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PLANNING BOARD FOR THE CITY OF CAMBRIDGE

GENERAL HEARING

Tuesday, March 1, 2011

7:00 p.m.

in

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

Hugh Russell, Chair
Thomas Anninger, Vice Chair
Pamela Winters, Member
Steven Winter, Member
H. Theodore Cohen, Member
Ahmed Nur, Associate Member

Susan Glazer, Deputy Director for Community
Development

Brian Murphy, Assistant City Manager for
Community Development

Community Development Staff:
Liza Paden
Stuart Dash
Jeff Roberts
Iram Farooq

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P R O C E E D I N G S

(Sitting members: Hugh Russell, Thomas Anninger, Pamela Winters, Steven Winter, H. Theodore Cohen.)

HUGH RUSSELL: Good evening. This is the meeting of the Cambridge Planning Board and we're going to start with a discussion and review of the Board of Zoning Appeal cases that are going to be heard this week or next week.

LIZA PADEN: The first one I'd like to bring to your attention is the case regarding 16 Fairfield Street. And the applicant has gone to the Board of Zoning Appeal to request a finding that this is a non-repetitive petition. And part of the process that's in the Zoning Ordinance is that it comes to the Planning Board to confirm or affirm the decision of the Board of Zoning Appeal. I have the case if you want to look at it.

1 STEVEN WINTER: Li za, un less I'm
2 just not getting it, I don't have 16
3 Fai rfi el d here.

4 HUGH RUSSELL: It's not on the
5 agenda. It's a separate letter.

6 STEVEN WINTER: Oh, oh.

7 LI ZA PADEN: I di d not gi ve you --

8 STEVEN WINTER: No, I have that.
9 No, I do have that.

10 H. THEODORE COHEN: I don't think I
11 do.

12 LI ZA PADEN: Okay.

13 HUGH RUSSELL: So, I have reviewed
14 the material and do you -- what's your
15 opi ni on about whether there is a di fferent or
16 not?

17 LI ZA PADEN: I'd agree with the
18 Board of Zoni ng Appeal that it is a
19 signi fi cantl y di fferent appl i cati on in that
20 it's non-repeti ti ve.

21 HUGH RUSSELL: So, is thi s somethi ng

1 we want to review in detail and do we want to
2 send a report, Liza, and make a motion to
3 endorse what she said?

4 STEVEN WINTER: I would make a
5 motion to endorse Liza's opinion on the
6 subject unless other board members feel like
7 we need to discuss it.

8 THOMAS ANNINGER: I think we need --
9 don't we need a substance or sentence so at
10 least we know what we're voting on?

11 HUGH RUSSELL: It's very hard to say
12 no to something phrased that way.

13 THOMAS ANNINGER: Do you want me to
14 rephrase that?

15 HUGH RUSSELL: Maybe Mr. Rafferty
16 would like to explain to us.

17 H. THEODORE COHEN: I'd agree. I'd
18 like to have a little explanation.

19 THOMAS ANNINGER: It's very brief.

20 ATTORNEY JAMES RAFFERTY: Well,
21 brevity is not my strong suit, but I will

1 attempt. James Rafferty for the record.

2 This is an application for a Special
3 Permit that was heard by the BZA almost two
4 years ago. I say almost because that's why
5 it's here. This July it would be two years.
6 It's a two-family house on Fairfield Street.
7 The applicant wished to enclose the front
8 porch. The Zoning Board felt that the
9 proposal added too much bulk and mass to the
10 house and therefore did not support it. The
11 applicant then went and got a copy of the
12 transcript, hired a new architect, came up
13 with a bow front design that was consistent
14 with the original structure, and presented
15 that to the BZA last month. And under the
16 provision in the Ordinance around concerning
17 repetitive petitions, if you come back with a
18 petition within two years, the BZA must first
19 determine that there are material changes
20 sufficient to allow it to go forward. They
21 did that. The second provision of that

1 section of Article 10 is then the Planning
2 Board, all but -- all the members of the
3 Planning Board have to consent thereto.

4 THOMAS ANNINGER: One.

5 PAMELA WINTERS: Except for one.

6 ATTORNEY JAMES RAFFERTY: Except for
7 one.

8 HUGH RUSSELL: What happens if we
9 all consent?

10 ATTORNEY JAMES RAFFERTY: I'm trying
11 to think which one of you is most likely not
12 to since you've asked that.

13 But the truth of the matter is frankly,
14 and I said this to the BZA, it kind of puts
15 the Planning Board in a position -- I have to
16 now go to the Planning Board and ask them if
17 they think this is materially different than
18 the earlier application that they never saw
19 in the first place. But that's the current
20 interpretation of this section. Frankly,
21 it's not always been interpreted this way.

1 Historically in the past few years it's the
2 current interpretation that these matters
3 come back to the Planning Board.

4 So the BZA had the same question, well,
5 should we send findings to the Planning Board
6 to assist them? And it was suggested well,
7 there's a transcript and maybe if they wanted
8 to, they could read the transcript. So we --
9 the matter is back before the BZA on the 17th
10 of March, and tonight is an opportunity for
11 the Planning Board to either defer to the
12 judgment of the BZA that saw the first case
13 and now concludes that this case is
14 materially different, or I could get you -- I
15 brought with me the other case, and then this
16 case, and you can see that it's a traditional
17 two-family that they enclosed the front porch
18 the first time around, not particularly
19 elegantly, and this second rendition is much
20 softer and picks up on this geometry of the
21 bow front window.

1 So, the BZA was pretty certain that it
2 was a change that warranted allowing the
3 matter to come back.

4 HUGH RUSSELL: And I guess the point
5 of this language in the Ordinance is just if
6 somebody's coming back, they really have to
7 seriously hear what happened the first time
8 and respond to it. And that sounds that's
9 exactly what's happened. We can let the
10 Zoning Board decide if they feel that it's to
11 be, you know, whether we grant it relief or
12 not, but it sounds like they've done what was
13 intended by the Ordinance.

14 ATTORNEY JAMES RAFFERTY: I've often
15 thought, and historically that this section,
16 it talks about repetitive petitions, my
17 experience at this point the Planning Board
18 role is when we're talking about repetitive
19 Zoning petitions, a petition to amend the
20 Zoning Ordinance. But the current thinking
21 is no, it applies to all applications before

1 the BZA.

2 H. THEODORE COHEN: If I can jump
3 in. I disagree with that. I think the point
4 of the statute is that someone cannot come
5 back repeatedly and thereby be onerous and
6 burdensome on all the abutters who have to
7 show up time after time after time for minor
8 changes.

9 ATTORNEY JAMES RAFFERTY: Oh, no, I
10 agree with that. And I think that's why the
11 Statute directs the Board to make such a
12 finding. The Board being the BZA which has
13 jurisdiction over the case. I haven't
14 historically seen the role of the Planning
15 Board. But the repetitive petition stature
16 is quite clear, it is to prevent just that.
17 There has to be a material change or else you
18 could be coming back every month. I
19 recognize that. But I found it somewhat of a
20 challenge to bring the history of the case
21 before the Planning Board when they have been

1 i nvol ved.

2 H. THEODORE COHEN: Coul d we j ust
3 see the di fferent sketches?

4 ATTORNEY JAMES RAFFERTY: Sure.
5 Thi s i s the new sketch. You see the bow
6 front, that' s the new. The old -- and that
7 was the pri or one. And thi s i s the current,
8 a photo of the exi sti ng condi ti ons.

9 (Looki ng over documents).

10 H. THEODORE COHEN: Thank you.

11 HUGH RUSSELL: Okay, you' ve revi ewed
12 the pl ans. Woul d you l i ke to make a moti on?

13 H. THEODORE COHEN: I woul d move
14 that the Pl anni ng Board fi nd that there' s a
15 si gni fi cant di fference between the fi rst and
16 second proposal and authorize to the extent
17 that we get to authorize the BZA to proceed
18 wi th the heari ng on the matter.

19 HUGH RUSSELL: Okay. Is there a
20 second?

21 PAMELA WI NTERS: Second.

1 ATTORNEY JAMES RAFFERTY: I think
2 that's a fine motion, Mr. Chairman. But I
3 think what the Ordinance says is that the
4 Planning Board has to consent to the action
5 of the BZA. So I think the motion would --
6 with all due respect --

7 LIZA PADEN: Which actually was
8 Steve Winter's motion was.

9 That was your motion and then we went
10 to the discussion.

11 STEVEN WINTER: Oh, okay.

12 HUGH RUSSELL: But his motion was
13 never seconded.

14 LIZA PADEN: Right.

15 H. THEODORE COHEN: I'll second
16 Steve's motion.

17 LIZA PADEN: Okay.

18 HUGH RUSSELL: Okay.

19 Any further discussion on the motion?
20 On the motion, all those in favor?

21 (Show of hands.)

1 HUGH RUSSELL: Five members voting
2 in favor.

3 (Russell, Anninger, Winters, Winter,
4 Cohen.)

5 LIZA PADEN: On the rest of the
6 Board of Zoning Appeal cases, there is a case
7 at what's called 64 Linnean Street at the
8 corner of Garden Street. And this was a
9 Board of Zoning Appeal telecommunications.
10 If you remember, the original location was a
11 different building which name has escaped me,
12 on Shepard street.

13 HUGH RUSSELL: It was first on the
14 library and now it's moved to the dorm.

15 LIZA PADEN: Yes.

16 And the Planning Board requested that
17 they look for another site. The applicant
18 found another site. And now they would like
19 to alter that communications facility by
20 rearranging some of the antennas' location
21 that was originally approved in that BZA

1 case. There is a representative from AT&T
2 here who can also walk you through the plans.

3 HUGH RUSSELL: Okay. Let's do it.

4 FRANK KELLY: For the record, my
5 name is Frank Kelly. I'm here representing
6 AT&T. We're looking to add three antennas to
7 the existing six antennas that are on the
8 facility. Currently there are two antennas
9 behind a stealth wall, two antennas inside a
10 stealth chimney, and two antennas that are
11 flush-mounted on the penthouse facing
12 northwest along Gardener Street. The
13 penthouse is set back a little bit from the
14 building edge. We're proposing to add one
15 additional antenna in each of the existing
16 stealth enclosures. And we're also proposing
17 to add one additional antenna on the -- next
18 to the existing two on the penthouse. The
19 penthouse antennas are painted to match the
20 background. We're looking to do the same
21 thing with the new antennas. So the visible

1 change will be looking southwest from
2 Gardener Street which I think is a picture
3 No. 2 on the photo sims over there. It's
4 gonna -- two antennas will be on a dual-mount
5 on the corner, and then next to that will be
6 another antenna is going to be installed.
7 But we're also going to be installing some
8 other equipment, including some remote radio
9 heads which will be inside the stealth
10 enclosure for the antennas that are stealth,
11 and we'll be on the rooftop next to the, the
12 existing cable tray, very close to the level
13 of the rooftop and they won't be visible from
14 the street.

15 STEVEN WINTER: What's a radio head?

16 FRANK KELLY: Typically what the
17 equipment that they put up there, they've
18 installed radios inside on the -- on either
19 the equipment room or on a platform. And
20 then they've run usually a number of co-ax
21 cables from that receiver inside the room to

1 the antennas. The -- this is -- AT&T is
2 putting the radio heads closer to the
3 antennas. So basically what we'll run from
4 the equipment room is just a two-inch flex
5 conduit, so it will be much less space on it
6 which will run to the radio heads. And then
7 from the radio heads they'll run the co-ax to
8 the antennas.

9 STEVEN WINTER: Thank you. And the
10 radio heads are within the stealth.

11 FRANK KELLY: Two of them will be in
12 the stealth, yeah. And one of them will be
13 on the rooftop, but it's going to be very low
14 to the level of the rooftop set back from the
15 building edge. So it won't be visible from
16 the street.

17 STEVEN WINTER: Thank you.

18 HUGH RUSSELL: So it looks like we
19 were wise to have them move to this building
20 which can accept another few antennas and not
21 have any real impact.

1 So shall we communicate that the latter
2 part, that we reviewed the photo sims and we
3 don't see that there's a significant impact?

4 PAMELA WINTERS: Yes.

5 LIZA PADEN: Thank you.

6 HUGH RUSSELL: Okay. Any other
7 cases on the BZA? We're all set.

8 FRANK KELLY: I just want to say
9 this is a part of a roll-out. We're going to
10 be having eight more sites that we're either
11 swapping antennas or adding antennas to which
12 will be becoming before the Board.

13 HUGH RUSSELL: Okay. Does another
14 member of the Board that has an Android or an
15 iPhone? Because you're driving this.

16 LIZA PADEN: Are there any other
17 Board of Zoning Appeal cases?

18 HUGH RUSSELL: On case 10064, 15
19 Robinson Street.

20 LIZA PADEN: Yes.

21 HUGH RUSSELL: There's a Variance at

1 the Table of Dimensional Requirements.

2 LIZA PADEN: The rear setback --
3 they're looking for three feet, six inches.

4 HUGH RUSSELL: I'm only actually
5 interested in the floor area ratio.

6 LIZA PADEN: The floor area ratio is
7 currently a 0.41 and they're looking for a
8 0.49 in the Residence B district.

9 HUGH RUSSELL: Which permits 0.50
10 unless they have a huge lot.

11 LIZA PADEN: The lot's 5,015 square
12 feet.

13 HUGH RUSSELL: Right, okay. So I
14 was just checking to make sure it wasn't a
15 very large addition.

16 LIZA PADEN: No.

17 HUGH RUSSELL: Okay. If no one else
18 has any matters, we'll move on to the next
19 item on our agenda.

20 Are there any meeting transcripts that
21 have come in that have been reviewed?

1 LIZA PADEN: There's two that have
2 came in but unfortunately I have not reviewed
3 them yet so we'll leave them until March
4 15th.

5 HUGH RUSSELL: Okay. Then the next
6 item. I guess we skipped over Susan's
7 report. So why don't -- sorry about that.

8 SUSAN GLAZER: That's quite all
9 right, Hugh.

10 First of all, for those of you who
11 don't know him, Brian Murphy started
12 yesterday as Assistant City Manager for
13 Community Development and he will be with us
14 for these meetings.

15 HUGH RUSSELL: Welcome.

16 BRIAN MURPHY: Thank you.

17 HUGH RUSSELL: You've been here many
18 times before on the other side of the table.

19 BRIAN MURPHY: Exactly.

20 SUSAN GLAZER: Just by way of
21 tonight's agenda, for those of you who may be

1 here for St. James Petition, that is being
2 postponed until March 15th. So, you're
3 welcome to stay for the meeting, but you also
4 have permission to leave if you choose to.

5 And speaking of March 15th, we have two
6 public hearings: One a new petition for 70
7 Fawcett Street in the Concord-Alwife area.
8 That is a housing petition. And another
9 housing petition for 34-36 Hampshire Street.
10 That's a small housing proposal.

11 And then as I mentioned just a moment
12 ago, the St. James Church Petition will come
13 back for a discussion, as well as the 65 Bent
14 Street design review which you heard several
15 weeks ago.

16 We are having a third meeting in March,
17 on March 29th when there will be three Zoning
18 Petitions. One is the Fox Petition which it
19 has been re-filed. The second is the
20 Chestnut Hill Realty Petition which also has
21 been re-filed. That actually got snowed out

1 of its hearing with the Ordinance Committee,
2 and there was insufficient time to hear it
3 before it expired. So that one was re-filed.
4 And then there is a new petition by Novartis
5 for its new development on Mass. Avenue. So,
6 three Zoning Petitions, and it should be a
7 busy night.

8 Normally the Board would meet on April
9 5th. They will not be meeting that night,
10 but instead we'll be meeting on April 12th.
11 And that will be the only meeting in April as
12 our schedule currently allows.

13 HUGH RUSSELL: Tom was just saying
14 there's going to be a lot on the agenda as
15 there's a lot tonight. It's supposedly going
16 to slow down, but it doesn't appear to be
17 happening here.

18 So I guess then the next item on our
19 agenda is a request from people at 40 Norris
20 Street, Planning Board case 252. Who is
21 going to present that request?

1 LIZA PADEN: Well, you have a letter
2 in your package from Sean Hope who represents
3 the applicant, and they have requested a
4 six-month extension on the Special Permit
5 application in order for the rezoning
6 petitions to be fully heard and go through
7 the process that's currently at the 5.28.2
8 Petition. Mr. Hope is here to answer any
9 questions if you have any.

10 HUGH RUSSELL: So if we didn't
11 extend that, then we would have to act on a
12 Petition or else it would be automatically
13 granted; is that correct?

14 LIZA PADEN: Correct.

15 The 90 days for the decision to be
16 filed falls on March 7th. So either an
17 extension has to be agreed to by the Planning
18 Board with the applicant or a decision has to
19 be entered at the Clerk's office by the 7th.

20 HUGH RUSSELL: Okay. Well,
21 ordinarily we grant such requests as a

1 process going forward to try to see what is
2 the best way to respond to the reuse of this
3 building, and I think we should let that play
4 out myself. And I would prefer to grant this
5 request. I mean, clearly based on what we
6 said at the hearing, nobody's favoring
7 granting the Petition as filed. There are
8 going to have to be new changes, probably a
9 lot of changes and before we would look
10 favorably on a Petition on this parcel.

11 So, anyone else have anything they want
12 to add?

13 THOMAS ANNINGER: I wouldn't be
14 surprised if six months is not long enough to
15 resolve this.

16 HUGH RUSSELL: It's difficult.

17 THOMAS ANNINGER: It is typical for
18 extensions like this to be granted if I'm not
19 mistaken for a year. So I wonder why --

20 LIZA PADEN: If I could interject.
21 The extensions you're thinking of for a year

1 is after a decision has been made and
2 construction hasn't started. This is
3 actually extending the process, which is
4 different and quite often has -- for example,
5 the Planning Board has had cases that they've
6 heard and they've granted three, four and
7 five extensions anywhere from six weeks to
8 six months so that the process can be
9 finished. For example, Cambridge Research
10 Park was extended three times.

11 The position in the past, the policy
12 for the Planning Board was to grant six
13 months or whatever the applicant felt was
14 appropriate just to keep people moving in the
15 forward direction.

16 HUGH RUSSELL: Okay. Any more
17 discussion?

18 MICHAEL BRANDON: Mr. Chair.

19 HUGH RUSSELL: Mr. Brandon.

20 MICHAEL BRANDON: For the record, my
21 name is Michael Brandon, B-r-a-n-d-o-n. I

1 I live at No. 7 Seven Pines Avenue. I was just
2 wondering if the Board will be willing to
3 hear briefly from the public? My
4 recollection is that the initial public
5 hearing was kept open both for oral and
6 written testimony because clearly the Board
7 was going to expect significant changes, and
8 I wonder if the public could be heard just on
9 the issue that's before you of an extension
10 very briefly?

11 HUGH RUSSELL: This wasn't
12 advertised as a hearing, and what do other
13 members feel? Briefly seems to me something
14 that's not likely to happen and we have a
15 very full agenda. And I think this is a
16 really small procedural matter myself.

17 Ted.

18 H. THEODORE COHEN: I think
19 traditionally we've granted these Petitions,
20 and I don't think we've ever heard any
21 testimony on it. I think the hearing is

1 still open and so, at such point in time as
2 we continue the hearing, public will have the
3 opportunity to speak at that point.

4 HUGH RUSSELL: Okay.

5 MICHAEL BRANDON: The points I would
6 make would be germane to that issue. I mean,
7 I think it would be brief.

8 HUGH RUSSELL: Okay. I think
9 that's --

10 MICHAEL BRANDON: I would suggest
11 three --

12 HUGH RUSSELL: I would ask you that
13 you can accept that we're not going to do
14 this. Not going to hear from the public on
15 this matter at this time.

16 So, would somebody like to make a
17 motion?

18 MICHAEL BRANDON: Thank you anyway.

19 STEVEN WINTER: Mr. Chair, I move
20 that the Planning Board extend the decision
21 date as requested from March 7, 2011 to a

1 period of six months.

2 HUGH RUSSELL: Okay. Is there a
3 second?

4 THOMAS ANNINGER: Second.

5 HUGH RUSSELL: Tom. Discussion?
6 All those in favor?

7 (Show of hands.)

8 HUGH RUSSELL: Five members voting
9 in favor.

10 (Russell, Anninger, Winters, Winter,
11 Cohen.)

12 * * * * *

13 (Sitting Members: Hugh Russell, Thomas
14 Anninger, Pamela Winters, Steven Winter,
15 H. Theodore Cohen.)

16 HUGH RUSSELL: Okay, now we get to
17 the more lengthy items on our agenda, which
18 now are reduced to three. It's 7:30 and so
19 we could spend as much as an hour on each
20 item. I'm thinking the Concord Turnpike case
21 might require an hour at least.

1 I see the folks from Lesley have come
2 and brought a model, and I presume are
3 prepared to make a presentation. How long
4 were you thinking of presenting to us?

5 ATTORNEY JAMES RAFFERTY: In the
6 ten-minute range. We simply identified the
7 issues that the Board asked us to at the
8 close of the public hearing, and we have a
9 brief presentation on those six issues.

10 HUGH RUSSELL: So, unless someone
11 objects, I say we go forward with that. And
12 then after that we might ask the staff to
13 comment.

14 So, who's going to start?

15 ATTORNEY JAMES RAFFERTY: Just a
16 brief note. In the package that was
17 forwarded to board members, there are a
18 couple of items we wanted to draw to your
19 attention, including the decision of the
20 Historical Commission that was issued earlier
21 this month granting a Certificate of

1 Appropriateness. As you might imagine, a
2 great deal of their focus has been on the
3 issues associated with the church itself and
4 there has -- you'll hear tonight from
5 Mr. Forney that there has been one change
6 made to the new building in response to a
7 request by the Historical Commission
8 regarding the height of the new building
9 versus the height of the steeple.

10 I should also note for the record, I
11 know Mr. Nur is not sitting on the case. He
12 has recused himself, and I just know he knows
13 that. I wouldn't want any member of public
14 to think he was which would suggest that
15 we're going ahead with the five members at
16 the moment. I think.

17 But the other issue that Mr. Forney
18 will walk you through is the memo that was
19 sent out to the Board electronically that
20 summarizes the issues. One of the issues
21 that the Chairman has asked us to do is

1 respond to a list of issues from one of our
2 abutters in the rear, and we've done that as
3 well. So, we can take about five or ten
4 minutes to go through the issues. We took
5 good notes hopefully at the last meeting and
6 identified the issues and want to respond.

7 HUGH RUSSELL: Please.

8 JASON FORNEY: Thank you,
9 Mr. Rafferty. Again, my name is Jason
10 Forney. I'm from Bruner/Cott Architects and
11 Planners, 130 Prospect Street in Cambridge.
12 And I'm glad to be back here tonight and give
13 you more detail on the issues that you've
14 identified back in January.

15 And the ones I'm going to focus on are
16 the east side yard elevation. The east side
17 yard landscaping, the mechanical equipment on
18 the building, and the others are addressed in
19 more detail in the additional information
20 package that we sent out earlier this month
21 or earlier -- later in February I guess. And

1 those would be the materials that are used in
2 the building and how they're disposed. Event
3 parking, as well as storm water management.
4 And I do have members of our consultant team
5 here who can help me answer any questions you
6 may have on those issues.

7 So just to jump right in -- and then we
8 also, as Jim -- as Mr. Rafferty mentioned we
9 wanted to give you -- explain one of the
10 things that the Historic Commission asked us
11 to do and show you that. So, to begin on the
12 rear elevation, this is the elevation which
13 on the model is facing east along the
14 residence zone.

15 HUGH RUSSELL: Could you rotate the
16 model so that we can see what we're talking
17 about?

18 JASON FORNEY: Sure.

19 I'd like to point out some of the
20 things that we did very early on, and were
21 even part of the new Zoning Overlay. There's

1 a 20-foot setback to the property line along
2 the side yard which means that we're really
3 treating it as a rear yard. The building is
4 well below 35 feet up to the roof line. And
5 even though they're extending parapets here,
6 they're still below 35 feet. The materials
7 used on the rear elevation are terra-cotta
8 tile in a cream color. And this would be
9 variegated in four-inch sections so it would
10 refer to the church siting and the smaller
11 scale residential siting in the neighborhood.
12 And as the building steps back around to
13 Mass. Avenue, the pieces get bigger.

14 This middle section is a composite of
15 transparent glass, the blue on the drawing,
16 and a translucent cowl wall system, that
17 would be this white section here that you
18 see. So, they're punched windows where
19 offices are. We strategically located
20 programs as we told you last time. So there
21 are offices along the rear. A gallery that

1 has no windows. And this area is open to
2 below so there are no people walking along
3 there.

4 What you'd really see from the
5 residences is this, parts of the year and
6 this other parts of the year. So that there
7 is fence up to eight feet, six feet solid and
8 then a two-foot lattice section. And that
9 means that above the fence line this
10 elevation is about 17 percent -- 17
11 percent transparent. What you'd find in most
12 residences is 20 to 30 percent.

13 And the size of this window is about 10
14 to 12 feet in that dimension, and about
15 another 10 feet from floor to ceiling. So,
16 again, these are a combination of existing
17 trees and some new ones.

18 The materials pallet again of the
19 building, and I'll focus a little bit more on
20 -- I told you about the terra-cotta. This
21 would be sort of what we would use in the

1 rear. And this would be along Mass. Avenue.
2 And some images of what that cowl wall
3 material looks like. And this one shows you
4 how it's different from transparent glass.
5 And black and blue views and the amount of
6 light transmitted. And the particular color
7 that we would expect, blocks 85 percent of
8 light.

9 I'm going to now move to the rear yard
10 landscaping, which is the section highlighted
11 in red. We would be keeping eight existing
12 trees, and we've recently made a move to
13 eliminate this piece from the basement so
14 that these trees have a better chance of
15 survival. So existing trees, and then some
16 new understory trees planted. These happen
17 to be Norway maples which don't like other
18 trees very much, but we specified some
19 understory trees that would be about 15 feet
20 tall when they're planted and mature to 30.

21 There is a sculpture pad, which we

1 talked about last time. And this section
2 shows you kind of the scale of work that the
3 Art Institute might locate out there. And,
4 again, this area is closed off both by a gate
5 here and a gate here. So it's not an
6 occupied space. The balance of the plantings
7 here are --

8 HUGH RUSSELL: Am I correct that the
9 sculpture pad sort of lines up with the clear
10 glass?

11 JASON FORNEY: Correct.

12 HUGH RUSSELL: So as you're looking
13 out you have some --

14 JASON FORNEY: You're interacting
15 with that, right.

16 So, grasses and shrubs along the back,
17 along the fence. And these are some of the
18 kinds of things that we've -- are looking at
19 there. These are the understory trees.
20 We've reviewed the fence with the abutters.
21 They preferred this kind of fence, which is a

1 solid board fence and then a vertical lattice
2 up to eight feet. It's a cedar fence that's
3 painted.

4 And as you know, we've received
5 approval from the Historic Commission. And
6 one of the things that they asked us to look
7 at was to lower the parapet of the building
8 by, in this case by about 20 inches, so that
9 it aligned with the top of the belfry
10 creating a more direct conversation. And so
11 these are -- this is walking around the
12 building of how those proportions change.
13 And we have not changed the model, but if we
14 did, it would be about three 30 seconds off
15 the top of that parapet. So it's not a huge
16 change. And in fact, when you look at the
17 views that we've re-rendered from around the
18 site, we don't think it changes the screening
19 potential of that parapet in a significant
20 way. I'll give you a second to look things
21 over.

1 And then moving on to mechanical
2 equipment and reminding you that we are
3 locating the chillers and boilers over on
4 this building and piping them across, and
5 that we have hydronic mechanical equipment
6 that's doing the air conditioning and heating
7 inside the building where there are pumps
8 that are circulating that water through a
9 radiant slab. Therefore, reducing the amount
10 of air and equipment on the roof. The new
11 building, and so what's left are two
12 ventilation units which are providing fresh
13 air to the building occupants. This one is
14 also combined with a make-up air unit that
15 replaces air taken out by the processing
16 exhaust systems. And our plan would be to
17 put these in single casings, double wall
18 casings. And in the case of unit A, that
19 unit is about -- our primary strategy is to
20 keep that away from the property line. And
21 it's about 85 feet from the closest neighbor.

1 And there as you saw in those other drawings,
2 there's not a big line of sight. Sound
3 travels -- the line of sound follows the line
4 of sight.

5 These pieces back here are NStar
6 electrical transformers, and in this case we
7 are proposing to build a solid masonry wall
8 inside the wood fence that would block the
9 sound, any sound that that transformer might
10 make.

11 Letter C is a smaller version of this
12 one which is providing ventilation air, at
13 room temperature to the church, and the space
14 below the church so that we're not crossing
15 duct work through this central piece. And
16 that unit is about 40 feet from this building
17 and up 50 feet from the building that's below
18 to the south of it.

19 Again, a double wall casing -- and in
20 this case I just want to remind you that
21 these are the buildings that abut our site.

1 These two are rental units, and this is a
2 single-family residence.

3 So our primary strategy there is to cut
4 off the line of sight and light of sound and
5 then equip it with a six foot or taller
6 parapet blocking line of sight and line of
7 sound from the second floor of those
8 residences and even the third floor.

9 We also spent sometime with one of the
10 members of the board of trustees of Oxford
11 Court who spoke last time we were here. And
12 we visited a fourth floor unit of that
13 building with her and with the unit owner.
14 And this is what -- this is what you see from
15 the fourth floor of that building currently.
16 And this is what you would see if this were
17 -- if this design were constructed.

18 And I'd also like to remind you that
19 we've done a lot of balancing of all these
20 issues, preservation versus living in the
21 21st century. Density versus scale.

1 Vi brancy on Mass. Avenue versus privacy in
2 the rear yard. The plaza has been --
3 everythi ng wants to happen in that plaza so
4 we' ve had to be very careful to bal ance open
5 space, pl anti ngs and a place -- places for
6 peopl e al ong wi th pedestri an ways al ong Mass.
7 Avenue. Pl aces for bi cycl es, and a
8 connecti on to al l the Mass. Transi t and the
9 Square. So I hope you' ll recognize that.

10 Thanks.

11 HUGH RUSSELL: Okay, thank you.

12 Pam?

13 JASON FORNEY: I do have copies.

14 PAMELA WINTERS: Thank you.

15 Can I ask a questi on, a bri ef questi on
16 about landscapi ng?

17 JASON FORNEY: Sure.

18 PAMELA WINTERS: So, you' re pl anti ng
19 Carol i na si lver bel l as an understory tree
20 from the Norway maple; is that correct?

21 JASON FORNEY: Yes.

1 PAMELA WINTERS: That's one of my
2 favorite trees. And the only problem with
3 understory trees under a Norway maple -- I've
4 gone through three of them in my yard
5 already, and they're very -- it's very
6 difficult to plant. The only one that made
7 it was a river birch. If the understory
8 trees don't make it under the Norway maple,
9 are you planning to replace them?

10 JASON FORNEY: Yes.

11 HUGH RUSSELL: That's a Lesley
12 question.

13 JASON FORNEY: So I'd like to
14 introduce Tim Mackey. Actually, Tim is with
15 Richard Burke and Associates who is our
16 landscape architect, and I would pass that
17 question on to him.

18 PAMELA WINTERS: Okay, thank you.

19 TIM MACKEY: Actually, there were --
20 there are two existing Norway maples right in
21 this area here that we're removing because

1 they're not in very good shape. And that's
2 where we're choosing to replant the trees
3 where there is some daylight out from under
4 the canopy of the trees.

5 PAMELA WINTERS: Oh, good. Thank
6 you.

7 HUGH RUSSELL: You mentioned,
8 Mr. Rafferty, that there was the material you
9 sent us talked about the event parking
10 question?

11 ATTORNEY JAMES RAFFERTY: Yes.

12 HUGH RUSSELL: Which you haven't
13 touched on even though 15 minutes have
14 passed. And about conversations with the
15 Farringtons.

16 ATTORNEY JAMES RAFFERTY: Okay, with
17 regard to the event parking, we did prepare a
18 matrix that is included in the package. It
19 basically describes the three types of
20 events.

21 One, our gallery opening style events

1 which occur over a period of time, which
2 would not generate a significant amount of
3 parking demand.

4 The second type of event is a guest
5 lecture style event, and I think the
6 frequency of those are estimated to be about
7 two per semester. And the level of
8 attendance is estimated to be around 150 or
9 180.

10 And then the third type of event is a
11 -- what would that be? Oh, parents and
12 alumnae. They estimate three to five per
13 year. And, again, most of these are from
14 people who are already -- while they're
15 arriving off campus, their peak parking
16 demands can be accommodated in University
17 Hall parking lot based on the experience.

18 This is a use that currently exists as
19 you know in Kenmore Square, and Lesley of
20 course operates its university here. So they
21 have some confidence in understanding the

1 programming and events that they do. So, the
2 chief reason that this whole project is such
3 a low traffic generator is over 60 percent of
4 the student body here are going to be Lesley
5 on-campus residents who will be commuting
6 here certainly not by single occupant
7 vehicle, but hopefully walking, in some cases
8 bicycling and other cases making use of the
9 Lesley shuttle. So in the other nature of
10 the parking demand is that the staffing here,
11 the classes are -- a professor is not
12 necessarily in every day. Classes don't meet
13 five times a week. So that the programming
14 and the parking demands really are going to
15 be handled easily with the University Hall
16 lot.

17 We also provided the Board with a memo
18 that did address the issues raised by
19 Ms. Farrington and others. In some cases
20 we've been able to collaborate and make
21 changes as you saw in the case of events, and

1 certainly in listening to some of the
2 concerns around activity in the back. It's
3 been clear from the beginning what we've
4 tried to do is limit access to the back and
5 really program the building in a way that the
6 use of the back of the building has limited
7 impact both visually and otherwise to the
8 neighbor. It feels to us that the, that the
9 level of activity and the orientation of the
10 building is not that different from a typical
11 domestic setting in the Residence B Zone. In
12 this case whether this was a condo or an
13 apartment building, the distances and
14 setbacks we're talking 20 plus feet, windows
15 of less than 20 percent of the facade.
16 Activities with limited night or weekend use
17 feels that there's -- that there's going to
18 be -- that there has been an attempt to
19 minimize the impact. I think the big thing
20 that has been some conversation about is
21 could certain pieces of mechanical equipment

1 be relocated? And we've looked very closely
2 to the one closest to there, I believe it was
3 C on that. And there were mechanical
4 challenges with that. That's providing all
5 the intake there for the church. Given the
6 church roof, it simply can't be put on the
7 church roof. We looked at putting it on the
8 ground. The acoustical consultants advised
9 us on the ground it will create more noise.
10 It's better off where it is. We have been
11 advised to close -- to create the masonry
12 wall for the NStar transformer. And we're
13 still working with NStar to see that we can
14 scale that thing down and make it as small as
15 possible. At this stage of the process,
16 NStar is -- you know, we had to plan for the
17 most aggressive NStar attitude, but the
18 experience we hear from contractors and
19 others and the architects in the building
20 trade is it's an ongoing dialogue and we hope
21 to be able to continue to demonstrate to

1 NStar that we don't need two. There's a
2 transformer and the switch gear out there.
3 It's not clear to us at the moment why the
4 switch gear might be needed. We're going to
5 try to convince NStar that it can be
6 accommodated with the transformer alone. So
7 those were I think the other issues.

8 HUGH RUSSELL: Okay, thank you.

9 Susan you said the staff had reviewed
10 all this. Is that Stuart going to... And I
11 guess the question that's in our minds, have
12 we reached closure on all the issues that
13 have been raised and are we ready to proceed?

14 IRAM FAROOQ: Yes, thanks. So, we
15 did review this with the proponents after the
16 last meeting and did feel that the issues
17 that the Board had raised, particularly with
18 regards to the mechanical, the back -- the
19 yard on the north side had -- the proponent
20 had made various moves to try to address
21 those issues that had been raised. And so

1 from the open design perspective we felt like
2 the -- a significant progress had been made
3 in the direction that the Board had desired.
4 And we expect that there will be further
5 refinements as we move along with design
6 review on an ongoing basis.

7 HUGH RUSSELL: Okay, thank you.

8 So are there questions or comments by
9 members of the board? Steve.

10 STEVEN WINTER: Through Mr. Rafferty
11 I want to compliment this team, the proponent
12 and this team for putting together a very
13 thoughtful and a very thorough response. I'm
14 very, very pleased with what has happened. I
15 also wanted to note that in the packet that
16 came to me, what a pleasing sight this is
17 with the church down and this building next
18 to it that is really quite distinctive but
19 unassuming in an odd kind of way with this
20 church. It's just spectacular. So I think
21 we've created something nice, and I wanted

1 again to reiterate that I think the proponent
2 has responded very thoughtfully to the
3 communi ty.

4 HUGH RUSSELL: Okay. Other
5 comments? Pam.

6 PAMELA WINTERS: Just a quick
7 questi on. The color of that larger bui l di ng
8 is in fact goi ng to be thi s color? You had
9 menti oned it was goi ng to be terra-cotta so
10 that's why I was asking. Well, voila.
11 Perfect. It is.

12 JASON FORNEY: It's a cream-colored
13 terra-cotta which is in between the buff
14 masonry of thi s bui l di ng and the whi te clad
15 attachments.

16 Does anyone else want to see it?

17 H. THEODORE COHEN: Just in
18 connecti on wi th that. It's thi s wi dth on the
19 rear and also on the front facade and the
20 larger panel s on the sides?

21 JASON FORNEY: I'll get what I was

1 looking for over here. This is the scale of
2 tile that we would use on the main building.
3 So this is ten-by-three. And then on the
4 rear building this would be the divided like
5 that one is into smaller pieces. So it would
6 be the same material that's used in two
7 different ways.

8 H. THEODORE COHEN: I'm sorry, I'm
9 not visualizing it. On the front facade
10 here, is it that or is it --

11 JASON FORNEY: From this point all
12 the way around to there is this plane. And
13 then once you step down to the 35-foot
14 building, it turns into that.

15 H. THEODORE COHEN: Okay. While it
16 looks narrower to my eyes on the drawing,
17 it's that size?

18 JASON FORNEY: Yes. But these lines
19 on the model --

20 ATTORNEY JAMES RAFFERTY: Can you
21 lift the model up?

1 JASON FORNEY: Yes, I'm trying to do
2 that. The lines on the model represent that
3 ten inch course and that scale. So, it's
4 because the building design.

5 H. THEODORE COHEN: And then on the
6 rear?

7 JASON FORNEY: We didn't -- we
8 couldn't square it that way.

9 H. THEODORE COHEN: Okay. So that's
10 the same terra-cotta but just in a larger --

11 JASON FORNEY: Right. And this one
12 might have a texture to it to make it even
13 further different than that.

14 HUGH RUSSELL: So we're still
15 sitting on this case. Are we expecting Bill
16 Tibbs to be here tonight?

17 ATTORNEY JAMES RAFFERTY: He sat on
18 the earlier case.

19 LIZA PADEN: I didn't hear from Bill
20 that he wasn't going to make it. And I
21 checked everything just before I came

1 downstairs.

2 HUGH RUSSELL: So it's the five of
3 us and Bill?

4 LIZA PADEN: Yes.

5 HUGH RUSSELL: What we're muttering
6 about here is the -- there is a Special
7 Permit being requested. The Board votes for
8 a Special Permits. Five members of the board
9 must vote in favor of the Special Permit to
10 grant it. This is a seven-member board, so
11 ordinarily there would be seven people
12 sitting here, but Mr. Nur was unaware that he
13 had a conflict until the night of the
14 hearing, so he recused himself. And
15 Mr. Tibbs is not here yet. And so in
16 fairness to the applicant, although we'll ask
17 them at some point if they wish to have us
18 vote five members, and in fairness to them,
19 we would probably want to take some sort of a
20 straw vote beforehand so that they would be
21 reassured that there wasn't somebody lurking

1 out there that was going to shoot them down
2 because, you know, if one of our members was
3 not -- I would not go to a vote because of
4 that. The laws -- you're supposed to get
5 five-sevenths of the board. You don't have
6 to get everybody. Anyway, that probably did
7 not make it that much clearer.

8 THOMAS ANNINGER: Let's just go
9 around the room for a second.

10 HUGH RUSSELL: Yes, maybe we should
11 all talk about it.

12 THOMAS ANNINGER: I've already
13 stated my favorable position on this case and
14 I -- nothing I've heard has changed that.

15 STEVEN WINTER: As have I. I
16 concur.

17 H. THEODORE COHEN: I also concur.
18 And I think the changes that have been made
19 with the fence and the landscaping and the
20 rear are -- have accomplished a lot, and I
21 think it's a very handsome building. And

1 just would point out that the transparent
2 part in the rear is much further from any of
3 the residences than my neighbors' houses are
4 to mine and many windows are to my windows.
5 So I think it seems perfectly appropriate to
6 me.

7 PAMELA WINTERS: And I also agree
8 and I just, I love the artistic potential
9 that it will bring into Porter Square. It
10 makes me very happy being a resident of
11 Porter Square.

12 HUGH RUSSELL: And I'm also prepared
13 to vote in favor of this Petition.

14 So, with that round, I would ask that
15 the Petitioner, are you willing to have this
16 Board make a decision at this time?

17 ATTORNEY JAMES RAFFERTY: Yes.

18 THOMAS ANNINGER: I guess I'd like
19 to make two comments.

20 HUGH RUSSELL: Sure.

21 THOMAS ANNINGER: I have a question

1 and a comment. Just a comment on what we
2 received from the Bicycle Committee. I think
3 the architect made a careful point about all
4 the balancing that took place in this, and it
5 really is very evident just how carefully
6 done this, the various tradeoffs that were
7 made throughout. And I wouldn't want to try
8 to rebalance it. And so I guess I want to
9 make clear that I think adding any more
10 bicycles to courtyard, any more bicycle racks
11 would I think go against that balancing and
12 add clutter to what I think is a crucial
13 courtyard for pedestrians. And, therefore, I
14 would not -- and this is something that we
15 rarely do, but I would not sustain what we've
16 heard from the Bicycle Committee. That's
17 point No. 1.

18 No. 2, I would like to make sure --
19 because we've had a, what I would call a bad,
20 unfortunate experience with another case
21 that's not being heard tonight, on just what

1 Special Permits are being requested. I would
2 like to be very clear tonight before we go
3 forward on just what sections are being asked
4 for and just how we get there so that we
5 don't ever trip again in such an unfortunate
6 way. And I think that would be Mr. Rafferty
7 who I would address that question to.

8 ATTORNEY JAMES RAFFERTY:

9 Mr. Chairman, in response to that, as set
10 forth in the application, it is rather
11 limited and specific. Given the size of the
12 building it is subject to an Article 19
13 product review Special Permit which is
14 identified. It also is seeking certain
15 Special Permits that are authorized under the
16 Lesley Porter Overlay District. And they've
17 been cited in Section 20.504.1 and that
18 allows for the transfer of certain
19 development right and for the height of the
20 church to --the church can remain at its
21 historic height. There are a few other

1 sections in the Lesley Porter Overlay
2 District. And then finally the Lesley Porter
3 Overlay District also allows the Board in
4 addition to its generic abilities under
5 Article 6 to reduce parking and loading
6 requirements, there's a special provision in
7 the Porter Overlay District that allows for
8 adjustments and modifications there as well,
9 and we have applied for that. And beyond
10 that those are the only three areas of relief
11 that the project is seeking. It does have
12 the benefit of working with a recently
13 enacted Ordinance. So a lot of the issues
14 that were contemplated in the drafting of the
15 Ordinance were addressed in the Special
16 Permit language for the Porter Overlay
17 District. And the findings are necessary for
18 the granting of the Special Permit are pretty
19 well spelled out in that Lesley Porter
20 Overlay 20.504.

21 HUGH RUSSELL: Okay, thank you.

1 We also have a memorandum from the
2 Traffic, Parking and Transportation
3 Department dated January 18th. And I'm
4 trying to see what recommended conditions are
5 in that report.

6 One seems to be traffic signal
7 improvement at Mass. Avenue and Upland Road
8 because of the pedestrian level of service at
9 that intersection. This is pretty technical.
10 So the Transportation Department is
11 recommending 16 bike spaces in addition to
12 the four bicycle spaces. And I'm assuming
13 that these are like the city tree thing, a
14 post with a circle on it that people can be
15 on both sides. As I understand this, there
16 would be a total of ten of those on the
17 plaza. That doesn't seem to be overwhelming
18 the plaza if there were ten of those on the
19 plaza.

20 ATTORNEY JAMES RAFFERTY: Mr. Chair,
21 can I be heard briefly on that issue?

1 HUGH RUSSELL: Sure.

2 ATTORNEY JAMES RAFFERTY: On the
3 memo we are in agreement with the first three
4 mitigation measures in the memo -- the first
5 two. The issue around the bicycles, to
6 Mr. Anninger's point. We have had -- there
7 is overlapping jurisdiction with the
8 Historical Commission here. We require a
9 Certificate of Appropriateness for everything
10 on this site. I would say that we have heard
11 -- and we've been told it can be attributed
12 to the person who said it. We have heard
13 reservations by the Executive Director of the
14 Historical Commission about covered bicycle
15 racks in certain locations on the plaza as
16 they might impact the exterior of the church.
17 Given that shared jurisdiction, it was our
18 hope that the issue around specific
19 locations, style of bicycle racks, could be
20 left to a design detail worked out with
21 Community Development, Historical and

1 Traffic. Lesley certainly has a big
2 commitment around bicycles. They've got
3 thousands of students with bicycles. We've
4 got a lot of space on the University Hall lot
5 where we can put additional bicycle spaces.
6 There's every effort here to want to make
7 bicycle accommodations work. But to achieve
8 that level of fine detail in this process
9 tonight, I think is going to be difficult,
10 particularly given what we understand to be
11 the Historical Commission's desire to weigh
12 in on the style, location and the size of
13 these bicycle racks.

14 HUGH RUSSELL: That's certainly
15 acceptable to me not to resolve that. One
16 thing that I guess I'm part of the problem, I
17 got a bicycle about two years ago having not
18 had one since 1993, and many other people are
19 doing that. Apparently the level of bicycle
20 usage in the city has gone up tremendously in
21 the last several years, and it's very

1 to that, Mr. Rafferty, didn't you?

2 ATTORNEY JAMES RAFFERTY: Right. I
3 think as I read, too, in the initial proposal
4 the crosswalk was a different location. It's
5 proposed in that memo to be relocated. So
6 what's showed up -- what's appearing tonight
7 it is the crosswalk in the location we were
8 directed to by the Traffic Department.

9 HUGH RUSSELL: Therefore we don't
10 have to do more than approve the plans.

11 ATTORNEY JAMES RAFFERTY: Correct.
12 As plans submitted this evening.

13 HUGH RUSSELL: Yes.

14 We ready to move to a motion or is
15 there more to discuss?

16 PAMELA WINTERS: I think we're ready
17 to move, Hugh.

18 HUGH RUSSELL: Okay. So we've got
19 in our January package there was a checklist
20 of the various pieces which was just thrown
21 out of my --

1 THOMAS ANNINGER: That's what we
2 expect. So moved.

3 HUGH RUSSELL: Okay. So we have a
4 motion to grant the Special Permits requested
5 which are a project review Special Permit
6 under Article 19, a specific Special Permits
7 for under the Overlay District.

8 LIZA PADEN: The parking and loading
9 relief.

10 HUGH RUSSELL: And relief on parking
11 and loading. So someone might make a motion
12 and their findings -- we have to make
13 findings under Section 10.43 that traffic
14 generated won't cause congestion or
15 substantial change in neighborhood character.
16 We have a report from the Traffic and Parking
17 Department on that.

18 Continuing operation of development of
19 adjacent uses would be adversely affected by
20 the nature of the use. I would say we could
21 say that we're all really excited about this

1 use. We all feel that it's going to be an
2 asset to the community and this location.

3 Hazard would be created. So it's been
4 studied very carefully, the one potential
5 which was the equipment noise, and they've
6 come up with a reasonable plan that's based
7 on consultant work that would prevent that
8 equipment becoming a nuisance.

9 And clearly since the district was --
10 that it's in was created in part to view this
11 project is in line with the integrity of the
12 district. That's 10.43.

13 Chapter 19, the project is responsive
14 up to the existing and anticipated pattern of
15 development. We can take the Historic
16 Commission's intense review of this project
17 as being definitive about that.

18 It is pedestrian and bicycle friendly,
19 and because of the nature of the use it's
20 really going to be a very strong -- a lot of
21 pedestrian and a lot of bicycle activity.

1 The building and site design mitigate adverse
2 environmental impacts on its neighbors. We
3 had that presentation tonight about the rear
4 of the project. We have no evidence that the
5 project will overburden the city
6 infrastructure, roads, water and sewer
7 system. And that new construction does
8 enhance the complex urban fabric that
9 Cambridge has developed historically. Again,
10 we've spoken of that tonight and before.

11 This does not affect the inventory of
12 housing in the city.

13 And enhancement of open space amenities
14 should be incorporated in the developmental
15 and retail potential has been placed on the
16 size and the design of the plaza in front of
17 the building and between the buildings, and
18 we believe this is going to be a significant
19 open space amenity. It's a different than
20 the present open space, but it's more
21 appropriate for the use and for the street.

1 The criteria for the Lesley Porter
2 Overlay District are numerous and repetitive.
3 So maybe I will skip to the ones that
4 represent something different.

5 Well, first one is concentrating
6 academic activities, making public accessible
7 uses and including art libraries, galleries.
8 That's all part of this program. I identify a
9 sense of place by removing on-grade parking
10 lots. There's a -- several cars that were
11 parking on the site, but essentially that's
12 -- but they're constructing a new structure
13 that defines and enriches Massachusetts
14 Avenue, and incorporates active ground floor
15 use.

16 They have minimized adverse impacts on
17 abutting low density residential by the
18 programming of the structures and the
19 location on the lot, massing the scale and
20 operations.

21 They have preserved and reused

1 important historic structure. They have --
2 these are considerations that we're making,
3 so they have not provided additional retail
4 activity, but we don't -- they don't have to
5 meet all these things. We have to consider
6 these things in making a finding.

7 The next one is minimize vehicular
8 traffic and demand for street parking by
9 concentrating activity near the T station.
10 Maximizing mix of uses and reinforce each
11 other, hence pedestrian environments. So
12 they are near the T station. They are across
13 the street from University Hall, and they are
14 on some of the -- that kind of student's
15 programming where students are not going to
16 be entirely in this building, but will be
17 using adjacent building and the rest of the
18 campus.

19 The open space along the easterly side
20 of Mass. Avenue south of Roseland Street
21 shall be inviting and provide places for rest

1 and gathering in the appropriate public heart
2 to focus. They seemed to have achieved that.

3 Open space along Roseland Street should
4 reflect an urban campus character. This is
5 on the other side of Roseland Street. I
6 believe there are improvements which you may
7 remember from the January hearing to the
8 landscaping that worked to achieve this goal.

9 And then when construction abuts
10 existing residential development, attention
11 should be paid to setbacks, open space
12 features, building design, compatibility and
13 scale, use of variable height and variable
14 setback planes, reduction in the length,
15 continuous building walls, and the amount of
16 landscaping should be used. All of these are
17 things that we saw again tonight.

18 And in terms of privacy for the
19 residential neighbors, a location and size of
20 windows and screening elements also had been
21 addressed in a way that seems to be very

1 sati sfactory.

2 There are no decks or entries that are
3 not screened. The entries are actual ly on
4 Rosel and Street and that end of the bui l di ng.

5 Incl usi on of physi cal i mprovements to
6 the publ ic ri ght of way al ong Mass. Avenue
7 and enhance i ts qual i ty of pedestri an
8 envi ronment. Pl ace for meeti ng and
9 congregati ng nei ghborhood resi dents and
10 vi si tors.

11 I 'm assumi ng you're goi ng to take your
12 i mprovements out to the curb, correct?

13 UNI DENTI FI ED MALE: Ri ght.

14 HUGH RUSSELL: And the constructi on
15 mi ti gati on plan I don' t bel i eve has been
16 submi tted at thi s ti me as a commi tment that
17 was made by the uni versi ty to do that plan.
18 And the way these thi ngs work, i t stands up
19 as a condi ti on that the plan' s been
20 submi tted. We don' t revi ew them. They' re
21 revi ewed by the staff.

1 That's the end of all of the findings.
2 Now based on those findings, would somebody
3 like to make a motion, or are there more
4 findings?

5 THOMAS ANNINGER: I move that we
6 grant the Proponent the Special Permits
7 requested in the application materials
8 submitted to us, in what Mr. Rafferty
9 outlined to us and in what Hugh went through
10 for the reasons that Hugh stated so
11 thoroughly as only Hugh can do, and that we
12 grant the permits requested.

13 HUGH RUSSELL: Is there a second?

14 STEVEN WINTER: Second.

15 HUGH RUSSELL: Steve was first.

16 Okay, any more discussion? On the
17 motion, all those voting in favor?

18 (Show of hands.)

19 HUGH RUSSELL: Five members voting
20 in favor.

21 (Russell, Anninger, Winters, Cohen,

1 Winter.)

2 HUGH RUSSELL: Mr. Rafferty.

3 ATTORNEY JAMES RAFFERTY: Thank you,
4 Mr. Chairman, just briefly. We appreciate
5 the amount of effort the Board has put into
6 the case. I just would be remiss -- I'm very
7 appreciative of Mr. Winter's acknowledgement
8 of the design effort. Mr. Forney and his
9 colleagues have worked long and hard on this,
10 but as we saw earlier this week at the
11 Academy Awards, this notion of younger people
12 appealing to a different demographic can be
13 effective. There's a gentleman here with
14 grey hair who has spent four years on this
15 project, and I think Mr. Bruner should be
16 acknowledged. He's been put in the back a
17 little bit these last few hearings, but he's
18 been a great leader on this design team. And
19 I know on behalf of Lesley to have a
20 Cambridge architect whose office is around
21 the corner, who lives here and really has an

1 understandi ng of academi c i nsti tuti ons and
2 the vi brancy they can provi de, as he' s proven
3 i n many setti ngs, we' re very thi lled that he
4 took the l ead on thi s desi gn. And we
5 appreci ate all the ti me and effort and
6 accompl i shment that I know Lesl ey' s very
7 prou d of, Mr. Bruner shoul d be equal l y as
8 prou d of hi s work.

9 Thank you.

10 HUGH RUSSELL: I guess I woul d
11 respon d that as an archi tect, wi thout a
12 cli ent that pushes you and supports you and
13 you cannot achi eve thi s ki nd of a proj ect.
14 So Lesl ey has done a very good j ob here and
15 we shoul d -- you know, i t' s a team effort,
16 but i t real l y depends on everybody doi ng a
17 great j ob and I thi nk that' s what' s happen ed.

18 ATTORNEY JAMES RAFFERTY: Thank you.

19 HUGH RUSSELL: We' ll take l i ke a
20 three or four mi nute break and set up and
21 we' ll go on to Concord Turnpi ke.

1 (A short recess was taken.)

2 (Sitting Members: Hugh Russell, Thomas
3 Anninger, Pamela Winters, Steven Winter,
4 H. Theodore Cohen, Ahmed Nur.)

5 HUGH RUSSELL: Okay, I guess we're
6 ready to start now three minutes having
7 elapsed. So we're just going to discuss case
8 No. 254, 223, 225, 231 Concord Turnpike.
9 They are here for project review Special
10 Permit, a Parkway Overlay District. They're
11 building in the flood plain. They need a
12 Special Permit for that. And there are some
13 other height and yard requirement issues on
14 the project that need relief. So, we heard
15 this case, we had some questions. You're
16 back with some answers.

17 RICHARD McKINNON: May I begin,
18 Mr. Chairman?

19 HUGH RUSSELL: Please.

20 RICHARD McKINNON: Good evening,
21 Mr. Chairman, members of the board. My name

1 is Rich McKinnon. I live at One Leighton
2 Street in Cambridge. I want to thank the
3 Board for getting us back in front of you.
4 We've been anxious to get back since our
5 January 18th hearing. And I want to thank
6 your staff for helping us organize all the
7 questions that you've had into the format
8 that you see in the presentation materials
9 that we got out to you several weeks ago.
10 And in talking to Liza and other members of
11 your staff, they suggested that the best
12 thing to do -- because we hope some of the
13 answers are straight forward and complete
14 rather than take the Board's time with a
15 presentation, we'll just be available to
16 answer whatever questions you have on those
17 materials that are in the package we sent out
18 several weeks ago.

19 There are a couple of items I just --
20 just some business to take care of before we
21 get to that if I might. I just handed out a

1 site plan. We have been -- the Martignetti
2 brothers, Tony and Danny are here with us
3 tonight, have been in the Land Court for
4 sometime. So the site plan that you have,
5 we'd like to make that as part of the
6 official record. There are no changes in
7 terms of the measurements and the size, but
8 we now have an official site plan with the
9 proper Land Court references. So that will
10 make both us and the Martignetti's very happy
11 so that the conveyances that are upcoming can
12 happen appropriately.

13 Second issue is we talked about the
14 lighting on the bicycle path and to make sure
15 that it was safe. The bicycle and pedestrian
16 path that connects our property into
17 Discovery Park and out to Acorn Park Drive.
18 What we said in our presentation to you in
19 your packet is that we would mimic the
20 lighting that it goes from Discovery Park
21 through the former MDC parking lot out to the

1 Al ewi fe T Stati on. And speaki ng to Kara
2 Sei derman and some others over the last
3 coupl e weeks, i f you remember when I worked
4 wi th the Board on Di scovery Park, you try and
5 stri ke a bal ance there between respecti ng the
6 reservati on and safety, and i t has to do wi th
7 the i ntensi ty of the l ighti ng. It seems that
8 for most peopl e we've ai red too much on the
9 si de -- i t's not safe enough. And so we'll
10 work wi th your staff, but we'll probabl y have
11 a somewhat bri ghter sense of l ighti ng that
12 gi ves more sense of safety. But we wi ll
13 dupl i cate the call boxes that are out there
14 and that you see throughout Di scovery Park.

15 The other i ssue i s i n the narrati ve on
16 garage screeni ng, we -- l et me get out of
17 your way. We onl y spoke about l andscapi ng.
18 And of course l andscapi ng i s goi ng to be a
19 huge part of the garage, but al so the garage
20 wi ll be screened by materi al s as wel l . And
21 i n the front of the bui l di ng they' ll be

1 active uses. The lobby, the bicycle shop,
2 the management office. And then there will
3 be probably some sort of louvered materials.
4 And we've just begun to introduce these with
5 your staff, and obviously we'll work with
6 Roger and those who bring those to a good
7 resolution. But we neglected to mention that
8 in our narrative.

9 And then the last thing is play space.
10 We suspect we're not going to have a large
11 number of kids at the property, but in the
12 event that we do, this is the type of play
13 space -- more natural materials rather than
14 the traditional play space. This gives you a
15 picture of what we have in mind if in fact
16 there's a need for it. The other contingency
17 is they would be in the buffer zone. So, if
18 in fact the Conservation Commission feels
19 that we would be able to bend our order of
20 conditions to allow for it. So with the
21 Board's indulgence, I think we'd like first

1 to wait and see if there's a need for it.
2 And then secondly bear in mind and be subject
3 to Con Comm's order of conditions. And
4 that's it.

5 We're ready to take any questions. We
6 have a room full of all stars here. They're
7 all ours. I don't think anyone else is up
8 here against the project tonight. And for
9 the record, to make my attorney happy, before
10 the end of the evening if in fact we get best
11 discussion to a decision, we'd just like to
12 read into the record those Special Permits
13 that we're applying for.

14 HUGH RUSSELL: We'd welcome that
15 step.

16 RICHARD McKINNON: Thank you,
17 Mr. Chairman.

18 HUGH RUSSELL: So as you note, there
19 are six members here and the hearing -- how
20 many -- was Bill part of the original
21 hearing?

1 RICHARD McKINNON: Yes, he was.

2 HUGH RUSSELL: So I'm going to ask
3 you at some point if you're willing to have a
4 vote by only six members of the Board. But I
5 want -- we'll discuss it first and then we'll
6 ask you that question.

7 RICHARD McKINNON: Okay. I'm happy
8 to answer if you'd like.

9 HUGH RUSSELL: Okay. You want to
10 answer now? Go ahead.

11 RICHARD McKINNON: Mr. Chairman, I
12 would go with five members so the answer is
13 yes to six. We're anxious.

14 Thank you.

15 HUGH RUSSELL: Okay.

16 So, I think what we're doing now is
17 bringing up questions that aren't resolved.
18 The other thing I guess maybe Susan, does
19 your team have any comments they want to make
20 on this project at this time?

21 IRAM FAROOQ: Thank you. I am Iram

1 Farooq, Community Development.

2 We did meet with the team subsequent to
3 the last Planning Board meeting and we feel
4 that they've made -- they have made changes
5 to the project based on what the Planning
6 Board had requested. They have -- well, the
7 traffic part I think they've described quite
8 a bit. They met with the DOT, gotten --
9 received those agreements. They've tried to
10 refine the tower element to address the
11 Board's concerns and moved the glazing to the
12 corners to try and highlight that feature.
13 They've also -- let me see -- yes, and the
14 bike pedestrian entrance where they have
15 actually reduced that -- the circulation
16 distance in the garage, and they've talked
17 about treatment, surface treatments that will
18 make it a more pleasant walking experience.
19 So we feel that they've made a lot of the
20 moves that you've talked about, that you
21 asked about. They are not planning to do a

1 green roof. They have though shown
2 additional green as compared to before on the
3 courtyard level which is a positive in our
4 opinion. So, they've -- you know, I think
5 that to the extent that it is possible, I
6 think you will be the determining entities of
7 if you think they've gone far enough. But we
8 certainly feel that the moves are in the
9 right direction.

10 RICHARD McKINNON: If I could just
11 add to that, Mr. Chairman?

12 HUGH RUSSELL: Sure.

13 RICHARD McKINNON: We've also added
14 photovoltaic panels to illuminate the tower.
15 And solar panels to heat the swimming pool.
16 And there are going to be gardens above the
17 garages in the courtyard. Beyond that we're
18 going to have a reflective roof. Okay?

19 HUGH RUSSELL: Thank you.

20 So, what do people wish to bring up?

21 Steve.

1 STEVEN WINTER: The first thing that
2 I'd like to bring up is to indicate to the
3 proponent that this, the combination of
4 questions that we asked complete with
5 initials of the people who asked them and
6 this guide to go along with it, this is the
7 best presentation that I've ever seen on the
8 Planning Board. How the proponent heard the
9 issues and responded to the issues. And, but
10 it's -- it's just terrific. I was thrilled.
11 It made it a great review. I had four things
12 I wanted to mention.

13 Do the towers change colors at night?
14 Is that what the --

15 RICHARD MCKINNON: Mr. Winter, we
16 were just showing you some various ones.

17 STEVEN WINTER: Okay.

18 RICHARD MCKINNON: They could, but
19 that's not our intention. We're hoping that
20 between your design review staff and us, we
21 could settle on one that looks well.

1 STEVEN WINTER: Okay. I frankly
2 would n' t mi nd them changi ng col ors.

3 I also wanted to say --

4 RI CHARD McKI NNON: We want to get
5 away from the Faces Di sco.

6 STEVEN WINTER: One of the concerns
7 I had was to the massi ng of the bui ldi ng, and
8 it doesn' t seem to be anybody el se' s concern.
9 And i nteresti ngly so, it was the renderi ngs,
10 it was the renderi ngs comi ng up l ike you' re
11 comi ng i n on an ai rpl ane.

12 RI CHARD McKI NNON: The bi rd' s eye
13 vi ew, yeah.

14 STEVEN WINTER: Just di dn' t work for
15 me. These renderi ngs are terri fi c. And I
16 see what Hugh saw now that I di dn' t.

17 RI CHARD McKI NNON: Thank you.

18 STEVEN WINTER: That' s that. And I
19 woul d ask -- the l ast questi on that I have --
20 well , I want to i ndi cate that I' m comfortabl e
21 wi th the changes, and I feel l ike you' ve

1 really done what you were supposed to do
2 here. I want to ask what -- and if we can
3 write this into the decision also, what
4 indicators would trigger the purchase of play
5 equipment for children?

6 RICHARD MCKINNON: Having a demand
7 for it and being able to get permission from
8 the Conservation Commission to do it. Both
9 of which we would need. But both of which
10 we're happy to make as part of the decision
11 under those conditions. Okay?

12 STEVEN WINTER: Okay.

13 HUGH RUSSELL: So, I would say, you
14 know, the day the first grandparent moves
15 into the building that you do it, and
16 therefore I would want it done on day one. I
17 mean, there may be relatively few kids who
18 are residents there, and the scale of the
19 thing might start modestly. But I believe
20 there should be someplace that you can take
21 your kid and I think there should be also a

1 better way to get there then by walking
2 through the garage.

3 RICHARD McKINNON: If I move into
4 the building, I'll come with five grand kids
5 and I'll be making criteria there anyway.

6 HUGH RUSSELL: You're not going to
7 be moving out of your 19th floor penthouse.

8 RICHARD McKINNON: You have a point,
9 Mr. Chair.

10 STEVEN WINTER: Thank you.

11 HUGH RUSSELL: Ahmed.

12 AHMED NUR: Well, you set yourself
13 up for this playground. No child left behind
14 is the form I'm going to use on this one.

15 As, obviously my colleagues said I
16 really do appreciate all the changes that
17 you've made. You've worked really hard and
18 we can see all the changes.

19 RICHARD McKINNON: Thank you very
20 much.

21 AHMED NUR: You went beyond what we

1 wanted. You know, I shouldn't say what we
2 wanted. But went beyond what we've asked. I
3 don't want to waste much of your time, but I
4 do want to say if you're going to have a
5 two-bedroom apartment, that any child living
6 there that we would often times as we take a
7 walk in that area, and so it would be really
8 nice to distract the children to, you know,
9 just take a walk. So much appreciate that.

10 And also, the other question that I
11 have, and this would be more traffic related.
12 I see that there's an exit now 45 miles
13 showing one of the signage, exit sign it says
14 on the Route 2 headed east on the right side,
15 is that what it's going to look like?

16 RICHARD MCKINNON: That's right.

17 AHMED NUR: (Inaudible).

18 RICHARD MCKINNON: (Inaudible) with
19 DOT. We've made arrangements -- they
20 actually were going to do this on a previous
21 iteration of work that they did, but there

1 will be new signage as well as lane markings.
2 So we hope that will make it easier and less
3 dangerous than before.

4 AHMED NUR: Great, thank you.

5 HUGH RUSSELL: Okay. Ted.

6 H. THEODORE COHEN: Well, if I have
7 to keep with the child metaphor, the child
8 I'm most concerned about is this one who is
9 sauntering along Route 2.

10 RICHARD MCKINNON: I understand.

11 H. THEODORE COHEN: And, you know,
12 we always get renderings that show us how
13 wonderful it's going to be and how many
14 people are going to be congregating in these
15 new spaces that have been created, and I'm
16 horrified that the thought that these people
17 are going to be sauntering along Route 2
18 without any fence or any guardrail or
19 anything. So what I'd like is if you could
20 work this through all the proposed changes to
21 your access and -- your egress and exits and

1 also both the whole traffic pattern.

2 RICHARD MCKINNON: You like us to go
3 through that now?

4 H. THEODORE COHEN: I would.

5 RICHARD MCKINNON: Scott Thornton.
6 We'll go through it step by step, all the
7 changes that you saw before.

8 Thanks, Scott.

9 SCOTT THORNTON: I was actually
10 hoping you would ask for more detail. For
11 the record, my name is Scott Thornton. I'm
12 with Vanasse and Associates. And as you can
13 see from this layout plan, things have
14 changed quite a bit in the courtyard. Where
15 before we had an entrance coming in the --
16 off of Route 2, and then a direct entrance
17 right into the garage. Probably left about a
18 stacking distance of maybe two cars or so.
19 And that has been completely flipped around
20 so that now the access to the garage is
21 flipped to the other side of the courtyard.

1 What you have now coming in, and there will
2 be signage directing visitors to keep to the
3 right, then they can pull into this angled
4 parking area right in front of the building.
5 Residents would keep to the left, and then
6 they would go into this lane that's on the
7 outside of the courtyard and then come into
8 the garage over in this area. What this
9 does, it provides about stacking for about
10 five cars or so from about this -- the point
11 where this car is back to this area. And
12 then in addition you've got probably close to
13 the 600 feet of site distance coming in from
14 Route 2. So it's tough to -- sure.

15 So, where the driveways are right in
16 this area, you're looking back about 600 feet
17 to where that existing sign bridge is. You
18 can actually see from the exit driveway, you
19 can actually see back about 1,000 feet, back
20 to this area, to the crest of the hill. So,
21 the point is that drivers coming in will

1 have, will have sufficient site distance
2 looking right down along the edge of the road
3 to be able to perceive and react to any kind
4 of obstacle that's in the courtyard. The
5 plan -- the landscaping along Route 2 has
6 been stepped back so that it's, it's below a
7 two foot-high -- a two-foot height, so as not
8 to interfere with any sight -- lines of sight
9 from the motorists whether they're entering
10 or whether they're exiting.

11 And then there's -- as you know, we've
12 had some discussions with Route 2 -- I'm
13 sorry, with the Mass DOT. And they had --
14 they had some input as to where they wanted
15 the sidewalk located. And, again, they're
16 concerned with functionality and with
17 maintenance and with safety. So that's
18 really what we're -- what we're working with
19 them.

20 And to the extent, you know, we've had
21 some discussions with them. We don't think

1 that there should be any major revisions to
2 what's shown here. Probably just in terms of
3 details for striping for the wheelchair ramp
4 details and those sorts of things.

5 RICHARD MCKINNON: Could you go to
6 the side that's closer?

7 SCOTT THORNTON: So then the other
8 thing that would be worked out with Mass DOT
9 is the installation of this overhead sign
10 assembly on the existing sign bridge that's
11 out there. And the intent is to provide
12 advanced notice for motorists that the
13 outside lane is really to be used just for
14 exiting traffic. Looking at some type of
15 re-striping of that outside lane where it may
16 be something like what you see on Route 2
17 heading out to 95 where there's the dotted
18 lines as opposed to the broken lines, it
19 shows a -- it shows a definite change in lane
20 use. And the idea would also be to prevent
21 people from coming down the outside lane and

1 zipping in back into the traffic flow to
2 continue up to Route 16.

3 So, just one other item briefly is that
4 there were some questions about how traffic
5 could exit the site and/or enter the site.
6 So if traffic wanted to head out to the west
7 from the site, there's two potential routes
8 to go. One, if you look at this orange line,
9 you can make it a right turn onto Acorn Park
10 Drive, continue out to Frontage Road and then
11 come out to Lake Street and head out Route 2
12 west in that fashion. Or, you could, you
13 could stay on Route 2, get to the Alewife
14 access ramp, continue down, make the left,
15 turn to go passed the pond underneath Alewife
16 Parkway and then hop on Route 2 headed west.
17 Traffic that's coming from the east that
18 wanted to get to the site, they'd follow
19 that -- this red line up to Lake Street, come
20 down around Frontage Road and then just come
21 into the site through that manner.

1 H. THEODORE COHEN: Okay. Can we go
2 back to Exhibit 2?

3 SCOTT THORNTON: Yes.

4 H. THEODORE COHEN: Yes, that's
5 fine.

6 And, you know, you've really listened
7 and you've changed things and that's great,
8 but I still have some concerns. How many
9 visitor parking spots are there?

10 SCOTT THORNTON: Seven?

11 RICHARD MCKINNON: Outside?

12 H. THEODORE COHEN: Well, that's
13 question 1. Outside?

14 RICHARD MCKINNON: Seven.

15 H. THEODORE COHEN: And then are
16 there visitor parking spots inside?

17 RICHARD MCKINNON: There will be.
18 It would be run like my building is run. If
19 you're going to have a guest for a
20 significant period of time, you make
21 arrangement with the concierge in advance.

1 Because there will be extra parking in the
2 building. There's always surplus parking
3 because of the in and out. That's really
4 just for short term. If someone's coming to
5 visit me, have dinner, watch the football
6 game or something, I make arrangements in
7 advance, and we would be doing the same type
8 of thing here.

9 H. THEODORE COHEN: So, if ten unit
10 owners are having a party on a Saturday night
11 and you've got 20 cars, the guests will know
12 that they have the right to park underground
13 or wherever?

14 RICHARD MCKINNON: Oh, yeah, that's
15 right. And people will -- in the event, and
16 I mentioned it in here, if there's ever a
17 situation where the garage is closed for one
18 reason or other, under that circumstance and
19 only under that circumstance we've made an
20 arrangement with Bullfinch so that we can use
21 the garage on an overnight basis at Discovery

1 Park if we were doing repairs on the garage
2 or anything like that.

3 HUGH RUSSELL: Now, you have one to
4 one parking, right?

5 RICHARD MCKINNON: Yes, we do.

6 HUGH RUSSELL: And in the text you
7 said everybody's going to be assigned a
8 space.

9 RICHARD MCKINNON: If they're
10 willing to pay for it.

11 HUGH RUSSELL: If they're willing to
12 pay for it. So, you're saying that the extra
13 spaces will come because some people who live
14 there will not have a car and will not choose
15 to do that and that's where your inventory of
16 visitors and extra spaces comes from?

17 RICHARD MCKINNON: That's right.
18 And just the natural flow of the parking lot
19 not always being used at all times, all the
20 spaces. But the major source of it, the
21 steady source you can count on the source is

1 the fact that we expect here as you've been
2 finding elsewhere in the city that we won't
3 in fact be able to rent one space for each
4 unit. We think it will be a percentage of
5 that.

6 HUGH RUSSELL: Okay, but if you're
7 assigning spaces and I come home, I don't
8 want to see a visitor in my space. So that
9 space isn't available. If I bought my --
10 I've paid to rent the space, a specific space
11 as opposed to the right to park in the
12 garage.

13 RICHARD MCKINNON: Right.

14 HUGH RUSSELL: I mean that
15 effectively reduces the capacity of the
16 garage.

17 RICHARD MCKINNON: Right.

18 HUGH RUSSELL: Because if I'm, you
19 know, away for a week, my space is going to
20 be empty unless I make a deal with the
21 concierge I guess.

1 RI CHARD McKI NNON: Exactly. But
2 what we do at One Leighton -- is we make
3 those spaces right when you come into the
4 garage. The ones right in front of you so
5 it's not confusi ng. Peopl e aren't ri di ng
6 around that aren't fami liar with the garage
7 looki ng for space numbers. We make those the
8 vi si tor parki ng spaces, and I'd expect we do
9 the same thi ng here, Mr. Chai rman.

10 HUGH RUSSELL: Okay, so then if it
11 happens at -- what if somebody asks for a
12 second space?

13 RI CHARD McKI NNON: Pardon?

14 HUGH RUSSELL: Supposi ng somebody
15 says wel l, you know, husband and wi fe are
16 there and one of them works in Burl ington and
17 one works in Newton and why -- they want to
18 be here because they want to be able to take
19 the Red Li ne in to Boston and, you know, who
20 knows what. But, you know, there are goi ng
21 to probabl y be peopl e who are goi ng to want

1 two parking spaces. What are you going to
2 say to them?

3 RICHARD MCKINNON: We say that
4 they're not available. Because that's really
5 going against the spirit of the traffic laws
6 that you've got in the city. It's one space
7 per unit and we take that at its face value.

8 HUGH RUSSELL: Okay. I believe
9 that's either going to be a marketing problem
10 for you --

11 RICHARD MCKINNON: It will.

12 HUGH RUSSELL: -- or it's going to
13 be if people will find someplace to put their
14 car or you -- which is not going to be the
15 place where you're going to want them to put
16 it.

17 RICHARD MCKINNON: We think that
18 people may be making -- we can't stop them
19 from making their own arrangements at the
20 Alwife T Station for extra vehicles for
21 overnight parking there. But what we have

1 control over, we're going to abide by what
2 the law says.

3 HUGH RUSSELL: Well, I think the law
4 says that if you have the same number of
5 parking spaces as apartments, that doesn't go
6 into the specifics of precisely how you would
7 manage those in a rental apartment building.

8 RICHARD McKINNON: Yeah.

9 HUGH RUSSELL: And this is rental.
10 In a condominium I think the city has a
11 different deal that every unit has to have a
12 specific space, but this isn't a condominium.

13 RICHARD McKINNON: Right. This will
14 not be condominiums. So it's not deeded
15 spaces. They're just assigned spaces.

16 HUGH RUSSELL: Okay. Ted.

17 H. THEODORE COHEN: Can we go to the
18 question of you say there's stacking for five
19 cars, approximately five cars. What's going
20 to happen in the situation where there is an
21 obstacle and you've got more than five cars?

1 RICHARD MCKINNON: May I speak to
2 that, Scott? Can you it's actually a
3 different plan.

4 HUGH RUSSELL: We're talking about
5 the UPS truck parked on the restricted access
6 lane?

7 H. THEODORE COHEN: Yes. Or it's
8 six o'clock at night and 20 people are coming
9 home at the same time and they're backing up
10 onto Route 2 and I'm wondering what's going
11 to happen.

12 RICHARD MCKINNON: Yes. I can speak
13 to that as best as I can. It's five cars in
14 this area here, but bear in mind there's
15 additional queued space here in coming into
16 the garage. So it's really more like six
17 spaces. And we have a high speed door. And
18 I can tell you just from my own experience at
19 One Leighton, I've got 426 units there, and
20 we're planning to do the Maple Leaf building
21 as a residential building. So we have been

1 doing an analysis of our own queuing into the
2 426-unit garage and we've never found more
3 than four cars at a time queued. It just
4 doesn't happen. If you know, it one way it
5 could obviously if a car broke down or
6 something. But we would have to have our
7 building management staff deal with that.

8 HUGH RUSSELL: Plus there's
9 something like 25 feet there between the
10 access aisle and the resident access lane
11 equipped. So if there is a problem, you can
12 get around it.

13 RICHARD McKINNON: That's right.
14 There's room to maneuver.

15 HUGH RUSSELL: It's going to be
16 defined just by pavement marking, right?

17 RICHARD McKINNON: Right.

18 SCOTT THORNTON: Yes. The other
19 thing to keep in mind is the traffic flow
20 would be about 75 cars an hour during the
21 peak hours in the peak direction. So, in the

1 morning you'll have about 75 cars coming out
2 in the peak hour. In the evening you'd have
3 about 75 coming in. So that's about --
4 that's a little over one a minute. And, you
5 know, sure I mean you could have three or
6 four coming in at the same time, but
7 there's -- between the two car storage here,
8 the five car storage here, you know, if there
9 was an issue, I mean there's, you know,
10 there's delivery or truck parking over here
11 as well. So there's -- I think there's, I
12 think there's sufficient space to maneuver
13 around even if there was an obstacle.

14 H. THEODORE COHEN: What is the
15 green arrow on the left traversing? I mean,
16 is that coming in from -- off the travel lane
17 or is that a breakdown lane?

18 SCOTT THORNTON: Its, it's -- no,
19 it's coming in off of the travel lane.
20 There's three travel lanes there. This is
21 just -- meant to show that the general

1 traffic's coming in and then the resident
2 traffic flow would keep to the left, and
3 that's the -- been represented by the blue.
4 And then the visitor parking would keep to
5 the right, represented by the yellow.

6 H. THEODORE COHEN: So there is no
7 breakdown lane incoming? I know you're going
8 to try to make it a dedicated lane for going
9 into Alewife, but there's nothing separating
10 it physically --

11 SCOTT THORNTON: No.

12 H. THEODORE COHEN: -- from the main
13 travel of traffic.

14 SCOTT THORNTON: No, no.

15 H. THEODORE COHEN: All right.

16 Now my last question I guess right now
17 is, and that sidewalk --

18 SCOTT THORNTON: Yes.

19 H. THEODORE COHEN: -- at the upper
20 edge. Now, is that your property or is that
21 Mass. DOT?

1 SCOTT THORNTON: That's within their
2 layout.

3 H. THEODORE COHEN: Have there been
4 any discussions about a guardrail or a fence
5 or anything to separate the pedestrians from
6 the traffic?

7 RICHARD MCKINNON: Scott, I'll take
8 that.

9 There have been discussions originally
10 we thought that there was going to be a
11 guardrail. They now seem to prefer that
12 there not be one. We're open to having one.
13 I know that that's probably been one of your
14 driving concerns.

15 H. THEODORE COHEN: Yes.

16 RICHARD MCKINNON: That not only can
17 we -- I mean, we've done a lot of things to
18 make it safer in terms of visibility, but I
19 think you're worried about pedestrians,
20 Mr. Cohen. So if you like that's a
21 discussion we can continue to have with Mass.

1 DOT.

2 H. THEODORE COHEN: I would
3 definitely like that. And that ultimately is
4 their decision not yours?

5 RICHARD MCKINNON: Right.

6 H. THEODORE COHEN: You don't have
7 the ultimate control over that.

8 RICHARD MCKINNON: But we will
9 advocate for that on your behalf.

10 H. THEODORE COHEN: Thank you.

11 HUGH RUSSELL: I would imagine they
12 would like to be able to pull out a huge pile
13 of snow on that sidewalk in a winter like
14 now. And I believe that sidewalk ends not
15 very far away, right?

16 RICHARD MCKINNON: Right.

17 HUGH RUSSELL: So my experience,
18 too, is there aren't a lot of pedestrians
19 walking down Route 2.

20 RICHARD MCKINNON: No, there aren't.

21 HUGH RUSSELL: And once you get to

1 this section where there are a variety of
2 uses, it could be an indication for a
3 pedestrian.

4 Tom.

5 THOMAS ANNINGER: My general view is
6 that this is a very good project and I'm
7 happy that you've shown us in greater detail
8 the elevations. I now understand what we saw
9 in a more distant way last time and it all
10 looks, it looks very promising to me.

11 RICHARD MCKINNON: Thank you. Those
12 bird's eye views were terribly deceptive. I
13 think they gave the wrong image here.

14 THOMAS ANNINGER: Well, I think this
15 is helpful. All of this to lay the
16 groundwork for a reservation I have and it's
17 one that I wish I could do a better job than
18 I'm about to do on it. I was one of the
19 people that you singled out using our
20 initials, which I'm not sure is such a
21 terrific idea by the way. On the tower --

1 RI CHARD McKI NNON: Yes.

2 THOMAS ANNI NGER: And a lot of words
3 were used to try to -- there were somewhat
4 metaphorical to try to give you some idea --

5 RI CHARD McKI NNON: I understand.

6 THOMAS ANNI NGER: -- on what would
7 help it. Somebody used the word bold. That
8 was not me. So maybe you have to take the
9 words and put the initials right after the
10 word. I've got to tell you, I don't think
11 the tower is there yet. I know you worked
12 hard.

13 RI CHARD McKI NNON: We did.

14 THOMAS ANNI NGER: And I know you did
15 a lot of things to it. And here is where I
16 sort of get stuck. I don't know what would
17 -- what I would suggest. I would just say to
18 you that my test is is it satisfying to me as
19 I look at it? To me it looks somewhat
20 disintegrated from the rest of the
21 architecture. I didn't realize how difficult

1 a tower is to build. I think I will look now
2 with greater respect to people who do a
3 tower. But I think it has to be an outgrowth
4 of the building that somehow does it
5 gracefully. This doesn't work for me, and I
6 think it deserves some greater attention.
7 It's not enough reason for me to not vote for
8 this possibly tonight, because I think this
9 is the kind of thing that's aesthetic and I
10 would defer to others to try to keep working
11 on it. But my, my sense is that there's
12 still some room for improvement and possibly
13 even thinking about starting a different
14 tact, possibly even looking at it differently
15 and seeing what other options there might be.

16 RICHARD MCKINNON: Well, two things,
17 Mr. Chairman, is continuing to work on the
18 tower if it's the wishes of the Board as part
19 of the administrative design review. We
20 obviously, you know, would comply. One of
21 the things Dennis did on all of my projects

1 is after we got to a point where we were kind
2 of stuck when Dennis worked on the board he
3 used to come in and help us with those sort
4 of last finishing touches. And we've asked
5 Dennis to work on the tower for us. So, if
6 you could, I'd like to let Dennis speak on
7 what his thinking was now on the tower for
8 just a minute.

9 THOMAS ANNINGER: You know, one --
10 you and I had a little talk about this
11 beforehand, so since I'm a bit of a lone
12 voice here on this so far, I'd like to put
13 Hugh on the spot a little bit to see if you
14 can either bolster or not what I just said
15 before you even say anything, Dennis, please.
16 Because I don't know how lonely my voice is
17 on this issue.

18 DENNIS CARLONE: It's good to put
19 other people on the spot.

20 THOMAS ANNINGER: Hugh can handle
21 it.

1 HUGH RUSSELL: I don't particularly
2 like this, the way this tower is handled
3 architecturally, but I understand the need
4 for it in terms of kind of the urban design
5 and the location of the project. And how do
6 you get something that is got to be big in
7 order to accomplish the goals? But what
8 annoys me about the tower tonight is it looks
9 like there's a solarium up there and it has
10 this big overhang that's protecting the glass
11 on the solarium. And there's some real
12 special function up there. But of course
13 there isn't any glass up there, there isn't
14 anybody up there. There's just a bunch of
15 presumably big roof trusses up there. When
16 Greg Gary did this down in Boston on Mass.
17 Avenue, there was a lot of glass up there.
18 We were all a little shocked when he first
19 put that up there.

20 RICHARD MCKINNON: The 360?

21 HUGH RUSSELL: Yes. So, again, I

1 think it's something that can be continued to
2 be worked on, and I'm delighted that Dennis
3 is going to weigh in on this, because it's
4 one of his particular skills, this kind of
5 thing. So what are you going to do, Dennis?
6 Not to put you on the spot.

7 DENNIS CARLONE: Well, we have a
8 motion picture film, but it's an hour and a
9 half so that would be too long for the
10 presentation tonight. We, to the architect's
11 credit, we took your words literally and
12 there were other descriptive words,
13 whimsical. And what you're not seeing
14 tonight were Calatrava like very sculptural
15 solutions, but in the end we concluded that
16 looked more like a nightclub basis than a
17 residential statement. We very much wanted
18 it to feel like part of the building so we
19 concur with that. We were trying to address
20 what we heard and we were looking at
21 proportions. We felt that the tower, the

1 corner had to come up another story for it to
2 feel like a tower and not just a typical
3 corner of the building. And then what do you
4 do with that up there? Rich McKinnon did not
5 want to move from his penthouse to this
6 penthouse. And also, it's above the limit
7 code wise for us. So we couldn't put a space
8 up there per se. I mean, many of us have
9 espoused -- have spoken to maybe we could do
10 this, but there were reasons code wise why we
11 couldn't. So we will continue to look at it.
12 We'll certainly work with staff. But this
13 was the solution you see in this scheme was
14 what we felt as a team the most appropriate
15 given the building design, the building
16 character. We have changed the proportions a
17 bit. We have looked at the roof line a
18 little bit. And it will get better, that's
19 all I can say. We don't have a solution
20 other than this that we feel comfortable with
21 at this point. But everything that the Board

1 has said tonight was said in-house literally
2 almost word-for-word about your concerns and
3 our concern. We do want it to look
4 appropriate. We want it to look like it was
5 always part of the building. And that's why
6 you don't see something a little more
7 whimsical. We did do whimsy and probably
8 overdid to be honest. Calatrava is an
9 architect who is also an engineer and does
10 these sculptural elements on top of
11 buildings. So we will --

12 HUGH RUSSELL: So the rest of the
13 building you could have had that corner done
14 by him.

15 DENNIS CARLONE: He turned down the
16 project so we're trying to do our best
17 without him. But we'll get there. We'll get
18 there.

19 HUGH RUSSELL: You know, looking at
20 this view, which is really in some ways the
21 important part of the tower, I keep wanting

1 to push that red up a little bit above the
2 top floor window and may be a little less
3 white.

4 DENNIS CARLONE: That's a good
5 suggesti on.

6 HUGH RUSSELL: Because then sort of
7 a bui lding is reachi ng up more i nto the
8 tower, you know.

9 DENNIS CARLONE: The sol i di ty comes
10 up hi gher.

11 HUGH RUSSELL: Yes, maybe.

12 DENNIS CARLONE: That's a good
13 suggesti on.

14 THOMAS ANNINGER: On these metaphors
15 I like whi msey and so on, these descripti ve
16 words, I thi nk we have to reali ze how
17 signi fi cant thi s tower really is. It really
18 -- i f you go too far, somebody wi ll mock
19 Cambri dge. Oh, yeah, we're comi ng i nto the
20 Cambri dge now, you know. We can't do that
21 ei ther. So I thi nk --

1 DENNIS CARLONE: Exactly.

2 THOMAS ANNINGER: -- it has to
3 really be a serious tower I think.

4 DENNIS CARLONE: We agree a hundred
5 percent, and also will convey the spirit of
6 the building even from a rental point of
7 view. So it has to feel right for everyone.
8 We agree.

9 THOMAS ANNINGER: I think the words
10 we all used the last time was to let give it
11 a character, but for you to keep working on
12 it. And that's what I said last time and
13 tonight as well.

14 DENNIS CARLONE: Thank you.

15 HUGH RUSSELL: Pam.

16 PAMELA WINTERS: Well, unfortunately
17 whimsical was my terminology.

18 RICHARD MCKINNON: Yes, it was.
19 That was a fine word, Pam.

20 PAMELA WINTERS: Put my foot right
21 in my mouth.

1 RI CHARD McKI NNON: We tried
2 whimsical I want you to know.

3 PAMELA WI NTERS: I have one quick
4 question about the traffic.

5 RI CHARD McKI NNON: Yes, Ma'am.

6 PAMELA WI NTERS: The traffic, and I
7 may -- I have so much paperwork here. The
8 last memo I have from Sue Clippinger was from
9 January 18th.

10 RI CHARD McKI NNON: Yes.

11 PAMELA WI NTERS: And I wanted to
12 make sure that the Traffic Department is
13 happy with the outcome and if you had any
14 issues with Sue's memo. And was there
15 another memo after the January 18th?

16 RI CHARD McKI NNON: No. Actual ly we
17 worked with Sue and Adam. And I'd rather
18 have them speak for themselves, okay? There
19 is no subsequent memo.

20 PAMELA WI NTERS: Is Sue here?

21 HUGH RUSSELL: Yes, she is.

1 SUSAN CLIPPINGER: Sue Clippinger.
2 There is no other memo. I think the issues
3 in the original memo dealt with this -- this
4 is the state's road and so we've really been
5 urging them to deal directly with Mass. DOT
6 on what Mass. DOT's criteria and requests are
7 because they're going to have to have a
8 permit from them for this project. I think
9 their, you know, they're making the changes
10 and presenting to you people the kinds of
11 things, what the project will actually look
12 like once they get their Mass. DOT approval.
13 I think the sidewalk could be wider. It's
14 incredibly narrow, but those are, you know,
15 small, minor issues that can get worked out.
16 And they're not our jurisdiction anyway.

17 PAMELA WINTERS: Okay, thanks, Sue.

18 HUGH RUSSELL: And I take it you
19 would be pleased to have a condition or
20 decision on the items in your memo that look
21 like conditions?

1 SUSAN CLIPPINGER: Yes.

2 HUGH RUSSELL: And that hasn't
3 changed?

4 SUSAN CLIPPINGER: Yes.

5 RICHARD MCKINNON: That never
6 changes, Mr. Chairman.

7 HUGH RUSSELL: But I mean the change
8 of the design of the entry --

9 RICHARD MCKINNON: Yes. No,
10 absolutely.

11 HUGH RUSSELL: -- don't really
12 affect those conditions.

13 Okay, well, I'm still very unhappy
14 about what I think you said about how a
15 pedestrian gets into the building which is
16 the only way they get into the building is by
17 walking through the parking garage. Is that
18 still true?

19 HEATHER BOUJOLIAN: No, not exactly
20 the case, and I'll pull the diagram here if
21 you don't mind. It's a little bit difficult

1 to read in this diagram are the blue
2 triangles, and those are the entrance points
3 from the outside that the pedestrian could
4 enter. So not all access needs to go through
5 the garage. It can go through the stairwell
6 and up the stairwell. I know that there was
7 some questions about whether or not the
8 courtyards could be accessed directly by
9 stairs. And I may ask Brian to come up and
10 talk a little more about that, but we've --
11 we ran into a little bit of a wall with that
12 relative to the accessibility code, whereas
13 if there were stairs for equal accommodation,
14 there would also have to be ramping and
15 lifts. And we're running into some
16 challenges with that.

17 In other locations we've had stairs
18 from courtyards that have been fire
19 department access only, and it ends up being
20 a frustration for the residents because
21 they're not able to use it on a frequent

1 basis. So, through the, I think there are --
2 aside from the main entry courtyard, from the
3 rear of the building, there are one, two,
4 three, four different locations where you can
5 enter the building, get to those stairwells
6 or walk through the garage if you want to
7 grab your mail, you can walk across the
8 garage and grab your mail at the clubhouse or
9 pick up a package.

10 And on the upper floors which we don't
11 have a plan of, once you're on the first
12 floor you can easily cross across courtyard
13 to the residential wings outdoors.

14 HUGH RUSSELL: Now, am I missing
15 something? I don't -- is there a sidewalk
16 leading to any one of those doors?

17 HEATHER BOUJOLIAN: Scott, do you
18 have your pointer? It is a little difficult
19 to see in the plans. This is the fire
20 department access which really will be more
21 used by pedestrian and bike access. There is

1 a sidewalk leading to this door right here.
2 Access to this door right here. Here. Here.
3 And all of these locations, sidewalks leading
4 to there. So that if you live on the far
5 side of the building and you come home and
6 you want to stroll along the path and get
7 into the building at this location, you don't
8 have to walk through the garage.

9 HUGH RUSSELL: Okay. And how is the
10 fire lane going to be surfaced?

11 HEATHER BOUJOULIAN: We've had a
12 bunch of conversations about that. I'd like
13 to ask Steve to come up and talk specifically
14 about it. In the original Conservation
15 Commission approval it was indicated to be a
16 gravel pave. The City Community Development
17 Department and the Traffic Department is a
18 little concerned about that because it's not
19 able to be maintained during the winter
20 months, and isn't as friendly for bikes or
21 pedestrians, so we're looking at other

1 pavement materials that are more solid and
2 more easily obtained or a solid pavement or a
3 permeable pavement.

4 HUGH RUSSELL: So the city's
5 addressing that issue trying to make it
6 pedestrian-friendly?

7 HEATHER BOUJOULIAN: Yes.

8 RICHARD MCKINNON: Yes.

9 HEATHER BOUJOULIAN: And satisfy the
10 fire department, too. So there's a couple
11 different groups that we're trying to please
12 as well.

13 BRIAN O'CONNOR: I assume that
14 addressed the question?

15 HUGH RUSSELL: I think so, yes.

16 Are there any other matters before that
17 anybody wants to bring up?

18 AHMED NUR: I do. I just forgot
19 that I did a little research with regard to
20 the traffic based on what's there now, and
21 unfortunately the only resources I have were

1 a little bit of police online and Google. I
2 didn't see any accidents. Faces used to be
3 the Martignetti brothers own it. On a
4 Saturday night you've got about 75 people
5 leaving a little tipsy. I didn't see any
6 accidents coming in and out of there as well
7 as the Lanes and Games has a lot of traffic
8 going in and out of there at night as well
9 and what not. I'm not as concerned as my
10 colleagues with the traffic and that's why I
11 hadn't talked about -- I'm very happy with
12 the changes that are made. As far as the
13 architectural and the tower is concerned, I
14 actually liked it as you're coming from Route
15 2. Although one concern that I had with the
16 panel, solar panel facing west, depending on
17 the elevation how far back Route 2, I wonder
18 if it's going to reflect just some sort of --
19 if you can just add that into your study, you
20 know. I assume it's 45 degrees. It looks
21 like it's set back a little bit from the

1 edge.

2 RICHARD McKINNON: It is.

3 AHMED NUR: In which you couldn't --
4 but I know that Route 2 further down has
5 hills.

6 RICHARD McKINNON: Okay.

7 AHMED NUR: And that's all I have to
8 add. Thank you.

9 HUGH RUSSELL: Okay.

10 H. THEODORE COHEN: Well, Hugh, can
11 I put you on the spot again? Can you talk a
12 little bit about the materials that are being
13 used?

14 HUGH RUSSELL: I'm familiar with
15 some of them. I'm not particularly familiar
16 with the -- and I don't understand what a
17 wood appearance siding is. And that's the
18 one that's really not known. Maybe you can
19 talk about that.

20 UNIDENTIFIED MALE: Sure. As you
21 probably read, there's sort of a collection

1 of materials here. We're trying to really
2 utilize different materials to create focus
3 and create attention in certain areas. And
4 the wood that I think you're talking about,
5 the wood-like panels are these guys. This is
6 actually one option that we're looking at now
7 is actually a Trespa panel that has a
8 wood-grain texture to it. And actually it's
9 a composite panel. It's non-wood. It's a
10 rain screen system. And actually we've used
11 it on several projects. And really the key
12 to the material is more about creating a
13 sense of warmth and a sense of welcome with
14 some texture rather than just color. So we
15 really wanted to make sure that the panel
16 itself is going to stand up, be durable as a
17 long-term product, but also convey warmth and
18 texture at the same time to differentiate
19 from the hardy.

20 Does that answer your question?

21 H. THEODORE COHEN: Well, I guess my

1 question for all of you is, I mean, I can't
2 tell what these are going to look like from
3 the description and have lived in fear of
4 something looking like the Commonwealth Hotel
5 that ended up looking like plastic and had to
6 be re-sided and re-done. So I was curious to
7 see your take on the proposed materials, how
8 it would look.

9 HUGH RUSSELL: I'm completely
10 satisfied this is going to be a very high
11 quality appearing building. That, you know,
12 they may not be using things that we're
13 totally familiar with, but that's because
14 they're reaching out to accomplish the goals
15 that were just articulated. You know, I'm
16 familiar with some of their earlier work or
17 criterion. These are handsome buildings,
18 substantial high class buildings. We don't
19 have to worry about that.

20 Steve.

21 STEVEN WINTER: Thank you,

1 Mr. Chair.

2 Tom, I want to say I appreciate your
3 thoughtfulness about the towers. I do. And
4 what I'd like to do, though, is I mean, these
5 are those moments when, you know, one man's
6 meat is another man's poison. This design
7 stuff is really hard sometimes. It's just --
8 but my own personal examples, I loathed the
9 Prudential building for 25 years. The one
10 downtown. I couldn't stand it. And one day
11 I came up on the Red Line, I saw it and I
12 thought it was the most beautiful thing in
13 the world. That was 25 years later, you
14 know. So it's just so subjective sometimes.
15 And I guess, Dennis, what I'd really like to
16 know is have we given you enough indicators
17 to help you do the right thing with that?

18 RICHARD McKINNON: I think you have.
19 And we all look forward -- Roger's been away.
20 He's going to return I think tomorrow if I'm
21 not mistaken. And Roger listened very

1 attentively to the last discussions. So
2 we've been down this road before trying to,
3 you know, do the administrative design
4 review. Roger's very good at it. Dennis,
5 Roger and I have a good relationship in terms
6 of working together professionally. So I'm
7 confident we can get there. I think we have
8 enough direction.

9 DENNIS CARLONE: I agree with Rich.

10 HUGH RUSSELL: Okay. Tom just said
11 that he was ready to proceed towards a
12 decision.

13 PAMELA WINTERS: Yes. Can I just
14 ask one quick question?

15 HUGH RUSSELL: Please.

16 PAMELA WINTERS: And somebody may
17 have already asked this, but the overhang on
18 the tower, is that going to be lit at night
19 so that there's -- did somebody already ask
20 that?

21 RICHARD MCKINNON: Well, as of a

1 minute ago, we don't know any more.

2 PAMELA WINTERS: Oh, okay.

3 RICHARD MCKINNON: Okay?

4 PAMELA WINTERS: But you haven't
5 made up your mind yet?

6 RICHARD MCKINNON: Well, I think --
7 that's part of the discussion that I think
8 we're going to have. I think the tower's
9 back on the table.

10 PAMELA WINTERS: Okay. All right,
11 thank you.

12 HUGH RUSSELL: For it to be
13 effective during the nighttime it needs to
14 not be invisible.

15 PAMELA WINTERS: Right.

16 RICHARD MCKINNON: Right, that's
17 right.

18 HUGH RUSSELL: I mean, what's
19 showing in this rendering is a pretty, you
20 know, subtle and creative thing so that the
21 tower is about the same brightness as the

1 rest of the building.

2 PAMELA WINTERS: That's right.

3 HUGH RUSSELL: So, I take that as a
4 statement of intent.

5 DENNIS CARLONE: How do you feel
6 about that?

7 HUGH RUSSELL: Well, as I said
8 earlier, it doesn't seem to be quite there
9 yet from my point of view, but I mean I think
10 the style of this building to be an
11 interesting reaction to the specific place it
12 is. It's chunkier than most buildings.
13 Everything that's done is done a little more
14 boldly. The trim around the windows is bold.
15 The bay windows are bold. To me all of this
16 is a response to the fact that it's going to
17 be seen at 45 miles an hour from a thousand
18 feet away and it has to tell you the same
19 story that you would get if you were a
20 pedestrian walking passed a building that is
21 different. So, that's an interesting

1 challenge, and I think really this would
2 really responded to. But it's a whole
3 slightly different architecture. It reminds
4 me of some things I saw maybe in the
5 Netherlands that might have been built in the
6 thirties, sort of the tail end of a
7 deco-style. So, that's why, you know, so --
8 if 99 percent of it is working really well
9 and there's only one percent left to polish,
10 that's pretty good.

11 RICHARD MCKINNON: Thank you.

12 HUGH RUSSELL: I think we're going
13 to ask Mr. Rafferty to walk us through -- I'm
14 sorry, Mr. Rafferty, it's not your turn.

15 RICHARD MCKINNON: We're happy to
16 solicit Jimmy's opinion.

17 HUGH RUSSELL: Right, sorry.

18 RICHARD MCKINNON: I'm Mr. McKinnon,
19 Mr. Russell.

20 HUGH RUSSELL: Okay, so who's going
21 to walk us through this specific relief

1 sought in an orderly fashion?

2 RICHARD MCKINNON: If I may. We're
3 seeking a Special Permit relief as advertised
4 and also listed on page four and seven of our
5 original application. 19.20 project review
6 Special Permit, 20.70 Flood Plain Overlay
7 District. 5.25.42 FAR because we're in the
8 flood plain with the parking garage.
9 20.63.70, green area open space. And 17.42
10 Special District 4A height and front side
11 rear yard requirements.

12 HUGH RUSSELL: Okay, I'm trying to
13 find the page you're reading from. Can you
14 help me find that page?

15 ATTORNEY DEBORAH HORWITZ: It's
16 appendix three, page two.

17 RICHARD MCKINNON: On the setbacks,
18 Mr. Chairman, just yard setbacks rather than
19 side and rear.

20 (Discussion looking through papers).

21 HUGH RUSSELL: And it goes on to

1 Zoning relief sought. This is actually what
2 I was looking for.

3 THOMAS ANNINGER: (Inaudible.)

4 HUGH RUSSELL: That's why I wanted
5 to find it because I remembered that you had
6 listed all the relief.

7 RICHARD MCKINNON: Yes.

8 HUGH RUSSELL: And then you've gone
9 through the criteria.

10 RICHARD MCKINNON: At the hearing,
11 that's right.

12 HUGH RUSSELL: Right. And so, if
13 you can manage to find that, those of us who
14 have it, you can review that rather than
15 trying to recreate it.

16 RICHARD MCKINNON: Appreciate it.

17 H. THEODORE COHEN: Hugh, while
18 you're looking for that, can I ask one more
19 question?

20 HUGH RUSSELL: Go ahead.

21 H. THEODORE COHEN: The fire lane, I

1 know we had talked about last time of using
2 the fire lane for other purposes, any
3 investigation about that? And also, what
4 will prevent people who are driving from
5 Route 2 from pulling into the fire lane?

6 RICHARD MCKINNON: Well, go ahead,
7 Heather.

8 HEATHER BOUJOULIAN: To answer your
9 second question first, DOT is requiring a
10 sloped granite curb so that fire trucks won't
11 have problems getting over the curb, but if
12 you drove into them with your car, you would
13 know right away that you're in the wrong
14 spot.

15 H. THEODORE COHEN: Will there be
16 signage right there?

17 HEATHER BOUJOULIAN: Yes, exactly.
18 Do not enter signage and well in advance so
19 that people will know exactly where to go.
20 And then relative to the additional uses
21 there was a commitment that we made early on

1 to not allow driving on that for regular
2 vehicles because of the location within the
3 buffer zone.

4 HUGH RUSSELL: Okay, so now we're in
5 the heart of the argument. I think we would
6 not adopt these findings as our own because
7 they are very flowery, so I wouldn't want
8 this language to be duplicated in the
9 decision only to save a few thousand trees.
10 But I think as I read through it, the points
11 that are made are correct and accurate and
12 they have identified the issues as a layer of
13 pros in here that probably is not needed in
14 the decision.

15 RICHARD MCKINNON: We're happy to
16 have the findings in the decision be as
17 simple as possible so long as they address
18 the criteria.

19 HUGH RUSSELL: Usually in a project
20 of this sort, the staff draws a decision.
21 It's reviewed with your counsel.

1 RICHARD MCKINNON: That's right.

2 HUGH RUSSELL: Because you have to
3 make sure it will work for your lenders and
4 other people. That process is I assume we go
5 forward.

6 So, there's this first section that
7 comes on pages two, three, four -- I'm now in
8 something that's called GS.S/2033227.32 in
9 the bottom left corner which is essentially
10 the narrative in support of the Special
11 Permit application. And it's found about 20
12 percent of the way through the volume one of
13 the document.

14 Pages two, three, four and five and six
15 address the general Special Permit
16 requirements and which are familiar to all of
17 us. And I hit on the specific reasons why we
18 can make the findings that are required
19 opposite in 43. And then on page six it
20 talks about the criteria for the Flood Plain
21 Overlay District. Those are very extensive

1 and technical in nature and we believe those
2 have been achieved and that could further be
3 reviewed by the City in more detail when the
4 final plans are drawn to make sure these
5 criteria are met. And it has to do with, you
6 know, volumes of water displaced at
7 particular elevations that are very difficult
8 and complicated calculation to make sure that
9 essentially that the flood doesn't know that
10 Faces is gone and this building is replacing
11 it. Which is sort of strange in a way
12 because that's what we want to have happen.
13 The flood won't know it.

14 And then there is a Special Permit
15 regarding the floor area ratio. And we're
16 granting a permit because the garage is above
17 grade and ordinarily last ten years or so we
18 counted, but when you're in a Flood Plain
19 Overlay District you can get a Special Permit
20 so it doesn't count, that's important because
21 they need it to build the project within the

1 ordi nance. And the reason that is in the
2 Ordi nance -- whi le we can do the excepti on of
3 the fl ood pl ai n because they need to use that
4 and to keep the cars up above where the fl ood
5 waters are goi ng to be whi ch are under the
6 parki ng area. So there are -- cars have to
7 be above grade i n order to achi eve that.

8 RI CHARD McKI NNON: Ri ght.

9 HUGH RUSSELL: Cl early the extensi ve
10 amount of screeni ng that is bei ng done wi ll
11 mi ti gate what' s goi ng on.

12 Now, hei ght Speci al Permi t -- oh, yes.
13 The Ordi nance permi ts a hei ght of 60 feet
14 wi th a Speci al Permi t to go up to 90 and
15 you' re somethi ng a li ttle over 60, ri ght?

16 RI CHARD McKI NNON: We' re at 55 to 70
17 at the most range. We tri pped the 60 base
18 number but we di dn' t go near the 90 foot
19 maxi mum.

20 HUGH RUSSELL: Ri ght. Whi ch we are
21 very appreci ati ve.

1 RI CHARD McKI NNON: Thank you.

2 HUGH RUSSELL: Okay, and then we get
3 into the project review cri teri a. And we
4 just talked about them on the last project
5 that' s found on pages 11, 12, 13, 14, 15.

6 ATTORNEY DEBORAH HORWITZ:

7 Mr. Russel l ?

8 HUGH RUSSELL: Yes.

9 ATTORNEY DEBORAH HORWITZ: That' s
10 actual l y just on page 10 and then what
11 fol l ows are the ci ty-wi de vari ance desi gn
12 cri teri a.

13 HUGH RUSSELL: Okay. Exact l y.
14 These are al l i n Chapter 19. And so, 19.20
15 references 19.30. 19.20 i s on page 10. And
16 19.30 starts on page 10. So counsel has made
17 my statement more preci se.

18 ATTORNEY DEBORAH HORWITZ: Sorry.

19 HUGH RUSSELL: No, no, we l i ke that.

20 RI CHARD McKI NNON: We l i sten to her,
21 Mr. Chai rman.

1 HUGH RUSSELL: I do, too.

2 So, again the narrative describes
3 accurately the measures that have been taken
4 to meet the city-wide criteria.

5 I would just note that there's a long
6 discussion about the way in which they are
7 essentially providing sanitary sewer requires
8 a lot of action on their part because there
9 isn't a sewer right in that location now.
10 And also providing a large storage tank which
11 will minimize the overflows from the other
12 stores in the area that are provided.

13 There's a reference there that needs
14 certification, and there was a submittal on
15 -- in our package that they were going to
16 public stack up against the criteria. And
17 you are seeking LEED certification as well as
18 Energy Star; is that correct?

19 RICHARD McKINNON: Yes, sir.

20 HUGH RUSSELL: That's a further step
21 because we just require the attempting to do

1 what it wants you to do without going through
2 the steps of the -- to actually achieve
3 certification in terms of the paperwork and
4 the documentation which is significant.

5 And finally, we can say this is a nice
6 project because they actually are expanding
7 the inventory.

8 RICHARD McKINNON: Yes. That's an
9 easy one, Mr. Chairman.

10 HUGH RUSSELL: That's easy.

11 So I think we've -- I feel based on
12 this review again of the thing that we could
13 rely upon the statements in this section as
14 being correct and addressing the issues
15 appropriately and adopt them in principle as
16 our findings.

17 So now somebody can make a motion to
18 grant the relief sought as enumerated before?

19 THOMAS ANNINGER: We have a request
20 by you not to use flowery language?

21 HUGH RUSSELL: Oh, that's just us.

1 That's just them. We can use as much as we
2 want.

3 THOMAS ANNINGER: I move that we
4 grant the Special Permits requested as
5 outlined in the materials you just went
6 through and that you elaborated on in a
7 non-flowery way.

8 H. THEODORE COHEN: It's subject to
9 the requirements of Transportation and
10 Parking?

11 HUGH RUSSELL: Yes.

12 STEVEN WINTER: Yes.

13 HUGH RUSSELL: And continuing design
14 review of the exterior features of the
15 building and the landscaping.

16 STEVEN WINTER: That's a staff
17 review.

18 HUGH RUSSELL: Staff review.

19 THOMAS ANNINGER: Particular focus
20 on the tower and maybe just as a courtesy
21 we'd like to see how you come out. But it's

1 not something that you would need to come
2 back to us on.

3 RICHARD McKINNON: I'm sure we'll do
4 that through Roger. You'll see it.

5 STUART DASH: Clarification on the
6 playground.

7 HUGH RUSSELL: I would, I would
8 suggest that we have -- we ask them to seek
9 Conservation Commission approval for Phase 1
10 playground.

11 RICHARD McKINNON: Rather than wait
12 to see if there's a demand, we'll seek
13 Conservation Commission approval immediately
14 of the material.

15 HUGH RUSSELL: And for something you
16 would construct on day one.

17 RICHARD McKINNON: Yes, understood.

18 THOMAS ANNINGER: Did you have a
19 question?

20 HUGH RUSSELL: I mean, there's
21 nothing sadder than a playground without kids

1 in it also.

2 THOMAS ANNINGER: The lady next to
3 you I thought, I thought you were asking
4 something.

5 UNIDENTIFIED WOMAN: No, no. Just
6 taking out my pad to right my notes out.

7 HUGH RUSSELL: Now we have a motion.
8 Do we have a second?

9 PAMELA WINTERS: Second.

10 HUGH RUSSELL: Pam will second it.
11 Are we ready for a vote?

12 All those in favor of granting the
13 permits?

14 (Show of hands.)

15 HUGH RUSSELL: Six members are in
16 favor. Permits are granted.

17 (Russell, Anninger, Winters, Winter,
18 Cohen, Nur.)

19 (A short recess was taken.)

20 * * * * *

21 HUGH RUSSELL: Okay, let's get back

1 into session. We are doing a design review.
2 Continuing a design review, Planning Board
3 case 243, 50 Binney Street. And Tom was just
4 looking up a reference, but apparently we
5 would conclude this design review if we chose
6 to do so by having to take a vote. What do
7 we have to do procedurally?

8 SUSAN GLAZER: This project, if you
9 recall, was within the PUD for the Binney
10 Street area. So the Special Permit has been
11 granted on this. This is a design review,
12 and I think it would probably be helpful if
13 you took a vote on it just to help the
14 Petitioner on this design.

15 ATTORNEY JAMES RAFFERTY:

16 Mr. Chairman, this would be the second
17 building in the PUD Special Permit to be
18 approved, 50 Binney Street. 100 Binney
19 Street building has been approved. And I
20 believe in that case, while it's not a vote
21 subject to appeal period and a new decision,

1 I think traditionally it's been a vote to
2 approve the design.

3 HUGH RUSSELL: Now, Tom has drawn my
4 attention to something that looks like maybe
5 a condition or something that says the final
6 building permits set of plans shall be
7 approved by a majority vote of the entire
8 Planning Board. That's not what we're asked
9 -- we're not there tonight. I don't know
10 where this language comes from.

11 THOMAS ANNINGER: I've never seen
12 that before.

13 H. THEODORE COHEN: Where is that?

14 THOMAS ANNINGER: This is from a
15 design review section of the PUD decision as
16 I understand it. Liza, help me.

17 HUGH RUSSELL: 13.59.6.

18 ATTORNEY JAMES RAFFERTY: That
19 sounds like a section of the Ordinance as
20 opposed to a section of the procedure.

21 HUGH RUSSELL: It does sound like

1 that.

2 THOMAS ANNINGER: Yes, maybe this is
3 not the PUD.

4 HUGH RUSSELL: It says during the
5 design review process --

6 THOMAS ANNINGER: This is not from
7 the -- I see. I thought this was in the
8 vicinity of the --

9 HUGH RUSSELL: Right, this is
10 describing what the process.

11 ATTORNEY JAMES RAFFERTY: Right.
12 The process for a PUD. I don't believe that
13 there's a connection between from here.
14 Between here and Building Permit is usually
15 ongoing design review with the staff. I
16 don't recall that language at all in the
17 Special Permit decision.

18 HUGH RUSSELL: So, it's possibly in
19 the Ordinance.

20 THOMAS ANNINGER: No, this is wrong.

21 ATTORNEY JAMES RAFFERTY: I think

1 that's -- Article 13 is the PUD section of
2 the Ordinance and that's the section that
3 talks about....

4 HUGH RUSSELL: All right. Well as
5 Tom says, let's get on with it. I will
6 peruse the Ordinance while you're discussing
7 this. Are you going to walk us through the
8 design?

9 DAVID MANFREDI: Good evening. My
10 name is David Manfredi from Elkus Manfredi
11 Architects. We are here to discuss the
12 design of the building. When we were here on
13 January 18th, the Board made some very
14 significant comments about design. They were
15 in fact conceptual in nature. They were
16 about urban design issues, and we took them
17 very seriously. What we talked about on that
18 evening was the place of this large building
19 on this site in this context. The
20 relationship of this building to 100 Binney
21 to which you have previously reviewed. And

1 I'll paraphrase as best I can, the desire to
2 create diversity, a desire for a kind of
3 sobriety in this building in the context of
4 100 Binney in which 100 Binney I think is
5 regarded as an exuberant building. That
6 there is the desire to create diversity not
7 only in the architecture of the building, but
8 almost the attitude of the building. And
9 that is what -- we listened. That is what we
10 have attempted to do here. We have
11 redesigned the building. We changed the
12 building quite significantly. And so, I'm
13 going to take you through some of the very
14 simple planning principles which I don't
15 think were controversial. In fact, I think
16 were well received. But just as a reminder,
17 and then we'll go to the architecture of the
18 building, meaning really the massing and the
19 design of the building envelope. You know we
20 are talking about 50 Binney which is south
21 side of Binney between First and Second, next

1 to 100 Binney which you have previously seen,
2 and 41 Linskey in between. And the building
3 that we showed you in January and we're
4 showing you tonight, conforms in all ways
5 with the envelope that was part of that
6 Zoning Amendment in terms of its height and
7 density and setbacks and site improvements.
8 We did talk that night about the building in
9 its context. And I'm going to repeat this
10 only because it is still important to what we
11 present here tonight. And that is that 50
12 Binney does represent the gateway into, into
13 Binney Street, into this entire corridor. It
14 has quite different sides in context, but I'm
15 sure as you've seen in the materials, we've
16 tried to make the building calmer by making
17 it more regular in its design. But in its
18 context it has an important street wall on
19 Binney which is obviously the kind of Main
20 Street of the district. It has a street wall
21 on Linskey which is a street of quite

1 different scale. And then it has short
2 street walls on Second.

3 On First, while it addresses First, it
4 addresses the new Triangle Park which is
5 about 0.9 acres. And the park has really
6 inspired us in terms of massing, in
7 fenestration and materials. We really do
8 think of the building having a kind of
9 hard-edged city side and a softer edge park
10 and riverside. And I think that also goes to
11 the place of the building at the head of the
12 street. And in many ways kind of the head of
13 this corridor and the head of this precinct.
14 We talked a lot, and I'm going to go to I
15 eight slightly bigger scale here.

16 We talked a lot the last time about the
17 arrangement of parts on the ground floor.
18 What we have done since back at the time of
19 the Zoning Amendment is the building is
20 narrower. We have increased the dimension of
21 sidewalk. We have increased the number of

1 parking spaces along the street. I think
2 that's all good in relationship to the
3 immediately present condition of this
4 building and even more important to its
5 future condition to support ground floor
6 retail. As you know, in its first generation
7 of life, we are committed to -- well, we're
8 committed to retail actually on the east end.
9 We have active retail on this west, northwest
10 corner. We think this is kind of a hundred
11 percent intersection Binney and Second. We
12 want to take advantage of all of those
13 corners. It is the center of all of the
14 Alexandria holdings. Both geographically and
15 in terms of -- most importantly in terms of
16 traffic.

17 We've designed the ground floor in a
18 way that it has a front door today and a
19 possible second front door in the future.
20 And that those could be connected by Arcade.
21 And all of this can become future retail and

1 subdividable that has a lease depth of about
2 45 to 50 feet which we think is very positive
3 for the kind of retail you can anticipate
4 here. And so, you can imagine a day when you
5 have active retail edge all along, partially
6 along Second, all along Binney, wrapping
7 around First and then on to Linskey. This,
8 this is located here because there is a
9 primary entrance into the Athenaeum building
10 is right here, and so there's a kind of very
11 natural through-block connection here. We
12 also mentioned last time we were here that we
13 have dedicated bicycle storage at the
14 perimeter of the building. This actually, I
15 will go back one, if you look at it in
16 context, there is bicycle storage above
17 grade. And 100 Linskey and bicycle storage
18 here above grade. And as I said, all of this
19 kind of communicates, meaning that we expect
20 bicycles to arrive here. Bicyclists to
21 arrive here. We expect parkers to arrive

1 here and come up through the course of these
2 buildings. We expect this to be retail here,
3 here, here, in the future here. And this
4 becomes a node of alternative means of
5 transportation, but also just of activity, of
6 daily street activity on the corner.

7 Linskey is clearly a different street,
8 and we have made alterations as you're aware
9 in terms of arrangement of loading dock and
10 access to parking below grade in order to
11 maintain as good, comfortable, wide a
12 sidewalk as possible because the folks from
13 the Athenaeum will likely park at 100 and so
14 there will be pedestrian traffic on Linskey
15 as well.

16 I want to point out on the upper floors
17 just one thing. As we came to re-imagine
18 this building while maintaining its height
19 and square footage, we did more to break it
20 down into component parts. And we began to
21 think of this building as a series of kind of

1 vertical components that we could take up
2 biometrically through the entire volume of
3 the building. And that required cutting more
4 deeply into the mass of the building and
5 really defining that. And so we think of
6 this now as a four-part composition. One,
7 two, three and four. The fourth building
8 being more plastic in its shape and more
9 related to the park and to the river. And
10 that is the part from our previous
11 presentation, from our previous designer, is
12 that we have really held on to -- I think it
13 was well received here and we think it's an
14 important and kind of a connected design
15 move. One of the comments that the Board
16 made when we were here last was there were
17 parts of our design proposal that felt
18 arbitrary. I think this is the least
19 arbitrary in that it is quite specific to
20 context and relationship to the river and the
21 green space.

1 I wanted to show you this -- this is a
2 little bit hard to see, but I did want to
3 show you the building in that context of when
4 all of these Alexandria holdings are built
5 out. These buildings are not designed, but
6 you are aware of the massing envelope. 100
7 Binney is designed and 50 Binney is here in
8 front of you today. And we just wanted to
9 show you this in the context of what a
10 character of Binney will be. The
11 relationship of these buildings, the green
12 space. The relationship of these buildings
13 to each other, and also to the river and to
14 Triangle Park.

15 What we really did was change our
16 attitude about the kind of building it is.
17 We wanted it to subscribe more to the order
18 of a more traditional urban street wall. And
19 what I mean by that is that it has a more
20 clearly defined base. It has a more clearly
21 defined top, and it has a middle. And it is

1 about a frame in which there is a pattern of
2 fenestration as opposed to an almost entirely
3 curtain wall expression. I think the
4 building on its north facade the last time
5 you saw it was 95 percent glass. We reduced
6 the glass on the north side significantly.
7 And we have created more in the sense of I'll
8 call it load bearing, I'll call it
9 traditional urban street wall, a series of
10 these volumes that are separated by glass
11 where that separation runs all the way
12 through the building with these rather deep
13 cuts into the volume. We've greatly
14 simplified the penthouse screen so that it is
15 merely a -- it's a reflection of the volume
16 below it and it steps back and actually in
17 two intervals, and the relief for the reveal
18 between these volumes also steps back as
19 well.

20 What we've held on to that we feel
21 strongly about is that east end of the

1 building where you do kind of break out of
2 the urban grid. And you are freer. And the
3 building becomes freer, it takes on more of
4 the character of the open space that it
5 abuts. It continues to step back. It
6 continues to have these kinds of kinds of
7 curve or linear forms. It affords us these
8 narrow terraces that can be green, and some
9 of that green of the park can actually climb
10 up the building. If you remember the earlier
11 proposal, we've clearly separated these
12 parts. And I think we've given this building
13 more substance. And I mean that both
14 visually and materially we've changed the
15 ratio of solid to wood. But also I don't
16 know, a little bit in its spirit, that it is
17 clearly more separate from the building next
18 to it at 100 Binney.

19 This is a view looking east. 41
20 Linskey to your right. The new meeting
21 house, the Church of Latter Day Saints to

1 your left and Binney in the foreground with
2 Second running through it. And, again, you
3 can, I think clearly read that composition.
4 But you can also read that, I think, I hope
5 that the building comes together, meaning
6 that when I show you the Linskey elevation,
7 you will see that -- basically that same
8 composition. So that there's a sense that
9 this building reads around on its sides. And
10 so while the sides are different in their
11 context, urban street, big urban boulevard,
12 the park, the more city kind of street which
13 is Second and the more service kind of
14 street, the building reads as a whole. And I
15 think -- I'll extrapolate a little bit from
16 your comments that part of was troubling was
17 it did not read enough as a whole.

18 This corner is glass, this is the
19 entrance to the building. There's retail at
20 the base. And, the only time -- and I should
21 say by the way, while I say it's of the order

1 of a more traditional urban street wall, we
2 still want it to be a modern building. I
3 mean, it is a building of science and
4 technology. And so we have taken some
5 liberty with the fenestration pattern while
6 it's in that kind of more traditional kind of
7 frame, it has more variety to it than if it
8 were truly a load bearing stone wall. There
9 are -- where we make moves, we make moves for
10 a reason. Meaning where the glass is set
11 back and the frame is interrupted, that's the
12 front door of the building. Where the
13 volumes break, that's the corner of the
14 building and that's the corner that addresses
15 what I've called this 100 percent
16 intersection.

17 The materials that you're looking at,
18 we think that this is a cast stone, a precast
19 panel on floors three through the mechanical
20 floor. That it is relatively simple and warm
21 in color. It has texture. We have discussed

1 with Community Planning Department whether
2 the ground two floors of the building, that
3 future retail, at least at the ground floor,
4 could be stone as in a light limestone color,
5 as in a warm limestone color. And that's,
6 that's something we have studied, and I think
7 Alexandria is more than happy to pursue. So
8 where you touch and feel it, you get the most
9 precious material.

10 I hope also that you do see what we're
11 trying to achieve here is to incorporate the
12 penthouse and the mechanical which is big
13 into the design of the building. This is the
14 roof of the building. That's the tenth floor
15 right there. That's the roof and the Zoning
16 definition of roof. This is mechanical
17 floor, and this is mechanical screen. That
18 is, this volume is largely open to the sky.
19 All the mechanical equipment is enclosed,
20 meaning surrounded by vertical wall with
21 acoustic panels. And as you remember from

1 the Zoning Amendment, we are held to a very
2 high standard of acoustics here in terms of
3 no new sound being legible from within 100
4 feet on the sidewalk of the building and
5 hence the complete surround of mechanical
6 equipment. The east side of the building is
7 still exuberant if that's the right word.
8 Meaning it sort of does break out of the
9 urban grid. It takes on that more soft form.
10 We have worked -- and you'll notice by the
11 way, we're treating the precast and the stone
12 I think in a way that's befitting of the
13 material. In that it is not being treated as
14 a plain or as a screen, the stone returns or
15 the precast returns, and so there is a more
16 solid sense of volume.

17 And then this is a perspective that I
18 showed you different design, but a view that
19 we showed you last time to give you a sense
20 of how all of that fits in this skyline
21 coming over the Longfellow Bridge. And it's

1 a big building, but it's a big building that
2 we have tried to break down into component
3 parts that fits more into that landscape, and
4 even break down the top of the building, but
5 in a quieter, calmer sort of way when a
6 penthouse screen has manipulation of its
7 massing, but not kind of all of the I think
8 visual chatter that was of concern before.

9 Just very quickly just to, so you see
10 the elevations head on. This is the north
11 elevation, the Binney elevation. That is
12 this kind of, this four part composition that
13 I'm talking about, separated by glass,
14 setbacks as you can see from the shadows. So
15 if this volume is set back and there's
16 additional setback, the seams kind of follow
17 in their setbacks as well. And the
18 opportunity long term for these bays to
19 accommodate retail when the population on the
20 street can in fact support that much retail.

21 And then on the Linskey side, very

1 similar composition. Basically we've
2 reversed it. We don't ever anticipate that
3 we will have retail here. This is our
4 loading docks and access department. So the
5 scale gets a little bit finer on that south
6 side.

7 We did want to -- and this is maybe a
8 little bit hard to see, but this is a section
9 cut through Binney Street all the way from
10 the river and the Esplanade. We go from the
11 center of the Esplanade Building, hence it's
12 in grey. And we cut through the middle of
13 the street. You're looking at 50 Binney, 100
14 Binney, 300 Third and then you're looking
15 through to Watermark and then to the
16 buildings of Kendall Square. What we're
17 trying to get at here is simple: It's not --
18 we're not trying to get at height and
19 massing. We really are trying to get at the
20 possibility, the opportunity to really create
21 diversity. And it's about an attitude about

1 design. It's about proportions. It's about
2 materials. This building 100 Binney, I think
3 you have rightfully pointed out, celebrates
4 itself. And you might even argue, celebrates
5 its bigness. Whereas, 50 Binney is trying to
6 find a scale that has a peak on that street
7 that while it's still on that building and
8 this is a street of bigger buildings, works
9 with its scale and size on a much different
10 kind of way. Even to those penthouses which
11 on 100 Binney are really about wrapping this
12 all together at 50 Binney you're about
13 breaking it down into its component parts.

14 There was a request when we were here
15 last to give you a little bit more view of
16 street level. And this is the entrance to
17 the building which in its scale is actually
18 quite modest. We don't want the entrance of
19 the building to overwhelm that retail on the
20 corner or future retail along the north side
21 of the street. And that's -- this is a -- I

1 think this also was requested, a kind of
2 close in view of Second and Binney looking
3 east. The entrance to the building, that
4 corner that is dedicated to retail use, of --
5 actually the bicycle storage is right behind
6 this with its own entrance that comes into
7 the lobby of the building. And we're just
8 trying to give you a little bit of a hint
9 here that those first two floors of building
10 could in fact be stone, and the upper floors
11 of the building be some precast stone. A
12 precast kind of panel.

13 We didn't talk a lot last time, and I
14 won't talk a lot now because I know you've
15 had a chance to see the materials, but this
16 building will be highly sustainable. There's
17 great opportunities in these life science
18 buildings to make them sustainable with high
19 efficiency infrastructure. Meaning that we
20 have the opportunity to recover heat and
21 reuse it. And we will do this here. It's

1 just good building practice and good
2 operating practice. But there's also
3 strategies about storm water management,
4 about holding storm water and recharging in a
5 measured kind of way. All of the landscape,
6 and Chris Matthews is here in sustainable
7 landscaping, and its indigenous landscape.
8 And the building has been designed so that it
9 photovoltaic ready. We've talked about that
10 before, but we've had the opportunity before
11 in the structure of the building that as the
12 technology of photovoltaics, and the efficiency
13 of photovoltaics become, come with an a kind of
14 closer in payoff, all of that structure will
15 be in place and there's a commitment there,
16 too. That I've got (inaudible) and of course
17 as we've made the building, I think simpler,
18 hopefully a little bit calmer. We've also
19 reduced the amount of glazing and we've
20 improved the solar heat gain around the
21 building.

1 I'll only make one point, and Chris is
2 here on the site plan, Community Development
3 did encourage us to find more green and less
4 hard scape especially on the east side of the
5 building. We did -- we hope, and I know
6 Alexandria will believe this will be
7 restaurant space. That it will spill out
8 into tables and chairs. We want to maintain
9 hard scape along the edge to accommodate
10 outdoor dining. But we do want to make this
11 as green as possible. So what Chris has done
12 here is add low planting as well as increased
13 the number of shade trees on each side of the
14 building.

15 And that is our presentation. I
16 welcome your comments.

17 HUGH RUSSELL: Thank you.

18 Ted.

19 H. THEODORE COHEN: I guess I'll
20 start. I thought that was a fabulous
21 presentation and advocacy to make me love

1 this building, and I have to say I don't.
2 And I think in part you listened too well to
3 what some of us said last time. I love the
4 front, you know. I think it's fabulous. I
5 can understand your rationale for, you know,
6 changing the windows to the masonry. I
7 think, you know, you say you've become more
8 traditional, more conservative, more whatever
9 you want. It seems to me it's become a
10 little timid. And I think what I like the
11 least, and I understand your rationale for
12 why you did it, and so maybe I'm just wrong,
13 is the penthouse. And for some reason I
14 think I could, you know, the masonry size
15 would work with everything, but the penthouse
16 just makes it so four square and so
17 forbidding up at the top of this enormous
18 building. I mean, when you look at the view
19 from the bridge, it looks like an ocean
20 liner. And I think in part it's because I
21 love the penthouse on 100 Binney so much, I

1 thought that was one of the greatest and
2 creative penthouses around. That there's
3 something about this one that just looks so
4 Stalin to me on a very big building. You
5 know, there are lots of -- you know, I like
6 both ends. You know, I like the far corner
7 with the glass and all. And I really can
8 understand what you wanted to do, but it's
9 your design and your client's decision what
10 you want to do and I understand, but there's
11 something about it that there's just a little
12 too timid to me. And from my point of view
13 it's the penthouse but I could be totally
14 wrong with that. So, I'm sorry.

15 HUGH RUSSELL: Ahmed.

16 AHMED NUR: Well, I have a slight
17 different view. I really like the building.
18 I like the view of it. I like what you did
19 on the south elevation looking over the
20 river, different balconies what I thought was
21 accessible balconies at first which would

1 have been great, but I understand it's a
2 pharmaceutical building and you have the
3 rooftop; storm water on one level, and the
4 green roof on the other level and the
5 construction manager.

6 I do have a question about the
7 retention or you called it the water
8 retention that can hold several inches of
9 water, rainwater. What do you intend to do
10 with that water? How deep is it exactly?

11 DAVID MANFREDI: That's simply to
12 measure how it gets into the storm water
13 system so it's not released all at once. We
14 can hold a couple of inches. So in a big
15 storm we're releasing it in a measured way.

16 AHMED NUR: Releasing it into what?

17 DAVID MANFREDI: Into the city
18 infrastructure.

19 JOSEPH MAQUIRE: It's that the first
20 inch will be recharged. This entire
21 development will be recharged into the ground

1 i tsel f.

2 AHMED NUR: I'm sorry, sir, can you
3 take the microphone? I'm sorry. So others
4 can hear you.

5 JOSEPH MAQUIRE: The first inch --
6 I'm Joe Maguire from Alexandria.

7 The first inch of water is going to be
8 retained at that site, so that there will be
9 irrigation systems at the ground level. The
10 trees will be picking up water, and in fact
11 we may be recycling the water at the top.

12 AHMED NUR: Okay, yes, that answered
13 my question. You are using the (inaudible).

14 JOSEPH MAQUIRE: Yes, we are looking
15 for LEEDs points relative to this.

16 AHMED NUR: What happens in the
17 wintertime? Is it indoor?

18 JOSEPH MAQUIRE: There is an a
19 storage tank --

20 AHMED NUR: So there is a storage
21 tank I guess collected into --

1 JOSEPH MAQUIRE: Yes. In the lower
2 level of the garage.

3 AHMED NUR: Do you from the public
4 using restaurant on that elevation looking
5 over to the river between the two buildings,
6 for example, for example, on this level here,
7 if you were to look through the river, I just
8 wonder what does the view look like towards
9 the river?

10 JOSEPH MAQUIRE: Well, part of
11 directly in front of the river up high. I
12 don't know if we have a picture of that. At
13 the higher elevations you will see directly
14 across the river, particularly as you look
15 more to the southwest.

16 DAVID MANFREDI: Well, I was going
17 to go to the aerial because that's probably
18 it.

19 AHMED NUR: Okay, yes, that helps.
20 Because I didn't think those two buildings
21 were that close together on this. Thank you.

1 All right, I'm all set. Okay, thank you.

2 HUGH RUSSELL: You ready, Tom, or do
3 you want to wait for somebody else?

4 THOMAS ANNINGER: I want to wait for
5 someone else.

6 HUGH RUSSELL: Okay. Well, I will
7 give my reaction.

8 Maybe one person's timid is another
9 person's, you know, sophisticated and
10 restrained. I find it quite interesting
11 because it's -- there's no question it's a
12 21st century building, yet the clues and the
13 references back to the older way of using
14 masonry tie it back in to the history a bit.
15 So, if you look at the elevation, it's very
16 modern and nobody, nobody did that 30 years
17 ago or 50 years ago. The proportions, the
18 scale, the way it's put together, it's --
19 yet, it feels more restrained. It is more
20 restrained. And I hadn't thought much about
21 the penthouse, but I think, I agree with Ted

1 that maybe that's something that needs
2 continuing thought because it -- maybe it's
3 just the grid-like appearance that makes you
4 think they're huge blocks of concrete sitting
5 up there, and maybe -- and that's probably an
6 artifact of the rendering rather than what
7 the building really looked like. But, I
8 would encourage you to think some more about
9 that.

10 When I first saw it, I was sort of -- I
11 thought the -- there are a couple of levels
12 where the penthouse is enclosed with glass.

13 DAVID MANFREDI: Yes.

14 HUGH RUSSELL: And I think about
15 that every time I'm on the traffic light at
16 on Cambridge Street just before crossing
17 River into Cambridge. As I look over at the
18 Genzyme production facility and all that
19 glass and all that equipment, and it seems
20 sort of silly. It appears to be that you may
21 be screening us from the nitty-gritty of

1 what's inside which is not really the chosen
2 on that building. And also 40 years ago the
3 building I worked on for CERT. At some point
4 CERT came in and said well, the mechanical
5 room looks too big. I'm going to put a nine
6 foot wide glass wall in the mechanical room.
7 And I mean, the university was appalled but
8 they did it. Because the Dean, what could
9 they do? I think now they've managed they
10 didn't need the mechanical space and there
11 are actually offices behind that window --
12 those windows.

13 So, I wonder, you know, if you're going
14 to use glass at the end. Would that glass
15 migrate all the way over to the top of the
16 building and engage in a conversation with
17 the other building? Or would that just not
18 -- would that defeat it all? I don't know.
19 What do you think.

20 DAVID MANFREDI: Well, a couple of
21 comments. You're absolutely right. We are

1 thinking that this -- it's a little hard when
2 you blow it up this big, but when you look at
3 it, small, and we think that this is a
4 pattern glass. And so we're going to give
5 you a glimpse, but we're not going to give
6 you the look that Genzyme gave you. And we
7 have the benefit that we're not coplanar, so
8 you know, you won't be able to put those
9 panels together. If this was a horizontal
10 pattern that is maybe 50 percent opaque, it
11 allows us to maintain that volume and not be
12 too worried about seeing this enormous
13 glasswork behind the glass.

14 These pieces behind the parts of the
15 penthouse are glass, and again, they would be
16 pattern glass. This panels are aluminum,
17 metal painted of the same finish as the
18 windows themselves. And it may be that we
19 are too flat unadorned here, and that's not
20 the right word, but without detail. And
21 maybe in fact it would help them read more of

1 the modularity of the metal panel. If the
2 reveals are deeper, wider so that you break
3 down, we're starting to hint at it, but maybe
4 not doing enough, break that down more into
5 its parts. And the other thing, and it's
6 actually very hard to read here, but that top
7 panel we actually set back, and maybe you
8 start to think about whether you do re-entry
9 corners on those and you break down the
10 volume on this a little bit more. I do say
11 or I do think that, you know, you see it over
12 here. We love that penthouse. But I don't
13 think we want to do it again here next to it.
14 In fact, I think we want to play the
15 juxtaposition of those two things.

16 HUGH RUSSELL: Ready, Tom?

17 THOMAS ANNINGER: As best as I'm
18 going to be.

19 I think this is a vast improvement over
20 what we had before. I think the size of the
21 building called for a real thought on the

1 attitude question. Should this celebrate
2 itself? And it's so big that to do that has
3 all sorts of risks. And I think changing the
4 attitude to one that has I think greater
5 dignity and is not timid, but I think it's
6 very dignified to do this, gives it much
7 greater appeal. And I think what it does is
8 puts some order to the street. I think it's
9 going to actually feel very good to walk down
10 that street with something that has a
11 satisfying and easily grasped geometry, like
12 these three -- I don't know what you call
13 them, townhouses, rectangles. I think it
14 sits very well on the street and I'm happy
15 about it. And yet, I don't think it's square
16 at all. I think you do pick up the
17 exuberance at one end, and I think that's a
18 nice balance. So I don't think this has
19 become a background building. And yet part
20 of it has taken on a dignity that I think the
21 street required.

1 I have only one comment which is
2 puzzling to me and it's a small point, but we
3 haven't really seen a lot pictures about how
4 it's going to feel at the sidewalk level.
5 But looking at it from this distance and all
6 the perspectives, again, I have no idea where
7 the entrance is. It's really -- that glass
8 corner to me doesn't cry out to you this is
9 where you want to enter the building. It
10 doesn't tell that to me. If anything, some
11 of those vertical lines in between that have
12 broken it down into three parts. You might
13 think that one of those might be an entrance,
14 but it's not. So I guess that is one
15 puzzling area that you might have to deal
16 with at the street level if you know the way
17 they do it in New York. With something that
18 juts out on you or something. Maybe you'll
19 have to do something like that. But right
20 now it doesn't read to me as -- if anything,
21 I think there might be three entrances.

1 DAVID MANFREDI: Well, the entrance
2 is right here. Really the only place where
3 this is that -- that's our clue. That's your
4 clue. It's the only place where we break
5 this pattern that we have developed which is
6 repeated basically six times. We break it
7 here and it goes right down and it on access
8 with that front door. I don't disagree with
9 you. Well, maybe actually the best place is
10 to see it here, Tom. It is modest and maybe
11 it is too modest, and maybe the way to do
12 that is not with grand gesture but with as
13 you say, an element at street level, at
14 pedestrian level that let's you know that
15 just because you know there's a kind of lid
16 that cantilevers out and gives you some
17 protection, gives you a number, you know,
18 where you are.

19 THOMAS ANNINGER: And with a
20 building this size you could run around the
21 building trying to figure out just how do I

1 do this. So that was -- that's -- I think
2 that's an easy fix. But overall, I think
3 this is an good improvement and I am grateful
4 for the effort that you put into the
5 redesign. I think Binney Street and the
6 whole -- all of the projects will benefit
7 from what you're doing. I'm okay with it.

8 HUGH RUSSELL: Pam.

9 PAMELA WINTERS: I agree with Tom.
10 I do think it's an improvement over the last
11 addition, and I also agree about the front
12 entryway. It is difficult to see. It does
13 need an awning or it does need something
14 that's marks it more as the opening.

15 And I have a question for Hugh. Hugh,
16 when you said something about the rooftop
17 mechanicals, did you say that you would have
18 liked the -- them to be in glass? Is that --
19 was that a suggestion that you made? Because
20 I was thinking about that. Too, how that
21 would look if the glass were extended around

1 the building.

2 HUGH RUSSELL: Well, that was a
3 speculation. And I mean --

4 PAMELA WINTERS: So that you mean
5 the mechanicals on the inside?

6 HUGH RUSSELL: No, no, absolutely
7 not. That's not what I said. But I think
8 the rendering doesn't probably -- can't
9 convey the material of the aluminum panels
10 which is the -- they're the same material
11 that's used in the window frames. And so
12 it's -- it's not, you know, that material can
13 be shinier or it can be mat. The fine
14 textures. And you can think of -- I'm not of
15 that opinion as to which one -- how to go
16 with that. But thinking about those
17 questions may help you a bit. I think maybe
18 it's -- you know, maybe it's shinier and, you
19 know, more than mat so that it shimmers like
20 glass shimmers. Maybe that's terrible. I
21 don't know.

1 PAMELA WINTERS: It's funny because
2 I had the same thought. Could I see that
3 other, the other side where the curve
4 linear -- the other side of the building.
5 Yes, that right there.

6 So I just had that same thought that it
7 would be interesting to see that curve linear
8 glass just kind of extended over the top of
9 the building, but, you know, just --

10 HUGH RUSSELL: I think if you don't
11 -- if you just run straight, you're going to
12 kind of get rid of what the rest of the
13 building has been doing to create the scale.

14 THOMAS ANNINGER: You got to make
15 the mechanicals look bigger.

16 HUGH RUSSELL: I think so.

17 PAMELA WINTERS: It will make them
18 look bigger.

19 THOMAS ANNINGER: Think I think if
20 you run that around, you will just lower the
21 cornice line and create more glass up top.

1 HUGH RUSSELL: I mean we're, we're
2 doing a design review here.

3 THOMAS ANNINGER: Right.

4 HUGH RUSSELL: And the points we
5 bring up then get taken back for more
6 discussion and more thought. You know, has
7 Roger even seen this scheme?

8 DAVID MANFREDI: Yes, we sat with
9 Roger and viewed it with him before he left.

10 HUGH RUSSELL: Before he left.

11 ATTORNEY JAMES RAFFERTY: He
12 expressed -- I don't want to speak for him.
13 He expressed a high level of enthusiasm for
14 this approach.

15 HUGH RUSSELL: Right.

16 THOMAS ANNINGER: He liked the first
17 one, too?

18 ATTORNEY JAMES RAFFERTY: I'm sorry?

19 HUGH RUSSELL: We'll leave it at
20 that. Well keep thinking about it. And
21 thinking of ways that it can be even more

1 enthusiastic.

2 ATTORNEY JAMES RAFFERTY: I mean,
3 it's Roger so it's a relative term, you know
4 what I mean? As far as Roger goes, it's
5 enthusiastic.

6 HUGH RUSSELL: Great. It is good to
7 hear that, because we do rely upon his --

8 ATTORNEY JAMES RAFFERTY: It was
9 very helpful. I think it was two meetings
10 with Roger and the staff.

11 DAVID MANFREDI: Yes.

12 PAMELA WINTERS: Okay.

13 HUGH RUSSELL: But I think if we
14 could --

15 STEVEN WINTER: You want me to make
16 some comments?

17 HUGH RUSSELL: Yes. And the
18 continuing development thinking about those
19 issues at the top.

20 Steve.

21 STEVEN WINTER: Thank you,

1 Mr. Chair. The simplified penthouse makes a
2 better profile. I like that a lot better.
3 It looks -- it makes a better profile. I
4 think that I could really live with this, the
5 three -- this is calmer sides of the
6 building. And I think it really makes a
7 little more exciting, this very unusual side
8 that looks -- that will be I think some of
9 the those marketable and sought after space
10 in town. And also this building has a view
11 from the Red Line. A hundred thousand people
12 a day are going to look at that and get a
13 thrill because it's very pretty to look at.
14 Very attractive. And that's good. It's part
15 of the urban landscape. I think that -- I'm
16 okay with the entrance ambiguity. That
17 doesn't bother me. I think the urban
18 streetscapes develop themselves, and then
19 according to the uses and what retail is
20 there or what restaurant is there or where
21 you were -- one works in the context of it,

1 and I think that we define those entrances
2 ourselves, maybe each of us in our own
3 different way. That's my interest. If
4 somebody else goes there, and that's the joy
5 of urban landscape. It's not all carefully
6 defined and laid out. So, I think that
7 you've really -- that you're working as hard
8 as you can with the perspectives from the
9 Board. And I think you've, I think you
10 pushed us to a really nice place. I like
11 what we're doing here and that's my feedback
12 to David.

13 HUGH RUSSELL: So, are we done?
14 Maybe we need a motion that says we've
15 reviewed the design of this building and send
16 it off on for the next stages of development.
17 We can incorporate our comments in which
18 there were a number of clarity comments and
19 places where people said they were
20 uncomfortable.

21 AHMED NUR: I agree.

1 HUGH RUSSELL: So do you all agree
2 with that decision? Raise your hand and that
3 would be a vote.

4 (Russell, Anninger, Winters, Winter,
5 Cohen, Nur.)

6 STEVEN WINTER: What do we need
7 here? Do we need to do to encourage the
8 proponent, what do we need to do?

9 HUGH RUSSELL: We need to go out and
10 find a tenant.

11 STEVEN WINTER: We don't have to
12 have an official vote is what I'm asking?

13 HUGH RUSSELL: Correct.

14 ATTORNEY JAMES RAFFERTY:
15 Mr. Chairman, it would be our understanding
16 at this point that the board level design
17 review on this building is now complete and
18 we'll continue on with staff review on the
19 design?

20 HUGH RUSSELL: Yes.

21 PAMELA WINTERS: Yes.

1 HUGH RUSSELL: I was trying to say
2 that, but your words are better than mine.

3 BRIAN MURPHY: And I think that
4 would be helpful in getting a tenant.

5 ATTORNEY JAMES RAFFERTY: Yes,
6 indeed. Thank you.

7 HUGH RUSSELL: So I think we voted.

8 THOMAS ANNINGER: We did.

9 HUGH RUSSELL: We did vote.

10 DAVID MANFREDI: Thank you.

11 HUGH RUSSELL: Any more business
12 before the Board tonight?

13 LIZA PADEN: No.

14 HUGH RUSSELL: Okay. We're
15 adjourned.

16 (Whereupon, at 10:55 p.m., the
17 meeting adjourned.)

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C E R T I F I C A T E

COMMONWEALTH OF MASSACHUSETTS
BRISTOL, SS.

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I further certify that the testimony
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IN WITNESS WHEREOF, I have hereunto set
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