glass than what's in --  
8 what's being submitted right now. And I  
9 think that the building, the current design  
10 is articulated a lot more than this one is.  
11 I don't like the -- I know they're brick and  
12 somehow that's supposed to recall the brick  
13 of the surrounding buildings, but they're  
14 very blank looking and not very interesting  
15 to me, whereas this rendering has a lot more  
16 interest to it. I'm very glad that you  
17 worked with East Cambridge community on the  
18 penthouse. I didn't like what we got from  
19 the Community Development Department in terms  
20 of the penthouse. The original design was  
21 very blank. I think this is a much, much

1 better resolution than what we saw earlier.  
2 I think your point, Hugh, is a good one, it's  
3 too bad it couldn't be set back a little bit.  
4 The fact that it's on a single plain is  
5 enough -- I'm not excited about.

6 And I wanted to clarify from the staff  
7 on the street trees. Are you suggesting that  
8 we put the street trees along the corner,  
9 too, where the park is?

10 STUART DASH: Much more than it is.

11 CHARLES STUDEN: I wouldn't agree  
12 with that either. I like the trees ending at  
13 the building edge and the park having another  
14 statement. But, again, as I said earlier,  
15 the allusive subject of what constitutes good  
16 design and what is bad design is what you're  
17 going to get. And I feel a little bit badly  
18 for the Applicant because I'm not sure where  
19 we're going with this or what they're  
20 supposed to do in response to what we're  
21 saying now. And we still have to hear from

1 several other board members who I'm sure will  
2 have other opinions as to whether it's good  
3 or bad. But anyway, that's my sense of it.

4 HUGH RUSSELL: Okay, from this end  
5 of the table. Who wants it?

6 AHMED NUR: I'm just going to render  
7 around I guess what Pam said and Bill and  
8 actually Charles as well, I like the building  
9 very much. The only comment that I would  
10 make, is that I'm not sure, even though I can  
11 see, David, that you worked really hard on  
12 the louvers at the top of the entrance, to  
13 make it look like a spandrel and it looks  
14 architecturally acceptable that I would  
15 probably not -- I don't know, just the  
16 louvers over that area. I like how they --  
17 the landscaping kind of projected off the  
18 spandrels and it looks jiving and you've got  
19 the louvers there and then you've got the  
20 screen right above that. I don't know,  
21 something could be done. Maybe have a

1 different type of roof screen. Like the  
2 louver roof screen that sets back a little  
3 bit so at least that distinguishes that this  
4 is not a building that this is due to the  
5 community's requirement so they don't have to  
6 look at the rooftop as opposed to the wall,  
7 that looks like a brick or combination of the  
8 building. That's the only thing I'd like to  
9 add.

10 Thank you.

11 HUGH RUSSELL: Tom.

12 THOMAS ANNINGER: Okay. Well, I  
13 think they've got a lot of interesting  
14 comments. I guess I'd like to ask you,  
15 David, to talk a little bit more, and let me  
16 lead you a little bit. Lead the witness  
17 here.

18 DAVID MANFREDI: Sure.

19 THOMAS ANNINGER: Because I don't  
20 understand the change. And I'll put it this  
21 way: We have a new owner, Skanska, who gave

1 you as you call a (inaudible) and I saw those  
2 words and I don't know how those words led  
3 you to this as opposed to what you had  
4 before. I heard sustainability. It wasn't  
5 convincing to me what you said, that this is  
6 more sustainable than the previous one. So,  
7 it can't fully be sustainability, although  
8 maybe it was. I heard R&D was more the  
9 emphasis. And yes, this does look more R&D.  
10 And maybe you're trying to send a message  
11 that this is R&D and you're trying to track  
12 that kind of a tenant. But the other one  
13 could have done that, too, perhaps. And  
14 actually the other one was designed also to  
15 be an R&D building so that didn't quite do it  
16 for me. Then I've heard you say that you  
17 wanted flexibility and now that you see that  
18 you're not going to get one tenant to fill it  
19 and maybe you have to do something to do more  
20 tenants and maybe multiple tenants, and maybe  
21 that has something to do with the glazing and

1 the windows that are spread out so that it  
2 will accommodate more light from more  
3 tenants. But frankly there's nothing -- if I  
4 had to put words to what happened rather than  
5 that list, I think I would have heard this  
6 gentleman from Skanska say perhaps, you know,  
7 this original design looks very -- too  
8 modest, too like an old shoe. It's very  
9 comfortable in the neighborhood, but it lacks  
10 some excitement. It lacks some pizzazz. It's  
11 not going to attract the kind of tenants I  
12 want. I want something that makes a  
13 stronger, more modernist statement and this  
14 is what we get as a result of that. That I  
15 can understand, but so far maybe I would ask  
16 you to fill in the blank a little bit because  
17 I'm not quite sure what happened.

18 DAVID MANFREDI: Okay. Well,  
19 there's been some really good comments  
20 tonight. And I think you've hit on a couple  
21 very important things. East Cambridge is

1 fasci nati ng. It' s rel ati onshi p to li fe  
2 sci ence to me is fasci nati ng because you have  
3 new bui l di ngs, bi g bui l di ngs by, you know,  
4 archi tects from around the worl d comi ng here  
5 to desi gn new li fe sci ence bui l di ngs and  
6 doi ng some real ly wonderf ul archi tecture, and  
7 cl earl y of the, you know, 21st centur y. And  
8 yet you have -- and al ongsi de of i t you have  
9 recl ai med warehouse bui l di ngs from the  
10 1860' s, 80' s bei ng adapted as li fe sci ence  
11 bui l di ngs. And I thi nk one of the reasons  
12 that thi s is the cl uster that i t is --  
13 there' s a coupl e reasons, and thi s i sn' t the  
14 bi ggest one. You know, MI T is back there,  
15 the brai n power is around here al l of that,  
16 but we have a bui l di ng stock here that can  
17 accomodate the smal l user, the start up, the  
18 i ncubator, and we have the abi l i ty to  
19 accomodate the Genzymes and then the  
20 Novarti ses and those fol ks. And that' s what  
21 makes thi s so ri ch, so ferti l e.

1 I think what we were trying -- I think  
2 everything you just said, I wouldn't take  
3 exception to anything you just said, Tom. I  
4 think you're on to at least part of it. We  
5 wanted to create a building here that was in  
6 the scale of the more historic land use  
7 patterns that surround us, but not of that  
8 architecture. That was not of the  
9 architecture of the tenants of the 21st  
10 century. This is going to be a science  
11 building. You heard Mike say, you know, that  
12 that's where their focus is. That they're  
13 not looking to fill the building with office  
14 space but with science space. And so there  
15 is a desire here to tie the architect to  
16 that. And at the same time be able to take a  
17 building, break down its scale. And, you  
18 know, we looked hard at -- and maybe I should  
19 have spent more time, but I'm sure you all  
20 understand where I was going. You've got  
21 very big footprints to the south. You've got

1           1500 -- 2500 square footprints to the north.  
2           We're in that zone in between which has been  
3           a transitional, slightly industrial, somewhat  
4           retail zone, we wanted to fit that land use  
5           pattern, but we wanted to be a modern  
6           building. And that's what we were trying to  
7           achieve. I wouldn't take exception to, you  
8           know, you made it a question, but you really  
9           were on to a statement there that I wouldn't  
10          take exception to. You make the execution --

11                   THOMAS ANNINGER: Okay. I'm having  
12          trouble because my colleagues are of two  
13          minds here and that's going to put some  
14          pressure on some of us which I don't  
15          particularly like. I'll ask just a detail,  
16          more of a detail question because it's come  
17          up several times.

18                   DAVID MANFREDI: Sure.

19                   THOMAS ANNINGER: You took the  
20          mechanical screen and moved it to the facade  
21          to make it a straight line. Now, I think I

1 understand that. It creates a cleaner plain  
2 that contrasts nicely with the others. There  
3 is a consequence to that that Hugh talks  
4 about. Why did you bring it forward? You  
5 know, there's a whole bunch of open space  
6 there that never gets used for anything so  
7 you did it for a specific reason. What was  
8 on your mind?

9           DAVID MANFREDI: Again I think you  
10 hit it. What we were trying to do is use it  
11 to give ourselves better -- we're trying to  
12 use that to create better definition between  
13 the parks. We're using the 65 feet in  
14 contrast to the 45 feet and to the 45 feet.  
15 And I'm very sympathetic to the comment that  
16 this kind of blurs the diagram. I'm very  
17 sympathetic to that comment. But that's --  
18 and it goes a little bit to the sense of  
19 modernism about the building. You know, the  
20 screen -- we've talked a lot here. I've been  
21 parts of lots of conversations with you all

1 about the equipment on top of these  
2 buildings. They are essential to these --  
3 they're a part of the building. You got to  
4 design them. You got to have an attitude  
5 about them. And our attitude here was that,  
6 you know, it was part of the body of the  
7 building and we're using it to help separate  
8 volumes. And by the way, if we were to build  
9 that kind of screen, I bet you come back in  
10 three years and find every bit of it it's  
11 used up. There's no excess space. I mean,  
12 you've been up in these penthouses.

13 THOMAS ANNINGER: I mean to be fair,  
14 if you create a void it will get filled. But  
15 maybe it's because you created a void.

16 I guess my last few comments are that  
17 you like the reveal which was not in what we  
18 got in our package.

19 DAVID MANFREDI: Right.

20 THOMAS ANNINGER: I find that -- I'm  
21 less convinced by that reveal than you are.

1 I think it breaks things up, and actually  
2 loses exactly what it is you were trying to  
3 do which is to have a clean plain. So I'm a  
4 -- I would put a question mark on that  
5 reveal, that puzzles me why you like it so  
6 much. But I may be missing something and I'm  
7 seeing it only for the first time.

8 I do like the garden. I think the  
9 garden is an improvement. I understand how  
10 it -- and I think you're absolutely right, it  
11 now is improved by what's across, diagonally  
12 across from it and I like the idea that  
13 there's a desire line. And I think there are  
14 a lot of interesting things going on there in  
15 terms of benches and so on. So I think the  
16 garden is definitely easy for me to like.  
17 I'm not sure where I come out on it, but I  
18 will admit that I was drawn to it positively  
19 when I read the package.

20 HUGH RUSSELL: Steve, you had a  
21 comment?

1 STEVEN WINTER: Yes, just a couple.

2 Is the infrastructure needed in the  
3 penthouse influenced by the fact that it's  
4 laboratory use, and how much so?

5 DAVID MANFREDI: Oh, in terms of  
6 size, significantly. The difference between  
7 108,000 square feet of office and 108,000  
8 square feet of lab. In terms of penthouse  
9 volume it's as much as 100 percent. If this  
10 was an office building, you could argue  
11 volume from a volume point of view, that  
12 could be half as good.

13 STEVEN WINTER: Okay.

14 And I really like the storm water  
15 management parts that we've seen and the low  
16 impact development. I'm sure there's more  
17 that are unseen, but the parts that were  
18 described I think are terrific. Fabulous.

19 I really like the wood. And I, I think  
20 that this building, when you give a nod to  
21 the wood like that, it's okay. The modern

1 part to me looks better. And I think, it  
2 does both things. I think in Kendall Square  
3 -- and, Tom, you and I have had this  
4 conversation, we really -- I think we don't  
5 want to see chrome and glass for the next 30  
6 years. We want to see -- we want a nod to  
7 our past. You know, this is a community with  
8 a 400-year old history of urban development  
9 and, you know, we want a nod to that. And I  
10 think this does it.

11 The configurable lab space is terrific.  
12 It's fabulous. It's just what the doctor  
13 ordered. And I'm assuming that the Proponent  
14 has to be the market research, you know, to  
15 say that this is the step we want to take.  
16 I'm sure you're not jumping into the deep  
17 here. But that's really where we're going.  
18 And the fact that it's configurable, the  
19 fact that you can be little, you can be big.  
20 People are going to come right out of  
21 Cambridge innovation center and right out of

1 other places and right into here.

2 In two places we heard that the  
3 long-term bicycle parking was problematic,  
4 and I think we should really take another  
5 look at it and see what that means. The Tara  
6 Sideman (phonetic) and the Cambridge Bicycle  
7 Committee both said that it was problematic.

8 DAVID MANFREDI: Actually I think  
9 what you're seeing is, you've got to check  
10 the dates. The one side of that is the  
11 review for 2008 --

12 STEVEN WINTER: I'm sorry.

13 DAVID MANFREDI: We were applauded  
14 for making the changes we made in 2011.

15 STEVEN WINTER: I guess I have to  
16 read the material.

17 THOMAS ANNINGER: We just got it  
18 tonight to be fair.

19 DAVID MANFREDI: We did, too.

20 STEVEN WINTER: The canopy walkway I  
21 think is really interesting, and I think it's

1 going to look a lot better in real time than  
2 it does here. And I think it will offer some  
3 interesting pedestrian amenities to the  
4 street to people who may just want to stand  
5 under there, you know. And I think the open  
6 space and the benches are terrific. And in  
7 terms of the trees, you know, I would, I  
8 would let the designer say how do I want to  
9 frame this building? Rather than saying I  
10 want to ring it with trees. Sure we love  
11 trees, but I think in terms of where the  
12 trees ought to be, to me that's the ultimate  
13 decision of the person who is designing that  
14 building. How do I want to frame it?

15 And I guess the last thing that I  
16 wanted to say is that -- two things: I agree  
17 that the penthouse is problematic, but, you  
18 know, we've heard enough about. But I do  
19 think it's problematic in some ways. Hugh,  
20 said maybe if you're standing on the ground  
21 it would look much different, I don't know.

1 But I think it needs a little more thought to  
2 see if other things can be done. And, you  
3 know, I think it's really hard -- I don't  
4 think this is a building that we're going to  
5 ask you to take a respectful place on the  
6 street. Those kind of buildings, we can do  
7 that, the Harvard IT on Oxford Street in  
8 Cambridge. It's a beautiful building and it  
9 takes its place. It just sits right back and  
10 you hardly know that it's there, it's so  
11 polite. But it's beautiful, too. It's a  
12 beautiful, beautiful building. But I do  
13 think this is a commercial center. It is on  
14 a residential, but it is a commercial center.  
15 But we want to attract people that are going  
16 to say Wow, that's a commercial center, I  
17 wants to be in there. So I do think there's  
18 a middle place somewhere that we'll get the  
19 tenants that we want and allow it to take a  
20 respectful place, too. I like this.

21 HUGH RUSSELL: Well, I'll submit

1 that the previous design actually did that.  
2 It said on the commercial side we're going to  
3 have something special and glassy, and I  
4 frankly think the new glassy thing is  
5 probably better than the old glassy thing. I  
6 think the other thing, the other scheme did  
7 better was the penthouse was treated as a  
8 separate volume. It was, and I think the  
9 setback particularly on Charles Street is  
10 very important, but there was a very small  
11 setback on the Bent Street side and of course  
12 there's a setback on the Second Street.

13 You know, I think the wood is handsome.  
14 I'm not quite sure whether it comes down to  
15 the ground or not because it's sort of  
16 blocked by trees. The wood continues around  
17 and in place of brick, and I think I can be  
18 happy with this building. And, you know,  
19 pull out all the stops on your courtyard  
20 facade where it's facing the commercial area.  
21 But I think it really should be a lot less

1 aggressive facing the residences on Charles  
2 Street. I don't want to see you come back in  
3 a year saying we can't build those townhouses  
4 because there's this ugly R&D buildings.  
5 That's 60 feet high across the street.  
6 That's putting us in shade. And as someone  
7 who lives in a house that is 35 feet from a  
8 non-residential building -- it used to be an  
9 elementary school, which happens to have  
10 large punched windows in it, it's okay. You  
11 know, it's -- so I would, I really feel it's  
12 important to be less aggressive towards the  
13 residential and the Second Street court  
14 because that is also a primarily residential  
15 street once you get passed Charles Street.

16 Bill.

17 WILLIAM TIBBS: I guess as you were  
18 describing it, you were always talking  
19 relative to the Alexandria properties which  
20 are big to this switch sort of mid scale.  
21 And I think if you just go from the other end

1 and go up, coming the real scale residential  
2 neighborhood and go up and just see it from  
3 both directions, I think it helps. For  
4 instance on this one, and I'm not making  
5 suggesting this change, for me it would make  
6 -- I liked Hugh's term Quiet. And I like  
7 that only because this isn't just a building  
8 that we're making a design to. I really go  
9 back to the public hearings and the issues we  
10 had around then, a lot of neighborhood  
11 comments. And they were concerned about how  
12 this building sits. And if there is a  
13 conflict between the desire for, as you said,  
14 to be a modern building and something that  
15 tenants would be drawn to but something that  
16 just quietly sits in the neighborhood. For  
17 me if the same wood treatment was on the  
18 other, on what I call will metal side, that  
19 would be calmer to me. But I think that --  
20 as a matter of fact, the whole street of that  
21 metal side with the vertical element to

1 stuff. I'm not quite sure what it's doing.  
2 And particularly when I saw that elevation  
3 and saw the wood building beside it and this  
4 vertical thing, and then a rather relatively  
5 calm building, for me it's just a matter of  
6 just kind of pulling it all together in a way  
7 at that still does what you want to do and  
8 make it more modern looking, and gives it  
9 that sense because that's -- any way you look  
10 at it, I mean, you know, those old buildings  
11 -- and most of the stuff there, a lot of the  
12 stuff there particularly was redeveloped for  
13 a lot more computer offices so they were  
14 office -- it was office buildings basically.  
15 But -- that's the key. And then that sense  
16 of scale, I think that's, you know, I walk  
17 around there a lot. And when you're walking  
18 around down there, I mean you go down Third  
19 Street, it's really intimate. So this gives  
20 a certain, almost a suburban look that I  
21 don't think that you're going to get. So I

1 want to make sure that, you know, some of  
2 these scaled issues don't surprise you where  
3 they're actually built. So I think maybe  
4 having more models where you can actually be  
5 at really pedestrian height and really see  
6 what you see and see how these elements fit  
7 together might be of help. But anyway,  
8 that's -- I think that, Hugh, I like that  
9 quiet term. It doesn't need to be overly  
10 quiet because it might be against what you're  
11 doing. But I do think the R&D piece has put  
12 elements on here. I guess what I'm saying is  
13 if we had presented this at the time of the  
14 hearings, I think we would have got a lot  
15 more push back just because it is a big R&D  
16 building where the other one had a calmness  
17 to it that I think even at that time people  
18 were concerned about it, but I think the  
19 Board was willing to say hey, you know, we've  
20 got to make this work. That's just my  
21 comments.

1                   MICHAEL PASCAVAGE: Can the  
2                   proponent make a quick comment?

3                   HUGH RUSSELL: Sure.

4                   MICHAEL PASCAVAGE: And just a note  
5                   here, and Mr. Anninger, I think you were  
6                   right in, you know, assessing that some of  
7                   the language that we had, you know, fits the  
8                   architecture in retrospect, because I do  
9                   recall a mandate that I did give David, you  
10                  know, as well which was to enhance the design  
11                  a little bit from our perspective. I mean,  
12                  we need to compete in the marketplace. We  
13                  need to be a little more, you know, of a  
14                  differentiator. And we felt that the  
15                  original design was, you know, on the -- I  
16                  thought it was a little more suburban. It  
17                  looked like a three-story suburban office  
18                  building. You know, hey, been there, done  
19                  that. And we wanted a little more urban  
20                  context. And something that, believe me,  
21                  Skanska's not looking to be edgy and, you

1 know, highest architects. You know, that's  
2 not the type of architecture or the type of  
3 building that we'd like to do. It wants to  
4 be performance-oriented and, you know,  
5 measurable and have the accommodations that  
6 you all talked about as far as how that  
7 interior lays out. And it wants to speak to  
8 the technology that we are trying to attract  
9 here, No. 1.

10 And No. 2, I just want to make a  
11 comment that also it kind of empowered me to  
12 make this request of David. And that was in  
13 the summer when we were back in front of the  
14 Board to re-extend the permit, you may recall  
15 we had to go back through the planning  
16 process again because of a little glitch in,  
17 you know, in the timing there. And at the  
18 time, you know, it had been a couple years  
19 since it had been, you know, seen by the  
20 public. And, you know, I was at those  
21 meetings as well. And it was a public

1 comment period, so the public was allowed to  
2 speak. And at the same meeting it happened  
3 to be a presentation for Canal Lofts over by  
4 Watermark. And, you know, that building was,  
5 you know, maybe a little more current, a  
6 little more, you know, edgy in its design and  
7 then people not only from the audience, you  
8 know, got up and said -- after we had our  
9 presentation, said gees, you know, given the  
10 -- you know, how nice that one was and  
11 received, I hope that when you guys come  
12 back, you'll, you know, you'll enhance the  
13 design a little bit and kind of bring it up  
14 to at that same level. I mean there were  
15 some head nods and I won't say anybody  
16 particularly spoke to that, but I anyway I  
17 felt, you know, good about that coming from  
18 the neighborhood. And, again, we did go to,  
19 you know, the neighborhood groups and thought  
20 it was pretty well received. And, you know,  
21 while yes, I am a neighbor, you know, I

1 certainly have a little vested interest in  
2 what this looks like from a performance  
3 standpoint as well, you know, on the economic  
4 side. You know, it's tough times. We want  
5 to be attractive to, you know, again the  
6 technologies and the, you know, that's part  
7 of our differentiation expectations as well.  
8 So again, thank you for that opportunity.

9 THOMAS ANNINGER: I'd like to make  
10 one more comment which follows up on what  
11 Bill was saying. If I had to put my finger  
12 on one thing that I think makes it aggressive  
13 on the Second Street side, it's the charcoal  
14 grey color of that third volume. I think if  
15 that -- I don't know what to tell you,  
16 whether it should be lighter, different  
17 material, but that dark grey gives it a  
18 brooding moody feel to it that I think is  
19 almost too much and I think there's room for  
20 improvement on that side. I think it fits in  
21 with what Hugh was saying. It may also be

1 the fenestration of course. But I guess I'd  
2 like to put my finger on that dark grey as an  
3 unfortunate look from my perspective which  
4 adds a little bit too much and which is  
5 something I had not mentioned before.

6 HUGH RUSSELL: And, Pam.

7 PAMELA WINTERS: Well, Tom, I kind  
8 of disagree with you because I kind of do  
9 like it. I notice that a lot of the elements  
10 that you used, including that one, are very  
11 quiet and very Scandinavian in look actually.  
12 And Scandinavians are -- those elements are  
13 known for being very quiet and very sort of  
14 recessive. I think if you used more of those  
15 elements, I think you could still meet your  
16 goal. And I'm also very interested in the  
17 wood that you're using, and I'm wondering if  
18 that's similar to the wood that they used in  
19 the library in Allston? Are you familiar  
20 with the library in Allston?

21 DAVID MANFREDI: I am familiar with

1 the library and that's a hard wood. I don't  
2 know what wood it is, but it's a hard wood.  
3 It's probably very similar. We did a lot of  
4 research on that with what we used. We used  
5 it at Liberty Wharf, the old Jimmy's  
6 Harborside Pub. If you want to see it, it's  
7 built and oiled and going through a winter.  
8 But there's half a dozen that are very  
9 similar to it, very similar in color and very  
10 dense.

11 PAMELA WINTERS: It's interesting.  
12 Yes, very, very, very interesting. But I do  
13 like the Scandinavian and very quiet rather  
14 than having the whole home depot look  
15 (phonetic). You know, just sticking with one  
16 style of architecture would suit me better  
17 anyway. That's just my feeling about it.

18 WILLIAM TIBBS: I think with one of  
19 the things we always find with these design  
20 reviews is one, if you let us talk long  
21 enough you can do anything you want because

1 we have so many opinions. But usually it's  
2 the staff unfortunately that has to listen to  
3 all of this and see how as they're working  
4 with you how to modulate it I guess.

5 HUGH RUSSELL: I think, Bill, the  
6 comment that there are some design reviews  
7 where we all look at it and we say Oh, yeah,  
8 that's, that's great. And then there's some  
9 design reviews where we're all over the map.  
10 And I think that's --

11 CHARLES STUDEN: Like now.

12 HUGH RUSSELL: -- it's important to  
13 understand that that's a different reaction  
14 than the first reaction, and it's not  
15 preferable. It's not one that gives you  
16 license to do anything you want.

17 PAMELA WINTERS: Right, right.

18 HUGH RUSSELL: It says you haven't  
19 managed to speak to us all.

20 CHARLES STUDEN: Yes. The only  
21 question I have is whether David now knows

1 what to do. That's the burning question.

2 PAMELA WINTERS: Oh, he'll work on  
3 it.

4 DAVID MANFREDI: I think it's going  
5 to take a little reflection.

6 CHARLES STUDEN: I'm sure it is.

7 THOMAS ANNINGER: Do you want to  
8 come up with a process?

9 HUGH RUSSELL: Well, this is a  
10 design review. And so we've had some  
11 comments. They'll go back and talk to the  
12 staff. They'll go back and show us in a  
13 while the response to the comments. And as I  
14 think Bill noted, Roger not being here to  
15 express the views, even though we got a  
16 report of those views from Stuart, you know,  
17 we have a lot of respect for Roger and his  
18 advice. And so anyway, I hope to see  
19 significant changes when you come back and  
20 significant around the points that I feel are  
21 that the problems will be solved. Probably

1 the same point of view just that they aren't  
2 the same.

3 THOMAS ANNINGER: David has always  
4 been a master of making improvements out of a  
5 conversation like this so I have confidence  
6 that he can do that.

7 WILLIAM TIBBS: Yes.

8 PAMELA WINTERS: Yes.

9 ROB DICKY: Just from a practical  
10 matter, Roger is away for two or three weeks;  
11 is that right?

12 HUGH RUSSELL: Yes, I think 1st of  
13 March or 2nd of March.

14 THOMAS ANNINGER: And Les Barber  
15 will be away, too. What do we do now?

16 HUGH RUSSELL: Thank you very much  
17 for coming and giving us all this time.

18 DAVID MANFREDI: Thank you.

19 HUGH RUSSELL: I think we are  
20 adjourned.

21 (Whereupon, at 10:25 p. m., the

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meeti ng adj ourned. )

## C E R T I F I C A T E

COMMONWEALTH OF MASSACHUSETTS  
BRI STOL, SS.

I, Catherine Lawson Zelinski, a  
Certified Shorthand Reporter, the undersigned  
Notary Public, certify that:

I am not related to any of the parties  
in this matter by blood or marriage and that  
I am in no way interested in the outcome of  
this matter.

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

IN WITNESS WHEREOF, I have hereunto set  
my hand this 25th day of February 2011.

\_\_\_\_\_  
Catherine L. Zelinski  
Notary Public  
Certified Shorthand Reporter  
License No. 147703

My Commission Expires:  
April 23, 2015

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